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

EIGHTEENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, April 29, 2008

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

Morning Hour
ROLL CALL

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

PRESENT

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<tr>
<th>Mr. Speaker Geymann</th>
<th>Mills</th>
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<tr>
<td>Abramson Greenslade</td>
<td>Monica</td>
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<td>Anders Guirloiry, E.</td>
<td>Montoucet</td>
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<td>Armbrister Guirloiry, M.</td>
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<td>Arnold Guinn</td>
<td>Morris</td>
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<td>Aubert Hardy</td>
<td>Norton</td>
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<td>Badon, A. Harrison</td>
<td>Nowlin</td>
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<td>Badon, B. Hazel</td>
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<td>Baldone Henderson</td>
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<td>Barras Henry</td>
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<td>Barrow Billiot</td>
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<td>Burford Hines</td>
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<td>Burns, H. Hoffmann</td>
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<td>Burns, T. Honey</td>
<td>Richardson</td>
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<td>Burrell Howard</td>
<td>Richmond</td>
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<td>Carmody Hutter</td>
<td>Ritchie</td>
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<td>Carter Jackson G.</td>
<td>Robideaux</td>
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<td>Cazayoux Jackson M.</td>
<td>Roy</td>
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<td>Champagne Johnson</td>
<td>Schroder</td>
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<td>Chandler Jones, R.</td>
<td>Simon</td>
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<td>Chaney Jones, S.</td>
<td>Smiley</td>
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<td>Connick Katz</td>
<td>Smith, G.</td>
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<td>Cortez Kleckley</td>
<td>Smith, J.</td>
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<td>Cromer LaBruzzo</td>
<td>Smith, P.</td>
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<td>Danhay LaFonta</td>
<td>St. Germain</td>
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<td>Dixon Lambert</td>
<td>Talbot</td>
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<td>Doerge LeBas</td>
<td>Temple</td>
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<td>Downs Leger</td>
<td>Thibodaux</td>
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<td>Edwards Ligi</td>
<td>Waddell</td>
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<td>Ellington Little</td>
<td>White</td>
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Total - 104

ABSENT

| Dove |

Total - 1

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

Prayer

Prayer was offered by Bishop Charles Jenkins, III.

Pledge of Allegiance

The fifth grade class of Alice Harte Elementary School 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. Billiot, the reading of the Journal was dispensed with.

On motion of Rep. Billiot, the Journal of April 28, 2008, was adopted.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 80—
BY REPRESENTATIVE MICKEY GUILLORY
A CONCURRENT RESOLUTION
To authorize the Acadiana Region Supports and Services Center to enter into a cooperative endeavor agreement with the Acadiana Region Supports and Services Center Families Association, Inc., in the development of the Acadiana Region Institute for Community Growth, a nonprofit organization.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 81—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION
To create a task force to study and resolve problems between the contract poultry growers and poultry integrators and to recommend the best practices and approaches to resolving their problem; to require that a report of its findings and recommendations be submitted to the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development and the Senate Committee on Agriculture specifying its activities, problems, recommendations, and action taken on recommendations.

Read by title.

Under the rules, the above resolution was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE CONCURRENT RESOLUTION NO. 82—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development and local governing authorities to place appropriate signs and traffic signals in school zones to indicate those zones are no passing zones should certain legislation pass.

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

HOUSE CONCURRENT RESOLUTION NO. 85—
BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION
To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to work with their respective counterparts in the Senate to consider a medical cannabis bill that allows for the cultivation of cannabis for personal, medical use.

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

HOUSE CONCURRENT RESOLUTION NO. 95—
BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION
To authorize and request the Department of Public Safety and Corrections to study the feasibility and effectiveness of providing substance abuse counseling in all jails and prisons in the state of Louisiana, and to report its findings to the House of Representatives prior to the convening of the 2009 Regular Session.

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

SENATE BILL NO. 74—
BY SENATOR SHEPHERD
AN ACT
To enact R.S. 32:393(I), relative to motor vehicle traffic regulations; to prohibit traffic violation convictions obtained solely upon evidence from a traffic camera; and to provide for related matters.

SENATE BILL NO. 117—
BY SENATOR AMEDEE
AN ACT
To amend and reenact R.S. 13:2563.17(A) and (B) and to enact R.S. 13:2563.17(D), relative to the judicial expense fund of the Parish Court for the parish of Ascension; to provide for the collection of fees; to provide for the creation of the Parish Court Probation Fee Fund as a separate account in the judicial expense fund; to provide for inspection; to provide for an audit; to provide for purposes; and to provide for related matters.

SENATE BILL NO. 265—
BY SENATOR QUINN
AN ACT
To amend and reenact Chapter 2 of Title VIII of Book I of the Civil Code, formerly comprised of Articles 365 through 385, to be comprised of Articles 365 through 371, Civil Code Article 2318, and Title V of Book VII of the Louisiana Code of Civil Procedure, formerly comprised of Articles 3991 through 3994, to be comprised of Articles 3991 through 3998, all relative to the emancipation of minors; to provide for the kinds of emancipation; to provide for judicial emancipation; to provide for emancipation by marriage; to provide for limited emancipation by authentic act; to provide for the effective date of an emancipation; to provide for the modification or termination of an emancipation; to provide for parental liability of an unemancipated minor; to provide for a petition for a judicial emancipation; to provide for the venue for a judicial emancipation; to provide for the hearing of a petition for a judicial emancipation; to provide for an appeal of a judicial emancipation; to provide for the termination or modification of an emancipation; to provide when an emancipation is effective; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 579—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 13:841.3 and 983(L), R.S. 44:183(F), and Section 8(A)(1) as enacted by Act No. 621 of the 2006 Regular Session of the Legislature, relative to district courts; to provide for the handling of funds by the clerk of the Forty-First Judicial District Court; to provide relative to the fixing and collection of certain costs and charges; to provide for the depositing of certain collected fees or sums into a specific account; and to provide for related matters.

SENATE BILL NO. 627—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 3:3807(B)(2), relative to the retail florist examination; to require the commissioner of agriculture to adopt rules and regulations regarding the demonstration portion of the retail florist examination; and to provide for related matters.

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

HOUSE BILL NO. 133—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact Code of Civil Procedure Article 4521 and to enact Code of Civil Procedure Articles 4272(C) and 4522, relative to minors; to provide for court approval of payments to minors; to provide for judgments in favor of minors; to provide for procedures; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 258—
BY REPRESENTATIVE LITTLE
AN ACT
To enact R.S. 48:390(G), relative to railroad grade crossing closures; to prohibit the closure of certain railroad grade crossings; to provide for applicability; to provide for retroactivity; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 258 by Representative Little

AMENDMENT NO. 1
On page 1, line 11, after "any" delete the remainder of the line

AMENDMENT NO. 2
On page 1, line 15, after "title," delete the remainder of the line and lines 16 and 17 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 335—
BY REPRESENTATIVES WILLMOTT, JOHNSON, AND LOPINTO
AN ACT
To amend and reenact R.S. 9:315.5 and 315.16(A) and to enact R.S. 9:315.16(B)(11), relative to child support; to provide for the time period for determining extraordinary medical expenses; to provide for the review of the guidelines; to provide for the membership of the review committee; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 336—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1, relative to child support guidelines; to provide for the determination of income; to provide for admissibility of evidence of income; to provide for required documentation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 339—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 9:315.1(C)(1)(b), 315.6, and 315.13(B), relative to child support; to provide for the placement of child support in a trust; to provide for the addition of special expenses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 341—
BY REPRESENTATIVES JOHNSON, LOPINTO, AND WILLMOTT
AN ACT
To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1, relative to child support guidelines; to provide for the determination of income; to provide for admissibility of evidence of income; to provide for required documentation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 341 by Representative Johnson

AMENDMENT NO. 1
On page 2, at the end of line 11, delete "a change"

AMENDMENT NO. 2
On page 2, at the beginning of line 12, delete "in"

AMENDMENT NO. 3
On page 2, line 12, after "conditions" and before "justify" delete "that"

AMENDMENT NO. 4
On page 2, delete lines 13 and 14 in their entirety and insert the following:

"(3) Standard of living and assets. The standard of living and assets of the obligor, both prior and subsequent to the establishment of a child support order, to establish the actual income of the obligor if the amount claimed is inconsistent with his lifestyle."

