

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

EIGHTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 5, 2005

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

| | | |
|-------------|------------|---------|
| Durand | McDonald | White |
| Erdey | McVea | Winston |
| Fannin | Montgomery | Wooton |
| Farrar | Morrell | Wright |
| Total - 105 | | |
| | ABSENT | |

Total - 0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Ms. Angela Perry sang *Teach Me Lord*.

Prayer was offered by Rep. Salter.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Crowe, the Journal of May 4, 2005, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

SENATE BILLS

May 5, 2005

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. 39, 57, and 196

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Morrish, 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. 39—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 24:971(B)(1), 972(A)(18), (B) and (C), and 973(A)(1)(introductory paragraph), and to enact R.S. 24:972(A)(23) and 973(B), relative to the Louisiana

Commission on Civic Education; to increase membership; to provide for purposes, powers and duties; and to provide for related matters.

Read by title.

SENATE BILL NO. 57—

BY SENATORS DUPLESSIS AND MURRAY AND REPRESENTATIVE GRAY

AN ACT

To enact Part XIII of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1018.1 and 1018.2, relative to employment; to provide with respect to the federal Earned Income Tax Credit and the Advance Earned Income Credit; to require employers to inform new employees of the federal Earned Income Tax Credit and the Advance Earned Income Credit at the time of hire; and to provide for related matters.

Read by title.

SENATE BILL NO. 196—

BY SENATORS BARHAM, KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH

AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the United States Congress to support no increases in payroll taxes, no cuts to Social Security benefits, and optional Social Security Personal Retirement Accounts.

Read by title.

Lies over under the rules.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To commend the CASA programs in Louisiana, and proclaims May 3, 2005 as "Louisiana CASA Day" at the state capitol.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR ELLINGTON AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct public hearings in various locations across the state to ascertain supply and demand issues relative to broadband deployment.

Read by title.

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

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

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

HOUSE BILL NO. 708—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1703(A)(2), (B), and (C) and to repeal R.S. 47:1703(D), relative to the homestead exemption; to change the date which a property owner in Orleans Parish entitled to the homestead exemption is required to own and occupy the homestead before the homestead exemption is claimed; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 831—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 47:301(16)(m), relative to exclusions and exemptions from state sales and use taxes; to exclude items used in the production or harvesting of crawfish from the tax; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 832—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 47:301(8)(f), relative to the state sales and use tax; to provide for the exclusion of purchases by certain nonprofit entities; to provide for the use of annual exclusion certificates to administer the exclusion; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 833—

BY REPRESENTATIVES MONTGOMERY AND ALARIO

AN ACT

To amend and reenact R.S. 27:392(B)(4), relative to the dedication and distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the dedication of such revenues to the I-49

Fund to be created within the state treasury; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 834—
BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide for a tax credit to parents of home schooled children and those attending private school based on parents' income; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 835—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 836—
BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT,
LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS
CHAISSON, HINES, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds 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.

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

HOUSE BILL NO. 837—
BY REPRESENTATIVE KENNARD
AN ACT

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within Central City; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of Central City pursuant to intergovernmental agreement; to create a Central City Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE BILL NO. 838—
BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 47:462(B)(3)(a), 463(A)(1) and (3), and 475, to enact R.S. 47:463(D), and to repeal R.S. 47:462(B)(6) and 465, relative to motor vehicle registration taxes; to provide for the registration license schedule for certain types of vehicles; to provide for the issuance of uniform license plates for certain types of vehicles; to provide for the minimum annual motor vehicle license tax; to repeal provisions relative to a staggered registration system for certain types of vehicles; to repeal provisions relative to the annual registration license tax for motorcycles; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 839—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb) and to enact R.S. 47:301(3)(i)(ii)(aa)(I)(ddd), relative to the state sales and use tax on certain machinery and equipment; to define machinery and equipment to include that used to generate electric power by an industrial manufacturing plant for self consumption or cogeneration; to include the NAICS code for oil and gas processing plants in the definition of manufacturer; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 840—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 841—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 842—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; and to provide for related matters.

Read by title.

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

Page 4 HOUSE

8th Day's Proceedings - May 5, 2005

HOUSE BILL NO. 844—

BY REPRESENTATIVE M. GUILLORY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Tammy Deshotels v. State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 845—

BY REPRESENTATIVES JOHN SMITH AND HILL
AN ACT

To enact R.S. 47:1903.4, relative to the imposition of fees to derive funds for the operation and maintenance of the office of the assessor; to authorize certain assessors to impose a conveyance fee as an optional method for defraying the cost of operations of the office; to provide for the collection of the fee; to provide for the use of the monies collected; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 846—

BY REPRESENTATIVES DARTEZ AND THOMPSON
AN ACT

To enact Subpart Z of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.93 and 120.94, relative to the Renewal Community Program; to impose a fee on certain taxpayers who receive a federal income tax credit related to the Renewal Community Program; to provide for collection, dedication, and disposition of fees; to establish the Renewal Community Fund as a special fund in the state treasury; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 847—

BY REPRESENTATIVE DEWITT
AN ACT

To enact Part V of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:701 through 704, relative to the levy and collection of state taxes; to provide for the levy, collection, and administration of a tax on the refining of crude oil; to provide for definitions; to provide for certain exemptions and limitations; to provide for the effectiveness of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 848—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 40:1142(F), relative to certification fees assessed operators of water supply and sewerage systems; to

provide for fees for issuance and renewals of certificates; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 849—

