

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

**THIRTY-FIFTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 26, 2004

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

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pierre           |
| Alario      | Futrell      | Pinac            |
| Alexander   | Gallot       | Pitre            |
| Ansardi     | Geymann      | Powell, M.       |
| Arnold      | Glover       | Powell, T.       |
| Badon       | Gray         | Quezaire         |
| Baldone     | Guillory, E. | Richmond         |
| Baudoin     | Guillory, M. | Ritchie          |
| Baylor      | Hammett      | Robideaux        |
| Beard       | Heaton       | Romero           |
| Bowler      | Hebert       | Scalise          |
| Broome      | Hill         | Schneider        |
| Bruneau     | Honey        | Shepherd         |
| Burns       | Hopkins      | Smiley           |
| Burrell     | Hunter       | Smith, G.—56th   |
| Carter, K.  | Hutter       | Smith, J.D.—50th |
| Carter, R.  | Jackson      | Smith, J.H.—8th  |
| Cazayoux    | Jefferson    | Smith, J.R.—30th |
| Crane       | Johns        | St. Germain      |
| Crowe       | Katz         | Strain           |
| Curtis      | Kennard      | Thompson         |
| Damico      | Kenney       | Toomy            |
| Daniel      | LaBruzzo     | Townsend         |
| Dartez      | LaFleur      | Trahan           |
| DeWitt      | Lambert      | Triche           |
| Doerge      | Lancaster    | Tucker           |
| Dorsey      | Marchand     | Waddell          |
| Dove        | Martiny      | Walker           |
| Downs       | McDonald     | Walsworth        |

|          |            |         |
|----------|------------|---------|
| Durand   | McVea      | White   |
| Erdey    | Montgomery | Winston |
| Fannin   | Morrell    | Wooton  |
| Farrar   | Morrish    | Wright  |
| Faucheux | Murray     |         |
| Flavin   | Odinet     |         |

Total—103

ABSENT

Bruce  
Total—1

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Willie Hunter.

**Pledge of Allegiance**

Rep. Walsworth led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Miss Candra Burges sang "The Star Spangled Banner."

**Reading of the Journal**

On motion of Rep. Robideaux, the reading of the Journal was dispensed with.

On motion of Rep. Pierre, and under a suspension of the rules, the Journal of May 25, 2004, was corrected to reflect him as voting yea on final passage of House Bill No. 1515.

On joint motion of Reps. Elcie Guillory, McDonald, John Smith, and Thompson, and under a suspension of the rules, the Journal of May 25, 2004, was corrected to reflect them as voting nay on final passage of House Bill No. 1515.

On motion of Rep. Beard, and under a suspension of the rules, the Journal of May 25, 2004, was corrected to reflect him as voting yea on final passage of House Bill No. 1712.

On motion of Rep. Robideaux, the Journal of May 25, 2004, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 26, 2004

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. 216  
Returned without amendments.

House Concurrent Resolution No. 217  
Returned without amendments.

House Concurrent Resolution No. 220  
Returned without amendments.

House Concurrent Resolution No. 222  
Returned without amendments.

House Concurrent Resolution No. 223  
Returned without amendments.

House Concurrent Resolution No. 224  
Returned without amendments.

House Concurrent Resolution No. 225  
Returned without amendments.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 26, 2004

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

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

Senate Concurrent Resolution Nos. 49, 130, and 131

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 130—**  
BY SENATORS MALONE AND ELLINGTON AND REPRESENTATIVE KENNEY

**A CONCURRENT RESOLUTION**

To extend the condolences of the Louisiana Legislature, on behalf of its members and on behalf of the citizens of the state, to the family of Leon Basco, a native Louisianian and a professional, conscientious, and compassionate educator.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 131—**  
BY SENATOR MALONE

**A CONCURRENT RESOLUTION**

To extend condolences of the Louisiana Legislature on behalf of its members, and on behalf of the citizens of the state, to the family of Ethel Kirkham Faith, a native Louisianian and a devoted Christian lady.

Read by title.

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

**Message from the Senate**

**SENATE BILLS**

May 26, 2004

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. 16, 73, 301, 310, 415, 446, 680, 689, 730, 799, 811, 839, and 873

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Dartez, the rules were suspended in order to take up the bills contained in the message at this time.

**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. 16—**  
BY SENATOR B. GAUTREAUX  
AN ACT

To enact R.S. 17:183, relative to the hazing of students; to provide for legislative intent; to provide definitions; to prohibit hazing; to require city, parish, and other local public school boards to adopt, enforce, and post hazing policies; to provide for the required content of such policies; and to provide for related matters.

Read by title.

**SENATE BILL NO. 73—**  
BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to contract requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

Read by title.

**SENATE BILL NO. 301—**  
BY SENATOR HOLDEN  
AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration,

evaluation, and continuation of the pilot program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 310—**

BY SENATORS DUPRE AND ROMERO  
AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.61, inclusive, relative to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 415—**

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 33:2493(C)(1), and to repeal R.S. 33:2493(C)(2), relative to civil service; to provide with respect to fire and police civil service for municipalities between 13,000 and 250,000; to remove the requirement that any applicant admitted to a civil service test for a position above entry level be a qualified elector of the state of Louisiana; and to provide for related matters.

Read by title.

**SENATE BILL NO. 446—**

BY SENATORS JACKSON AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:153.3(D)(5), relative to the Medicaid Drug Program; to provide for duties and responsibilities of the Medicaid Pharmaceutical and Therapeutics Committee; and to provide for related matters.

Read by title.

**SENATE BILL NO. 680—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; and to provide for related matters.

Read by title.

**SENATE BILL NO. 689—**

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:153.3(B)(2)(a)(introductory paragraph) and (b) and to enact R.S. 46:153.3(B)(2)(e), relative to the medical assistance drug program; to provide for the utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to provide for an annual report to the legislature and governor; and to provide for related matters.

Read by title.

**SENATE BILL NO. 730—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

Read by title.

**SENATE BILL NO. 799—**

BY SENATOR MOUNT

AN ACT

To enact R.S. 40:600.1(B)(6), (7), and (8), 600.2(12) and 600.6(A)(26), relative to the Louisiana Housing Finance Agency; to provide for findings; to provide for a definition of subsidiary; to provide for authority for the agency to sponsor a statewide community housing development organization; to provide with respect to the funding of loans and financing of pools of loans; and to provide for related matters.

Read by title.

**SENATE BILL NO. 811—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 36:511 and R.S. 38:2337 and to enact R.S. 38:2325(C), relative to the public contracts; to provide for the application of contract and procurement activities by certain state agencies; and to provide for related matters.

Read by title.

**SENATE BILL NO. 839—**

BY SENATOR JACKSON

AN ACT

To enact R.S. 33:2740.38, and to repeal Act No. 573 of the 1975 Regular Session, Act No. 554 of the 1978 Regular Session, Act No. 411 of the 1980 Regular Session, Act No. 163 of the 1984 Regular Session, and Act No. 265 of the 2003 Regular Session, relative to the Shreveport Downtown Development District; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Shreveport Downtown Development District; to provide for the composition and powers of the governing board; to provide for preparation of plans; to provide for the levy of ad valorem taxes and the issuance of bonds; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 873 (Substitute for Senate Bill No. 782 by Senator Lentini)—**

BY SENATOR LENTINI

AN ACT

To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.7, and R.S. 37:1285(A)(32), all relative to human cloning; to provide for definitions; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for penalties; 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. 73—**  
BY REPRESENTATIVES CRANE AND WALKER  
A RESOLUTION

To express the support of the Louisiana House of Representatives for and to encourage continued participation in the "America's Legislators Back to School Week," sponsored by the National Conference of State Legislatures (NCSL) and scheduled for September 20-24, 2004.

Read by title.

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

**HOUSE RESOLUTION NO. 74—**  
BY REPRESENTATIVES SALTER AND KENNEY  
A RESOLUTION

To commend Robert C. Nelson of Winnsboro upon his receipt of the W. L. Bill May Christian Businessman Award from the Louisiana Moral and Civic Foundation.

Read by title.

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

**HOUSE RESOLUTION NO. 75—**  
BY REPRESENTATIVE BROOME  
A RESOLUTION

To commend Gustav du Toit for his wonderful achievements and singular contributions to the Louisiana House of Representatives and the people of Louisiana and the United States.

Read by title.

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

**HOUSE RESOLUTION NO. 76—**  
BY REPRESENTATIVE GLOVER  
A RESOLUTION

To commend Superintendent Andrew Bryant upon his retirement as Superintendent of the Allendale District of the Church of God in Christ.

Read by title.

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

**HOUSE RESOLUTION NO. 77—**  
BY REPRESENTATIVE WALSWORTH  
A RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Charles Ray Anding and the enduring gratitude of the members for his outstanding contributions to Ouachita Parish and the state of Louisiana,

particularly during his eight-year tenure as a distinguished member of the Louisiana House of Representatives.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 226—**  
BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the scheduling and management of muzzleloader season for deer hunting.

Read by title.

Lies over under the rules.

**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. 218—**  
BY REPRESENTATIVE RICHMOND  
A CONCURRENT RESOLUTION

To create the Domestic Violence Law Enforcement Training Task Force to study current domestic violence training procedures for all Louisiana law enforcement officers and to make recommendations to the legislature.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 219—**  
BY REPRESENTATIVE HEBERT  
A CONCURRENT RESOLUTION

To request the Department of Education and the Department of Social Services to develop policies regarding the duties of school personnel to report child abuse and neglect for children with behavioral problems.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 221—**  
BY REPRESENTATIVE HEBERT  
A CONCURRENT RESOLUTION

To direct the Department of Education and the Department of Social Services to jointly develop appropriate policies and procedures regarding the evaluation and treatment of children.

Read by title.

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 44—**  
BY SENATOR DUPLESSIS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to authorize state and national banks to participate in lotteries and related activities for charitable purposes.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 58—**  
BY SENATOR IRONS

**A CONCURRENT RESOLUTION**

To urge and request that the Senate and House labor and industrial relations committees to meet and function as a joint committee to study the effects of an inadequately trained and motivated tourism and hospitality workforce on the future financial viability and competitiveness of the tourism industry on the New Orleans Metropolitan Area and throughout the state.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 123—**  
BY SENATORS SMITH AND MCPHERSON

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the laws that govern the operation of vehicles which haul Louisiana products on the highways and roadways of Louisiana in excess of the standard limitations set forth in law, and to include in such study more particularly, vehicles transporting forestry products in their natural state and vehicles transporting Louisiana-produced lignite coal and coke fuel.

Read by title.

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

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

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

**SENATE BILL NO. 339—**  
BY SENATOR HAINKEL

**AN ACT**

To amend and reenact Civil Code Arts. 571 and 573 and to repeal Code of Civil Procedure Art. 3154.1, relative to usufructs; to provide relative to the form of security on property subject to the usufruct; to prohibit dispensing with security for certain testamentary usufructs; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 364—**  
BY SENATOR ROMERO

**AN ACT**

To enact R.S. 16:2(F), relative to the district attorney for the Sixteenth Judicial District; to provide for contributions from the parish school boards and governing authorities in the parishes of Iberia, St. Mary and St. Martin to defray costs of representation; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 408—**  
BY SENATOR BAJOIE

**AN ACT**

To enact R.S. 36: 259(II) and 919.7 and Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.231 through 1300.233, relative to women's health; to create the Women's Health Commission; to provide for the membership, filling of vacancies, meetings, compensation, domicile, election of officers, powers and duties, and termination; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 579—**  
BY SENATOR JONES

**AN ACT**

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; to delete certain types of information from the exemption; to provide relative to the effectiveness; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 657—**  
BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 13:1384, relative to criminal district courts; to provide for funding of certain positions or office and functions; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 774—**  
BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain

limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 808—**  
BY SENATOR HINES

AN ACT

To enact R.S. 40:1300.143(3)(d), relative to the rural hospital preservation act; to require certification by the Rural Hospital Coalition, Inc., as a prerequisite to being designated as a rural hospital; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 843—**  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:285(A)(2) and to enact R.S. 46:285(A)(6), relative to child protection and foster care workers; to provide that such workers shall be trained in specific legal provision; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 859—**  
BY SENATOR ROMERO

AN ACT

To enact R.S. 27:403, relative to the Louisiana Gaming Control Law; to provide with respect to the status of licenses issued in good faith reliance on a survey which was wrong; and to provide for related matters.

Read by title.

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

**Motion**

On motion of Rep. Futrell, the Committee on Administration of Criminal Justice was discharged from further consideration of Senate Bill No. 556.

**SENATE BILL NO. 556—**  
BY SENATORS DUPRE, DARDENNE AND MARIONNEAUX

AN ACT

To enact R.S. 15:1228.9, relative to the establishment and maintenance of the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; and to provide for related matters.

Read by title.

**Motion**

Rep. Futrell moved that Senate Bill No. 556 be designated as a duplicate of House Bill No. 1156.

Which motion was agreed to.

Rep. Futrell moved that Senate Bill No. 556 be amended to conform with House Bill No. 1156 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Futrell to Reengrossed Senate Bill No. 556 by Senator Dupre (Duplicate of House Bill No. 1156)

AMENDMENT NO. 1

On page 1, line 15, after "track" insert "those"

AMENDMENT NO. 2

On page 1, at the end of line 17 after "offenses" delete "in removing continual," and on page 2, line 1, delete "habitual offenders from behind the wheel."

AMENDMENT NO. 3

On page 2, line 8, after "component" change "of an" to "for the" and after "provided" delete "for"

AMENDMENT NO. 4

On page 2, line 12, after "of each" insert "impaired"

AMENDMENT NO. 5

On page 2, at the beginning of line 17, change "Subsection E" to "Subsection D"

AMENDMENT NO. 6

On page 2, line 22, change "town," to "parish,"

AMENDMENT NO. 7

On page 2, between lines 25 and 26, insert the following:

"D.(1) Every law enforcement agency in this state, including but not limited to city police departments, sheriffs' offices, and state police shall submit the following information to the impaired driver tracking system component of ICJIS, when a person is arrested for any offense listed in Subsection C of this Section:

(a) The law enforcement agency making the arrest shall provide sufficient information about the arrested person so that other law enforcement agencies, courts, the Department of Public Safety and Corrections, and other relevant persons or agencies can identify the person arrested, including but not limited to name, address, driver's license number, date of birth, and physical characteristics, such as eye color, hair color, and gender.

(b) The law enforcement agency shall also input pertinent arrest information, including date, location of the offense, arresting officer, the violation charged, whether the person arrested submitted or refused to submit to a test to determine the presence of alcohol or drugs, the results of those tests if applicable, and any other information that the arresting officer deems necessary.

(2) Every district attorney and prosecutor in this state shall provide information to the impaired driver tracking system component of ICJIS regarding each person who is referred for prosecution of an offense listed in Subsection C of this Section. This information shall include but is not limited to the criminal charge filed against the person, whether or not the person was required to participate in substance abuse treatment, a driver improvement program or any pretrial diversion program, whether the person completed the requirements imposed by the prosecutor or district attorney, and whether a conviction was obtained.

(3) Every court in this state with jurisdiction over any of the offenses listed in Subsection C of this Section shall provide information to the impaired driver tracking system component of ICJIS with regard to the disposition of the charge for any offense listed in Subsection C of this Section, including but not limited to the date of arraignment, date of disposition, whether or not the defendant was required to participate in substance abuse treatment, the final disposition of the charge, sentence or penalties imposed, probation information, any administrative sanctions imposed, such as driver's license suspensions, fines assessed, penalties for failure to complete court or administrative sanctions, and date of reinstatement."

#### AMENDMENT NO. 8

On page 2, at the beginning of line 26, change "D." to "E."

#### AMENDMENT NO. 9

On page 3, delete lines 3 through 24 in their entirety

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

### **Motion**

On motion of Rep. Futrell, the above bill, as amended, was referred to the Legislative Bureau.