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 360—**  
**BY REPRESENTATIVE MONTOUCET**  
**AN ACT**  
To amend and reenact R.S. 36:610(I) and R.S. 56:266(A), (B), (C), (D)(1), (E)(3), and (F) and to enact R.S. 36:610(L) and R.S. 56:278, relative to alligators; to remove alligators from the jurisdiction of the Fur and Alligator Council; to create the Louisiana Alligator Advisory Council; to provide the council's membership, functions, duties, and responsibilities; to provide relative to funding for the council; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

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

**HOUSE BILL NO. 444—**  
**BY REPRESENTATIVE TEMPLET**  
**AN ACT**  
To amend and reenact Children's Code Articles 1123(B) and (C), 1124, 1125, 1126, 1127, 1127.1, 1127.3(A)(2), 1185, 1186(A) and (B), 1188, 1189, 1190(A) and (C), 1191, 1192, 1269.1, 1269.2(B), 1269.6, 1270(A) and (C), 1272(C) and (D), and 1276 and to enact Children's Code Articles 1122(B)(12), (13), and (14), 1123, (19), and (20), 1123.1, 1123.2, 1123.3, 1190(A), 1269.1, and 1270(F), relative to the adoption of children; to provide for the act of surrender; to provide for the statement of family history; to provide for the age of a child eligible for adoption; to provide for the validity of continued contact agreements; to provide for the preplacement home study; to provide for counseling; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 517—**  
**BY REPRESENTATIVE WHITE**  
**AN ACT**  
To amend and reenact R.S. 37:599(C), relative to per diem paid by the Louisiana Board of Cosmetology; to provide for changes to per diem paid to members of the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

**HOUSE BILL NO. 549—**  
**BY REPRESENTATIVE WHITE**  
**AN ACT**  
To amend and reenact R.S. 37:601, 604(A), and 605(B), relative to fines and penalties imposed by the Louisiana Board of Cosmetology; to increase the fines and penalties imposed by the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

**HOUSE BILL NO. 675—**  
**BY REPRESENTATIVE WHITE**  
**AN ACT**  
To amend and reenact R.S. 37:599(A)(1)(introductory paragraph), (2), (3), and (4), relative to licensing fees charged by the La. Board of Cosmetology; to increase licensing fees for the board; to provide for renewal of licenses that have been expired for more than five years; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

**HOUSE BILL NO. 809—**  
**BY REPRESENTATIVE LOPINTO**  
**AN ACT**  
To amend and reenact R.S. 32:410(A)(3)(a)(ii) and 707(B) and to enact R.S. 47:501(A), relative to requirements for driver's licenses, motor vehicle registrations, and certificates of title; to provide for the definition of full legal name; to provide relative to application requirements for motor vehicle registrations and certificates of title; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 809 by Representative Lopinto

**AMENDMENT NO. 1**

On page 2, line 15, after "his" delete the remainder of the line and insert "official driver's license or identification card. Additionally, all".

**AMENDMENT NO. 2**

On page 3, line 12, after "his" delete the remainder of the line and insert "official driver's license or identification card."
AMENDMENT NO. 3
On page 3, line 16, after "his" delete the remainder of the line and insert "official driver's license or identification card."

AMENDMENT NO. 4
On page 4, delete line 3 in its entirety and insert the following:

"Section 3. The provisions of this Act shall not become effective until the implementation of the Next Generation Motor Vehicle project of the Department of Public Safety and Corrections, office of motor vehicles, is finalized."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 832—
BY REPRESENTATIVE HENRY
AN ACT
To amend and reenact R.S. 32:387(J) and to enact R.S. 32:387(H)(1)(c), relative to permits for transportation of sealed containers; to provide that a permit for a sealed ocean container be issued for the container rather than the transport vehicle; to provide that regulations for vehicles transporting intermodal containers be applicable to all domestic and international trade; and to provide for related matters.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 832 by Representative Henry

AMENDMENT NO. 1
On page 2, line 27, after "(2)" insert "(a)"

AMENDMENT NO. 2
On page 2, line 28, insert "within a fifty mile radius of a statutorily defined port or harbor district"

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

"(b) The provisions of this Paragraph limiting the transportation of sealed intermodal containers within a fifty-mile radius of a statutorily defined port or harbor district shall not apply to vehicles transporting such containers within a fifty-mile radius of the Interstate Ten Twin Span Bridge, until such time as the Interstate Ten Twin Span Bridge is opened to owners or operators of any vehicle transporting sealed intermodal containers."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 859—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to extend immunity from certain suits to hospital service districts; to further extend immunity to any corporations or health facilities owned, operated, or leased by districts; to provide for limitations of such immunity; to provide for cooperative endeavors; to allow for the displacement of competition; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 885—
BY REPRESENTATIVE WOOTON
AN ACT
To amend and reenact R.S. 32:667(D) and (E), relative to the suspension or revocation of driving privileges; to require the Department of Public Safety and Corrections to forward a record of a case to the division of administrative law; to require that the division of administrative law schedule a hearing after receiving the record; to permit the division of administrative law to grant a continuance of a hearing; and to provide for related matters.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 885 by Representative Wooton

AMENDMENT NO. 1
On page 1, line 1, delete "to repeal R.S. 32:667"

AMENDMENT NO. 2
On page 1, line 3, delete "to repeal the provision of law" and delete lines 4 through 8 in their entirety and insert in lieu thereof:
"to require the Department of Public Safety and Corrections to forward a record of a case to the division of administrative law; to require that the division of administrative law schedule a hearing after receiving the record; to permit the division of administrative law to grant a continuance of a hearing; and to provide for related matters."

AMENDMENT NO. 3
On page 1, line 13, delete "department" and insert "Department of Public Safety and Corrections"

AMENDMENT NO. 4
On page 1, line 17, delete "department" and insert "Department of Public Safety and Corrections"

AMENDMENT NO. 5
On page 2, delete line 11 in its entirety and insert in lieu thereof:

"E. The department division of administrative law shall provide for a hearing to determine suspension or revocation of driving privileges, and said hearing shall be held within ninety days of the date of arrest in all cases, unless continued at the request of the division receiving the record of the case from the Department of Public Safety and Corrections. A continuance may be granted for good cause shown.

*          *          *"

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

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

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

HOUSE BILL NO. 899—
BY REPRESENTATIVE PETERSON
AN ACT
To enact R.S. 39:34(D), 51(E), and 56(D), relative to the state operating budget; to require the inclusion of certain tax exemption information in the executive budget and the state budget; to require that certain tax exemption information shall be available as an appendix to the General Appropriation Bill; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

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

HOUSE BILL NO. 1144—
BY REPRESENTATIVE MONTOUCET
AN ACT
To amend and reenact R.S. 47:302.22(B), relative to the disposition of collections in the Acadia Parish Visitor Enterprise Fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

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

The committee amendments were read as follows:

HOUSE BILL NO. 1354 (Substitute for House Bill No. 142 by Representative Lopinto)—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 29:732(A) and 734(B), relative to price gouging during an emergency or during a named tropical storm or hurricane; to provide that the prices charged or the value received by individual merchants may not exceed the prices ordinarily charged by the individual merchant; to delete specified activities as constituting prima facie proof of a violation; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1355 (Substitute for House Bill No. 1045 by Representative Ellington)—
BY REPRESENTATIVE ELLINGTON
AN ACT
To amend and reenact R.S. 3:559.28 and to repeal R.S. 3:559.25(C), relative to the Aquatic Chelonian Research and Promotion Board; to provide for the powers of the board; to provide for deposit and disbursements of assessments into a special fund; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.
Senate Instruments on Second Reading
Returned from the Legislative Bureau

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

SENATE BILL NO. 133—
BY SENATOR DONAHUE
AN ACT
To amend and reenact R.S. 3:266(14) and R.S. 38:2212(B), relative to the Louisiana Agricultural Finance Authority; to require the Louisiana Agricultural Finance Authority to comply with public bid laws; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Anders, the bill was ordered passed to its third reading.
Under the rules, placed on the local and consent calendar.

SENATE BILL NO. 175—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 2:135.3(B) and R.S. 36:621(C)(1), relative to the office of agricultural and environmental sciences; to make a technical correction to the name of the office of agricultural and environmental sciences; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Anders, the bill was ordered passed to its third reading.
Under the rules, placed on the local and consent calendar.

SENATE BILL NO. 176—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 3:401(A), relative to the State Market Commission; to remove the commissioner of financial institutions from the membership; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Anders, the bill was ordered passed to its third reading.
Under the rules, placed on the local and consent calendar.

SENATE BILL NO. 488—
BY SENATORS THOMPSON AND WALSWORTH
AN ACT
To enact R.S. 29:725(J), relative to homeland security; to include the legislature in the emergency operations plan; to provide a working space in the state emergency operations center; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.
The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 488 by Senator Thompson

AMENDMENT NO. 1
On page 1, line 3, after "plan;" and before "to provide" insert "to provide for selection of the liaisons;"

AMENDMENT NO. 2
On page 1, line 10, at the beginning, change "chamber" to "house"

AMENDMENT NO. 3
On page 1, line 10, after "legislator" and before "on" insert "selected by the chairman of the Senate Committee on Homeland Security and selected by the chairman of the House Committee on Homeland Security, respectively."