BY REPRESENTATIVES GRAY AND DURAND AND SENATORS HINES, MCPHERSON, AND SCHEDLER
AN ACT

To enact R.S. 47:1070, relative to the telecommunications fee; to levy a fee on landline exchange telephone service and wireless telephone or telecommunications service; to create the LERN Fund as a special fund in the state treasury; to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 850—

BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 47:301(7)(j), relative to state sales and use taxes; to provide a definitional exclusion for certain hovercrafts used in mineral production; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 851—

BY REPRESENTATIVE HEBERT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Harry A. LeBlanc v. W. J. Trappey, Sr."; to provide for costs; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 852—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:1177(A)(2) and (3), relative to the Public Service Commission; to provide for inspection and supervision fees; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 853—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Chapter 13-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91, relative to St. Bernard Parish; to create the St. Bernard Parish Housing, Redevelopment and Quality of Life Commission; to provide for the formation of a program by St. Bernard Parish for the utilization of appropriate private and public resources to

eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas in accordance with redevelopment plans or projects approved by the local governing body; to define the duties, liabilities, authority, and functions of such redevelopment commission, including the acquisition of property by purchase, gift, expropriation, or otherwise; to authorize the commission to levy and collect ad valorem and sales and use taxes, subject to voter approval; to dispose of property by sale or lease; to issue bonds, borrow money, and give security therefor; to provide for notice and hearing; to enter into agreements to secure federal aid; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; to provide for tax exemptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE BILL NO. 854—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:4307, relative to tax exemptions; to provide tax exemptions for certain manufacturers; to provide incentives for electronic manufacturing companies; to provide for definitions; to authorize the secretary of the Department of Economic Development to enter into certain contracts, subject to approval; to provide for requirements for entering into certain contracts of exemption; to provide for criteria for exemption; to authorize the secretary of the department to promulgate certain rules and regulations; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 855—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:470, relative to imposition of the vehicle registration license fee or tax; to provide for additional vehicle license fees or taxes; to provide for the disposition of the proceeds from the additional taxes; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 856—

BY REPRESENTATIVE FARRAR

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Betty Washington, on behalf of Anthony Currington v. State of Louisiana, Department of Transportation and Development, et al."; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 857—

BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 47:301(24)(c), relative to the state and local sales and use tax; to provide for an exclusion for certain costs of certain publishing businesses; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 858—

BY REPRESENTATIVE SALTER

AN ACT

To appropriate funds for the fiscal year 2005 - 2006 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; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

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

HOUSE BILL NO. 859—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 860—

BY REPRESENTATIVE BEARD

AN ACT

To amend and reenact R.S. 47:305.31(C) and (E) and to enact R.S. 47:305.31(F), relative to the sales and use tax; to provide for a sales and use tax exclusion for certain alternate fuels; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 861—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 47:6020, relative to state tax incentives; to provide for a tax exemption or credit from the income tax, the corporate franchise tax, and other taxes directly imposed by the state on biomedical manufacturing companies; to provide for an effective date; and to provide for related matters.

Read by title.

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

Page 6 HOUSE

8th Day's Proceedings - May 5, 2005

HOUSE BILL NO. 862—

BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 863—

BY REPRESENTATIVE BADON AND SENATOR DUPLESSIS
AN ACT

To enact R.S. 45:844.9, relative to wireless telephone contracts; to provide for a fee on service administered in new wireless telephone contracts; to create the "new wireless telephone service" fund; to provide for the dedication and deposit of the monies into certain funds; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 864—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 17:3351.3(B)(1), relative to an academic excellence fee at Louisiana State University and Agricultural and Mechanical College located in Baton Rouge; to provide for the powers and duties of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College relative to the fee amount, including but not limited to proration of such amount; to provide an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 865—

BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Frank J. Malinda v. Creekwood Mark Twain II Limited Partnership, State National Insurance Company and XYZ Insurance Company"; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 866—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 47:1851(B) and (M), relative to the assessment of public service properties for ad valorem tax purposes; to include other water transportation companies in the definition of public service properties; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 867—

BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 47:305.52, relative to state and local sales and use tax; to provide for an exemption for motor vehicles purchased and titled in another state; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 868—

BY REPRESENTATIVE TOWNSEND
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Social Services to provide for reimbursement of legal expenses of Andrew Mata; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 869—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 3:2804(B) and 3004(B), relative to fees paid to law enforcement officials for securing livestock; to provide for increases and additional fees for such service; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 870—

BY REPRESENTATIVE GRAY
AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE BILL NO. 871—

BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:297.4(A), relative to certain child care expenses; to authorize a claim without regards to whether a federal credit is claimed; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 872—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact Section 2 of Act No. 3 of the 2002 First Extraordinary Session of the Legislature; relative to the state sales and use tax; to extend the termination date of an exclusion for biotechnology companies; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 873—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 47:302(D), relative to state and local sales and use taxes; to exempt direct mail advertising from the tax; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 874—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 47:844(C), relative to fees and taxes on tobacco tax; to provide for an increase in certain fees and taxes; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 875—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 47:844(C), relative to fees and taxes on tobacco tax; to provide for an increase in certain fees and taxes; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 876—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 40:2116.35(A), to enact R.S. 40:2116.35(C), (D), and (E), to repeal R.S. 40:2116.32(F), relative to the assessment of a fee on the provision of home health care; to revise the service area for licensure of a home health care provider; to repeal the moratorium on the licensing of home health care agencies; 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 Health and Welfare.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