### **House and House Concurrent Resolutions Reported by Committee**

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

#### **HOUSE CONCURRENT RESOLUTION NO. 86—** BY REPRESENTATIVES DORSEY, DARTEZ, FARRAR, RICHMOND, SHEPHERD, AND WHITE

##### A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of state police, to develop rules for the coordination of investigations and the sharing of information regarding the investigation of possible "serial killers" and unsolved murders.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Concurrent Resolution No. 86 by Representative Dorsey

#### AMENDMENT NO. 1

On page 2, between lines 19 and 20, insert the following:

"BE IT FURTHER RESOLVED that the rules developed for the coordination of investigations regarding "serial killer" investigations shall include and shall incorporate the following principles:

(1) That if a primary responding law enforcement agency alone, or in consultation with other agencies, believes it is likely that two or more homicides or rapes have been committed by one individual or by two or more individuals acting together, the agency should call upon all appropriate local, state, and federal agencies having jurisdiction to form a task force to apprehend and convict the perpetrator or perpetrators.

(2) That upon receiving this request agency heads of the agencies called upon, or their designees, should meet to review the evidence and, if they agree with the requesting agency's conclusion, should form a task force.

(3) That the lead agency shall be the primary responding agency which made the determination that the crimes under investigation were probably committed by the same person or persons.

(4) That the lead agency shall have the option to relinquish the leadership of the task force to another primary responding agency which has investigated one or more of the crimes in the series.

(5) That all agencies involved in the task force should contribute investigators and forensic and logistical support as appropriate and as requested by the lead agency.

(6) That all pertinent information regarding any crimes believed to have been committed by the person under investigation should be shared among all investigators assigned to the task force.

(7) That the lead agency should designate one individual to coordinate all releases of information regarding the investigation."

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

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

### **Senate Concurrent Resolutions Reported by Committee**

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

#### **SENATE CONCURRENT RESOLUTION NO. 29—**

BY SENATOR SMITH

##### A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

### **House Bills and Joint Resolutions on Second Reading Reported by Committee**

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

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35th Day's Proceedings - May 26, 2004

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT AND ALARIO AND SENATORS MOUNT AND HEITMEIER

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 7, delete lines 34 and 35, and insert the following:

"(Statewide) Payable from Interagency Transfers \$ 500,000 Payable from General Obligation Bonds"

AMENDMENT NO. 2

On page 7, line 38, change "\$3,000,000" to "\$3,500,000"

AMENDMENT NO. 3

On page 12, delete lines 45 and 46, and insert the following:

"Payable from State General Fund (Direct) Nonrecurring Revenues \$ 1,855,000 Payable from General Obligation Bonds Priority 2 \$ 4,300,000 Total \$ 6,155,000"

AMENDMENT NO. 4

On page 19, delete lines 21 through 24 in their entirety

AMENDMENT NO. 5

On page 20, line 13, change "\$449,000,000" to "\$534,000,000"

AMENDMENT NO. 6

On page 20, line 16, change "\$553,300,000" to "\$638,300,000"

AMENDMENT NO. 7

On page 20, line 50, change "\$52,000,000" to "\$61,900,000"

AMENDMENT NO. 8

On page 21, between lines 44 and 45, insert the following:

"(1471) La 3229 Overlay, Planning and Construction (Sabine) Payable from State General Fund (Direct) Nonrecurring Revenues \$ 400,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112.

( ) Non-Federal Aid Eligible Highways, Planning and Construction (Statewide) Payable from Transportation Trust Fund - Regular \$17,000,000"

AMENDMENT NO. 9

On page 23, between lines 4 and 5, insert the following:

"Payable from State General Fund (Direct) Nonrecurring Revenues \$ 475,000"

AMENDMENT NO. 10

On page 23, line 9, change "\$6,250,000" to "\$6,725,000"

AMENDMENT NO. 11

On page 38, delete line 27, and insert the following:

"Payable from Fees and Self-Generated Revenues \$ 5,000,000"

AMENDMENT NO. 12

On page 38, between lines 34 and 35, insert the following:

"(1504) Laville Honors College Renovations and Additions, Planning and Construction (East Baton Rouge) Payable from Revenue Bonds \$ 24,375,000"

Pending approval of capital outlay request pursuant to the provisions of R.S. 39:112.

(1506) Student Recreational Sports Complex Renovation and Addition, Planning and Construction (East Baton Rouge) Payable from Revenue Bonds \$ 5,275,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112.

(1509) University Laboratory School Renovation and Classroom Addition, Planning and Construction (East Baton Rouge) Payable from Revenue Bonds \$ 3,000,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 13

On page 42, between lines 24 and 25, insert the following:

"( ) Replace the Livestock Show Facility, Covington, Planning and Construction (St. Tammany)  
Payable from the balance of State General Fund (Direct) previously allocated in Act 23 of 2002 for St. Tammany Parish, Refurbish St. Tammany Parish Livestock Show Facility, Planning and Construction (St. Tammany) \$ 57,138"

AMENDMENT NO. 14

On page 42, between lines 39 and 40, insert the following:

"(422) New University Hospital, Baton Rouge, Earl K. Long, Planning and Construction (East Baton Rouge)  
Payable from Revenue Bonds \$ 99,990,000"

AMENDMENT NO. 15

On page 43, delete lines 9 through 13 in their entirety

AMENDMENT NO. 16

On page 49, line 22, change "\$500,000" to "\$2,000,000"

AMENDMENT NO. 17

On page 50, delete lines 31 and 32, and insert the following:

"Payable from Fees and Self-Generated Revenues \$ 500,000  
Payable from General Obligation Bonds Priority 1 \$ 610,000  
Total \$ 1,110,000"

AMENDMENT NO. 18

On page 50, delete line 42 in its entirety

AMENDMENT NO. 19

On page 50, line 47, change "\$4,750,000" to "\$2,750,000"

AMENDMENT NO. 20

On page 53, between lines 26 and 27, insert the following:

"(1493) Delgado Hall Auditorium Renovations, Planning and Construction (Supplemental Funding) (Orleans)  
Payable from Fees and Self-Generated Revenues \$ 1,244,000"

AMENDMENT NO. 21

On page 55, between lines 11 and 12, insert the following:

"(1449) Cafeteria Renovations, Planning and Construction (Rapides)  
Payable from Interagency Transfers \$ 3,105,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint

Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 22

On page 58, delete lines 25 through 27, and insert the following:

"including Acquisitions for the Louisiana Optical Network Initiative (LONI) (Statewide)  
Payable from State General Fund (Direct) Nonrecurring Revenues \$ 4,081,250  
Payable from General Obligation Bonds Priority 1 \$ 3,500,000  
Total \$ 7,581,250"

AMENDMENT NO. 23

On page 64, delete lines 13 and 14, and insert the following:

"Payable from State General Fund (Direct) Nonrecurring Revenues \$ 200,000  
Payable from General Obligation Bonds Priority 5 \$ 2,500,000  
Total \$ 2,700,000"

AMENDMENT NO. 24

On page 65, between lines 46 and 47, insert the following:

"Payable from State General Fund (Direct) Nonrecurring Revenues \$ 100,000"

AMENDMENT NO. 25

On page 65, line 50, change "\$225,000" to "\$325,000"

AMENDMENT NO. 26

On page 66, between lines 3 and 4, insert the following:

"Payable from State General Fund (Direct) Nonrecurring Revenues \$ 50,000"

AMENDMENT NO. 27

On page 66, line 7, change "\$195,000" to "\$245,000"

AMENDMENT NO. 28

On page 69, between lines 31 and 32, insert the following:

"(646) Upper Kraak Ditch Crossing at Airline Drive, Planning and Construction (Jefferson)  
Payable from State General Fund (Direct) Nonrecurring Revenues \$ 200,000"

AMENDMENT NO. 29

On page 69, between lines 36 and 37, insert the following:

"(652) ForeKids HP Classic Facilities, Planning and Construction (Jefferson)  
Payable from State General Fund (Direct) Nonrecurring Revenues \$ 300,000"

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AMENDMENT NO. 30

On page 70, after line 45, insert the following

**"50/J34 MOREHOUSE PARISH**

|   |                   |
|---|-------------------|
| (1025) Equine Center, Planning and Construction<br>(Supplemental Funding)<br>(\$50,000 Local Match)<br>(Morehouse)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 350,000</u> |
|---|-------------------|

|   |                   |
|---|-------------------|
| (1488) Parish Farmer's Market, Planning and<br>Construction<br>(Supplemental Funding)<br>(Morehouse)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 150,000</u> |
|---|-------------------|

AMENDMENT NO. 31

On page 71, delete lines 18 and 19, and insert the following:

|  |                   |
|--|-------------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 250,000        |
| Payable from General Obligation Bonds<br>Priority 2                | <u>\$ 400,000</u> |
| Total  | <u>\$ 650,000</u> |

AMENDMENT NO. 32

On page 71, between lines 31 and 32, insert the following:

**"50/J39 POINTE COUPEE PARISH**

|   |                  |
|---|------------------|
| (251) Drainage Improvements,<br>Planning and Construction<br>(Pointe Coupee)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 50,000</u> |
|---|------------------|

AMENDMENT NO. 33

On page 73, delete lines 28 through 30, and insert the following:

|  |                   |
|--|-------------------|
| "(Supplemental Funding)<br>(St. Martin)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 100,000        |
| Payable from General Obligation Bonds<br>Priority 1  | <u>\$ 50,000</u>  |
| Total  | <u>\$ 150,000</u> |

AMENDMENT NO. 34

On page 79, between lines 33 and 34, insert the following:

|  |                  |
|--|------------------|
| "(805) Communication and Other Equipment<br>for the Baldwin Police Department,<br>Acquisition<br>(St. Mary)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 90,000</u> |
|--|------------------|

AMENDMENT NO. 35

On page 81, between lines 15 and 16, insert the following:

**"50/M24 BERWICK**

|  |                  |
|--|------------------|
| (589) Public Works Equipment Storage<br>Shed, Planning and Construction<br>(St. Mary)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 78,000</u> |
|--|------------------|

AMENDMENT NO. 36

On page 82, delete line 39, insert the following:

|  |            |
|--|------------|
| "(Supplemental Funding)<br>(Acadia)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 425,000 |
|--|------------|

AMENDMENT NO. 37

On page 82, line 44, change "\$1,315,000" to "\$1,740,000"

AMENDMENT NO. 38

On page 83, after line 49, insert the following:

|  |                   |
|--|-------------------|
| "(852) Franklin Public Safety and Security<br>Improvement Project, Planning<br>and Construction<br>(St. Mary)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 100,000</u> |
|--|-------------------|

AMENDMENT NO. 39

On page 85, delete lines 5 and 6, and insert the following:

|  |                     |
|--|---------------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 100,000          |
| Payable from General Obligation Bonds<br>Priority 5                | <u>\$ 900,000</u>   |
| Total  | <u>\$ 1,000,000</u> |

AMENDMENT NO. 40

On page 86, between lines 9 and 10, insert the following:

|  |           |
|--|-----------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 50,000 |
|--|-----------|

AMENDMENT NO. 41

On page 86, line 15, change "\$1,008,000" to "\$1,058,000"

AMENDMENT NO. 42

On page 90, between lines 33 and 34, insert the following:

|  |           |
|--|-----------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 50,000 |
|--|-----------|

AMENDMENT NO. 43

On page 90, line 37, change "\$480,000" to "\$530,000"

AMENDMENT NO. 44

On page 91, delete lines 29 and 30, and insert the following:

|  |                   |
|--|-------------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 92,000         |
| Payable from General Obligation Bonds<br>Priority 2                | \$ 92,000         |
| Total  | <u>\$ 184,000</u> |

AMENDMENT NO. 45

On page 91, after line 51, insert the following:

**"50/ML4 NEW ROADS**

|  |                   |
|--|-------------------|
| (1495) Railroad Avenue Safety Improvements,<br>Planning and Construction<br>(Pointe Coupee)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 150,000</u> |
|--|-------------------|

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 46

On page 92, between lines 14 and 15, insert the following:

|   |                   |
|---|-------------------|
| "(1502) Emergency Fire and Police Communica-<br>tions Command Post, Planning and<br>Construction<br>(St. Mary)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 223,000</u> |
|---|-------------------|

Pending approval of the capital outlay request pursuant to the provisions of R.S. 39:112.

**50/MN2 PINE PRAIRIE**

|   |                   |
|---|-------------------|
| ( ) New Community Center, Planning and<br>Construction<br>(Evangeline)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 200,000</u> |
|---|-------------------|

Pending approval of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 47

On page 92, delete lines 32 through 34, and insert the following:

|  |                   |
|--|-------------------|
| "(Supplemental Funding)<br>(Acadia)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 100,000        |
| Payable from General Obligation Bonds<br>Priority 1  | \$ 730,000        |
| Total  | <u>\$ 830,000</u> |

AMENDMENT NO. 48

On page 93, between lines 4 and 5, insert the following:

|  |            |
|--|------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 25,000" |
|--|------------|

AMENDMENT NO. 49

On page 93, line 8, change "\$175,000" to "\$200,000"

AMENDMENT NO. 50

On page 94, after line 49, insert the following:

**"50/MT8 TURKEY CREEK**

|   |                   |
|---|-------------------|
| ( ) New Community Center, Planning and<br>Construction<br>(Evangeline)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 200,000</u> |
|---|-------------------|

Pending approval of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 51

On page 95, between lines 7 and 8, insert the following:

|  |            |
|--|------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 500,000 |
|--|------------|

AMENDMENT NO. 52

On page 95, line 13, change "\$5,640,000" to "\$6,140,000"

AMENDMENT NO. 53

On page 96, between lines 15 and 16, insert the following:

|  |             |
|--|-------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 250,000" |
|--|-------------|

AMENDMENT NO. 54

On page 96, line 19, change "\$3,425,000" to "\$3,675,000"

AMENDMENT NO. 55

On page 97, between lines 34 and 35, insert the following:

**"50/MW4 ZWOLLE**

|  |                    |
|--|--------------------|
| (1022) Recreational Complex,<br>Planning and Construction<br>(Sabine)<br>Payable from State General Fund (Direct)<br>Nonrecurring Revenues | <u>\$ 156,000"</u> |
|--|--------------------|

AMENDMENT NO. 56

On page 102, between lines 36 and 37, insert the following:

|  |             |
|--|-------------|
| "Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 390,000" |
|--|-------------|

AMENDMENT NO. 57

On page 102, line 42, change "\$886,000" to "\$1,276,000"

AMENDMENT NO. 58

On page 103, between lines 24 and 25, insert the following:

|   |             |
|---|-------------|
| Payable from State General Fund (Direct)<br>Nonrecurring Revenues | \$ 400,000" |
|---|-------------|

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AMENDMENT NO. 59

On page 103, line 29, change "\$3,535,000" to "\$3,935,000"

AMENDMENT NO. 60

On page 107, between lines 10 and 11, insert the following:

"50/NG7 POINTE COUPEE PARISH SHERIFF'S OFFICE

( ) Pointe Coupee Parish Sheriff's Office
Maintenance and Storage Facilities,
Planning and Construction
(Pointe Coupee)
Payable from the balance of State General
Fund (Direct) previously appropriated in
Act 24 of 2003 for Pointe Coupee Parish
Sheriff's Office for Pointe Coupee Parish
Sheriff's Office Maintenance and Storage
Facilities, Planning and Construction
(\$351,000 Local Match) (Pointe Coupee) \$ 414,000"

AMENDMENT NO. 61

On page 108, between lines 26 and 27, insert the following:

"Payable from State General Fund (Direct)
Nonrecurring Revenues \$ 100,000"

AMENDMENT NO. 62

On page 108, line 33, change "\$6,850,000" to "\$6,950,000"

AMENDMENT NO. 63

On page 113, between lines 27 and 28, insert "(\$250,000 Local Match)"

AMENDMENT NO. 64

On page 114, line 2, change "(1398)" to "(1464)"

AMENDMENT NO. 65

On page 114, line 4, after "Show" insert a comma "," and "Planning and Construction"

AMENDMENT NO. 66

On page 115, between lines 21 and 22, insert the following:

"50/N MADISON COMMUNITY DEVELOPMENT CORPORATION

( ) Community Center, Planning and
Construction
(Orleans)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$ 30,000

Pending submittal and approval of capital outlay budget request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 67

On page 120, line 26, after the comma "," and before "and" insert "for the Department of Natural Resources Atchafalaya Basin Protection and Enhancement project for projects located in St. Mary Parish,"

AMENDMENT NO. 68

On page 121, line 14, after the period "." and before "Notwithstanding" insert "Notwithstanding the provisions of Section 3 and Section 9 of Act 29 of the 1998 Regular Session of the Legislature, the \$100,000 General Obligation Bond proceeds reallocation appropriation for the Vivian Old Train Depot Renovation project may be used for contracts entered into prior to receipt of funding, prior to the execution of a cooperative endeavor agreement, and prior to approval by Facility Planning and Control."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 340—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 326(B), relative to bail; to provide for the cancellation of the bail bond in felony cases upon entry of a plea of guilty or nolo contendere; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 394—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:2500(C), relative to the jurisdiction of the Municipal Court of New Orleans; to increase the monetary penalty which may be imposed for the violation of a municipal ordinance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 394 by Representative Murray

AMENDMENT NO. 1

On page 1, at the end of line 13, delete ". or a greater"

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 15, delete "municipal ordinance."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 403—**

BY REPRESENTATIVE DANIEL

## AN ACT

To amend and reenact R.S. 15:85.1(A)(2)(a) and (d), relative to posting of criminal bonds; to provide for the distribution of fees assessed in connection with criminal bonds posted in each parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 619—**

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

## AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 619 by Representative Alario

**AMENDMENT NO. 1**

On page 1, at the end of line 3, insert the following:

"for the transfer of certain monies to the Medical Assistance Trust Fund; to provide"

**AMENDMENT NO. 2**

On page 1, delete lines 16 and 17 in their entirety and insert the following:

"and shall be available exclusively for higher education institutions or for the Board of Regents, hereinafter referred to in this Section as the "board". The board shall develop regulations and guidelines for the distribution and allocation of such monies so appropriated which shall be subject to approval by the Joint Legislative Committee on the Budget. All unexpended and unencumbered monies in the fund at the end"

**AMENDMENT NO. 3**

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

"Section 2. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 46:114.4(E), the state treasurer is authorized and directed to transfer Two Million Eight Hundred Eighty Thousand and No/100 (\$2,880,000.00) Dollars of the unexpended and unencumbered balance in the Fraud Detection Fund at the end of Fiscal Year 2003-

2004 to the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2004-2005 for the Medical Vendor Payment Program.