AMENDMENT NO. 4
On page 1, line 14, after "include" and before "the" insert "a role of support for"

Reported without amendments by the Legislative Bureau.
On motion of Rep. Richmond, the amendments were adopted.
On motion of Rep. Richmond, the bill, as amended, was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

SENATE BILL NO. 497—
BY SENATOR CROWE
AN ACT
To amend and reenact R.S. 3:3801(A)(1) and (B), 3803(14) and 3808(B)(3) and (1) and to enact R.S. 3:3803(17), 3808(B)(4) and (5), relative to retail florists; to provide terms and conditions of licenses and permits; to provide for the operation of automated floral climate-controlled vending kiosk systems; to provide for definitions; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 497 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 3, change "3808(B)(4) and (5)" to "3808(B)(4), (5), and (6)"

AMENDMENT NO. 2
On page 1, line 9, change "3808(B)(4) and (5)" to "3808(B)(4), (5), and (6)"
AMENDMENT NO. 3
On page 2, line 13, after "any", insert "climate controlled"

AMENDMENT NO. 4
On page 2, line 21, delete "engaged" and insert the following:
"who is a licensed florist and who owns his own floral business"

AMENDMENT NO. 5
On page 2, line 22, delete "in the profession of retail florist"

AMENDMENT NO. 6
On page 2, line 27, after "permit", delete the remainder of the line, and on line 28, delete "to the licensee."

AMENDMENT NO. 7
On page 2, line 29, after "displayed", insert "inside the vending machine in plain view or"

AMENDMENT NO. 8
On page 3, delete lines 9 and 10 in their entirety and insert the following:
"(e) The vending machine is monitored in person or electronically by a licensed florist or a person under the direct supervision of a licensed florist at least once each business day and serviced as needed."

AMENDMENT NO. 9
On page 3, line 13, after "operation" delete "and" and insert a comma, and after "location" insert "and monitoring"

AMENDMENT NO. 10
On page 3, line 19, after "vending" delete "kiosk systems" and insert "machines"

AMENDMENT NO. 11
On page 3, line 20, after "parish" delete the remainder of the line and insert "more than 25 miles beyond their place of business."

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 550—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 3:1311(2) and (3), 1312(A), (C), the introductory paragraph of (F), and (F)(2), 1313(B)(7), 1314, 1316, and the introductory paragraph of 1317 and to enact R.S. 3:1316.1 through 1316.3 and 1319 and to repeal R.S. 3:1312(G), relative to fertilizer regulation; to provide for violations; to provide for adjudicatory proceedings; to provide for technical corrections; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 619—
BY SENATOR THOMPSON
AN ACT
To repeal Part I-C of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:445.1 through 445.10, R.S. 36:629(D)(4) and (5), R.S. 39:1482(D) and (G) and 1572(A)(3) and (4), relative to the marketing of crawfish; to repeal the Louisiana Crawfish Market Development Authority; to remove statutory references; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 623—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 3:3801(A)(1) and (B), 3803(14), and 3810 and to enact R.S. 3:3810.1 through 3810.3, relative to violations of the Horticulture Law; to provide for adjudicatory proceedings; to provide for civil penalties; to provide for enforcement; to provide technical corrections; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 623 by Senator Thompson

AMENDMENT NO. 1
On page 2, line 12, after "services" delete "without charge"
On motion of Rep. Anders, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 635—
BY SENATORS THOMPSON AND WALSWORTH
AN ACT
To amend and reenact R.S. 3:3801(A), (B), and (C), 3803(14), 3804(1A), 3807(B)(4), 3808(D) and 3815 and to repeal R.S. 3:3807(B)(6) and 3808(F), relative to the Horticulture Commission; to consolidate the professions of horticulturist and landscape contractor into one licensed profession known as "landscape horticulturist"; to provide relative to license powers; to provide for transition provisions; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 641—
BY SENATOR THOMPSON
AN ACT
To enact R.S. 3:1604(J) and 1604.1, relative to the Boll Weevil Eradication Commission; to provide relative to travel reimbursement; to provide for the powers and duties of the commissioner and the commission; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the local and consent 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:

HOUSE RESOLUTION NO. 22—
BY REPRESENTATIVES CONNICK AND LEGER
A RESOLUTION
To authorize and request the attorney general, the Jefferson Parish District Attorney, Orleans Parish District Attorney, Louisiana State Police, the Jefferson Parish Council, and the New Orleans City Council to engage in a cooperative effort to work toward the establishment of guidelines for the creation of a regional crime laboratory for Jefferson and Orleans parishes.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION
To urge and request the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans to consider establishing mental health divisions by a vote en banc of the judges for each of the two courts.

Read by title.

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

Ordered to the Senate.

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. 333—
BY REPRESENTATIVE KLECKLEY
AN ACT
To amend and reenact R.S. 22:1243(A) and 1244(A) and to enact R.S. 22:1242(1)(h) and (i), relative to insurance fraud; to define fraudulent insurance acts; to provide for penalties and restitution; 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 Geymann Monica
Abramson Gisclair Montoucet
Anders Greene Morrell
Armes Guillory, E. Norton
Arnold Guillory, M. Nowlin
Aubert Guinn
Badon, A. Hardy
Barras Hazel
Barrow Henderson
Billiot Henry
Burns, H. Henry
Burns, T. Henard
Burrell Howard
Carmody Jackson G.
Carter Jackson M.
Cazayoux Johnson
Champagne Jones, R.
Chandler Jones, S.
Chaney Katz
Connick Kleckley
Cortez LaBrazzio
Cromer LaFonta
Danahay Lambert
Dixon LeBas
Doerge Leger
Downs Ligi
Edwards Little
Ellington Lopinto
Fannin Lorusso
Foil Marchand
Franklin McVea
Gallot Mills

Total - 97
NAYS
Total - 0

ABSENT
Badon, B. Harrison Richardson
Barrow Hutter
Cazayoux Kleckley
Danahay Lambert
Dove Lorusso
Gallot Morris
Total - 16

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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. 359—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 17:170.3, relative to immunizations; to require certain school boards to provide information relative to human papillomavirus to certain students; to provide for rules and regulations; and to provide for related matters.

Rep. LaFonta moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Franklin Lopinto
Abramson Gisclair Marchand
Anders Guillory, E. McVea
Armstrong Guinn Mills
Aubert Hardy Morrell
Badon, A. Harrison Pearson
Badon, B. Hazel Pugh
Barras Henderson Richard
Billiot Hill Monica
Burns, T. Hines Richard
Burrell Hoffmann Richmond
Carmody Honey Ritchie
Carter Howard Roy
Chandler Jackson G. Simon
Chaney Jackson M. Smith, G.
Connick Johnson Smith, P.
Dixon Jones, R. Temple
Doerge Jones, S. White
Dows Katin Williams
Edwards LaFonta Willmott
Ellington LeBas Wooton
Fannin Leger
Foil
Total - 70

NAYS
Burford LaBruzzo Smiley
Burns, H. Ligi Smith, J.
Champagne Monica Talbot
Cortez Montoucet Trahan
Cromer Perry Waddell
Greene Pope
Henry Schroder
Total - 19

Consent to Correct a Vote Record
Rep. Smiley requested the House consent to correct his vote on final passage of House Bill No. 359 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record
Rep. LaBruzzo requested the House consent to correct his vote on final passage of House Bill No. 359 from yea to nay, which consent was unanimously granted.

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. LaFonta gave notice of his intention to call House Bill No. 82 from the calendar for consideration during the week of May 5, 2008.

HOUSE BILL NO. 430—
BY REPRESENTATIVE PETERSON
AN ACT
To amend and reenact R.S. 34:1(A)(3) and R.S. 42:1112(D) and to repeal R.S. 42:1120.1 and 1123(8), relative to the Board of Commissioners of the Port of New Orleans; to repeal recusal provisions for members of the Board of Commissioners of the Port of New Orleans; to remove provisions allowing certain individuals to serve as members of the board; and to provide for related matters.

Rep. Peterson moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot McVea
Abramson Geymann Mills
Anders Gisclair Monica
Armstrong Greene Montoucet
Arnold Guillory, E. Morell
Aubert Guinn Morris
Badon, A. Hardy Norton
Badon, B. Harrison Perry
Barras Henderson Peterson
Barrow Henry Pugh
Billiot Henry Richard
Burford Hill
Total - 50

NAYS
Burford LaBruzzo Smiley
Burns, H. Ligi Smith, J.
Champagne Monica Talbot
Cortez Montoucet Trahan
Cromer Perry Waddell
Greene Pope
Henry Schroder
Total - 19
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.
Rep. Peterson moved to reconsider the vote by which the above
bill was finally passed, and, on her own motion, the motion to
reconsider was laid on the table.