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

SENATE BILL NO. 19—

BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xiii) and to enact R.S. 17:3048.1(A)(1)(e)(xiv), relative to the Louisiana Tuition Opportunity Program for Students curriculum; to specify the subjects in the core curriculum available as an elective in the subjects of math and science for receipt of a program award for students graduating during or after a specified school year; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 45—

BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 33:4754(C)(1)(a), relative to liens for removal and securing dangerous structures by certain parishes and municipalities; to include the Terrebonne Parish assessor within the definition of "equivalent officer" for the purposes of certain actions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 65—

BY SENATOR KOSTELKA
AN ACT

To enact R.S. 17:85.11, relative to powers and duties of school boards; to authorize the Ouachita Parish School Board to name an athletic facility at the former Calhoun High School in honor of Jerry Lee Lovett, Sr.; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 79—

BY SENATOR DUPRE
AN ACT

To enact R.S. 33:9356, relative to veterans' memorial districts; to provide relative to the Veterans' Memorial District of Ward 10 of Lafourche Parish; to provide for a board of commissioners; to provide relative to board membership, composition, selection, powers and duties, and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 92—

BY SENATOR NEVERS
AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the Department of Social Services; to provide with respect to the office of community services and its role in providing for the public child welfare functions of the state; to provide with respect to

preventive services to prevent child abuse and neglect and family strengthening and support services; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 129—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3095(A)(1)(b) and (2) and to enact R.S. 17:3095(A)(1)(c) and R.S. 47:293(6)(a)(viii) and 1205(D), relative to enhancements to the Louisiana Student Tuition Assistance and Revenue Trust Program; to increase the taxable state income exclusion for married couples; to allow certain deposits over five years to be excluded from the state gift tax provisions so as to conform with the federal gift tax provisions; to provide with regard to the disbursement of funds from accounts established pursuant to such program; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 137—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 22:1265(D) and R.S. 33:1359(F), relative to certain premium taxes paid on excess insurance premiums; to exempt premiums paid by certain interlocal risk management agencies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 142—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 33:4720.17(C)(4), 4720.31(C)(4), and 4720.47(D)(4), and R.S. 47:2183.1, relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide relative to a tax debtor or other person seeking to redeem such property; to require such person to pay certain costs incurred relative to a tax sale; to require such person to pay certain costs incurred during acquisition of adjudicated property from a political subdivision; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 153—
BY SENATOR MICHOT

AN ACT

To enact Code of Civil Procedure Art. 258, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to

provide relative to the effectiveness of such filed instruments; 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. 200—
BY SENATORS BAJOIE, MURRAY, JACKSON, NEVERS AND SCHEDLER

AN ACT

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 218—
BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 39:330(B)(3) and (4) and to enact R.S. 39:330(B)(5) and 330.4, relative to property control; to provide for the acquisition of surplus computer equipment by certain public educational institutions; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 224—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 236—
BY SENATOR ULLO AND REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:7.1(B)(3) and (4), relative to certification of principals; to provide for experience requirements; to provide for exceptions and recommendation requirements; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 239—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:24.10 and 3995(C), relative to charter schools; to authorize all types of charter schools to apply directly to the state Department of Education to participate in

the LA 4 program; to provide with regard to the compliance of a charter school with the terms of a grant; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 249—
BY SENATORS MOUNT AND THEUNISSEN
AN ACT

To authorize and provide for the transfer of certain immovable property located in Calcasieu Parish from the Chenouet International Airport Authority to the Board of Supervisors of Community and Technical Colleges, for the use and benefit of its SOWELA Campus, in exchange for forgiveness of a certain debt owed by the authority to the state of Louisiana; 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 Natural Resources.

SENATE BILL NO. 250—
BY SENATORS MOUNT, DARDENNE AND MURRAY
AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, and Act No. 141 of the 2003 Regular Session of the Legislature, relative to sales and use taxes; to provide for the continued exclusion from state and local sales and use taxes certain transactions concerning certain private and parochial elementary and secondary schools; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 251—
BY SENATORS MALONE AND SMITH
AN ACT

To enact Part 6 of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:216, relative to mineral rights and interests; to provide relative to certain unsolicited offers for lease or purchase of mineral rights or interests; to provide certain terms, conditions, requirements, and effects of such unsolicited offers; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 316—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 47:1837.1(A)(1), (B)(1), (C), and (D), relative to the Louisiana Tax Commission; to require a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 74—
BY SENATOR ADLEY
AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Montgomery moved that Senate Bill No. 74 be designated as a duplicate of House Bill No. 65.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 265—
BY SENATOR HINES AND REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for modifications in current definitions; to provide for a definition of ophthalmic surgery; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Durand moved that Senate Bill No. 265 be designated as a duplicate of House Bill No. 609.

Which motion was agreed to.