Section 3. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 39:87.5, the state treasurer is authorized and directed to transfer Three Million Two Hundred Twenty Thousand and No/100 (\$3,220,000.00) Dollars of the unexpended and unencumbered balance in the Incentive Fund at the end of Fiscal Year 2003-2004 to the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2004-2005 for the Medical Vendor Payments Program.

Section 4. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 49:213.1 through R.S. 49:214.5, the state treasurer is authorized and directed to transfer One Million and No/100 (\$1,000,000.00) Dollars of the unexpended and unencumbered balance in the Mineral Resources Operation Fund at the end of Fiscal Year 2003-2004 to the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2004-2005 for the Medical Vendor Payments Program.

Section 5. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 40:1428, the treasurer is authorized and directed to transfer Nine Hundred Thousand and No/100 (\$900,000.00) Dollars of unexpended and unencumbered balance in the Insurance Fraud Investigation Fund at the end of Fiscal Year 2003-2004 to the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2004-2005 for the Medical Vendor Payments Program."

**AMENDMENT NO. 4**

On page 2, at the beginning of line 3, change "Section 2." to "Section 6."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 647—**

BY REPRESENTATIVE ALARIO

## A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A) of the Constitution of Louisiana, to broaden the applicability of the homestead exemption; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 647 by Representative Alario

**AMENDMENT NO. 1**

On page 1, line 2, after "Section 20(A)" delete "(1) and (2)"

**AMENDMENT NO. 2**

On page 1, line 8, after "Section 20(A)" delete "(1) and (2)"

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## AMENDMENT NO. 3

On page 1, line 12, after "land" and before "with" insert "even if the land is classified and assessed at use value pursuant to Article VII, Section 18(C) of this Constitution,"

## AMENDMENT NO. 4

On page 1, line 12, after "field" and before the comma "," and "pasture" insert "with or without timber on it"

## AMENDMENT NO. 5

On page 1, delete lines 13 and 14 and insert "tract or tracts, not exceeding one hundred sixty acres,"

## AMENDMENT NO. 6

On page 1, line 16, after "persons" and before the comma "," insert "owning the property in indivision if such persons are blood relatives, related by adoption, or are spouses"

## AMENDMENT NO. 7

On page 2, line 1, after "persons" and before the comma "," insert "owning the property in indivision if such persons are blood relatives, related by adoption, or are spouses"

## AMENDMENT NO. 8

On page 2, delete lines 5 through 19 and insert the following:

"(2) The homestead exemption shall extend and apply fully to the surviving spouse ~~or minor children of a deceased owner and shall apply~~ when the homestead is occupied ~~as such by the surviving spouse~~ and title to it is in ~~either the husband or wife~~ the name of (a) the surviving spouse as owner of any interest, (b) the surviving spouse as usufructuary for life, or (c) a testamentary trust established for the benefit of the surviving spouse and the descendants of the deceased spouse or surviving spouse, but not to more than one homestead owned by ~~either the husband or wife, or both.~~

(3) The homestead exemption shall extend to property owned by an irrevocable trust when the principal beneficiary or beneficiaries of the trust are the settlor or settlors of the trust and were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to transfer, conveyance, or donation in trust, or which would have qualified, for the homestead exemption if such property were not owned in trust.

(4) The homestead exemption shall extend to property where the usufruct of the property has been granted for the lifetime of no more than two usufructuaries who ere the immediately prior owners of the homestead, and the homestead is occupied as such by a usufructuary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to the granting of such lifetime usufruct, or which would have qualified for the homestead exemption if such usufruct had not been granted.

(5) The homestead exemption shall extend only to a natural person or persons and to an irrevocable trust created by a natural person or persons, in which the beneficiaries of the trust are a natural person or persons provided that the provisions of this Paragraph are otherwise satisfied.

(6) Except as otherwise provided for in this Paragraph, the homestead exemption shall apply to property owned in indivision, but shall be limited to the pro rata ownership interest of that person or persons occupying the homestead.

(7) No homestead exemption shall be granted on bond for deed property. However, any homestead exemption granted prior to June 20, 2003 on any property occupied upon the effective date of this Paragraph by a buyer under a bond for deed contract shall remain valid as long as the circumstances giving rise to the exemption at the time the exemption was granted remain applicable.

(8) Notwithstanding any provision of this Paragraph to the contrary, in no event shall more than one homestead exemption extend or apply to any person in this state.

(9) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes."

## AMENDMENT NO. 9

On page 3, delete lines 1 through 6 in their entirety, and insert the following:

"To provide that homestead exempt property is limited to property owned and occupied by persons who are blood relatives, related by adoption, or are spouses; to require that, beginning April 16, 2004, the assessed value for land which the taxpayer claims as his homestead be based upon its fair market value and not its use value except for land which was granted an exemption based on such value prior to that date; to provide that a field which qualifies for a homestead exemption may have timber on it; to prohibit granting the homestead exemption to bond for deed property unless granted before June 20, 2003; to explicitly prohibit more than one homestead exemption applying to any person; and to require the homestead exemption to extend to the following:

(1) The surviving spouse when the homestead is occupied by the surviving spouse and title to it is in the surviving spouse's name as owner of any interest or as usufructuary for life, or in the name of a testamentary trust established for the benefit of the surviving spouse or the descendants.

(2) Property owned by an irrevocable trust when the principal beneficiary or beneficiaries are the settlor or settlors of the trust and they were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary.

(3) Property occupied by no more than two lifetime usufructuaries granted by persons in the direct ascending or descending line if the usufructuaries were the immediately prior owners of the homestead.

(4) A natural person or persons and to an irrevocable trust created by a natural person or persons in which the beneficiaries of the trust are a natural person or persons if the criteria above is otherwise satisfied.

(5) Property owned in indivision, limited to the pro rata ownership interest of the person occupying the homestead unless provided otherwise above. (Amends Article VII, Section 20(A))"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 676—**

BY REPRESENTATIVE DOERGE

## A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A) of the Constitution of Louisiana, to broaden the application of the homestead exemption; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 676 by Representative Doerge

AMENDMENT NO. 1

On page 1, line 2, after "Section 20(A)" delete "(1) and (2)"

AMENDMENT NO. 2

On page 1, line 9, after "Section 20(A)" delete "(2)"

AMENDMENT NO. 3

On page 1, line 13, after "land" and before "with" insert "even if the land is classified and assessed at use value pursuant to Article VII, Section 18(C) of this Constitution,"

AMENDMENT NO. 4

On page 1, line 13, after "field" and before the comma "," insert "with or without timber on it"

AMENDMENT NO. 5

On page 1, line 15, after "person" delete the remainder of the line and line 16 and on line 17 delete "this Constitution" and insert "or persons owning the property in indivision if such persons are blood relatives, related by adoption, or are spouses,"

AMENDMENT NO. 6

On page 1, line 21, after "persons" and before the comma "," insert "owning the property in indivision if such persons are blood relatives, related by adoption, or are spouses"

AMENDMENT NO. 7

On page 2, delete lines 4 through 21, and insert the following:

"(2) The homestead exemption shall extend and apply fully to the surviving spouse ~~or minor children of a deceased owner and shall apply~~ when the homestead is occupied as such by the surviving spouse and title to it is in either the husband or wife the name of (a) the surviving spouse as owner of any interest, (b) the surviving spouse as usufructuary for life, or (c) a testamentary trust established for the benefit of the surviving spouse and the descendants of the deceased spouse or surviving spouse, but not to more than one homestead owned by either the husband or wife, or both.

(3) The homestead exemption shall extend to property owned by an irrevocable trust when the principal beneficiary or beneficiaries

of the trust are the settlor or settlors of the trust and were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to transfer, conveyance, or donation in trust, or which would have qualified for the homestead exemption if such property were not owned in trust.

(4) The homestead exemption shall extend to property where the usufruct of the property has been granted for the lifetime of no more than two usufructuaries who were the immediately prior owners of the homestead, and the homestead is occupied as such by a usufructuary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to the granting of such lifetime usufruct, or which would have qualified for the homestead exemption if such usufruct had not been granted.

(5) The homestead exemption shall extend only to a natural person or persons and to an irrevocable trust created by a natural person or persons, in which the beneficiaries of the trust are a natural person or persons provided that the provisions of this Paragraph are otherwise satisfied.

(6) Except as otherwise provided for in this Paragraph, the homestead exemption shall apply to property owned in indivision, but shall be limited to the pro rata ownership interest of that person or persons occupying the homestead.

(7) No homestead exemption shall be granted on bond for deed property. However, any homestead exemption granted prior to June 20, 2003, on any property occupied upon the effective date of this Paragraph by a buyer under a bond for deed contract shall remain valid as long as the circumstances giving rise to the exemption at the time the exemption was granted remain applicable.

(8) Notwithstanding any provision of this Paragraph to the contrary, in no event shall more than one homestead exemption extend or apply to any person in this state.

~~(9)~~ (9) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes."

AMENDMENT NO. 8

On page 3, delete lines 3 through 8 in their entirety, and insert the following:

"To provide that homestead exempt property is limited to property owned and occupied by persons who are blood relatives, related by adoption, or are spouses; to require that, beginning April 16, 2004, the assessed value for land which the taxpayer claims as his homestead be based upon its fair market value and not its use value except for land which was granted an exemption based on such value prior to that date; to provide that a field which qualifies for a homestead exemption may have timber on it; to prohibit granting the homestead exemption to bond for deed property unless granted before June 20, 2003; to explicitly prohibit more than one homestead exemption applying to any person; and to require the homestead exemption to extend to the following:

(1) The surviving spouse when the homestead is occupied by the surviving spouse and title to it is in the surviving spouse's name as owner of any interest or as usufructuary for life, or in the name of a testamentary trust established for the benefit of the surviving spouse or the descendants.

(2) Property owned by an irrevocable trust when the principal beneficiary or beneficiaries are the settlor or settlors of the trust and they were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary.

(3) Property occupied by no more than two lifetime usufructuaries granted by persons in the direct ascending or descending line if the usufructuaries were the immediately prior owners of the homestead.

(4) A natural person or persons and to an irrevocable trust created by a natural person or persons in which the beneficiaries of the trust are a natural person or persons if the criteria above is otherwise satisfied.

(5) Property owned in indivision, limited to the pro rata ownership interest of the person occupying the homestead unless provided otherwise above. (Amends Article VII, Section 20(A))"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 724—**

BY REPRESENTATIVE HAMMETT

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 20(A) of the Constitution of Louisiana, relative to the homestead exemption; to provide that the homestead exemption shall extend to persons who own property in indivision who are related by blood, adoption, or are spouses, and to children who have reached the age of majority; to provide for the effectiveness of existing homestead exemptions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 724 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "Section 20(A)" delete the remainder of the line and at the beginning of line 3 delete "(20)(A)(4)"

AMENDMENT NO. 2

On page 1, delete line 12, and insert "Article VII, Section 20(A) of the"

AMENDMENT NO. 3

On page 1, line 17, after "land" and before "with" insert "even if the land is classified and assessed at use value pursuant to Article VII, Section 18(C) of this Constitution."

AMENDMENT NO. 4

On page 1, line 17, after "field" and before the comma "," insert "with or without timber on it"

AMENDMENT NO. 5

On page 2, delete lines 10 through 17 and insert the following:

"(2) The homestead exemption shall extend and apply fully to the surviving spouse ~~or minor children of a deceased owner and shall apply~~ when the homestead is occupied ~~as such~~ by the surviving spouse and title to it is in ~~either the husband or wife~~ the name of (a) the surviving spouse as owner of any interest, (b) the surviving spouse as usufructuary for life, or (c) a testamentary trust established for the benefit of the surviving spouse and the descendants of the deceased spouse or surviving spouse, but not to more than one homestead owned by ~~either~~ either the husband or wife, ~~or both.~~

(3) The homestead exemption shall extend to property owned by an irrevocable trust when the principal beneficiary or beneficiaries of the trust are the settlor or settlors of the trust and were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to transfer, conveyance, or donation in trust, or which would have qualified, for the homestead exemption if such property were not owned in trust.

(4) The homestead exemption shall extend to property where the usufruct of the property has been granted for the lifetime of no more than two usufructuaries who were the immediately prior owners of the homestead, and the homestead is occupied as such by a usufructuary. The provisions of this Subparagraph shall apply only to property which qualified for the homestead exemption immediately prior to the granting of such lifetime usufruct, or which would have qualified for the homestead exemption if such usufruct had not been granted.

(5) The homestead exemption shall extend only to a natural person or persons and to an irrevocable trust created by a natural person or persons, in which the beneficiaries of the trust are a natural person or persons provided that the provisions of this Paragraph are otherwise satisfied.

(6) Except as otherwise provided for in this Paragraph, the homestead exemption shall apply to property owned in indivision, but shall be limited to the pro rata ownership interest of that person or persons occupying the homestead.

(7) No homestead exemption shall be granted on bond for deed property. However, any homestead exemption granted prior to June 20, 2003 on any property occupied upon the effective date of this Paragraph by a buyer under a bond for deed contract shall remain valid as long as the circumstances giving rise to the exemption at the time the exemption was granted remain applicable.

(8) Notwithstanding any provision of this Paragraph to the contrary, in no event shall more than one homestead exemption extend or apply to any person in this state.

~~(9)~~ (9) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes."

AMENDMENT NO. 6

On page 3, delete lines 1 through 4 in their entirety, and insert the following:

"To provide that homestead exempt property is limited to property owned and occupied by persons who are blood relatives, related by adoption, or are spouses; to require that, beginning April 16, 2004,

the assessed value for land which the taxpayer claims as his homestead be based upon its fair market value and not its use value except for land which was granted an exemption based on such value prior to that date; to provide that a field which qualifies for a homestead exemption may have timber on it; to prohibit granting the homestead exemption to bond for deed property unless granted before June 20, 2003; to explicitly prohibit more than one homestead exemption applying to any person; and to require the homestead exemption to extend to the following:

(1) The surviving spouse when the homestead is occupied by the surviving spouse and title to it is in the surviving spouse's name as owner of any interest or as usufructuary for life, or in the name of a testamentary trust established for the benefit of the surviving spouse or the descendants.