HOUSE BILL NO. 512—
BY REPRESENTATIVE PETERSON
AN ACT
To amend and reenact R.S. 22:215.11(A), relative to health
insurance; to require health insurance policies, contracts, and
plans, including health maintenance organizations contracts and
agreements, to provide coverage for mammography
examinations as provided in guidelines published by the
American Cancer Society; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Arnes
Arnold
Aubert
Badon, A.
Badon, B.
Baldome
Barrais
Barrow
Billiot

Gallot
Geymann
Gisclair
Greene
Guillory, E.
Guillory, M.
Guinn
Hardy
Harrison
Hazel
Henderson
Henry

Marchand
McVea
Mills
Monica
Montoucet
Morrell
Norton
Nowlin
Pearson
Perry
Peterson

NAYS

Burns, H.
Burns, T.
Burrell
Carmody
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Danahay
Dixon
Doerge
Downs
Edwards
Ellington
Fannin
Foil
Franklin

Hines
Hoffmann
Honey
Howard
Jackson G.
Jackson M.
Johnson
Jones, R.
Jones, S.
Katz
Kleckley
LaBruzzo
LaFonta
Lambert
LeBas
Leger
Ligi
Little
Lopinto
Lorusso
Marchand

Barnes
Burns, T.
Burrell
Carmody
Carter
Champagne
Chandler
Connick
Cortez
Cromer
Danahay
Dixon
Doerge
Downs
Edwards
Ellington
Fannin
Foil
Franklin

Richard
Richmond
Richie
Robideaux
Ritchie
Smith, G.
Smith, J.
Smith, P.
St. Germain
Templet
Trahan
Waddell
White
Williams
Willmott
Wooton

Total - 102
Total - 0
ABSENT

Dove
Hutter
PONTI

Roy

Total - 3

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

HOUSE BILL NO. 868—
BY REPRESENTATIVE RICHMOND
AN ACT
To amend and reenact R.S. 15:323(A) and (B)(2)(introductory
paragraph), (a), (b), (c), (e), and (f), relative to the Louisiana
Sentencing Commission; to change the number of voting
members on the commission; to provide for changes in the
membership of the commission; and to provide for related
matters.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Arnes
Arnold
Aubert
Badon, A.
Badon, B.
Baldome
Barrais
Barrow
Billiot

Gallot
Geymann
Gisclair
Greene
Guillory, E.
Guillory, M.
Guinn
Hardy
Harrison
Hazel
Henderson
Henry

Mills
Montoucet
Morrell
Morris
Nowlin
Pearson
Perry
Peterson
PONTI
Pope

Total - 102
Total - 0
ABSENT

Dove
PONTI

Richardson

Total - 3

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

The title of the above bill was read and adopted.

Rep. Cortez 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. 935—
BY REPRESENTATIVE FANNIN
AN ACT
To amend and reenact R.S. 36:4(B)(1)(dd) and (H), 408(D), and 478(G), R.S. 23:2042, R.S. 46:2521, R.S. 49:220.4(A)(1), R.S. 51:911.26(A)(1), and Sections 5 and 6(B) of Act No. 5 of the 2006 First Extraordinary Session of the Legislature, to enact R.S. 36:309(B)(3), 409(J), and 803.1, and to repeal R.S. 36:4(B)(14) and (F) and 4.1(D)(16) and R.S. 23:2056, relative to the organization of the executive branch of state government; to transfer certain agencies in the office of the governor into the division of administration in the office of the governor and to transfer certain agencies from the office of the governor to certain executive branch departments; to provide relative to the exercise of the powers, duties, functions, and responsibilities of such agencies; to provide relative to the existence of certain agencies placed in the division of administration in the office of the governor and to transfer certain agencies from the office of the governor to certain executive branch departments; to provide relative to the exercise of the powers, duties, functions, and responsibilities of such agencies; to provide relative to the existence of certain agencies placed in the division of administration; and to provide for related matters.

Read by title.

Rep. Cortez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abrahamson  
Anders  
Armes  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barbas  
Barrow  
Burns, H.  
Burrell  
Champagne  
Chandler  

Kleckley  
LaFonta  
Lambert  
Leger  
Marchand  
Mills  
Monica  
Montoucet  
Perry  
Peterson  
Richard  
Richmond  

NAYS

Cazayoux  
Dove  
McVea  

Morrell  
Nowlin  
Ponti  

Smith, G.  
St. Germain  
Trahan  

The title of the above bill was read and adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Engrossed House Bill No. 935 by Representative Fannin

AMENDMENT NO. 1

On page 1, at the end of line 5, delete "(F) and"
AMENDMENT NO. 2
On page 3, at the beginning of line 29, delete "(1)"

AMENDMENT NO. 3
On page 4, delete line 1 in its entirety

AMENDMENT NO. 4
On page 5, line 24, after "R.S. 36:4(B)(14)" delete "and (F)"

Rep. Cortez moved the adoption of the amendments.
Rep. Fannin objected.

By a vote of 42 yeas and 49 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Engrossed House Bill No. 935 by Representative Fannin

AMENDMENT NO. 1
On page 4, at the end of line 1, insert "Notwithstanding any provision of law to the contrary, the secretary of the department shall not transfer any monies appropriated to the Office of Women's Policy to any other budget unit or for the use of any other entity within the department."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abrahamson
Anders
Armes
Arnold
Aubert
Badon, A.
Badon, B.
Baldone
Barras
Barrow
Billiot
Burford
Burns, T.
Burrell
Carmody
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Dunahay
Dixon

Doerge
Downs
Edwards
Ellington
Fannin
Foil
Franklin
Gallot

Lambert
LeBas
Leger
Ligi
Little
Lopinto
Lorusso
Marchand

Templet
Trahan
Waddell
White
Williams
Willmott

Wooton

NAYS

Total - 0

ABSENT

Burns, H.

Total - 3

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

Rep. Fannin 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. 948—
BY REPRESENTATIVES ST. GERMAIN, KLECKLEY, MORRIS, AND TRAHAN AND SENATOR LONG
AN ACT
To amend and reenact R.S. 22:1405.1(A)(introductory paragraph) and (1), (C)(1), (D), and (G) and 1405.3(A) and R.S. 36:802(introductory paragraph) and to enact R.S. 22:1405.1(A)(6), (7), and (8), 1405.4, and 1405.5 and R.S. 36:686(C)(5), relative to property insurance rates; to provide for the Public Fire Protection Grading Review Board, including its membership, and to charge it with the responsibility of creating and maintaining the Louisiana Addendum to the Insurance Services Office Fire Suppression Rating Schedule; to provide for the responsibilities of the Department of Insurance with regard to such addendum; and to provide for related matters.

Read by title.

On motion of Rep. St. Germain, the bill was recommitted to the Committee on Appropriations.

HOUSE BILL NO. 997—
BY REPRESENTATIVE MORRELL
AN ACT
To enact R.S. 42:1121.2, relative to certain prohibited contractual arrangements; to prohibit certain former public servants from entering into contracts with certain persons; to prohibit certain former public servants from being employed by certain persons; to provide definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Henry to Engrossed House Bill No. 997 by Representative Morrell

AMENDMENT NO. 1
On page 1, at the end of line 13, change "two hundred" to "fifty"
AMENDMENT NO. 2
On page 1, at the end of line 14, delete the period "." and insert "or who has a contract to which the state contributes a portion of the cost of the contract, and the state's contribution is valued at fifty million dollars or more."

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

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker  Gisclair  Montoucet
Abramson  Greene  Morrell
Anders  Guillory, E.  Morris
Armes  Guillory, M.  Norton
Aubert  Guinn  Nowlin
Badon, A.  Hardy  Pearson
Badon, B.  Hazel  Perry
Baldone  Henderson  Peterson
Barras  Henry  Ponti
Barrow  Hill  Pope
Billiot  Hines  Pugh
Burford  Hoffmann  Richard
Burns, H.  Honey  Richardson
Burns, T.  Howard  Richmond
Carmody  Jackson G.  Ritchie
Carter  Johnson  Robideaux
Cazayoux  Jones, R.  Roy
Champagne  Jones, S.  Schroder
Chandler  Katz  Simon
Chaney  Kleckley  Smiley
Cortez  LaBrusco  Smith, G.
Cromer  LaFonta  Smith, J.
Danahay  Lambert  Smith, P.
Doerge  LeBas  St. Germain
Dowins  Ligi  Talbot
Edwards  Little  Templet
Ellington  Lopinto  Trahan
Fannin  Lorusso  Waddell
Foil  Marchand  White
Franklin  McVea  Williams
Gallot  Mills  Willmott
Geymann  Monica  Wooten
Total - 96