Motion

On motion of Rep. Durand, the above bill 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 RESOLUTION NO. 3—
BY REPRESENTATIVES SCHNEIDER AND BRUNEAU
A RESOLUTION

To adopt House Rule No. 6.27 of the Rules of Order of the House of Representatives to create and provide for a special subcommittee to be comprised of members of certain House committees to examine and study all matters relative to compensation and benefits of state employees; to provide for the powers and responsibilities of the subcommittee; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Resolution No. 3 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 10, after "Subcommittee" delete the remainder of the line and insert "of the Committees on Appropriations, House and Governmental Affairs, and Retirement"

AMENDMENT NO. 2

On page 1, line 11, after "A." and before "There" insert the following:

"(1) The matters relating to the compensation and benefits of state employees and the interrelationship thereof are critical to the efficient and effective performance of the mission, goals, and objectives of the state and its agencies. However, these matters and factors having a crucial effect on these matters cross the subject matter jurisdiction of several standing committees. A multidisciplinary approach is essential to ensure that all of the factors and issues affecting these matters are considered. Therefore it is necessary to create a special subcommittee for the appropriate oversight and study to occur on these matters.

(2)"

AMENDMENT NO. 3

On page 1, line 12, after "Subcommittee" delete the remainder of the line and insert "of the Committees on Appropriations, House and Governmental Affairs, and Retirement. The subcommittee"

AMENDMENT NO. 4

On page 1, at the end of line 17, after "chairman." insert "The Speaker shall designate the chairman and vice chairman of the subcommittee."

AMENDMENT NO. 5

On page 2, line 2, after "Representatives and" delete the comma "," and delete "as" and at the beginning of line 3, delete "appropriate."

AMENDMENT NO. 6

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

"(5) No later than thirty days prior to each regular session, the subcommittee shall make a report of all of its activities to the Committee on Appropriations, the Committee on House and Governmental Affairs, and the Committee on Retirement."

BE IT FURTHER RESOLVED that House Rule 6.27 of the Rules of Order of the House of Representatives as adopted herein shall be effective through and until 9:59 o'clock in the morning on January 14, 2008, after which time it shall be repealed and of no effect."

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

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

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVES SCHNEIDER AND BRUNEAU
A CONCURRENT RESOLUTION

To request the State Civil Service Commission and Department of State Civil Service to provide for a workforce planning program for state departments and agencies, to provide for review of such reports by the Department of State Civil Service and for reports thereon, and to provide for legislative oversight of such program.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 4 by Representative Schneider

AMENDMENT NO. 1

On page 3, line 19, after "Special Subcommittee" delete the remainder of the line and delete line 20 and insert the following:

"of the Committees on Appropriations, House and Governmental Affairs, and Retirement of the House of Representatives and the appropriate Senate"

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

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

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVE WALKER
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Commission on Employment of Mental Health Consumers to study and develop a plan to address barriers that prevent persons with mental illness from seeking, obtaining, and maintaining employment.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 21 by Representative Walker

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert the following:

"(21) The assistant secretary of the office of addictive disorders, Department of Health and Hospitals, or his designee.

(22) The state superintendent of education or his designee.

(23) The executive director of the Capital Area Human Services District.

(24) The secretary of the Louisiana State Department of Public Safety and Corrections or his designee.

(25) The president of the Louisiana Community and Technical College System or his designee.

(26) The program manager of the Medicaid Demonstration to Maintain Independence and Employment Grant.

(27) The executive director of the Jefferson Parish Human Service Authority or his designee.

(28) The assistant secretary of the office for citizens with developmental disabilities, Department of Health and Hospitals, or his designee."

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

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

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To urge and request the legislative auditor in the auditing of state agencies, as that term is defined in R.S. 39:2, to include in the performance of such audits an examination of the fiscal efficiency of the entity by determining the relationship between fees charged and services rendered and to report entities levying excessive fees to the Legislative Audit Advisory Council and to the appropriate legislative oversight committees.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and 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:

HOUSE BILL NO. 5—
BY REPRESENTATIVE BAUDOIN
AN ACT

To amend and reenact R.S. 32:295.3(D), relative to leaving children unattended and unsupervised in motor vehicles; to provide for increased penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 9—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 14:223.9, relative to crimes against property; to create the crime of unlawful operation of an audiovisual recording device; to provide for penalties; to provide for definitions; to provide for immunity from civil actions under certain

circumstances; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 13—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:223.3(1) and (3), relative to penalties for unauthorized sound reproductions; to reduce the threshold number of phonorecords or counterfeit labels involved for imposition of penalties for violations of the crimes of sound reproductions without consent, recording performances without consent, rental or sale of improperly labeled articles, and counterfeiting or possessing counterfeit labels; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 29—
BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 40:962.1.2, 962.1.3 and 962.1.4, relative to the unlawful sales and distribution of ephedrine, pseudoephedrine and pseudoephedrine base, and phenylpropanolamine; to provide for the unlawful sales of certain quantities of products containing ephedrine, pseudoephedrine base, or phenylpropanolamine; to provide for the unlawful sale of nonliquid pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for the unlawful distribution of pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 33—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(i) and (ii), relative to the treatment of infectious biomedical waste; to require the certification and testing of all equipment used to treat infectious biomedical waste; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 33 by Representative Montgomery

AMENDMENT NO. 1

On page 2, after line 21, insert the following:

"Section 2. The provisions of this Act shall be implemented on or after the promulgation and adoption, by the Department of Health and Hospitals, of all necessary rules and regulations."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 55—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 40:969(C), relative to violations of possession of Schedule IV controlled dangerous substances; to provide that a violation requires a person to knowingly and intentionally possess the controlled substance; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 67—
BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:793(A)(1)(d) and (2)(a), (B)(1), (2), and (3), (C), (D)(1), (2) (introductory paragraph) and (2)(c), (E), (F), (G)(1), and (H), to enact R.S. 37:793(B)(4) and (5), and to repeal R.S. 37:793(A)(1)(i), relative to enteral conscious sedation; to provide for changes in definitions, to provide for enteral conscious sedation to be performed on patients of all ages; to clarify the circumstances in which a permit is necessary; to require written reporting; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 67 by Representative Walker

AMENDMENT NO. 1

On page 3, line 24, change "Maximum Recommended Dose (MRD)" to "maximum recommended dose (m.r.d.)"