(2) Property owned by an irrevocable trust when the principal beneficiary or beneficiaries are the settlor or settlors of the trust and they were the immediately prior owners of the homestead, and the homestead is occupied as such by a principal beneficiary.

(3) Property occupied by no more than two lifetime usufructuaries granted by persons in the direct ascending or descending line if the usufructuaries were the immediately prior owners of the homestead.

(4) A natural person or persons and to an irrevocable trust created by a natural person or persons in which the beneficiaries of the trust are a natural person or persons if the criteria above is otherwise satisfied.

(5) Property owned in indivision, limited to the pro rata ownership interest of the person occupying the homestead unless provided otherwise above. (Amends Article VII, Section 20(A))"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 1034—**  
BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:214.8, relative to state funds; to create the Barrier Island Stabilization and Preservation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1034 by Representative Dove

AMENDMENT NO. 1

On page 1, delete lines 2 through 6 in their entirety, at the beginning of line 7, delete "monies in the fund;" and insert the following:

"To enact R.S. 49:214.8, relative to state funds;"

AMENDMENT NO. 2

On page 1, delete lines 12 through 19 in their entirety, delete page 2 in its entirety, and on page 3, delete lines 1 and 2 in their entirety

AMENDMENT NO. 3

On page 3, at the beginning of line 3, change "Section 3." to "Section 1."

AMENDMENT NO. 4

On page 3, line 7, after "shall be" delete the remainder of the line, delete lines 8 through 10 in their entirety, and insert the following:

"appropriations, donations, grants, and other monies which may become available for the purposes of the fund."

AMENDMENT NO. 5

On page 3, at the beginning of line 21, change "Section 4." to Section 2."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1090—**

BY REPRESENTATIVES GALLOT AND ANSARDI  
AN ACT

To amend and reenact R.S. 30:2050.31, relative to appeals of judicial decisions, judgments, orders, or rulings affecting certain permits from the Department of Environmental Quality; to provide for the manner of such appeals; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1090 by Representative Gallot

AMENDMENT NO. 1

On page 1, lines 2 and 11, change "judgement" to "judgment"

AMENDMENT NO. 2

On page 1, line 14, after "heard" and before "by" insert "or considered"

AMENDMENT NO. 3

On page 1, line 15, after "matters." delete the remainder of the line and insert "Appeals and writ applications for which oral argument is granted"

AMENDMENT NO. 4

On page 1, at the beginning of line 16, delete "and requests for review"

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## AMENDMENT NO. 5

On page 1, line 17, after "Circuit" delete the remainder of the line and insert "within sixty days of the lodging of the record in the Court of Appeal, First Circuit."

## AMENDMENT NO. 6

On page 1, delete lines 18 through 20 in their entirety

## AMENDMENT NO. 7

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

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1162—** BY REPRESENTATIVE DOVE

### AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for damages to oyster leases from the transportation of materials to and from a certain location along an approved water route; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1162 by Representative Dove

## AMENDMENT NO. 1

On page 1, line 3, change "beds" to "leases"

## AMENDMENT NO. 2

On page 1, at the end of line 8, change "beds" to "leases"

## AMENDMENT NO. 3

On page 1, delete lines 9 through 12 in their entirety and insert the following"

"Oil companies, including drilling, exploration, production, pipeline, and marine contractors, and persons performing related services who cause any loss or damage to oyster leases from exploration, excavation, construction, maintenance, remediation, operations, release and response, or events and activities, which include the transportation of materials or equipment to or from existing or proposed drilling sites, well sites, rights of way, or production, storage, and pumping facilities within a designated water route or navigable waters"

## AMENDMENT NO. 4

On page 1, at the end of line 14, change "beds" to "leases"

## AMENDMENT NO. 5

On page 1, at the end of line 14, insert the following:

"Diminution in market value of the oyster leases shall be calculated in accordance with the method used by the Louisiana Oyster Lease Damage Evaluation Board."

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1272—** BY REPRESENTATIVE M. POWELL AN ACT

To amend and reenact R.S. 15:144(B), relative to judicial district indigent defender boards; to provide with respect to membership; to provide with respect to nominating a person to an indigent defender board; to provide with respect to the selection of board members; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1410—** BY REPRESENTATIVE LAFLEUR AN ACT

To amend and reenact Code of Civil Procedure Article 1922 and to enact Code of Civil Procedure Article 891(C), relative to the payment of money; to require the last four digits of the social security number of the defendant to be included in the petition; to require certain information to be included in the judgment; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1410 by Representative LaFleur

## AMENDMENT NO. 1

On page 1, line 3, after "require the" and before "social" insert "last four digits of the"

## AMENDMENT NO. 2

On page 1, line 13, after "and" and before "social" insert "the last four digits of the"

AMENDMENT NO. 3

On page 1, line 19, after "and" and before "the" insert "the last four digits of "

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1482—**

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX  
AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1482 by Representative Alario, et al

AMENDMENT NO. 1

On page 1, line 6 after "Hundred" delete the remainder of the line, delete line 7 in its entirety, and insert the following:

"Twelve Million Forty-Seven Thousand Six Hundred Nineteen and No/100 (\$112,047,619) Dollars, or so much thereof as may be"

AMENDMENT NO. 2

On page 5, between lines 40 and 41, insert the following:

"Payable out of State General Fund by Interagency Transfers:

|    |   |              |
|----|---|--------------|
| 20 | Drug court services including treatment, assessment, training, and other supportive services, excluding drug court administrative costs, through interagency transfers from the Department of Social Services | \$ 5,000,000 |
|----|---|--------------|

Provided, however, that where funds appropriated herein through interagency transfers originate as federal TANF funding, the expenditure of such monies shall be restricted to services for clients eligible for TANF-funded services as specified in the Louisiana TANF plan.

|  |               |
|--|---------------|
| TOTAL - STATE GENERAL FUND<br>BY INTERAGENCY TRANSFERS | \$ 5,000,000" |
|--|---------------|

AMENDMENT NO. 3

On page 5, line 41, change "47,156,131" to "52,156,131"

AMENDMENT NO. 4

On page 12, between lines 6 and 7, insert the following:

"C. The appropriations, and the allocations of such appropriations, from State General Fund (Direct) contained in Subsection B of this Section shall be reduced by a total amount of Eight Million Four Hundred Sixty-nine Thousand Three Hundred Eighty-eight and No/100 (\$8,469,388) Dollars pursuant to a plan adopted by the Judicial Budgetary Control Board."

AMENDMENT NO. 5

On page 13, delete lines 1 through 18 in their entirety.

AMENDMENT NO. 6

On page 13, at the beginning of line 19, change "Section 4." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1542—**

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD, AND LANCASTER AND SENATORS HINES, BAJOIE, FIELDS, HEITMEIER, AND JONES

AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1551—**

BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR, RICHMOND, AND SMILEY

AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1606—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 47:1852(B), 1852.1, 1853(C), (D), and (E), 1854, and 1856(A)(1) and (D)(1) and to enact R.S. 47:1853(F), relative to the assessment of public service properties for ad valorem taxation; to specify filing requirements for certain reports; to increase the penalty for failure to timely file reports; to specify procedures for protesting assessments; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

**HOUSE BILL NO. 1718 (Substitute for House Bill No. 1606 by Representative G. Smith)—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 47:1852(B), 1852.1, and 1856(A)(1) and to enact R.S. 47:1856(G), relative to the assessment of public service properties for ad valorem taxation; to specify filing requirements for certain reports; to increase the penalty for failure to timely file reports; to specify procedures for protesting assessments; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No. 1718 by Rep. Gary Smith, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 1606 by Rep. Gary Smith.

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

**HOUSE BILL NO. 1616—**  
BY REPRESENTATIVES BAYLOR AND TOWNSEND  
AN ACT

To enact R.S. 2:135.1(A)(4), relative to the lease of certain airport facilities; to provide for the exemption of leasing certain airport facilities from the Public Bid Law and the provisions on leases of public lands; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1625—**  
BY REPRESENTATIVE TRICHE  
AN ACT

To repeal Civil Code Article 2589 through 2600, relative to the rescission of a sale of immovable property for lesion beyond moiety.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1625 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, change "Article 2589" to "Articles 2589 through 2600"

AMENDMENT NO. 2

On page 1, line 5, change "Article 2589 is" to "Articles 2589 through 2600 are" and change "its" to "their"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1628—**  
BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by Representative Alario to Original House Bill No. 1628 by Representatives Alario and Triche

AMENDMENT NO. 1

On page 1, line 16, change "\$70,000" to "50,000"

AMENDMENT NO. 2

On page 1, delete lines 18 through 22 in their entirety

AMENDMENT NO. 3

On page 2, between lines 11 and 12, insert the following:

**"DEPARTMENT OF HEALTH AND HOSPITALS**

**09-306 MEDICAL VENDOR PAYMENTS**

Payable out of Federal Funds to the Payments to Public Providers Program for expenditures certified by the Louisiana Special Education Center

\$ 2,216,372

09-347 PINECREST DEVELOPMENTAL CENTER

Payable out of the State General Fund by Interagency Transfers to the Administrative and General Support Program for operating services \$ 3,249,642"

AMENDMENT NO. 4

On page 3, between lines 25 and 26, insert the following:

"Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003 Regular Session of the Legislature, by reducing appropriations out of the State General Fund by Interagency Transfers by \$ 36,000"

AMENDMENT NO. 5

On page 3, between lines 26 and 27, insert the following:

"19-671 BOARD OF REGENTS

Payable out of the State General Fund (Direct) for health care science grants \$ 214,578

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003 Regular Session of the Legislature, by reducing appropriations out of the State General Fund by Statutory Dedications from the Louisiana Fund by \$ 214,578"

AMENDMENT NO. 6

On page 3, delete lines 27 through 42 in their entirety, delete page 4 in its entirety, and on page 5, delete lines 1 through 22 in their entirety

AMENDMENT NO. 7

On page 5, between lines 34 and 35, insert the following:

"19-695 MINIMUM FOUNDATION PROGRAM

Payable out of Federal Funds from the Federal Funds Flex Grant \$ 478"

AMENDMENT NO. 8

On page 5, between lines 38 and 39, insert the following:

"20-901 SALES TAX DEDICATIONS

Payable out of the State General fund by Statutory Dedications from the Calcasieu Visitors Enterprise Fund for the Southwest Louisiana Convention and Visitors Bureau \$ 100,000

Payable out of the State General Fund by Statutory Dedications from the Concordia Parish Economic Development Fund for Concordia Parish \$ 75,000"

AMENDMENT NO. 9

On page 5, after line 43, insert the following:

"Notwithstanding any provision of Act 14 of the 2003 Regular Session of the Legislature to the contrary, the State General Fund (Direct) appropriation contained in Schedule 20-945 to the American Power Boat Association is deemed for the exclusive purposes of the American Power Boat Association and the city of Morgan City."

AMENDMENT NO. 10

On page 6, line 7, change "\$25,493,664" to "194,228,865"

AMENDMENT NO. 11

On page 6, line 11, change "136,657" to "200,000"

AMENDMENT NO. 12

On page 6, between lines 11 and 12, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Pari-Mutuel Live Racing Facility Gaming Control Fund for deposit into the St. Landry Parish Excellence Fund \$ 261,860

Payable out of the State General Fund (Direct) for deposit into the Higher Education Initiatives Fund \$ 5,000,000

Payable out of the State General Fund (Direct) for deposit into the Academic Improvement Fund \$ 254,233

Section 2.A. Notwithstanding the provisions of R.S. 49:112, there is hereby appropriated the sum of Seven Million Eight Hundred Thousand and No/100 (\$7,800,000.00) Dollars, be it more or less estimated, out of the State General Fund for Fiscal Year 2003-2004 to be allocated to pay the consent judgments, stipulated judgments, and other judgments against the state, including recommendations to pay rendered by the Board of Tax Appeals, if such judgments are final, and if such judgments are delineated in the following House Bills introduced in the 2004 Regular Session:

- House Bill No. 4 by Representative Morrell
- House Bill No. 10 by Representative Pierre
- House Bill No. 21 by Representative Odinet
- House Bill No. 29 by Representative Pinac
- House Bill No. 31 by Representative Flavin
- House Bill No. 72 by Representative Bruneau
- House Bill No. 76 by Representative Kenny
- House Bill No. 80 by Representative Heaton
- House Bill No. 81 by Representative Triche
- House Bill No. 82 by Representative Ritchie
- House Bill No. 83 by Representative Morrell
- House Bill No. 86 by Representative Baldone
- House Bill No. 158 by Representative Thompson
- House Bill No. 224 by Representative Farrar
- House Bill No. 227 by Representative Lancaster
- House Bill No. 238 by Representative Schneider
- House Bill No. 239 by Representative Walker
- House Bill No. 240 by Representative Daniel
- House Bill No. 248 by Representative Daniel
- House Bill No. 293 by Representative Jack Smith
- House Bill No. 298 by Representative Durand
- House Bill No. 304 by Representative Jack Smith
- House Bill No. 305 by Representative Pierre
- House Bill No. 306 by Representative Winston

House Bill No. 307 by Representative Martiny  
House Bill No. 313 by Representative Alexander  
House Bill No. 461 by Representative Daniel  
House Bill No. 462 by Representative Daniel  
House Bill No. 504 by Representative Walsworth  
House Bill No. 545 by Representative K. Carter  
House Bill No. 867 by Representative Farrar  
House Bill No. 1045 by Representative Frith  
House Bill No. 1091 by Representative Arnold  
House Bill No. 1113 by Representative Cazayoux,  
Sections 1, 2, and 4 only  
House Bill No. 1158 by Representative Futrell  
House Bill No. 1274 by Representative Hutter,  
Sections 1 through 8 only  
House Bill No. 1280 by Representative Murray  
House Bill No. 1300 by Representative Glover  
House Bill No. 1301 by Representative Shepard  
House Bill No. 1326 by Representative Alario  
House Bill No. 1393 by Representative Townsend  
House Bill No. 1405 by Representative Romero  
House Bill No. 1530 by Representative M. Guillory  
House Bill No. 1653 by Representative Lambert  
House Bill No. 1663 by Representative St. Germain

B. The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars, plus court costs in the amount of Two Thousand Three Hundred Two and 88/100 (\$2,302.88) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Lerline S. Babineaux, et al v. Department of Transportation and Development", bearing Number 95-3579 on the docket of the Fourteenth Judicial District Court, parish of Calcasieu, state of Louisiana.

C. The sum of Thirty-five Thousand and No/100 (\$35,000.00) Dollars, plus court costs in the amount of Three Thousand Two Hundred Forty-three and 31/100 (\$3,243.31) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula M. Brown v. Louisiana Department of Transportation and Development and American Honda Motor Company, Inc.", bearing Number 85,665 on the docket of the Sixteenth Judicial District Court, parish of Iberia, state of Louisiana.

D. The sum of Three Hundred Twenty-eight Thousand One Hundred Ninety-two and No/100 (\$328,192.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the recommendations for payment in the claims against the state entitled "CF Industries, Inc. v. Secretary, Department of Revenue, State of Louisiana, and State of Louisiana", bearing Numbers 4992 and 4993 on the docket of the Board of Tax Appeals for the state of Louisiana.

E. The sum of Two Thousand Two Hundred Five and 61/100 (\$2,205.61) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the recommendation for payment in the claim against the state entitled "Victor Camille Chairmonte, Dorothy Ann Chairmonte, and Myra Delaune v. Secretary, Department of Revenue, State of Louisiana, and State of Louisiana", bearing Number 6140 on the docket of the Board of Tax Appeals for the state of Louisiana.

F. The sum of Seven Thousand Five Hundred and No/100 (\$7,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "Herman Corner v. Travis McCoy, Jr., et al", bearing Number 36333 on the docket of the

Seventh Judicial District Court, parish of Concordia, state of Louisiana.

G. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Elsie P. Cornwall and Michael Cornwall v. Permanent General Assurance Corporation, State of Louisiana, Department of Transportation and Development and St. Bernard Parish", bearing Number 92-249 on the docket of the Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

H. The sum of Six Thousand Two Hundred Fifty and No/100 (\$6,250.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Clifford Derouen v. State of Louisiana, Department of Transportation and Development", bearing Number 95,853 on the docket of the Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

I. The sum of Twenty-five Thousand and No/100 (\$25,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "James Harold Doolittle, individually and as tutor of Sara Nichole Doolittle v. Farmers Insurance Exchange, and Jason D. Kirkland", bearing Number 73,721 on the docket of the Tenth Judicial District Court, parish of Natchitoches, state of Louisiana.