NAYS

Total - 0

ABSENT

Arnold  Dixon  Hutter
Burrell  Dove  Jackson M.
Connick  Harrison  Leger
Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1007—
BY REPRESENTATIVES CROMER, HAZEL, NORTON, PEARSON, AND POPE
AN ACT
To amend and reenact R.S. 15:587.1(A)(1)(a) and (b) and (2), (B), (C)(introductory paragraph), and (H) and R.S. 46:51.2(A), relative to criminal history information; to provide with respect to criminal history records of persons with supervisory authority over children; to provide with respect to the criminal information that must be provided to persons who employ or are responsible for persons with authority over children; to provide for the crimes which must be reported; to provide with respect to the employment of persons with convictions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Cromer to Engrossed House Bill No. 1007 by Representative Cromer

AMENDMENT NO. 1
On page 1, line 3, after "(H)" and before "and" insert ", R.S. 17:15(B), (C), and (E)"

AMENDMENT NO. 2
On page 1, line 3, change "R.S. 46:51.2(A)" to "R.S. 46:51.2(A) and (E)(1)(introductory paragraph)"

AMENDMENT NO. 3
On page 3, between lines 25 and 26, insert the following:

"Section 2. R.S. 17:15(B), (C), and (E) are hereby amended and reenacted to read as follows:

§15. Criminal history review

* * *

B. Each city, parish, and other local public school board shall establish, by regulation, requirements, and procedures consistent with the provisions of R.S. 15:587.1 under which the school systems shall determine whether an applicant, or employee, including any person employed as provided in Subparagraph (A)(1)(b) of this Section, has been convicted of or pled nolo contendere to crimes listed in R.S. 15:587.1(C), except R.S. 14:74 any criminal offense. Included in this regulation shall be the requirement and the procedure for the submission of a person's fingerprints in a form acceptable to the Louisiana Bureau of Criminal Identification and Information prior to employment of such person. A person who has submitted his fingerprints to the Louisiana Bureau of Criminal Identification and Information may be temporarily hired pending the report from the bureau as to any convictions of or pleas of nolo contendere by the person to a crime listed in R.S. 15:587.1(C), except R.S. 14:74.

C. The State Board of Elementary and Secondary Education by rule adopted in accordance with the Administrative Procedure Act may establish requirements and procedures consistent with the provisions of R.S. 15:587.1 for the state Department of Education to determine whether an applicant for, or the recipient of, any certificate or license issued in accordance with state law or board policy, or both, by the department or by the board and who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over school children has been convicted of or pled nolo contendere to crimes listed in R.S. 15:587.1(C), except R.S. 14:74 any criminal offense. Included in this rule shall be the requirement and the procedure for the submission of a person's fingerprints in a form acceptable to the Louisiana Bureau of Criminal Identification and Information. * * *
R.S. 15:587.1(C), except R.S. 14:74 any criminal offense shall report the fact of his conviction or plea to his employer within forty-eight hours of the conviction or plea of guilty or nolo contendere.”

AMENDMENT NO. 4

On page 3, at the beginning of line 26, change “Section 2.” to “Section 3.” and change R.S. 46:51.2(A) is” to “R.S. 46:51.2(A) and (E)(1)(introductory paragraph) are”

AMENDMENT NO. 5

On page 4, after line 10, add the following:

"E.(1) The department shall establish by regulation requirements and procedures consistent with the provision of R.S. 15:587.1 under which the organizations listed in Subsection F may request information concerning whether or not a person in one of the following categories has been convicted of or pled nolo contendere to a crime listed in R.S. 15:587.1(C) any criminal offense:

*          *          *"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armst
Arnold
Aubert
Badon, A.
Badon, B.
Baldone
Barras
Barrow
Billiot
Burns, H.
Burns, T.
Burrell
Carmody
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Danahay
Dixon
Doerge
Downs
Ellington
Fannin
Foil
Franklin
Gallot
Geymann
Gisclair
Greene
Guillory, E.
Guillory, M.
Guinn
Hardy
Harrison
Hazel
Henderson
Henry
Hill
Hines
Hoffmann
Honey
Howard
Hutter
Jackson G.
Jackson M.
Johnson
Jones, R.
Jones, S.
Katz
Kleckley
LaBruz
LaFonta
Lambert
LeBas
Ligu
Little
Lopinto
Marchand
McVea
Mills
Monica
Montoucet
Morrell
Morris
Norton
Pearson
Perry
Peterson
Poni
Pope
Pugh
Richardson
Richmond
Ritchie
Robideaux
Roy
Schrader
Simon
Smiley
Smith, G.
Smith, J.
Smith, P.
St. Germain
Taplet
Talbot
Talbot
Templet
Trahan
White
Williams
Waddell
Waddell
White
Williams
Wooton

NAYS

Total - 101

Total - 0

NAYS

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cromer 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. 1136—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and to enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole or probation; to provide that as a condition of parole or probation a person on parole or probation agrees to searches of his person or property by law enforcement officers with or without an arrest or search warrant; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Pearson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armst
Arnold
Aubert
Badon, A.
Badon, B.
Baldone
Barras
Barrow
Billiot
Burns, H.
Burns, T.
Burrell
Carmody
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Danahay
Dixon
Doerge
Downs
Ellington
Fannin
Foil
Franklin
Gallot
Geymann
Gisclair
Greene
Guillory, M.
Guinn
Hardy
Harrison
Hazel
Henry
Hill
Hines
Hoffmann
Honey
Howard
Hutter
Jackson G.
Jackson M.
Johnson
Jones, R.
Katz
Kleckley
LaBruz
LaFonta
Lambert
LeBas
Ligu
Little
Lopinto
Marchand
McVea
Mills
Monica
Montoucet
Morrell
Morris
Norton
Pearson
Perry
Peterson
Poni
Pope
Pugh
Richardson
Richmond
Ritchie
Robideaux
Roy
Schrader
Simon
Smiley
Smith, G.
Smith, J.
Smith, P.
St. Germain
Taplet
Talbot
Templet
Trahan
White
Williams
Waddell
White
Williams
Wooton

NAYS

Total - 4

Total - 0

Total - 98

Total - 0
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Pearson 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. 122—
BY REPRESENTATIVES MORRELL AND LEGER
AN ACT
To enact Children's Code Article 857(C), relative to parole of juveniles; to provide for the eligibility for consideration for parole of a juvenile convicted as an adult upon reaching his thirty-first birthday; and to provide for related matters.

Read by title.

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

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Morrell gave notice of his intention to call House Bill No. 122 from the calendar for consideration during the week of May 5, 2008.

HOUSE BILL NO. 234—
BY REPRESENTATIVE GEYMANN
AN ACT
To amend and reenact R.S. 15:542.1(A)(2)(a), 543.1(6) and 544(C), relative to sex offender notification; to provide with respect to the time period in which an offender shall provide community notification; and to provide for related matters.

Read by title.

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

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Geymann gave notice of his intention to call House Bill No. 234 from the calendar for consideration during the week of May 5, 2008.

Notice of Intention to Call Withdrawn
Rep. Geymann withdrew his notice of intention to call House Bill No. 882 from the calendar for future action.

HOUSE BILL NO. 391—
BY REPRESENTATIVE WOOTON
AN ACT
To amend and reenact R.S. 15:542(D) and 542.1.4(A)(1), relative to sex offender registration; to provide with respect to the annual registration fee; to provide that the crime of failure to register as a sex offender shall include the failure to pay the registration fee; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Engrossed House Bill No. 391 by Representative Wooton

AMENDMENT NO. 1
On page 1, line 2, change "542.1.4(A)(1)" to "542.1.4(A)(1) and to enact R.S. 15:542.1.4(A)(3)"

AMENDMENT NO. 2
On page 1, line 5, after "fee;" and before "and" insert "to provide for criminal penalties;"

AMENDMENT NO. 3
On page 1, line 7, after "reenacted" insert "and R.S.15:542.1.4(A)(3) is hereby enacted"

AMENDMENT NO. 4
On page 1, line 20, after "15:542.1.4" and before the period insert "(A)(3)"

AMENDMENT NO. 5
On page 2, line 4, after "information," delete the remainder of the line and at the beginning of line 5, delete "15:542."

AMENDMENT NO. 6
On page 2, after line 11, add the following:

"(3) An offender who fails to pay the annual registration fee in accordance with the provisions of R.S. 15:542 shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both. Upon a second or subsequent conviction for the failure to pay the annual registration fee, the offender shall be punished in accordance with the provisions of Paragraphs (1) and (2) of this Subsection.

* * *"

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

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker  
Abramson  
Anders  
Armes  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Burford  
Burns, H.  
Burns, T.  
Geymann  
Gisclair  
Greene  
Guillory, E.  
Guillory, M.  
Guinn  
Harrison  
Hazel  
Henderson  
Henry  
Hill  
Hines  
Hoffmann  
Mills  
Monica  
Montoucet  
Morrell  
Morris  
Norton  
Nowlin  
Pearson  
Perry  
Peterson  
Ponti  
Pope  
Pugh  
Richard  

ABSENT

Baldone  
Dove  
Guillory, E.  
Henderson  
Smith, P.  
Jones, S.  
Lambert  
Total - 7
The Chair declared the above bill was finally passed. The title of the above bill was read and adopted.