AMENDMENT NO. 2

On page 4, line 2, change "MRD" to "m.r.d."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 72—
BY REPRESENTATIVES BRUCE AND MONTGOMERY
AN ACT

To enact R.S. 37:777(D), relative to dentists; to require the board to promulgate rules to expunge first-time advertising offenses from a licensee's record; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 72 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 37:777(D)" to "R.S. 37:776(D)"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 37:777(D)" to "R.S. 37:776(D)"

AMENDMENT NO. 3

On page 1, delete lines 7 and 8 in their entirety and insert the following:

"§776. Causes for nonissuance, suspension, revocation, or imposition of restrictions; expungement of first-time advertising offenses"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 100—
BY REPRESENTATIVE FANNIN
AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish from the Department of Transportation and Development to the town of Chatham; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 100 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 8, after "to" insert "sell,"

AMENDMENT NO. 2

On page 2, line 15, after "any" insert "sale,"

AMENDMENT NO. 3

On page 2, at the end of line 18, change the period "." to a comma "," and add "in exchange of consideration proportionate to the appraised value of the property."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 106—

BY REPRESENTATIVES JANE SMITH AND LAFLEUR
AN ACT

To amend and reenact Code of Criminal Procedure Articles 161(A)(introductory paragraph) and 163 and to enact Code of Criminal Procedure Article 163.1, relative to search warrants; to authorize the issuance of a search warrant to search a person for deoxyribonucleic acid (DNA) or other bodily samples; to provide for procedures for the execution of such warrants; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 127—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 14:67.1(D) and to enact R.S. 14:67.5, relative to theft; to create the crime of theft of crawfish; to define the offense; to provide for penalties; to remove commercial crawfish from the definition of livestock for purposes of the crime of theft of livestock; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 127 by Representative Frith

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 14:67.1(D) and to"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "to" and delete lines 4 and 5 and insert "and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 14:67.5 is"

AMENDMENT NO. 4

On page 1, delete lines 9 through 20 in their entirety and on page 2, delete lines 1 through 4 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 157—

BY REPRESENTATIVE PITRE
A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE BILL NO. 243—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the conveyance of certain state property in Allen Parish and East Baton Rouge Parish to the Department of Transportation and Development; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 243 by Representative Quezaire

AMENDMENT NO. 1

On page 2, line 19, after "Development" and before the colon ":" insert the following:

"for STATE PROJECT NO. 254-02-0042, FEDERAL AID PROJECT NO. STP-395-1(010), MAGNOLIA BRIDGE-INDIAN MOUND, LA.37, EAST BATON ROUGE PARISH"

Page 14 HOUSE

8th Day's Proceedings - May 5, 2005

AMENDMENT NO. 2

On page 2, delete lines 20 through 29 in their entirety and insert in lieu thereof the following:

"Two parcels of land designated as Parcel Nos. 13-2 and 14-6 situated in Section 49, Township 5 East, Range 2 East, Greensburg Land District, East Baton Rouge Parish, lying within the following boundaries:

Parcel No. 13-2:

Being all of the property lying East of the existing Centerline of La. 37 within 75-85 feet of the existing Centerline of La. 37, beginning at a point at the intersection of Burks Ave. and La. 37, then proceeding in a generally North direction along La. 37 at a parallel distance of approximately 75 feet from the centerline of the existing LA.37 gradually increasing to 85 feet from the existing Centerline of La. 37 opposite approximately highway survey station 290 +66.32; then continue to proceed in a generally northly direction maintaining a distance of 85 feet from the centerline to a point at the southerly boundary of the Henry Soileau property which is designated as Parcel 14-3 on said right of way map said boundary being located opposite approximate highway survey station 294+40.00 a distance of approximately 1600 feet more or less excluding the existing right-of-way and containing approximately 1.469 acres of land more or less.

Parcel No. 14-6

Being all of the property lying East of the existing Centerline of La. 37 within 85 feet of the existing Centerline of La. 37, beginning at a point at the intersection of the north boundary of the Henry Soileau property which is designated as Parcel 14-3 on said right of way map said boundary being located opposite approximate highway survey station 296+ 45.00 said boundary being marked by a 1/2 inch iron pipe, then proceeding in a generally North direction along La. 37 at a parallel distance of approximately 85 feet from the centerline of the existing LA.37 to a point at the junction of the section line of Section 49 and 47 a distance of approximately 750 feet more or less excluding the existing right-of-way and containing approximately 1.106 acres of land more or less.