J. The sum of Thirteen Thousand Five Hundred Ninety-eight and 66/100 (\$13,598.66) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit against the Department of Transportation and Development entitled "Esther Flyte v. Patterson Insurance Company, et al" consolidated with "Angela M. Mire v. Monique C. Leger, et al", bearing Numbers 94-4668-3B and 94-5123-2A, respectively, on the docket of the Fifteenth Judicial District Court, parish of Lafayette, state of Louisiana.

K. Notwithstanding the provisions of R.S. 49:112, the sum of Two Hundred Seventy-nine Thousand Eight Hundred Thirty-four and No/100 (\$279,834.00), plus interest from January 27, 1992 until paid, plus costs in the amount of Eight Thousand Four Hundred Thirty-one and 97/100 (\$8,431.97) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit against the Department of Transportation and Development entitled "Ned Font v. the Estate of Erman Marler, Jr., Allstate Insurance Company, and the City of New Orleans", bearing Number 65,421 on the docket of the Twenty-first Judicial District Court, parish of Livingston, state of Louisiana.

L. The sum of Seventy-five Thousand and No/100 (\$75,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Michael L. Fontenot v. the State of Louisiana, DOTD", bearing Number 98-C-1061-B on the docket of the Twenty-seventh Judicial District Court, parish of St. Landry, state of Louisiana.

M. The sum of Thirty-five Thousand and No/100 (\$35,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Sandra Franklin, Tommy M. Franklin, and Tina Franklin, on behalf of her minor child, Kody Franklin v. Wayne Ebarb and the State of Louisiana, through the Department of Transportation and Development", bearing Number 50,216 on the

docket of the Eleventh Judicial District Court, parish of Sabine, state of Louisiana.

N. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Glen L. Guidry, et ux v. State of Louisiana through Department of Transportation and Development, et al", bearing Number 95,917-E on the docket of the Sixteenth Judicial District Court, parish of Iberia, state of Louisiana.

O. The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "Bobby L. Harvey, et ux v. State of Louisiana, et al", bearing Number 26,683 on the docket of the Second Judicial District Court, parish of Jackson, state of Louisiana.

P. The sum of Fifteen Thousand and No/100 (\$15,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Alvin A. Martin in the suit entitled "Denise S. Hebert v. Horace Mann Insurance Company, State of Louisiana, through the Department of Transportation and Development, et al", bearing Number 61,387 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana.

Q. The sum of Two Thousand and No/100 (\$2,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Denise Hebert in the suit entitled "Denise S. Hebert v. Horace Mann Insurance Company, State of Louisiana, through the Department of Transportation and Development, et al", bearing Number 61,387 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana.

R. The sum of Fifty-three Thousand Nine Hundred Seventy-eight and No/100 (\$53,978.00) Dollars, plus interest from February 11, 1999 until paid, plus court costs in the amount of Three Hundred Eighty-four and 30/100 (\$384.30) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in favor of Jude Bailey and Arthur Bailey in the suit entitled "Vickie Hernandez v. State of Louisiana, through the Department of Transportation and Development" consolidated with "Jude Bailey and Arthur Bailey v. State of Louisiana, through the Department of Transportation and Development", bearing Numbers 84-673 and 87-024, respectively, on the docket of the Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

S. The sum of Three Hundred Sixty-seven Thousand One Hundred Thirty-two and No/100 (\$367,132.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the recommendations for payment in the claims against the state entitled "Home Depot U.S.A., Inc. d/b/a The Home Depot v. Secretary, Department of Revenue, State of Louisiana, and State of Louisiana", bearing Numbers 4842 and 5029 on the docket of the Board of Tax Appeals for the state of Louisiana.

T. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "Donald Lain and Jacqueline M. Lain v. Union Pacific Railroad Company, James R. Cowart (or, alternatively, the unopened succession of James R. Cowart), and BDL Management,

Inc.", bearing Number 2002-352 on the docket of the Fourth Judicial District Court, parish of Morehouse, state of Louisiana.

U. The sum of Seven Thousand Five Hundred and No/100 (\$7,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Ronald P. LeBoeuf v. Parish of Jefferson and State of Louisiana, Department of Transportation and Development", bearing Number 514-594 on the docket of the Twenty-fourth Judicial District Court, parish of Jefferson, state of Louisiana.

V. The sum of Eighty-one Thousand Six Hundred Forty-seven and 50/100 (\$81,647.50) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "Martin R. Leger v. Trinity Universal Insurance Company, et al", bearing Number 431,039 on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

W. The sum of Six Thousand Five Hundred and No/100 (\$6,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Brandon Lett v. State of Louisiana, DOTD, et al", bearing Number 460,394-B on the docket of the First Judicial District Court, parish of Caddo, state of Louisiana.

X. The sum of Six Hundred Seventy-two Thousand Eight Hundred Thirteen and 44/100 (\$672,813.44) Dollars, plus legal interest from July 8, 1999 until paid, plus court costs in the amount of Twenty-two Thousand Six Hundred Seventy and 21/100 (\$22,670.21) is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Nancy Lockett and Ronny Lockett, Husband and Wife v. the State of Louisiana Department of Transportation and Development", bearing Number 462,218 on the docket of the Nineteenth Judicial District, parish of East Baton Rouge, state of Louisiana.

Y. The sum of One Hundred Twenty-eight Thousand Seven Hundred Fifty and No/100 (\$128,750.00) Dollars, plus interest from September 19, 1994 until paid, plus costs as provided in the judgment, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit against the Department of Transportation and Development entitled "Felton McBride and Janice McBride, individually and on behalf of the minors, Jason McBride and Paul McBride; Charlette Davis, individually and as natural tutrix of the minor, Eric Mazique; Presly K. Taylor, Jr. and Ruth Taylor, individually and on behalf of the minor, Ponce J. Taylor; and George C. Grimsley and Leona O. Grimsley, individually and on behalf of the minor, Justin J. Grimsley v. State Farm Mutual Automobile Insurance Company and Scott T. Falgout", bearing Number 01-CA-954 on the docket of the Fifth Circuit Court of Appeal, state of Louisiana, on appeal from Number 32-818 on the docket of the Fortieth Judicial District Court, parish of St. John, state of Louisiana.

Z. The sum of Five Thousand and No/100 (\$5,000.00) Dollars, plus court costs in the amount of One Thousand Six Hundred Thirty-three and 42/100 (\$1,633.42) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Rodney McCarty, et ux v. State of Louisiana, Department of Transportation and Development", bearing Number 27,140 on the docket of the Second Judicial District Court, parish of Jackson, state of Louisiana.

AA. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Webb J. Polite, Jr. and Peggy Linda Brooks Polite in the suit entitled "Webb J. Polite, Jr., et al v. the State of Louisiana, through the Department of Transportation and Development, et al" consolidated with "Earl Joseph Hebert, Jr., et al v. the State of Louisiana, through the Department of Transportation and Development, et al", bearing Numbers 392,718 and 393,062 on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

BB. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Jeni-Su Kelley Hebert in the suit entitled "Webb J. Polite, Jr., et al v. the State of Louisiana, through the Department of Transportation and Development, et al" consolidated with "Earl Joseph Hebert, Jr., et al v. the State of Louisiana, through the Department of Transportation and Development, et al", bearing Numbers 392,718 and 393,062 on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

CC. The sum of Twelve Thousand Fifty-two and 05/100 (\$12,052.05) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the recommendation for payment in the claim against the state entitled "Lynda M. Southwick and Gail M. Hinkel v. Secretary, Department of Revenue, State of Louisiana", bearing Number 6078 on the docket of the Board of Tax Appeals for the state of Louisiana.

DD. The sum of Three Thousand and No/100 (\$3,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Jennifer Stockstill v. William A. Bernard, Unknown Insurance Company and State of Louisiana, Department of Transportation and Development", bearing Number 62,665 on the docket of the Sixteenth Judicial District Court, parish of St. Martin, state of Louisiana.

EE. The sum of Two Thousand and No/100 (\$2,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the Department of Transportation and Development entitled "Huey L. Stuckey v. Plaquemines Parish Council, et al", bearing Number 47-439 on the docket of the Twenty-fifth Judicial District Court, parish of Plaquemines, state of Louisiana.

FF. The sum of One Million Five Thousand and No/100 (\$1,005,000.00) Dollars, plus legal interest from May 18, 1995 until paid, plus costs in the amount of Two Thousand Two Hundred Forty-six and 79/100 (\$2,246.79) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Vorsha Tadlock, individually, and on behalf of his minor daughter, Vorchall Daman v. William Taylor, Southern United Insurance Company and Louisiana Department of Transportation and Development", bearing Number 76-601 on the docket of the Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

GG. The sum of Thirty One Thousand and No/100 (\$31,000.00) Dollars, plus legal interest from July 1, 2003 until paid, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Brian Vellier and Rona Vellier, individually and on behalf of their minor child, Tristen Vellier v. Louisiana State Department of Transportation, State Farm Mutual Automobile

Insurance Company and National Automotive Insurance Company", bearing Number 2000-2127 on the docket of the Civil District Court for the Parish of Orleans, state of Louisiana.

HH. The sum of Twenty-seven Thousand Five Hundred and No/100 (\$27,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Tilly Washington-Jones and Kenneth Jones v. Midland Risk Insurance Company and the State of Louisiana through the Department of Transportation and Development", bearing Number 50-547 on the docket of the Twenty-ninth Judicial District Court, parish of St. Charles, state of Louisiana.

II. The sum of One Hundred Twenty-five Thousand and No/100 (\$125,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Roland Whitney v. Toyota Motor Sales, USA, Inc., and State of Louisiana, Department of Transportation and Development", bearing Number 400-730 on the docket of the Twenty-fourth Judicial District Court, parish of Jefferson, state of Louisiana.

JJ. The sum of Twelve Thousand and No/100 (\$12,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Christina Wilson v. the State of Louisiana, through the Department of Transportation and Development", bearing Number 67,203 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana.

Provided, however, that all judgments provided for in this Section shall be paid as to principal, interest, court costs, and expert witness fees as provided in said judgments, it being the intent herein that when the provisions of any judgment conflict with the provisions of the respective House Bill or this Act, the provisions of the judgment shall be controlling. Any other provision of any such House Bill or this Act, not in conflict with the provisions of such judgment, shall control. Payment shall be made as to any such judgment only after presentation to the state treasurer of a receipt and release and any other documentation required by the state treasurer. Further, all judgments provided for in this Section shall be deemed to have been paid on the effective date of the Act, and legal interest shall cease to run as of that date.

Section 3. The sum of Four Thousand Three Hundred and No/100 (\$4,300.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Terry Haire, to provide for reimbursement of his legal expenses, as recommended by the Attorney Fee Review Board."

AMENDMENT NO. 13

On page 6, delete lines 12 through 19 in their entirety

AMENDMENT NO. 14

On page 6, at the beginning of line 20, change "Section 3.A." to "Section 4.A."

AMENDMENT NO. 15

On page 6, delete lines 29 through 32 in their entirety, and on page 7, delete lines 1 through 9 in their entirety and insert the following:

"B. The commissioner of administration is hereby authorized and directed to reduce appropriations from the State General Fund (Direct) for Schedule 19-681 Subgrantee Assistance, School

Accountability and Improvement Program, contained in Act 14 of the 2003 Regular Session of the Legislature by \$1,448,224."

AMENDMENT NO. 16

On page 7, at the beginning of line 10, change "Section 4." to "Section 5."

AMENDMENT NO. 17

On page 7, at the beginning of line 17, change "Section 5." to "Section 6."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1717 (Substitute for House Bill No. 1554 by Representative Walsworth)—**

BY REPRESENTATIVES WALSWORTH AND KATZ  
AN ACT

To enact R.S. 32:387.17, relative to special permits; to authorize issuance of special permits for trucks hauling containerized cargo intended for international trade; to authorize the Department of Transportation and Development to promulgate certain rules and regulations; to provide for certain limitations; and to provide for related matters.

Read by title.

On motion of Rep. Walsworth, 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. 21—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 9:5167.2, relative to the cancellation of mortgage inscription; to limit certain mortgage inscription cancellation requirements to residential mortgages; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 21 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete line 17 in its entirety and insert the following:

"where a mortgage has been granted by a consumer on one-to-four family residential immovable property, including a mortgage to finance the initial construction of the one-to-four family residential immovable property."

AMENDMENT NO. 2

On page 2, delete line 1 in its entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 94—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact the Louisiana Code of Civil Procedure Arts. 1038 and 3601, relative to civil law and procedure; relative to suits against the state; to provide relative to a finding that the expenditure of such state funds would create a deficit; to require an affidavit certifying such finding; to authorize any party in the suit to traverse any such affidavit; to require a summary proceeding for such action to traverse; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 146—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 186—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 9:4502 (A)(1), relative to privileges on movables; to provide relative to the privilege for making or repairing movable goods; to provide relative to marine vessels, trailers, and equipment; to provide for remedy for debt due on such items; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 190—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 9:203(E), relative to marriage officiants, judges and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony until December, 2004; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 370—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact the introductory paragraphs of R.S. 40:1299.39.1(A)(4) and (C)(1) and the introductory paragraphs of R.S. 40:1299.47(A)(4) and (C), relative to medical review panels; to provide for the appointment of the attorney member of such panel; to authorize such appointment by the plaintiff attorney under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 371—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.43(A)(1), (2), (3), (4), and (5), (B)(1), and (C), relative to medical malpractice; to provide relative to future medical benefits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 381—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the Patient's Compensation Fund; to include students being trained as paramedics under the coverage of such fund; to provide for the definition of "ambulance service"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 382—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.39.2 and 1299.49, relative to medical review panels; to provide relative to state and private medical claims; to provide for such claims for the same patient and the same injury; to limit review to one panel in such cases; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 437—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 13:4291(A), (B)(1), and (C), relative to execution; to provide with respect to child support payments; to provide for judgments for such payments; to provide for the initiation of prescription on certain child support judgements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 861—**  
BY SENATORS N. GAUTREAUX, LENTINI AND ROMERO

AN ACT

To amend and reenact R.S. 9:315.40(9) and 315.41(A) and to enact R.S. 9:315.40(4)(d), relative to child support; to provide relative to the suspension of licenses for nonpayment of child support; to provide for definitions; to include licenses for the operation

of motorboats, sailboats, and trailers in the definition of licenses; to provide for the suspension of such additional licenses; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 861 by Senator N. Gautreaux

##### AMENDMENT NO. 1

On page 1, line 5, after "operation of" and before "motorboats" insert "personal watercraft."

##### AMENDMENT NO. 2

On page 2, line 6, after "vehicle," and before "motorboat" insert "personal watercraft."

##### AMENDMENT NO. 3

On page 2, at the beginning of line 19, before "motorboats," insert "personal watercraft."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

#### Senate Bills on Second Reading Reported by Committee

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

#### **SENATE BILL NO. 806 (Substitute for Senate Bill No. 158 by Senator Dupre)—**

BY SENATORS DUPRE, MCPHERSON AND ULLO  
A JOINT RESOLUTION

Proposing to amend Section 20(A) of Article VII of the Constitution of Louisiana, relative to the homestead exemption from ad valorem property taxes; to provide persons eligible for the homestead exemption and for the valuation of land which is the homestead; to provide for the homestead exemption for homesteads owned in indivision and for fields in which there is timber; to provide for the application of the exemption to the surviving spouse, testamentary or irrevocable trusts, usufructuaries, and to property occupied by a buyer under a bond for deed contract under certain conditions; to prohibit more than one exemption for any person; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 806 by Senator Dupre

##### AMENDMENT NO. 1

On page 2, line 2, after "land" and before "with" insert "even if the land is classified and assessed at use value pursuant to Article VII, Section 18(C) of this constitution."