Rep. Wooton 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. 439—**

**BY REPRESENTATIVE DOVE**

AN ACT

To amend and reenact R.S. 30:905(B)(2) and (14), 905.1, 905.3(A) and (D), and 905.4(A)(1)(a) and (c) and (2), (B), (C), (D), (E)(2), (F), (G), (H), and (J)(2) and to repeal R.S. 30:905.2 and 905.4(K), relative to abandoned mine reclamation; to provide for the authority to participate and to promulgate rules and regulations; to provide for funding sources and appropriation for reclamation of mining operations; to provide for an implementation plan; to provide for notice; to provide for exemptions and exclusions; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 466—**

**BY REPRESENTATIVE RICHARD**

AN ACT

To amend and reenact R.S. 40:1300.256(B)(11), relative to the Louisiana Smokefree Air Act; to provide for the exception which permits smoking in designated well-ventilated rooms of nursing homes; and to provide for related matters.

Read by title.

Rep. Richard moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Geymann</td>
<td>Mills</td>
</tr>
<tr>
<td>Abramson</td>
<td>Gisclair</td>
<td>Monica</td>
</tr>
<tr>
<td>Anders</td>
<td>Greene</td>
<td>Montoucet</td>
</tr>
<tr>
<td>Armes</td>
<td>Guillory, E.</td>
<td>Morrell</td>
</tr>
<tr>
<td>Arnold</td>
<td>Guillory, M.</td>
<td>Morris</td>
</tr>
<tr>
<td>Aubert</td>
<td>Guinn</td>
<td>Norton</td>
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<tr>
<td>Badon, A.</td>
<td>Hardy</td>
<td>Nowlin</td>
</tr>
<tr>
<td>Badon, B.</td>
<td>Harrison</td>
<td>Pearson</td>
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<tr>
<td>Baldone</td>
<td>Hazel</td>
<td>Perry</td>
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<tr>
<td>Barras</td>
<td>Henderson</td>
<td>Peterson</td>
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<td>Barrow</td>
<td>Henry</td>
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<td>Billot</td>
<td>Hill</td>
<td>Pope</td>
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<tr>
<td>Burford</td>
<td>Hines</td>
<td>Pugh</td>
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<tr>
<td>Burns, H.</td>
<td>Hoffmann</td>
<td>Richard</td>
</tr>
<tr>
<td>Burns, T.</td>
<td>Honey</td>
<td>Richardson</td>
</tr>
<tr>
<td>Burrell</td>
<td>Howard</td>
<td>Richmond</td>
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<tr>
<td>Carmody</td>
<td>Hutter</td>
<td>Ritchie</td>
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<tr>
<td>Carter</td>
<td>Jackson G.</td>
<td>Robideaux</td>
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<td>Cazayoux</td>
<td>Jackson M.</td>
<td>Roy</td>
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<tr>
<td>Champagne</td>
<td>Johnson</td>
<td>Schroder</td>
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<tr>
<td>Chaney</td>
<td>Jones, R.</td>
<td>Smiley</td>
</tr>
<tr>
<td>Connick</td>
<td>Jones, S.</td>
<td>Smith, G.</td>
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<tr>
<td>Cortez</td>
<td>Katz</td>
<td>Smith, J.</td>
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<tr>
<td>Cromer</td>
<td>Kleckley</td>
<td>Smith, P.</td>
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<tr>
<td>Danahay</td>
<td>LaBruzzo</td>
<td>St. Germain</td>
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<tr>
<td>Dixon</td>
<td>LaFonta</td>
<td>Talbot</td>
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<tr>
<td>Doerge</td>
<td>Lamber</td>
<td>Templet</td>
</tr>
<tr>
<td>Downs</td>
<td>Leger</td>
<td>Trahan</td>
</tr>
<tr>
<td>Edwards</td>
<td>Ligi</td>
<td>Waddell</td>
</tr>
<tr>
<td>Ellington</td>
<td>Little</td>
<td>White</td>
</tr>
<tr>
<td>Fannin</td>
<td>Lopinto</td>
<td>Williams</td>
</tr>
<tr>
<td>Foil</td>
<td>Lorusso</td>
<td>Williams</td>
</tr>
<tr>
<td>Franklin</td>
<td>Marchand</td>
<td>Willmott</td>
</tr>
<tr>
<td>Gallot</td>
<td>McVea</td>
<td>Wooton</td>
</tr>
</tbody>
</table>

Total - 101

<table>
<thead>
<tr>
<th>Total - 0</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnold</td>
<td>Dove</td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
</tr>
</tbody>
</table>

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

Rep. Richard 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. 478—**

**BY REPRESENTATIVE HENRY BURNS**

AN ACT

To enact R.S. 14:108.2, relative to offenses affecting law enforcement; to create the crime of resisting a police officer with force or violence; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

The roll was called with the following result:
The roll was called with the following result:

**YEAS**

- Mr. Speaker Geymann Mills
- Abramson Greene Morrell
- Anders Guillory, E. Monoucet
- Armes Guillory, M. Morrell
- Arnold Guinn Monoucet
- Aubert Hardy Morrell
- Badon, A. Harrison Morrell
- Badon, B. Harrison Morrell
- Baldone Hazel Morrell
- Barras Henderson Peterson
- Barrow Henry Peter
- Billiot Hill Pope
- Burford Hines Pugh
- Burns, H. Hoffmann Pugh
- Burns, T. Hoffmann Pugh
- Burrell Howard Pet
- Carmody Howard Rich
- Carter Jackson G. Roy
- Cazayoux Jackson M. Rich
- Champagne Johnson Rich
- Chandler Jones, R. Richardson
- Chaney Jones, S. Richardson
- Connick Katz Smith
- Cortez Kleckley St. Germain
- Cromer LaBrutto Talbot
- Danahay LaFonta Templet
- Dixon Lambert Templet
- Doerge LesBas Trahan
- Downs Leger Trahan
- Edwards Ligi White
- Ellington Little Williams
- Fannin Lopinto Willmott
- Foil Lorusso Wooton
- Franklin Marchand
- Gallot McVea

**Total - 103**

**NAYS**

- Total - 0

**ABSENT**

- Dove Pope

**Total - 2**

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henry Burns 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. 576—**

**BY REPRESENTATIVE TRAHAN**

**AN ACT**

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(d), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. Trahan moved the final passage of the bill.

**HOUSE BILL NO. 662—**

**BY REPRESENTATIVE WILLMOTT**

**AN ACT**

To enact R.S. 14:202.1, relative to crimes; to create the crime of home improvement fraud; to define the crime; to provide for penalties; to provide for defenses; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:
Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 662 by Representative Willmott

AMENDMENT NO. 1

On page 1, line 12, following "(1) The" delete the remainder of the line and all of line 13 and insert "failure to perform any work during a forty-five-day period of time or longer after receiving payment."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Willmott to Engrossed House Bill No. 662 by Representative Willmott

AMENDMENT NO. 1

On page 1, delete lines 17 through 19 in their entirety

AMENDMENT NO. 2

On page 2, delete lines 1 through 7 in their entirety

AMENDMENT NO. 3

On page 2, at the beginning of line 8, change "(6)" to "(3)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Geymann
Abramson
Anders
Armes
Arnold
Aubert
Badon, A.
Badon, B.
Baldone
Barraas
Barrrow
Billiot
Burford
Burns, H.
Burns, T.
Burrell
Carmondy
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Dunahay
Dixon

LeBas
Leri
Ligi
Little
Lopinto
Lorusso
Marchand
McVe
Mills
Monica
Montoucet
Morris
Norton
Nowlin
Pearson
Perry
Peterson
Ponti
Pope
Pugh
Richard
Richardson
Richmond
Ritchie
Robideaux
Roy
Schrader
Sim
Smiley
Smith, G.
Smith, J.
Smith, P.
St. Germain
Talbot
Templet

Total - 103

NAYS

Total - 0

ABSENT

Dove
Morrell

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Willmott 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. Richmond, 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. 674—

BY REPRESENTATIVES LÉGER, ARNOLD, ELBERT GUILLODY, ROSALIND JONES, LAFONTA, MARCHAND, MORRELL, AND PATRICIA SMITH AND SENATORS DUPLESSIS, B. GAUTREAUX, AND MURRAY

AN ACT

To amend and reenact R.S. 17:416.13(B), relative to student codes of conduct; to provide relative to public school policies prohibiting the harassment, intimidation, and bullying of a student by another student; to broaden the definition of what constitutes harassment, intimidation, and bullying; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed House Bill No. 674 by Representative Leger

AMENDMENT NO. 1

On page 1, line 5, between "bullying;" and "and" insert "to remove the exception of certain parishes from requirements relative to school board policies prohibiting harassment, intimidation and bullying;"

AMENDMENT NO. 2

On page 2, delete lines 16 through 18 in their entirety

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

Acting Speaker Arnold in the Chair

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

Amendments proposed by Representative Hardy to Engrossed House Bill No. 674 by Representative Leger

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 17:416.13(B)" and "relative" delete the comma "," and insert "and to enact R.S. 17.416.13(C), (D), and (E),"

AMENDMENT NO. 2

On page 1, line 5, between "bullying;" and "and" insert "to provide relative to training for school personnel relative to harassment, intimidation, and bullying; to provide for the placement of certain students in alternative education programs; to provide for the reporting of incidents of harassment, intimidation, and bullying;"

AMENDMENT NO. 3

On page 1, line 7, between "reenacted" and "to" insert "and R.S. 17:416.13(C), (D), and (E) are hereby enacted"

AMENDMENT NO. 4

On page 2, after line 18, insert the following:

"C. Each city, parish, and other local public school board shall provide for a research-based training program for the superintendent and administrators, teachers, counselors, resource officers, and other school personnel the board deems appropriate relative to harassment, intimidation, and bullying as defined in Subsection B of this Section.