All as more fully shown on sheets 13, 14, and 15 of the Department of Transportation and Development"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 272—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:62.5(C), relative to looting; to provide with respect to penalties for the crime of looting when committed during a state of emergency; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 272 by Representative Baldone

AMENDMENT NO. 1

On page 1, at the end of line 13, change "five" to "three"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 289—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 27:326 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of video draw poker establishments; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 289 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 5, after "establishments;" and before "and" insert "to provide for the tracking and monitoring of the use or play by patrons for the purposes of offering certain complimentary items or promotional opportunities;"

AMENDMENT NO. 2

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

"C. A video draw poker device owner or the licensee of a licensed establishment operating video draw poker devices may have a device, program, or system linked to each video draw poker device or linked to a central computer located at that licensed establishment to track a patron's use or play of video draw poker devices for the purpose of offering complimentary food, beverages, promotional opportunities, consideration, or other allowances based on the patron's use or play, provided that such device, program, or system does not affect the outcome of a game."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 331—

BY REPRESENTATIVES HILL AND FRITH
AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 341—
 BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, MCDONALD, AND WADDELL
 AN ACT

To enact Chapter 9-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1001 through 1002, relative to foster children; to provide vocational testing and counseling for children in foster care; to provide for the duties of the office of community services; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 344—
 BY REPRESENTATIVE MCVEA
 AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 349—
 BY REPRESENTATIVE BOWLER
 AN ACT

To authorize and provide for the transfer of certain state property in Jefferson Parish to the Jefferson Parish School Board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 349 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "for the" insert "lease or"

AMENDMENT NO. 2

On page 1, line 6, after "empowered to" insert "lease,"

AMENDMENT NO. 3

On page 2, line 16, after "any" insert "lease,"

AMENDMENT NO. 4

On page 2, line 22, after "from the" insert "lease,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 365—
 BY REPRESENTATIVE DORSEY
 AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana State University Health Sciences Centers; to authorize establishment of unclassified health care professional employee pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 386—
 BY REPRESENTATIVE SMILEY
 AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 36:610(E), 802(introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2), (R), and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401

through 2406, and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions, and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to, provisions for, and the powers, functions, and duties of the Red River Development Council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for

the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 402—
BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1136(B)(1), relative to business entities as insurance producers; to provide for notices; to provide for change of status; to provide for branch locations; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 402 by Representative Erdey

AMENDMENT NO. 1

On page 1, line 18 after "within" and before "days" change "ten" to "thirty"

AMENDMENT NO. 2

On page 2, line 3, at the beginning of the line change "in" to "for"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 406—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 43:87, relative to distribution of copies of the official journal of the state containing acts of the legislature; to provide for distribution of copies to judges only upon request; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 423—
BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON,
LAFONTA, AND CAZAYOUX
AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 493, 563(D) and (E), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1311(D)(1), 1314, 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S.

18:502.1, 563(F), 1307(F), and 1461(A)(23), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter changes his residence; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to prohibit the use of certain electronic communication devices while voting and to exempt certain electronic communication devices used for assisted voting; to provide relative to the use of absentee commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative to the untimely submission of voter registration applications; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 423 by Representative Bruneau

AMENDMENT NO. 1

On page 1, at the beginning of line 6, delete "1307(F), and 1461(A)(23)," and insert "1307(F), 1461(A)(23), and 1485(D),"

AMENDMENT NO. 2

On page 1, line 19, after "absentee commissioners" insert "or commissioners"

AMENDMENT NO. 3

On page 2, line 10, after "voter registration applications;" and before "and to provide" insert "to provide relative to campaign finance filings submitted to the supervisory committee;"

AMENDMENT NO. 4

On page 2, at the beginning of line 17, delete "1307(F), and 1461(A)(23)" and insert "1307(F), 1461(A)(23), and 1485(D)"

AMENDMENT NO. 5

On page 6, at the end of line 21, insert the following:

"In a parish where no absentee commissioners are utilized during the

absentee voting period, the board may utilize commissioners to count the provisional ballots. The selection and compensation of such commissioners to count and tabulate provisional ballots shall be in the same manner as absentee commissioners as provided for in R.S. 18:1314(D) and (E)."

AMENDMENT NO. 6

On page 12, line 13, after "making the appointment" and before "falls on" insert "or issuing the proclamation, if applicable."

AMENDMENT NO. 7

On page 12, at the end of line 15, after "appointment" delete the period "." and insert in lieu thereof "or issuing such proclamation."

AMENDMENT NO. 8

On page 16, line 13, after "voter hospitalized" and before "who has made" delete "pursuant to R.S. 18:1303(D)(1)"

AMENDMENT NO. 9

On page 16, line 14, after "vote absentee" and before "and whose" insert "in accordance with R.S. 18:1303(D)(1)"

AMENDMENT NO. 10

On page 20, between lines 25 and 26, insert the following:

"§1485. Filing; receipt by supervisory committee

* * *

D. If a report that is required to be filed pursuant to this Chapter is determined by the supervisory committee to be illegible, the supervisory committee may require the person who has filed such report to resubmit a legible report; however, the report shall be deemed to be received by the supervisory committee on the date that the original, illegible report was received.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 434—

BY REPRESENTATIVES CRANE, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To enact Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3951, and R.S. 36:651(G)(2); to create the High School Redesign Commission; to provide for the purpose of the commission; to provide for commission duties and responsibilities, membership, vacancies, compensation, and reporting requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 434 by Representative Crane

Page 18 HOUSE

8th Day's Proceedings - May 5, 2005

AMENDMENT NO. 1

On page 3, line 5, after "civic," and before "or" insert "labor."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 453—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:301(B)(12), 308(B)(1) and (C), and 311(H)(1) and (3) and (K)(4) and to enact R.S. 27:3(24), 15(F) and (G), 308(B)(3), 308.1, 308.2, and 311(H)(5), relative to penalties for violations of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for civil penalties; to provide for the adoption of rules; to provide for a penalty schedule; to provide for the authority of the gaming control board regarding suspension and revocation of video draw poker licenses and permits; to provide for a maximum penalty for violations of statutes and rules; to provide for a maximum period of suspension of a video draw poker license or permit; to provide for penalties for failure to submit the annual fee; to define repeated violations and violations; to provide for consent agreements or settlements between licensees or permittees and the state; to clarify which processing fees for new applications and licensing apply to certain licensed establishments; to establish a processing fee for stock or membership sales or transfers of fifty percent or more of a licensed corporation or limited liability company; to provide for legislative intent; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 453 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 5, after "suspension," and before "or" insert "finding of unsuitability."