##### AMENDMENT NO. 2

On page 2, line 8, after "valuation." delete the remainder of the line and lines 9 through 15 in their entirety and insert "The same homestead"

##### AMENDMENT NO. 3

On page 3, line 9, change "been eligible" to "qualified"

##### AMENDMENT NO. 4

On page 3, line 13, after "homestead" delete the comma " , "

##### AMENDMENT NO. 5

On page 3, line 14, after "usufructuary" delete the remainder of the line and insert a period " . "

##### AMENDMENT NO. 6

On page 3, delete lines 15 and 16 and insert "The provisions of this Subparagraph shall"

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

Under the rules, the bill, as amended, was recommitted to the Committee on Civil Law and Procedure.

#### Reconsideration

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

#### **HOUSE BILL NO. 377—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3), relative to motor vehicle emissions inspections; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to provide for fees for vehicle inspections; to provide for disposition of funds; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

#### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Damico gave notice of his intention to call House Bill No. 377 from the calendar for future action.

**Suspension of the Rules**

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

**Suspension of the Rules**

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**HOUSE BILL NO. 26—**  
BY REPRESENTATIVES BOWLER AND QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), and (ii)(aa), (cc), (dd)(I), and (ee), relative to driver's license fees; to provide for continuation of fees and provisions for use of those fees beyond the date for termination of certain additional fee; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Flavin       | Pinac            |
| Alario      | Futrell      | Pitre            |
| Alexander   | Gallot       | Powell, M.       |
| Ansardi     | Geymann      | Powell, T.       |
| Arnold      | Glover       | Quezaire         |
| Badon       | Gray         | Richmond         |
| Baldone     | Guillory, E. | Ritchie          |
| Baudoin     | Guillory, M. | Robideaux        |
| Baylor      | Hammett      | Romero           |
| Beard       | Heaton       | Scalise          |
| Bowler      | Hill         | Schneider        |
| Broome      | Honey        | Smiley           |
| Bruneau     | Hopkins      | Smith, G.—56th   |
| Burns       | Hunter       | Smith, J.D.—50th |
| Burrell     | Hutter       | Smith, J.H.—8th  |
| Carter, K.  | Jackson      | Smith, J.R.—30th |
| Carter, R.  | Jefferson    | St. Germain      |
| Cazayoux    | Johns        | Strain           |
| Crane       | Katz         | Thompson         |
| Crowe       | Kenney       | Toomy            |
| Curtis      | LaBruzzo     | Townsend         |
| Damico      | LaFleur      | Trahan           |
| Daniel      | Lambert      | Triche           |
| Dartez      | Lancaster    | Tucker           |
| DeWitt      | Marchand     | Waddell          |
| Doerge      | Martiny      | Walker           |
| Dorsey      | McDonald     | Walsworth        |
| Dove        | McVea        | White            |

|          |            |         |
|----------|------------|---------|
| Downs    | Montgomery | Winston |
| Erdey    | Morrell    | Wooton  |
| Fannin   | Murray     | Wright  |
| Farrar   | Odinot     |         |
| Faucheux | Pierre     |         |
| Total—97 |            |         |

NAYS

Total—0

ABSENT

|         |         |          |
|---------|---------|----------|
| Bruce   | Hebert  | Shepherd |
| Durand  | Kennard |          |
| Frith   | Morrish |          |
| Total—7 |         |          |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler 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. 290—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 47:463.44(A), relative to special prestige license plates; to provide relative to issuance of the Louisiana educators special prestige license plate; to provide relative to eligibility requirements for issuance of such plate; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pierre           |
| Alario      | Futrell      | Pitre            |
| Alexander   | Gallot       | Powell, M.       |
| Ansardi     | Geymann      | Powell, T.       |
| Arnold      | Glover       | Quezaire         |
| Badon       | Gray         | Richmond         |
| Baldone     | Guillory, E. | Ritchie          |
| Baudoin     | Guillory, M. | Robideaux        |
| Baylor      | Hammett      | Romero           |
| Beard       | Heaton       | Scalise          |
| Bowler      | Hebert       | Schneider        |
| Bruneau     | Hill         | Shepherd         |
| Burns       | Honey        | Smiley           |
| Burrell     | Hopkins      | Smith, G.—56th   |
| Carter, K.  | Hunter       | Smith, J.D.—50th |
| Carter, R.  | Hutter       | Smith, J.H.—8th  |
| Cazayoux    | Jackson      | Smith, J.R.—30th |
| Crane       | Jefferson    | St. Germain      |
| Crowe       | Johns        | Strain           |
| Curtis      | Kenney       | Thompson         |
| Damico      | LaBruzzo     | Toomy            |
| Daniel      | LaFleur      | Townsend         |
| Dartez      | Lambert      | Trahan           |
| DeWitt      | Lancaster    | Triche           |
| Doerge      | Marchand     | Tucker           |
| Dorsey      | Martiny      | Waddell          |
| Dove        | McDonald     | Walker           |
| Downs       | McVea        | Walsworth        |

|          |            |         |
|----------|------------|---------|
| Durand   | Montgomery | White   |
| Erdey    | Morrell    | Winston |
| Fannin   | Morrish    | Wooton  |
| Farrar   | Murray     | Wright  |
| Faucheux | Odinet     |         |
| Total—98 |            |         |

NAYS

Total—0

ABSENT

|         |        |         |
|---------|--------|---------|
| Broome  | Flavin | Kennard |
| Bruce   | Katz   | Pinac   |
| Total—6 |        |         |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 881—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:408(A)(8)(introductory paragraph) and (b), relative to issuance of drivers' licenses; to provide relative to knowledge and skills test specifications for issuance of certain classes of drivers' licenses; to exempt drivers of certain vehicles from test specifications; to provide relative to qualifications for such exemptions; and to provide for related matters.

Read by title.

Rep. Quezairé moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux     | Pitre            |
| Alario      | Frith        | Powell, M.       |
| Alexander   | Futrell      | Powell, T.       |
| Ansardi     | Gallot       | Quezairé         |
| Arnold      | Glover       | Richmond         |
| Badon       | Gray         | Ritchie          |
| Baldone     | Guillory, E. | Robideaux        |
| Baudoin     | Guillory, M. | Romero           |
| Baylor      | Hammett      | Scalise          |
| Beard       | Heaton       | Schneider        |
| Bowler      | Hebert       | Shepherd         |
| Broome      | Hill         | Smiley           |
| Bruneau     | Honey        | Smith, G.—56th   |
| Burns       | Hopkins      | Smith, J.D.—50th |
| Burrell     | Hunter       | Smith, J.H.—8th  |
| Carter, K.  | Jackson      | St. Germain      |
| Carter, R.  | Jefferson    | Strain           |
| Cazayoux    | Katz         | Thompson         |
| Crane       | Kenney       | Toomy            |
| Crowe       | LaBruzzo     | Townsend         |
| Curtis      | LaFleur      | Trahan           |
| Damico      | Lambert      | Triche           |
| Daniel      | Marchand     | Tucker           |
| Dartez      | Martiny      | Waddell          |
| DeWitt      | McDonald     | Walker           |
| Doerge      | McVea        | Walsworth        |

|          |            |         |
|----------|------------|---------|
| Dorsey   | Montgomery | White   |
| Dove     | Morrell    | Winston |
| Downs    | Murray     | Wooton  |
| Durand   | Odinet     | Wright  |
| Erdey    | Pierre     |         |
| Farrar   | Pinac      |         |
| Total—94 |            |         |

NAYS

Total—0

ABSENT

|          |           |                  |
|----------|-----------|------------------|
| Bruce    | Hutter    | Morrish          |
| Fannin   | Johns     | Smith, J.R.—30th |
| Flavin   | Kennard   |                  |
| Geymann  | Lancaster |                  |
| Total—10 |           |                  |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezairé 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. 903—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:1311(D)(introductory paragraph), (1)(introductory paragraph) and (a), and (2)(a), relative to vehicle inspections; to provide for exemptions from inspection requirements; and to provide for related matters.

Read by title.

Rep. Quezairé moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pinac            |
| Alario      | Futrell      | Pitre            |
| Alexander   | Gallot       | Powell, M.       |
| Ansardi     | Glover       | Powell, T.       |
| Arnold      | Gray         | Quezairé         |
| Badon       | Guillory, E. | Richmond         |
| Baldone     | Guillory, M. | Ritchie          |
| Baudoin     | Hammett      | Robideaux        |
| Baylor      | Heaton       | Romero           |
| Beard       | Hebert       | Scalise          |
| Bowler      | Hill         | Schneider        |
| Bruneau     | Honey        | Shepherd         |
| Burns       | Hopkins      | Smiley           |
| Burrell     | Hunter       | Smith, G.—56th   |
| Carter, K.  | Hutter       | Smith, J.D.—50th |
| Carter, R.  | Jackson      | Smith, J.H.—8th  |
| Cazayoux    | Johns        | Smith, J.R.—30th |
| Crane       | Katz         | St. Germain      |
| Crowe       | Kenney       | Strain           |
| Curtis      | LaBruzzo     | Thompson         |
| Damico      | LaFleur      | Toomy            |
| Daniel      | Lambert      | Townsend         |
| Dartez      | Lancaster    | Trahan           |
| DeWitt      | Marchand     | Triche           |
| Doerge      | Martiny      | Tucker           |

|          |            |           |
|----------|------------|-----------|
| Dorsey   | McDonald   | Waddell   |
| Dove     | McVea      | Walker    |
| Downs    | Montgomery | Walsworth |
| Durand   | Morrell    | White     |
| Erdey    | Morrish    | Winston   |
| Fannin   | Murray     | Wooton    |
| Farrar   | Odinet     | Wright    |
| Faucheux | Pierre     |           |
| Total—98 |            |           |

NAYS

Total—0

ABSENT

|         |         |           |
|---------|---------|-----------|
| Broome  | Flavin  | Jefferson |
| Bruce   | Geymann | Kennard   |
| Total—6 |         |           |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezairé 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. 1156—**

BY REPRESENTATIVES FUTRELL, BEARD, BURNS, DANIEL, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT, M. POWELL, SMILEY, AND TUCKER

AN ACT

To enact R.S. 15:1228.9, relative to the establishment and maintenance of the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1199—**

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 34:2303, relative to the Red River Waterway District; to increase the membership of the board of the Red River Waterway Commission; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1599—**

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 32:196, relative to traffic violations; to prohibit certain persons or means of conveyance attaching to vehicles upon a highway; and to provide for related matters.

Read by title.

Rep. Baudoïn moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pinac            |
| Alario      | Futrell      | Pitre            |
| Alexander   | Gallot       | Powell, M.       |
| Ansardi     | Geymann      | Powell, T.       |
| Arnold      | Glover       | Quezairé         |
| Badon       | Gray         | Richmond         |
| Baldone     | Guillory, E. | Ritchie          |
| Baudoïn     | Guillory, M. | Robideaux        |
| Baylor      | Hammett      | Romero           |
| Beard       | Heaton       | Scalise          |
| Bowler      | Hebert       | Schneider        |
| Bruneau     | Hill         | Shepherd         |
| Burns       | Honey        | Smiley           |
| Burrell     | Hopkins      | Smith, G.—56th   |
| Carter, K.  | Hunter       | Smith, J.D.—50th |
| Carter, R.  | Hutter       | Smith, J.H.—8th  |
| Cazayoux    | Jefferson    | Smith, J.R.—30th |
| Crane       | Johns        | St. Germain      |
| Crowe       | Katz         | Strain           |
| Curtis      | Kenney       | Thompson         |
| Damico      | LaBruzzo     | Toomy            |
| Daniel      | LaFleur      | Townsend         |
| Dartez      | Lambert      | Trahan           |
| DeWitt      | Lancaster    | Triche           |
| Doerge      | Marchand     | Tucker           |
| Dorsey      | Martiny      | Waddell          |
| Dove        | McDonald     | Walker           |
| Downs       | McVea        | Walsworth        |
| Durand      | Montgomery   | White            |
| Erdey       | Morrell      | Winston          |
| Fannin      | Morrish      | Wooton           |
| Farrar      | Murray       | Wright           |
| Faucheux    | Odinet       |                  |
| Flavin      | Pierre       |                  |
| Total—100   |              |                  |

NAYS

Total—0

ABSENT

|         |         |
|---------|---------|
| Broome  | Jackson |
| Bruce   | Kennard |
| Total—4 |         |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baudoïn 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. 1620—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 46:2583(A)(1) and to enact R.S. 47:463.4.3, relative to mobility impaired persons; to prohibit the manufacture, sale, possession, or use of counterfeit mobility-impaired parking placards; to provide relative to penalties for violations; to dedicate a certain portion of fines; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Odinet           |
| Alario      | Gallot       | Pinac            |
| Alexander   | Geymann      | Pitre            |
| Ansardi     | Glover       | Powell, M.       |
| Arnold      | Gray         | Powell, T.       |
| Badon       | Guillory, E. | Quezaire         |
| Baldone     | Guillory, M. | Richmond         |
| Baudoin     | Hammett      | Ritchie          |
| Beard       | Heaton       | Robideaux        |
| Broome      | Hebert       | Romero           |
| Bruneau     | Hill         | Scalise          |
| Burns       | Honey        | Schneider        |
| Burrell     | Hopkins      | Shepherd         |
| Carter, K.  | Hunter       | Smiley           |
| Carter, R.  | Hutter       | Smith, G.—56th   |
| Cazayoux    | Jackson      | Smith, J.D.—50th |
| Crane       | Jefferson    | Smith, J.H.—8th  |
| Crowe       | Johns        | Smith, J.R.—30th |
| Curtis      | Katz         | St. Germain      |
| Damico      | Kenney       | Strain           |
| Daniel      | LaBruzzo     | Thompson         |
| Dartez      | LaFleur      | Toomy            |
| DeWitt      | Lambert      | Trahan           |
| Doerge      | Lancaster    | Triche           |
| Dorsey      | Marchand     | Tucker           |
| Dove        | Martiny      | Waddell          |
| Downs       | McDonald     | Walker           |
| Durand      | McVea        | Walsworth        |
| Erdey       | Montgomery   | White            |
| Fannin      | Morrell      | Winston          |
| Farrar      | Morrish      | Wooton           |
| Faucheux    | Murray       |                  |
| Total—95    |              |                  |

**NAYS**

Total—0

**ABSENT**

|         |         |          |
|---------|---------|----------|
| Baylor  | Flavin  | Pierre   |
| Bowler  | Futrell | Townsend |
| Bruce   | Kennard | Wright   |
| Total—9 |         |          |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1713 (Substitute for House Bill No. 215 by Representative Gray)—**

BY REPRESENTATIVES GRAY, ALEXANDER, CROWE, DOWNS, FANNIN, HONEY, KENNEY, T. POWELL, RITCHIE, JANE SMITH, AND TRAHAN

**AN ACT**

To repeal R.S. 17:52.2, 171, 172, 173, 335, 429, and 430, and Subparts J and K of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:349.1 through 349.5 and R.S. 17:350.2 through 350.14, respectively,

relative to the operation and control of schools; to repeal certain unconstitutional provisions relative to the operation and control of schools and other obsolete provisions relative to the operation of schools and trade or vocational schools on a segregated basis; and to provide for related matters.

Read by title.

Rep. Gray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pinac            |
| Alario      | Futrell      | Pitre            |
| Alexander   | Gallot       | Powell, M.       |
| Ansardi     | Glover       | Powell, T.       |
| Arnold      | Gray         | Quezaire         |
| Badon       | Guillory, E. | Richmond         |
| Baldone     | Guillory, M. | Ritchie          |
| Baudoin     | Hammett      | Robideaux        |
| Baylor      | Heaton       | Romero           |
| Beard       | Hebert       | Scalise          |
| Bowler      | Hill         | Schneider        |
| Broome      | Honey        | Shepherd         |
| Burns       | Hopkins      | Smiley           |
| Burrell     | Hunter       | Smith, G.—56th   |
| Carter, K.  | Hutter       | Smith, J.D.—50th |
| Carter, R.  | Jackson      | Smith, J.H.—8th  |
| Cazayoux    | Jefferson    | Smith, J.R.—30th |
| Crane       | Johns        | St. Germain      |
| Crowe       | Katz         | Strain           |
| Curtis      | Kenney       | Thompson         |
| Damico      | LaBruzzo     | Toomy            |
| Daniel      | LaFleur      | Townsend         |
| Dartez      | Lambert      | Trahan           |
| DeWitt      | Lancaster    | Triche           |
| Doerge      | Marchand     | Tucker           |
| Dorsey      | Martiny      | Waddell          |
| Dove        | McDonald     | Walker           |
| Downs       | McVea        | Walsworth        |
| Durand      | Montgomery   | White            |
| Erdey       | Morrell      | Winston          |
| Fannin      | Murray       | Wooton           |
| Farrar      | Odinet       |                  |
| Faucheux    | Pierre       |                  |
| Total—97    |              |                  |

**NAYS**

Total—0

**ABSENT**

|         |         |        |
|---------|---------|--------|
| Bruce   | Geymann | Wright |
| Bruneau | Kennard |        |
| Flavin  | Morrish |        |
| Total—7 |         |        |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1714 (Substitute for House Bill No. 266 by Representative Walsworth)—**  
BY REPRESENTATIVES WALSWORTH AND HEBERT  
AN ACT

To amend and reenact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.39.5, relative to health insurance; to provide for certain terms and conditions for payment to health care providers by health insurance issuers; to provide for clean claims; to provide for recoupment of certain health insurance claim payments; to provide for time limits for payments of claims; to provide with respect to violations, penalties, and cease and desist orders; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Walsworth gave notice of his intention to call House Bill No. 1714 from the calendar for future action.