D. A student shall be required to attend an alternative education program as defined in R.S. 17:416.2 upon committing his third offense of harassment, intimidation, or bullying as defined in Subsection B of this Section, and transportation of the student to such alternative education program shall be provided by the city, parish, or local public school system.

E. Each city, parish, and other local public school board shall provide the number and disposition of incidents in its school system of harassment, intimidation, and bullying as defined in Subsection B of this Section in an annual written report submitted to the state Department of Education."}

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

Speaker Tucker in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Abramson</th>
<th>Abrin</th>
<th>Aubert</th>
<th>Badon, A.</th>
<th>Burrell</th>
<th>Carter</th>
<th>Connick</th>
<th>Dixon</th>
<th>Edwards</th>
<th>Gallot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardy</td>
<td>Hines</td>
<td>Honey</td>
<td>Jackson G.</td>
<td>Jackson M.</td>
<td>Johnson</td>
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<td>LaFonta</td>
<td>Leger</td>
<td>Marchand</td>
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<tr>
<td>Morrell</td>
<td>Norton</td>
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<td>Richmund</td>
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<td>Smith, P.</td>
<td>St. Germain</td>
<td>Williams</td>
<td></td>
<td></td>
</tr>
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</table>

Total - 28

NAYS

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Armes</th>
<th>Badon, B.</th>
<th>Barrow</th>
<th>Billiot</th>
<th>Burford</th>
<th>Burns, H.</th>
<th>Carmody</th>
<th>Champagne</th>
<th>Chandler</th>
<th>Chaney</th>
<th>Cortez</th>
<th>Cromer</th>
<th>Danahay</th>
<th>Doerge</th>
<th>Downs</th>
<th>Ellington</th>
<th>Fannin</th>
<th>Foil</th>
<th>Franklin</th>
<th>Geymann</th>
<th>Germont</th>
<th>Geymann</th>
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<tr>
<td>Gisclair</td>
<td>Guillory, M.</td>
<td>Gunn</td>
<td>Harrison</td>
<td>Hazel</td>
<td>Henry</td>
<td>Hill</td>
<td>Hoffmann</td>
<td>Howard</td>
<td>Hutter</td>
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<td>Katz</td>
<td>Kilecley</td>
<td>LaBruzzo</td>
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<td>Ligi</td>
<td>Little</td>
<td>Lopinto</td>
<td>Mills</td>
<td>Montoucet</td>
<td>Moteccet</td>
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</tr>
<tr>
<td>Morris</td>
<td>Nowlin</td>
<td>Ferry</td>
<td>Ponti</td>
<td>Pope</td>
<td>Richard</td>
<td>Richardson</td>
<td>Robideaux</td>
<td>Roy</td>
<td>Schroder</td>
<td>Simon</td>
<td>Smiley</td>
<td>Smith, G.</td>
<td>Smith, J</td>
<td>Talbot</td>
<td>Templet</td>
<td>Trahan</td>
<td>Waddell</td>
<td>White</td>
<td>Wilmott</td>
<td>Wooten</td>
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</table>

Total - 63

ABSENT

<table>
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<tr>
<th>Anders</th>
<th>Baldone</th>
<th>Barras</th>
<th>Burns, T.</th>
<th>Cazayoux</th>
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<td>Dove</td>
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<td>Guillory, E.</td>
<td>Henderson</td>
<td>LeBas</td>
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<tr>
<td>Morris</td>
<td>Monica</td>
<td>Pearson</td>
<td>Pugh</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total - 14

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 439—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:905(B)(2) and (14), 905.1, 905.3(A) and (D), and 905.4(A)(1)(a) and (c) and (2), (B), (C), (D), (E)(2), (F), (G), (H), and (J)(2) and to repeal R.S. 30:905.2 and 905.4(K), relative to abandoned mine reclamation; to provide for the authority to participate and to promulgate rules and regulations; to provide for funding sources and appropriation for reclamation of mining operations; to provide for an implementation plan; to provide for notice; to provide for exemptions and exclusions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Morris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Abramson</th>
<th>Anders</th>
<th>Armes</th>
<th>Aubert</th>
<th>Badon, A.</th>
<th>Badon, B.</th>
<th>Barras</th>
<th>Barrow</th>
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<td>Gisclair</td>
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<td>Guillory, E.</td>
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<td>Guinn</td>
<td>Hardy</td>
<td>Hazel</td>
<td>Henderson</td>
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<tr>
<td>Morris</td>
<td>Montoucet</td>
<td>Morrell</td>
<td>Morris</td>
<td>Nowlin</td>
<td>Norton</td>
<td>Pearson</td>
<td>Ferry</td>
<td>Peterson</td>
</tr>
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</table>

Total - 28
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. 682—
BY REPRESENTATIVE HUTTER
AN ACT
To amend and reenact Children's Code Article 818, relative to juveniles; to provide with respect to the identification procedures when taking children into custody for felony and misdemeanor acts; to provide for the destruction of fingerprint records in certain cases; and to provide for related matters.

Read by title.

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

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 29, 2008

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. 84
Returned without amendments

House Concurrent Resolution No. 86
Returned without amendments

House Concurrent Resolution No. 87
Returned without amendments

House Concurrent Resolution No. 88
Returned without amendments

House Concurrent Resolution No. 89
Returned without amendments

House Concurrent Resolution No. 90
Returned without amendments

House Concurrent Resolution No. 91
Returned without amendments

House Concurrent Resolution No. 92
Returned without amendments

House Concurrent Resolution No. 93
Returned without amendments

House Concurrent Resolution No. 94
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 29, 2008

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. 4, 11, 161, 179, 260, 301, 500, and 733

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. 4—
BY SENATOR SHEPHERD
AN ACT
To enact R.S. 14:67.16.1, relative to the registration of persons convicted of identity theft; to require registration of persons convicted of identity theft; to provide penalties for violations; and to provide for related matters.

Read by title.

SENATE BILL NO. 11—
BY SENATORS N. GAUTREAUX, LONG, NEVERS, RISER, SMITH AND THOMPSON
AN ACT
To amend and reenact R.S. 3:3602(2), (4), and (6), 3603(A) and (B), 3604, and 3607(A) and (C) and to enact R.S. 3:3601(B)(3) and
To amend and reenact R.S. 15:541(12), (13), (14), (15), (16), (17), (18), (19), and (20) relative to the right to farm; to provide for legislative findings; to provide for definitions; to provide for allocation of funds; to provide for the right to farm; to provide for local ordinances; to provide relative to nuisance actions; and to provide for related matters.

Read by title.

SENATE BILL NO. 161—
BY SENATOR JACKSON
AN ACT
To amend and reenact R.S. 9:397.1(B), R.S. 13:4291(A), and R.S. 46:236.3(B)(1) and (K), relative to income assignment orders; to provide for the interception of prescription of child support payments intercepted through any means; to authorize the use of income assignment orders; to collect paternity testing costs; to provide for fines against employers for failing to withhold payments from income assignment orders; to provide terms and conditions; and to provide for related matters.

Read by title.

SENATE BILL NO. 179—
BY SENATOR CHAISSON
AN ACT
To amend and reenact R.S. 9:397.1(B), R.S. 13:4291(A), and R.S. 15:541(14.1); to repeal R.S. 15:541(14.2), relative to the Internet; to provide for certain penalties; to require that certain duties be performed by interactive computer services; to require the Department of Public Safety and Corrections to make certain notifications; to provide for unfair trade practices; and to provide for related matters.

Read by title.