AMENDMENT NO. 2

On page 5, line 8, before "board" delete "Pursuant to the provisions of R.S. 27:308.2, the" and insert "The"

AMENDMENT NO. 3

On page 5, delete line 15 in its entirety and insert "or in any rules adopted by the board and promulgated in Chapter III or XI of Title 42 of the Louisiana Administrative Code governing the operation of video draw poker devices which provide for suitability criteria."

AMENDMENT NO. 4

On page 6, delete lines 13 through 15 in their entirety

AMENDMENT NO. 5

On page 6, at the beginning of line 16, change "(c)" to "(b)"

AMENDMENT NO. 6

On page 6, line 17, after "violation" and before "shall" insert "of the same rule or statutory provision"

AMENDMENT NO. 7

On page 7, line 8, after "board" delete the remainder of the line and delete line 9 in its entirety and insert in lieu thereof "and promulgated in Chapter III or XI of Title 42 of the Louisiana Administrative Code, governing the operation of video draw poker devices, which provide for suitability criteria."

AMENDMENT NO. 8

On page 7, line 11, after "rules" delete the remainder of the line and delete line 12 in its entirety and in lieu thereof insert "adopted by the board and promulgated in Chapter III or XI of Title 42 of the Louisiana Administrative Code, governing the operation of video draw poker devices, which provide for licensing criteria."

AMENDMENT NO. 9

On page 7, line 14, after "Chapter," delete the remainder of the line and delete lines 15 through 20 in their entirety and insert in lieu thereof the following:

"Repeated violations shall mean three violations of the same rule or statutory provision which have occurred on separate occasions by the same licensee or permittee within a one-year period. The date of a violation shall be considered to be the date the citation for that violation is issued."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 475—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 475 by Representative St. Germain

AMENDMENT NO. 1

On page 2, line 25, after "north" insert "03 degrees 20 minutes 13 seconds east"

AMENDMENT NO. 2

On page 2, line 26, change "19214.60 feet" to "20001.25 feet (grid)"

AMENDMENT NO. 3

On page 2, line 27, change "37.1885" to "37.9056" and change "57.8312" to "57.9725"

AMENDMENT NO. 4

On page 2, line 28, change "06 seconds E." to "06 seconds east"

AMENDMENT NO. 5

On page 2, line 29, change "31555.38 feet" to "31555.93 feet (grid)"

AMENDMENT NO. 6

On page 3, line 1, change "57.4168" to "58.1371" and change "48.8621" to "48.9910"

AMENDMENT NO. 7

On page 3, line 2, change "53 seconds E." to "54 seconds east"

AMENDMENT NO. 8

On page 3, line 3, change "72649.38" to "72650.64"

AMENDMENT NO. 9

On page 3, line 4, change "13.8829" to "14.6070"

AMENDMENT NO. 10

On page 3, line 5, change "09.9803" to "10.0766" and after "south" insert "0 degrees 03 minutes 38 seconds west" and change "32521.58 feet" to "32493.40 feet (grid)"

AMENDMENT NO. 11

On page 3, line 6, change "52" to "53.0312"

AMENDMENT NO. 12

On page 3, line 7, change "18" to "18.4173"

AMENDMENT NO. 13

On page 3, line 8, change "southeasterly" to "southerly"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 494—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:320(A)(1), relative to use of certain recreational fishing gear; to clarify areas of the state where wire nets and hoop nets may be used for recreational fishing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 494 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 18, after "north of" insert "a line that follows"

AMENDMENT NO. 2

On page 1, line 18, change "12" to "Highway 10"

AMENDMENT NO. 3

On page 1, delete line 19, and insert the following

"westward to its junction with Interstate Highway 12 near Slidell, along Interstate Highway 12 westward to its junction with Interstate Highway 10 in the city of Baton Rouge, and then along in the geographical areas located north of"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:136.1(D), relative to fees on state mineral leases; to increase the fee levied on mineral leases on state lands which is dedicated to the Conservation Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 528—

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, AND
SALTER AND SENATORS BAOJIE AND HINES
AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 528 by Representative Doerge

AMENDMENT NO. 1

On page 5, line 19, after "programs," delete the remainder of the line, and delete line 20 in its entirety.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 544—
BY REPRESENTATIVES SCHNEIDER AND STRAIN
AN ACT

To enact R.S. 40:971.2, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 548—
BY REPRESENTATIVE THOMPSON
AN ACT

To authorize and provide for the transfer of certain property in Richland Parish to the Department of Culture, Recreation and Tourism; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 558—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 37:1226.2 (A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 558 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, between lines 8 and 9 insert the following:

"(2) The pharmacist in charge of the charitable pharmacy or a penal institution pharmacy shall determine if the drug is not adulterated or misbranded and is safe to dispense. No product where

the integrity of the medication cannot be assured shall be accepted for redispensing by the pharmacist of the charitable pharmacy or penal institution pharmacy.