**HOUSE BILL NO. 1715 Substitute for House Bill No. 328 by Representative Durand)—**  
BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 36:259(II), 919.7 and Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1236.15 through 1236.30, relative to the practice of bio-recovery technicians; to provide for the regulation and certification of bio-recovery technicians; to provide for legislative intent; to provide for definitions; to provide for the creation of the Louisiana Bio-Recovery Technician Certification Commission and its domicile, membership, terms of office, vacancies, officers, meetings, compensation, and powers and duties; to provide for qualifications for commission members; to provide for the certification qualifications and examination; to provide for continuing education requirements; to provide for reciprocity; to provide for renewal of certification; to provide for fees; to provide for causes for suspension, revocation, or failure to renew or issue a certificate; to provide for penalties for violations; to provide for injunctions; to provide for surrender of a certificate; to provide for compliance with the state sanitary code; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Durand to Engrossed House Bill No. 1715 by Representative Durand

AMENDMENT NO. 1

On page 1, line 8, delete "compensation,"

AMENDMENT NO. 2

On page 1, line 12, change "failure to renew or issue" to "refusal to grant"

AMENDMENT NO. 3

On page 2, line 25, after "syphilis" delete the comma ",."

AMENDMENT NO. 4

On page 3, line 5, change "injury" to "injuries"

AMENDMENT NO. 5

On page 3, line 6, change "illness" to "illnesses"

AMENDMENT NO. 6

On page 3, line 9, delete "process of the"

AMENDMENT NO. 7

On page 4, line 20, after "in" and before "other" insert "any"

AMENDMENT NO. 8

On page 6, line 22, after "seal" insert a comma ",."

AMENDMENT NO. 9

On page 7, line 21, delete "found by the commission to be"

AMENDMENT NO. 10

On page 7, line 25, after "education" change "by" to "at"

AMENDMENT NO. 11

On page 8, line 29, change "providing" to "administering"

AMENDMENT NO. 12

On page 9, line 7, change "must" to "shall"

AMENDMENT NO. 13

On page 9, line 11, change "situations" to "conditions"

AMENDMENT NO. 14

On page 9, line 19, change "deposit" to "pay"

AMENDMENT NO. 15

On page 11, line 12, after "is" and before "otherwise" insert "not"

AMENDMENT NO. 16

On page 11, line 17, delete "refuse to grant, suspend, or" and insert "suspend."

AMENDMENT NO. 17

On page 11, line 18, after "revoke" insert ", or refuse to grant"

AMENDMENT NO. 18

On page 11, line 28, change "Is guilty" to "Acts"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux     | Murray           |
| Alario      | Flavin       | Odinet           |
| Alexander   | Frith        | Pierre           |
| Ansardi     | Gallot       | Pinac            |
| Arnold      | Geymann      | Pitre            |
| Badon       | Glover       | Powell, M.       |
| Baldone     | Gray         | Powell, T.       |
| Baudoin     | Guillory, E. | Quezaire         |
| Baylor      | Guillory, M. | Richmond         |
| Beard       | Hammett      | Ritchie          |
| Broome      | Heaton       | Robideaux        |
| Bruneau     | Hebert       | Romero           |
| Burns       | Hill         | Scalise          |
| Burrell     | Honey        | Shepherd         |
| Carter, K.  | Hopkins      | Smiley           |
| Carter, R.  | Hunter       | Smith, G.—56th   |
| Cazayoux    | Hutter       | Smith, J.D.—50th |
| Crane       | Jackson      | Smith, J.H.—8th  |
| Crowe       | Jefferson    | Smith, J.R.—30th |
| Curtis      | Johns        | St. Germain      |
| Damico      | Katz         | Strain           |
| Daniel      | Kenney       | Thompson         |
| Dartez      | LaBruzzo     | Toomy            |
| DeWitt      | LaFleur      | Townsend         |
| Doerge      | Lambert      | Trahan           |
| Dorsey      | Marchand     | Triche           |
| Dove        | Martiny      | Waddell          |
| Downs       | McDonald     | Walker           |
| Durand      | McVea        | White            |
| Erdey       | Montgomery   | Winston          |
| Fannin      | Morrell      | Wooton           |
| Farrar      | Morrish      | Wright           |
| Total—96    |              |                  |

**NAYS**

Bowler  
Total—2

Schneider

**ABSENT**

|         |           |           |
|---------|-----------|-----------|
| Bruce   | Kennard   | Tucker    |
| Futrell | Lancaster | Walsworth |
| Total—6 |           |           |

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1716 (Substitute for House Bill No. 399 by Representative Johns)—**  
BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 22:3078 and to enact R.S. 22:3080(E), relative to medical necessity review; to revise provisions relative to informal reconsideration and second level review of adverse determinations; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Flavin       | Pierre           |
| Alario      | Frith        | Pinac            |
| Alexander   | Futrell      | Pitre            |
| Ansardi     | Gallot       | Powell, M.       |
| Arnold      | Geymann      | Powell, T.       |
| Badon       | Glover       | Quezaire         |
| Baldone     | Gray         | Richmond         |
| Baudoin     | Guillory, E. | Ritchie          |
| Beard       | Guillory, M. | Robideaux        |
| Bowler      | Hammett      | Romero           |
| Broome      | Heaton       | Scalise          |
| Bruneau     | Hebert       | Schneider        |
| Burns       | Hill         | Shepherd         |
| Burrell     | Honey        | Smith, G.—56th   |
| Carter, R.  | Hopkins      | Smith, J.D.—50th |
| Cazayoux    | Hunter       | Smith, J.H.—8th  |
| Crane       | Hutter       | Smith, J.R.—30th |
| Crowe       | Jackson      | St. Germain      |
| Curtis      | Jefferson    | Strain           |
| Damico      | Johns        | Thompson         |
| Daniel      | Katz         | Toomy            |
| Dartez      | Kenney       | Townsend         |
| DeWitt      | LaBruzzo     | Trahan           |
| Doerge      | LaFleur      | Triche           |
| Dorsey      | Lambert      | Tucker           |
| Dove        | Marchand     | Waddell          |
| Downs       | Martiny      | Walker           |
| Durand      | McDonald     | Walsworth        |
| Erdey       | Montgomery   | White            |
| Fannin      | Morrell      | Winston          |
| Farrar      | Murray       | Wooton           |
| Faucheux    | Odinet       | Wright           |
| Total—96    |              |                  |

**NAYS**

Total—0

**ABSENT**

|            |           |         |
|------------|-----------|---------|
| Baylor     | Kennard   | Morrish |
| Bruce      | Lancaster | Smiley  |
| Carter, K. | McVea     |         |
| Total—8    |           |         |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**Speaker Pro Tempore Broome in the Chair**

SENATE BILL NO. 768—  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:966.1, relative to additional default remedies; to provide for a notice of repossession; to provide for contents; to provide for fees; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 6:966.1," and insert "amend and reenact R.S. 6:965(C)(3) and (4) and 966 and to enact R.S. 6:965(C)(5) and (D) and 966.1,"

AMENDMENT NO. 2

On page 1, line 2, after "remedies;" and before "to" insert "to provide for definitions; to provide for procedures for taking possession of collateral upon default; to provide for repossession agent licenses;"

AMENDMENT NO. 3

On page 1, line 3, after "contents;" and before "and to provide for related", delete "to provide for fees;"

AMENDMENT NO. 4

On page 1, line 6, after "Section 1." and before "hereby" delete "R.S. 6:966.1 is" and insert in lieu thereof "R.S. 6:965(C)(3) and (4) and 966 are hereby amended and reenacted and R.S. 6:965(C)(5) and (D) and 966.1 are"

AMENDMENT NO. 5

On page 1, between lines 6 and 7, insert the following:

"§965. Scope and definitions

\* \* \*

C. As used in this Chapter, the following terms shall have the following meanings:

\* \* \*

(3) "Default" means failure to pay a minimum nonpayment of two consecutive payments on the date due pursuant to the terms of the note, contract, or other obligation secured by the chattel mortgage or security agreement. In the event that payments are required to be made more frequently than on a monthly basis, "default" shall mean nonpayment for a period of sixty days.

(4) "Secured party" shall have the meaning set forth in R.S. 10:9-102(a)(72) and shall also mean a lessor of a motor vehicle as defined in R.S. 9:3306(17).

(5) "Breach of peace" shall include, but not be limited to the following:

(a) Unauthorized entry by a reposessor into a closed dwelling, whether locked or unlocked.

(b) Oral protest by a debtor to the reposessor against repossession prior to the reposessor seizing control of the collateral shall constitute a breach of the peace by the reposessor.

D. Beginning on or after January 1, 2005, the secured party seeking to utilize the remedies provided herein shall include the following in its security agreement:

"Louisiana law permits repossession of motor vehicles without judicial process."

§966. Procedure

A.(1) The procedures set forth in this Chapter may be used to effect the seizure and disposition obtain possession and dispose of collateral following default by a debtor without previous citation and judgment, upon notice to the debtor, to enforce a security interest evidenced by a security agreement importing a confession of judgment or a lease.

(2) Prior to the use of the procedures set forth in this Chapter, a secured party shall send notice to all debtors in writing at the last known address of the debtors, of the right of the secured party to take possession of the collateral without further notice upon default as defined in R.S. 6:965(C)(3). Such notice shall include the debtor's name, last known address, and description of the collateral and the following in at least 12-point type:

"Louisiana law permits repossession of motor vehicles upon default without further notice or judicial process."

(3) After obtaining possession of the collateral, the secured party may dispose of it in any manner permitted by Chapter 9 of the Louisiana Commercial Law, R.S. 10:9-101, et seq. or by resort to available judicial procedures, and may cause the collateral to be retitled. Unless the secured party causes the collateral to be sold at judicial sale under ordinary or executory process, all receipts from the secured party's disposition of the collateral shall be applied as set forth in R.S. 10:9-601, and the secured party shall be obligated to account to the debtor for any surplus.

B. A proceeding pursuant to this Chapter may be brought either in the parish where the collateral is located, or as provided in the applicable provisions of Code of Civil Procedure Art. 42: Unless otherwise agreed, a secured party has, on default, the right to take possession of the collateral. In taking possession, a secured party may proceed without judicial process if this can be done without a breach of the peace or may proceed by other remedies available by law.

C. Upon default the secured party shall have the right to obtain possession and dispose of the collateral in accordance with the provisions of Chapter 9 of the Louisiana Commercial Laws, R.S. 10:9-101 et seq., and to cause titled collateral to be retitled. For purposes of this Chapter, the creditor shall send a notice to the debtor at his last known address by registered mail or certified mail, return receipt requested:

(1) Demanding payment of all delinquent amounts together with finance charges, fees, and such other charges as provided for in the secured indebtedness on or before a date not less than ten business days after such notice is sent.

(2) Notifying the debtor that unless such payment is received the collateral may be seized for sale, as provided in this Chapter.

~~D. If the debtor fails to pay the secured indebtedness within the time set forth in the notice, the secured party may cause the debtor to be served with a petition to obtain possession and dispose of the collateral pursuant to Subsection C hereof to be adjudicated through a summary proceeding by a court of competent jurisdiction.~~

~~E. The secured party shall submit to the court the following proof:~~

~~(1) An affidavit by the secured party or his agent setting forth the following:~~

~~(a) The factual grounds on which the debtor's default is based.~~

~~(b) The amount secured by the chattel mortgage or security agreement, including any advances by the secured party.~~

~~(2) The note, contract, or other obligation secured by the security interest, as an exhibit to the affidavit.~~

~~(3) The security agreement encumbering the collateral, as an exhibit to the affidavit.~~

~~(4) A certificate indicating the date on which notice of default was sent to the debtor, the type of service of the rule made on the defendant, and the date of such service.~~

~~(5) An original and not less than one copy of the proposed order.~~

~~(6) Any written response by the debtor.~~

~~F. Upon presentation of the affidavit and exhibits, the secured party shall be entitled to obtain possession and dispose of the collateral, and the court shall immediately issue an order recognizing the right of the secured party to obtain possession, notifying the debtor of his right to collect or obtain his personal effects from the seizing creditor pursuant to Subsection L of this Section, and commanding the sheriff to seize the collateral and deliver the collateral to the secured party or his designee, as delineated herein for the following fees:~~

~~(1) \$400.00 if seized within ten days of receipt of the order.~~

~~(2) \$300.00 if seized within fifteen days of receipt of the order.~~

~~(3) \$200.00 if seized within twenty days of receipt of the order.~~

~~(4) \$100.00 if seized over twenty days after receipt of the order.~~

~~G. The minute clerk shall make an entry showing the dates of receipt of proof, review of the record, and issuance of the order. A certified copy of the signed order shall be sent to the debtor and secured party by the clerk of court.~~

~~H. C. The provisions of this Section may be utilized only by the following:~~

~~(1) Financial institutions licensed by the commissioner of financial institutions pursuant to this Title, or licensed and regulated chartered under the laws of the state of Louisiana, another state, or the United States.~~

~~(2) Persons licensed or regulated as lenders by the commissioner of financial institutions pursuant to the Louisiana Consumer Credit Law, R.S. 9:3510 et seq.~~

~~(3) Persons licensed or regulated as lenders by the Louisiana Motor Vehicle Commission pursuant to the Louisiana Motor Vehicle Sales Finance Act, R.S. 6:969.1 et seq.~~

F. D.(1)(a) Any individual who physically obtains possession of the collateral pursuant to this Chapter shall obtain a repossession agent license from the office of financial institutions.

(b) On or before January 1, 2005, the commissioner of financial institutions shall issue licenses to repossession agents who are members of the following organizations: National Finance Adjusters, Inc., Allied Finance Adjusters Conference, Inc., Time Adjusters Conference, Inc., or the American Recovery Association, Inc. and who meet any additional qualifications for licensure established by the commissioner of financial institutions pursuant to rules and regulations adopted in accordance with the Administrative Procedure Act.

(2) In the event a tow truck, as defined in R.S. 32:1713(5), is required to be used in the repossession, the provisions of Chapter 16 of Title 32 of the Louisiana Revised Statutes of 1950 pertaining to said tow truck shall apply. The tow truck owner or operator, as defined in R.S. 32:1713(6), shall possess a common carrier certificate issued by the Louisiana Public Service Commission pursuant to R.S. 45:164. In addition, the seizing creditor shall be responsible for all personal effects located inside the seized collateral for the seventy-two-hour period immediately following the seizure of said collateral.

F. E. The secured party shall have and retain all of the possessory and enforcement rights provided under Chapter 9 of the Louisiana Commercial Laws, R.S. 10:9-101 et seq., but shall have no including the right to recover a deficiency or any other costs associated with the seizure proceeding provided for in this Chapter.

K. If for any reason proceedings begun under this Chapter are abandoned, postponed, enjoined, or otherwise not fully completed through the issuance of an order in favor of the secured party as provided in this Chapter, the secured party shall have the right to proceed under any and all other means provided by law, including ordinary or executory process with the right to pursue a deficiency.