SENATE BILL NO. 733  (Substitute of Senate Bill No. 561 by Senator Nevers)
BY SENATORS NEVERS, CROWE, RISER AND THOMPSON
AN ACT
To enacts certain provisions of R.S. 17:285.1, relative to curriculum and instruction; to provide relative to the teaching of scientific subjects in public elementary and secondary schools; to promote students' critical thinking skills and open discussion of scientific theories; to provide relative to support and guidance for teachers; to provide relative to textbooks and instructional materials; to provide for rules and regulations; to provide for effectiveness; 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 RESOLUTION NO. 37—**
BY REPRESENTATIVE LAMBERT
A RESOLUTION
To posthumously commend Norbert Robert "Bob" Morgan, Jr., for his dedication to childhood development through Bob Morgan Athletics and to recognize his singular contributions to youth sports in Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 96—**
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION
To direct the Department of Health and Hospitals, office of addictive disorders, and the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice to study the effects of substance abuse and chemical addiction on recidivism rates.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 97—**
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION
To urge and request the Criminal District Court for the parish of Orleans to establish a reentry court to focus on the rehabilitation of offenders.

Read by title.

Lies over under the rules.
HOUSE CONCURRENT RESOLUTION NO. 98—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To urge and request the Department of Environmental Quality to review EnergySolutions' license application to the United States Nuclear Regulatory Commission to import and export foreign nuclear waste through the Port of New Orleans and to monitor such activity, if such license is granted, to ensure compliance with all rules and regulations and necessary permitting and to take all legal action to stop such activity in the absence of compliance.

Read by title.
Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 99—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to prohibit the importation of nuclear waste generated outside of the United States of America.

Read by title.
On motion of Rep. LaFonta, and under a suspension of the rules, the resolution was adopted.
Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 100—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the negative effects of high stakes testing, including the Louisiana Educational Assessment Program (LEAP) and the Graduation Exit Examination (GEE), on Louisiana's students, including but not limited to negative impacts on student dropout, retention, and attendance rates, and to submit a written report of study findings to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session.

Read by title.
Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To urge and request each city, parish, and other local public school board to adopt a policy recommending that classroom doors in certain schools be equipped with single action deadbolt locks that can be bolted from the inside.

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 Appropriations
April 29, 2008

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

House Bill No. 601, by Arnold
Reported with amendments. (16-0) (Regular)

House Bill No. 1104, by Tucker
Reported with amendments. (21-0) (Regular)

Senate Concurrent Resolution No. 21, by Scalise
Reported favorably. (17-0)

Senate Bill No. 598, by Scalise
Reported favorably. (17-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

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

Report of the Committee on Civil Law and Procedure
April 29, 2008

To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Concurrent Resolution No. 57, by Foil
Reported favorably. (11-0)

House Bill No. 374, by Chandler
Reported with amendments. (12-0) (Regular)

House Bill No. 740, by Ligi (Joint Resolution)
Reported with amendments. (12-0) (Regular)

House Bill No. 781, by Waddell
Reported with amendments. (12-0) (Regular)

House Bill No. 783, by Connick (Joint Resolution)
Reported without amendments (CL&P only). (13-0) (Regular)

House Bill No. 835, by Geymann (Joint Resolution)
Reported with amendments. (13-0) (Regular)

House Bill No. 895, by Greene
Reported with amendments. (14-0) (Regular)

House Bill No. 896, by Abramson
Reported by substitute. (11-0) (Regular)

House Bill No. 1202, by Greene
Reported favorably. (13-0) (Local & Consent)

TIMOTHY G. "TIM" BURNS
Chairman

Report of the Committee on Commerce
April 29, 2008

To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Commerce to submit the following report:

House Resolution No. 31, by Ponti
Reported with amendments. (12-0)

House Concurrent Resolution No. 60, by Morrell
Reported with amendments. (13-0)
House Bill No. 346, by Baldone
Reported with amendments. (13-0) (Regular)

House Bill No. 363, by LeBas
Reported with amendments. (13-0) (Regular)

House Bill No. 939, by Arnold
Reported favorably. (10-0) (Regular)

House Bill No. 1159, by St. Germain
Reported favorably. (11-0) (Local & Consent)

House Bill No. 1170, by Arnold
Reported favorably. (10-0) (Regular)

JEFFERY "JEFF" J. ARNOLD
Chairman

Report of the Committee on
Transportation, Highways, and Public Works
April 29, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Bill No. 301, by Jones, Sam
Reported favorably. (12-0-1) (Local & Consent)

House Bill No. 874, by Tucker
Reported with amendments. (14-0-1) (Regular)

House Bill No. 1048, by Foil
Reported favorably. (9-4) (Regular)

House Bill No. 1112, by Smith, Gary
Reported favorably. (14-0-1) (Local & Consent)

House Bill No. 1139, by Pope
Reported with amendments. (13-0-1) (Regular)

House Bill No. 1141, by Leger
Reported with amendments. (15-0-1) (Regular)

House Bill No. 1151, by Gisclair
Reported favorably. (13-0-1) (Local & Consent)

HOLLIS DOWNS
Vice Chairman

Report of the Committee on
Ways and Means
April 29, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Concurrent Resolution No. 45, by Smith, Jane
Reported favorably. (16-0)

House Bill No. 337, by Burrell
Reported with amendments. (16-0) (Regular)

House Bill No. 607, by Lopinto
Reported with amendments. (14-0) (Regular)

House Bill No. 747, by Robideaux
Reported with amendments. (12-0) (Regular)

House Bill No. 766, by Richardson
Reported with amendments. (16-0) (Regular)

House Bill No. 886, by Morrell
Reported with amendments. (16-0) (Regular)

House Bill No. 1072, by Morrell
Reported favorably. (16-1) (Regular)

HUNTER V. GREENE
Chairman

Privileged Report of the Committee on Enrollment
April 29, 2008

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. 32—
BY REPRESENTATIVE WADDELL
A RESOLUTION
To commend Lillian Belk of Shreveport upon the celebration of her seventy-fifth birthday and to express enduring gratitude for her outstanding contributions to her family, friends, community, and state.

HOUSE RESOLUTION NO. 33—
BY REPRESENTATIVE TUCKER
A RESOLUTION
To commend John Walsh for his efforts to protect America's children and to welcome him to the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 34—
BY REPRESENTATIVES ABRAMSON, CONNICK, RICHMOND, AND PETERSON
A RESOLUTION
To commend New Orleans native Terence Blanchard, a jazz trumpeter, composer, arranger, and film score writer, and to recognize his manifold contributions to the city of New Orleans throughout his long, illustrious career as a jazz musician.

HOUSE RESOLUTION NO. 35—
BY REPRESENTATIVE TRAHAN
A RESOLUTION
To commend Louisiana HonorAir for its contributions to Louisiana's World War II veterans and to recognize the organization's efforts to send World War II veterans to Washington, D.C., to visit the World War II Memorial.

HOUSE RESOLUTION NO. 36—
BY REPRESENTATIVE WHITE
A RESOLUTION
To commend Cathy Schultz of Denham Springs upon her selection as governor of the Louisiana district of Pilot International and to recognize her many accomplishments and contributions to the organization.

Respectfully submitted,

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

Privileged Report of the Committee on Enrollment
April 29, 2008

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. 78—**
BY REPRESENTATIVE MICKEY GUILLOVER
A CONCURRENT RESOLUTION
To recognize May 21, 2008, as Louisiana Housing Council Day.

**HOUSE CONCURRENT RESOLUTION NO. 79—**
BY REPRESENTATIVES KLECKLEY, DANAHAY, FRANKLIN, GEYMANN, GUINN, HILL, AND PERRY AND SENATORS MORRISH, MOUNT, AND SMITH
A CONCURRENT RESOLUTION
To commend Margaret H. Little of Calcasieu Parish upon the occasion of her retirement as manager of the Moss Bluff Post Office on June 2, 2008, and to recognize her for more than thirty years of federal and state civil service.

**HOUSE CONCURRENT RESOLUTION NO. 83—**
BY REPRESENTATIVE MILLS
A CONCURRENT RESOLUTION
To proclaim the month of May of 2008 as Amyotrophic Lateral Sclerosis awareness month and memorializes the United States Congress to enact legislation to provide additional funding for research on amyotrophic lateral sclerosis, or ALS.

Respectfully submitted,
WAYNE WADDELL
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 and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Kleckley, the rules were suspended to permit the Committee on Insurance to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 562

Suspension of the Rules

On motion of Rep. St. Germain, the rules were suspended to permit the Committee on Natural Resources and Environment to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 798

Suspension of the Rules

On motion of Rep. Morrell, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet on Wednesday, April 30, 2008, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 594 and 1108

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended to permit the Committee on Retirement to meet on Wednesday, April 30, 2008.

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:

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Richmond gave notice of his intention to call House Bill No. 492 from the calendar for consideration during the week of May 5, 2008.

Adjournment

On motion of Rep. Trahan, at 5:00 P.M., the House agreed to adjourn until Wednesday, April 30, 2008, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, April 30, 2008.

ALFRED W. SPEER
Clerk of the House