L. E. If the debtor has personal property of his own or of another inside the seized repossessed collateral, the owner of the personal property shall have seventy-two hours ten days in which to contact the seizing repossessing creditor and demand the return of his property. The secured party shall immediately return the personal effects upon request of the debtor. At the end of thirty days following the repossession of the collateral, the personal effects located inside of the repossessed collateral shall be deemed abandoned and the secured party shall no longer be responsible for such personal effects.

M. The clerk shall collect only those costs and fees due to the sheriff and the clerk's office for proceedings brought pursuant to this Chapter. Any additional fees or costs imposed by law shall not be collected by the clerk.

N. Repealed by Acts 2001, No. 943, §2."

#### AMENDMENT NO. 6

On page 2, delete lines 2 through 7 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on January 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2005, or on the day following such approval by the legislature, whichever is later."

**Point of Order**

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

**Ruling of the Chair**

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

Rep. Martiny moved that the bill be recommitted to the Committee on Commerce.

Rep. Johns objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|              |            |                 |
|--------------|------------|-----------------|
| Alario       | Hill       | Pinac           |
| Arnold       | Hunter     | Romero          |
| Baudoin      | Jackson    | Shepherd        |
| Damico       | LaFleur    | Smith, G.—56th  |
| Dartez       | Marchand   | Smith, J.H.—8th |
| DeWitt       | Martiny    | St. Germain     |
| Doerge       | Montgomery | Toomy           |
| Faucheux     | Morrell    | Townsend        |
| Gallot       | Murray     | Wooton          |
| Guillory, M. | Odinet     | Wright          |
| Total—30     |            |                 |

**NAYS**

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Flavin       | Pitre            |
| Alexander   | Frith        | Powell, M.       |
| Ansardi     | Futrell      | Powell, T.       |
| Badon       | Geymann      | Quezaire         |
| Baldone     | Glover       | Richmond         |
| Baylor      | Gray         | Ritchie          |
| Beard       | Guillory, E. | Robideaux        |
| Bowler      | Hammitt      | Scalise          |
| Bruneau     | Heaton       | Schneider        |
| Burns       | Hebert       | Smiley           |
| Burrell     | Honey        | Smith, J.D.—50th |
| Carter, K.  | Hopkins      | Smith, J.R.—30th |
| Cazayoux    | Hutter       | Strain           |
| Crane       | Jefferson    | Thompson         |
| Crowe       | Johns        | Trahan           |
| Curtis      | Katz         | Triche           |
| Daniel      | Kennard      | Tucker           |
| Dorsey      | Kenney       | Waddell          |
| Dove        | Lambert      | Walker           |
| Downs       | Lancaster    | Walsworth        |
| Durand      | McDonald     | White            |
| Erdey       | McVea        | Winston          |
| Fannin      | Morrish      |                  |
| Farrar      | Pierre       |                  |
| Total—70    |              |                  |

**ABSENT**

|         |            |
|---------|------------|
| Broome  | Carter, R. |
| Bruce   | LaBruzzo   |
| Total—4 |            |

The House refused to recommit the bill to the Committee on Commerce.

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Shepherd to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 1, at the end of the line insert the following:

"The secured party must obtain an appraisal, by a Louisiana state certified appraiser, of the collateral within seventy-two hours of taking possession of said collateral and shall furnish a copy of the appraisal to the debtor, within five days thereafter. Failure to comply with the appraisal requirements shall cause the secured party to waive its right to a deficiency judgment."

Rep. Shepherd moved the adoption of the amendments.

Rep. Johns objected.

By a vote of 33 yeas and 67 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Morrish to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

In House Floor Amendment No. 5 proposed by Representative Johns and adopted by the House on May 26, 2004 on page 3, on line 32 after "Association, Inc.," and before "and" insert the following:

"or a Louisiana association of duly licensed repossession agents recognized as a viable association by the commissioner of financial institutions."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

Delete Amendment No. 6 in the set of amendments proposed by Representative Johns and adopted by the House on May 26, 2004, and insert in lieu thereof the following:

"Section 2. The provisions of this Act shall not become effective until the passage of House Bill No. 1489 of the 2004 Regular Session by Representative Johns which has a fee of seventy-five dollars for the recorder of mortgages and two hundred and fifty dollars for the sheriff is enacted with such fees."

**Motion**

Rep. Heaton moved to end consideration of amendments.

As a substitute motion, Rep. Alario moved that the previous question be ordered on the amendments.

Rep. Heaton objected.

The vote recurred on the substitute motion.

By a vote of 73 yeas and 24 nays, the House agreed to order the previous question on the amendments.

Rep. Martiny moved the adoption of the amendments.

Rep. Johns objected.

By a vote of 33 yeas and 63 nays, the amendments were rejected.

**Speaker Salter in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

In the set of Amendments proposed by Representative Johns and adopted by the House on May 26, 2004, in Amendment No. 5, on page 1, at the end of line 22, delete "two" and insert in lieu thereof "three"

Rep. Townsend moved the adoption of the amendments.

Rep. Johns objected.

By a vote of 35 yeas and 64 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

In House Floor Amendment No. 5 proposed by Representative Johns and adopted by the House on May 26, 2004 on page 1, on line 26, change "thirty" to "sixty"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 17, after "by the" change "clerk of court" to "secured party"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|             |              |                  |
|-------------|--------------|------------------|
| Mr. Speaker | Frith        | Pierre           |
| Alario      | Futrell      | Pinac            |
| Alexander   | Gallot       | Pitre            |
| Ansardi     | Geymann      | Powell, M.       |
| Baldone     | Glover       | Powell, T.       |
| Baylor      | Gray         | Richmond         |
| Beard       | Guillory, E. | Ritchie          |
| Bowler      | Hammett      | Robideaux        |
| Broome      | Heaton       | Scalise          |
| Bruneau     | Hebert       | Schneider        |
| Burns       | Hill         | Smiley           |
| Burrell     | Honey        | Smith, J.D.—50th |
| Carter, K.  | Hopkins      | Smith, J.H.—8th  |
| Cazayoux    | Hutter       | Smith, J.R.—30th |
| Crane       | Jefferson    | St. Germain      |
| Crowe       | Johns        | Strain           |
| Curtis      | Katz         | Thompson         |
| Daniel      | Kennard      | Townsend         |
| Doerge      | Kenney       | Trahan           |
| Dorsey      | LaBruzzo     | Triche           |
| Dove        | LaFleur      | Tucker           |
| Downs       | Lambert      | Waddell          |
| Durand      | Lancaster    | Walker           |
| Erdey       | McDonald     | Walsworth        |
| Fannin      | McVea        | Winston          |
| Farrar      | Montgomery   | Wright           |
| Faucheux    | Morrish      |                  |
| Flavin      | Odinot       |                  |
| Total—82    |              |                  |

NAYS

|              |          |                |
|--------------|----------|----------------|
| Arnold       | Hunter   | Shepherd       |
| Badon        | Jackson  | Smith, G.—56th |
| Baudoin      | Marchand | Toomy          |
| Damico       | Martiny  | White          |
| Dartez       | Morrell  | Wooton         |
| DeWitt       | Murray   |                |
| Guillory, M. | Quezaire |                |
| Total—19     |          |                |

ABSENT

|         |            |        |
|---------|------------|--------|
| Bruce   | Carter, R. | Romero |
| Total—3 |            |        |

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

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

**Suspension of the Rules**

On motion of Rep. Johns, 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**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

May 26, 2004

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 42, 67, 143, 148, 239, 248, 372, 464, 628, and 725 and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

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

**Message from the Senate**

**HOUSE BILLS**

May 26, 2004

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

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

House Bill No. 1015  
Reported with amendments.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 26, 2004

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. 82 and 874

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Karen Carter, the rules were suspended in order to take up the bills contained in the message at this time.

**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. 82—**  
BY SENATOR BOISSIERE AN ACT

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 874 (Substitute for Senate Bill No. 697 by Senator Irons)—**  
BY SENATOR IRONS AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; 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. 78—**  
BY REPRESENTATIVE QUEZAIRE A RESOLUTION

To recognize Herbert J. Brunswick, Sr. for his years of dedication and contributions in the fraternal orders.

Read by title.

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

**HOUSE RESOLUTION NO. 79—**  
BY REPRESENTATIVE SHEPHERD A RESOLUTION

To commend Mrs. Frances Torry Craft upon the celebration of her eightieth birthday.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 227—**  
BY REPRESENTATIVE PINAC**A CONCURRENT RESOLUTION**

To commend the Honorable John D. Travis on the occasion of his retirement for a lifetime of dedicated public service.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 228—**  
BY REPRESENTATIVES QUEZAIRE, HUNTER, AND PIERRE AND SENATOR CRAVINS**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to designate the section of Interstate 49 in St. Landry Parish between Sunset and Washington as the Charles I. "Doc" Hudson Highway.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 229—**  
BY REPRESENTATIVE STRAIN**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to perform a traffic study at the intersection of Louisiana Highway 437 and Louisiana Highway 40 in Covington, Louisiana.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 230—**  
BY REPRESENTATIVES DORSEY, DANIEL, AND FUTRELL**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death in the line of duty of Lieutenant Vickie Salassi Wax of the Baton Rouge Police Department.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

May 26, 2004

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 182, by Baldone  
Reported with amendments. (5-1-1)

House Bill No. 37, by Baldone  
Reported with amendments. (7-0) (Regular)

House Bill No. 92, by Murray  
Reported by substitute. (8-0) (Regular)

House Bill No. 1437, by Strain  
Reported favorably. (8-0) (Regular)

Senate Concurrent Resolution No. 16, by Dardenne  
Reported with amendments. (8-0)

Senate Bill No. 274, by Lentini  
Reported favorably. (7-0) (Regular)

Senate Bill No. 345, by Chaisson  
Reported favorably. (8-0) (Regular)

Senate Bill No. 570, by Chaisson  
Reported favorably. (5-2-1) (Regular)

Senate Bill No. 592, by Chaisson  
Reported favorably. (6-0) (Regular)

Senate Bill No. 616, by Chaisson  
Reported with amendments. (8-0) (Regular)

Senate Bill No. 633, by Kostelka  
Reported with amendments. (6-0) (Regular)

Senate Bill No. 837, by Cain  
Reported favorably. (8-0) (Regular)

DANIEL MARTINY  
Chairman

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

**Report of the Committee on Health and Welfare**

May 26, 2004

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 95, by McPherson  
Reported with amendments. (15-0)

Senate Bill No. 140, by Bajoie  
Reported favorably. (10-0) (Regular)

Senate Bill No. 169, by Irons  
Reported favorably. (12-0) (Regular)

Senate Bill No. 241, by Irons  
Reported favorably. (11-0) (Regular)

Senate Bill No. 249, by Bajoie  
Reported favorably. (11-0) (Regular)

Senate Bill No. 367, by Hines  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 411, by Bajoie  
Reported favorably. (11-0) (Regular)

Senate Bill No. 539, by Irons  
Reported with amendments. (10-0) (Regular)

Senate Bill No. 645, by Hines  
Reported favorably. (10-0) (Regular)

Senate Bill No. 654, by Bajoie  
Reported favorably. (11-0) (Regular)

Senate Bill No. 821, by Bajoie  
Reported with amendments. (12-0) (Regular)

SYDNIE MAE DURAND  
Chairman

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

**Report of the Committee on Insurance**

May 26, 2004

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 732, by Cain  
Reported favorably. (10-0) (Regular)

KAREN CARTER  
Chair

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

**Report of the Committee on Natural Resources**

May 26, 2004

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 211, by Fauchaux  
Reported favorably. (9-0-1)

House Bill No. 1666, by Daniel  
Reported with amendments. (10-0-1) (Regular)

Senate Concurrent Resolution No. 22, by Malone  
Reported favorably. (9-0-1)

Senate Concurrent Resolution No. 113, by Ullo  
Reported favorably. (9-0-1)

Senate Bill No. 105, by Dupre  
Reported favorably. (11-0-1) (Regular)

Senate Bill No. 160, by Hainkel  
Reported with amendments. (12-0-1) (Regular)

Senate Bill No. 308, by Dupre  
Reported favorably. (11-0-1) (Regular)

Senate Bill No. 494, by Schedler  
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 710, by Ellington  
Reported with amendments. (12-0-1) (Regular)

Senate Bill No. 767, by Hainkel  
Reported with amendments. (10-0-1) (Regular)

Senate Bill No. 831, by Ellington  
Reported with amendments. (11-0-1) (Regular)

WILFRED PIERRE  
Chairman

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

**Privileged Report of the Legislative Bureau**

May 26, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following  
report:

Senate Bill No. 2  
Reported without amendments.

Senate Bill No. 4  
Reported without amendments.

Senate Bill No. 17  
Reported without amendments.

Senate Bill No. 18  
Reported without amendments.

Senate Bill No. 28  
Reported without amendments.

Senate Bill No. 30  
Reported without amendments.

Senate Bill No. 46  
Reported without amendments.

Senate Bill No. 52  
Reported without amendments.

Senate Bill No. 138  
Reported without amendments.

Senate Bill No. 152  
Reported without amendments.

Senate Bill No. 196  
Reported without amendments.

Senate Bill No. 226  
Reported without amendments.

Senate Bill No. 227  
Reported without amendments.

Senate Bill No. 267  
Reported without amendments.

Senate Bill No. 269  
Reported without amendments.

Senate Bill No. 282  
Reported without amendments.

Senate Bill No. 289  
Reported with amendments.

Senate Bill No. 302  
Reported without amendments.

Senate Bill No. 346  
Reported without amendments.

Senate Bill No. 347  
Reported without amendments.

Senate Bill No. 359  
Reported without amendments.

Senate Bill No. 368  
Reported without amendments.

Senate Bill No. 394  
Reported without amendments.

Senate Bill No. 434  
Reported without amendments.

Senate Bill No. 460  
Reported without amendments.

Senate Bill No. 487  
Reported without amendments.

Senate Bill No. 496  
Reported without amendments.

Senate Bill No. 513  
Reported without amendments.

Senate Bill No. 555  
Reported without amendments.

Senate Bill No. 564  
Reported without amendments.

Senate Bill No. 581  
Reported without amendments.

Senate Bill No. 672  
Reported without amendments.

Senate Bill No. 695  
Reported without amendments.

Senate Bill No. 805  
Reported without amendments.

Senate Bill No. 822  
Reported without amendments.

Senate Bill No. 825  
Reported without amendments.

Senate Bill No. 842  
Reported without amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

**House and House Concurrent Resolutions**

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

**Motion**

On motion of Rep. Hebert, the Committee on Education was discharged from further consideration of House Concurrent Resolution No. 221.

**HOUSE CONCURRENT RESOLUTION NO. 221—**

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To direct the Department of Education and the Department of Social Services to jointly develop appropriate policies and procedures regarding the evaluation and treatment of children.

Read by title.

**Motion**

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

**Privileged Report of the Committee on Enrollment**

May 26, 2004

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. 71—**

BY REPRESENTATIVES BROOME

A RESOLUTION

To declare May 26, 2004, as Louisiana Chemical Industry Good Neighbor Day.

**HOUSE RESOLUTION NO. 72—**

BY REPRESENTATIVES JACKSON, BROOME, AND DORSEY

A RESOLUTION

To commend Kenny Hall of Tara High School in Baton Rouge upon his accomplishments at the Class 5A State Farm/Louisiana High School Athletic Association Outdoor Track and Field Championship.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 26, 2004

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. 209—**

BY REPRESENTATIVE FLAVIN

**A CONCURRENT RESOLUTION**

To commend Colleen Benoit of Lake Charles upon her selection as Calcasieu Parish Elementary School Teacher of the Year and to recognize her outstanding contributions to the education of the youth of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 210—**

BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR CHEEK

**A CONCURRENT RESOLUTION**

To commend *The Enterprise* of DeSoto Parish upon the celebration of its centennial anniversary.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to meet on Thursday, May 27, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1556

**Suspension of the Rules**

On motion of Rep. Ansardi, the rules were suspended to permit the Committee on Civil Law and Procedure to meet upon adjournment on Thursday, May 27, 2004, 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. 647, 676, and 724

Senate Bill No. 806

**Leave of Absence**

Rep. Bruce - 2 days

**Adjournment**

On motion of Rep. Kenney, at 5:10 P.M., the House agreed to adjourn until Thursday, May 27, 2004, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 27, 2004.

ALFRED W. SPEER  
Clerk of the House