(3) The donor or guardian, patient, or caregiver shall execute a form stating the donation of the drugs. The pharmacy shall retain that form along with other acquisition records."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 609—
BY REPRESENTATIVES DURAND, R. CARTER, AND SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 630—
BY REPRESENTATIVE HEBERT
AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries to sell, convey, transfer, assign, and deliver certain state property located in Iberia Parish.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 630 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "Fisheries" insert "and the commissioner of administration"

AMENDMENT NO. 2

On page 1, line 5, after "Fisheries" and before the comma "," insert "and the commissioner of administration"

AMENDMENT NO. 3

On page 1, line 15, after "Fisheries" and before the comma "," insert "and the commissioner of administration"

AMENDMENT NO. 4

On page 1, line 21, after "Fisheries" and before the period "." insert "and the commissioner of administration"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 638—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:6(1) and 71.1(C)(1), relative to life insurance; to provide for the classification of life insurance; to provide for domestic stock insurers; to provide for the authority to transact combinations of kinds of insurance; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 677—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:10.7 and Chapter 9-B-1 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1355.1 through 1355.4, relative to school systems financially in crisis; to provide for the adoption of certain rules by the State Board of Elementary and Secondary Education relative to the making of determinations by the state superintendent of education that a city, parish, or other local public school system is financially in crisis or is at risk of being financially in crisis; to provide for implementation of such rules; to provide for applicability; to provide relative to court appointment of a fiscal administrator for a school system determined to be financially in crisis, including specifying conditions and processes for making such an appointment; to provide relative to the duties and responsibilities of the state legislative auditor and the state attorney general in such matters; to provide relative to the qualifications, powers, duties, responsibilities, termination, and removal of a fiscal administrator; to provide for the payment of certain costs; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 677 by Representative Crane

AMENDMENT NO. 1

On page 1, line 12, after "auditor" and before "state attorney" delete "and the" and insert in lieu thereof a comma "," and "state treasurer, and"

AMENDMENT NO. 2

On page 3, line 6, after "and" delete the comma "," and delete the remainder of the line and delete line 7 in its entirety and insert in lieu thereof "the state treasurer."

AMENDMENT NO. 3

On page 3, line 10, after "education" and before "the" change "and" to a comma ","

AMENDMENT NO. 4

On page 3, line 10, after "auditor" and before "shall" insert a comma "," and "and the state treasurer"

AMENDMENT NO. 5

On page 3, line 14, after "(2)" delete the remainder of the line and at the beginning of line 15 delete "state legislative auditor" and insert in lieu thereof "If the state superintendent of education, the state legislative auditor, and the state treasurer each determine"

AMENDMENT NO. 6

On page 3, line 18, after "education" and before "the" change "and" to a comma ","

AMENDMENT NO. 7

On page 3, line 18, after "auditor" and before "may" insert a comma "," and "and the state treasurer"

AMENDMENT NO. 8

On page 3, line 21, after "superintendent" and before "the legislative" change "and" to a comma ","

AMENDMENT NO. 9

On page 3, line 21, after "auditor" and before "in" insert a comma "," and "and the state treasurer"

AMENDMENT NO. 10

On page 4, line 4, after "auditor." and before "and the" insert "the state treasurer."

AMENDMENT NO. 11

On page 4, line 25, after "general." and before "and" insert "the state treasurer."

AMENDMENT NO. 12

On page 4, line 26, after "but" and before "be" change "need" to "not"

AMENDMENT NO. 13

On page 5, line 2, after "R.S." and before "or" change "39:1308." to "39:1309."

AMENDMENT NO. 14

On page 7, line 1, after "(2)" delete the remainder of the line and delete lines 2 through 4 in their entirety and insert in lieu thereof the following:

"If deemed necessary, the state superintendent of education, the state legislative auditor, and the state treasurer jointly may request the fiscal administrator to continue to issue periodic reports regarding the implementation of the plan after the court terminates the fiscal administrator's appointment."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER

AN ACT

To enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 697 by Representative M. Guillory

AMENDMENT NO. 1

On page 2, delete line 27 in its entirety

AMENDMENT NO. 2

On page 2, delete line 28 in its entirety and insert the following:

"(2) Provision of routine hydration, nutrition, or medication via a gastro-tube."

AMENDMENT NO. 3

On page 3, line 1, change "(4)" to "(3)"

AMENDMENT NO. 4

On page 3, between lines 23 and 24 insert the following:

"E. Notwithstanding any other provision of law, licensed agencies that employ direct service workers shall be liable for damages as a result of any act or omission of the direct service worker."

AMENDMENT NO. 5

On page 3, line 24, change "E." to "F."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 756—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 14:108.1(D)(5) and (6), relative to aggravated flight from an officer; to add refusing to stop at a stop sign and at a red traffic control signal as elements of the crime of aggravated flight from an officer; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 767—

BY REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 14:103.1(D) and (E), relative to the emanation of excessive sound or noise; to provide for the surrender of license plates upon conviction and court order; to authorize local governing authorities to adopt ordinances to provide for the regulation of the emanation of excessive sound or noise; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 768—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 14:327(A), (B), and (C), relative to obstructing a fireman; to provide for the definition of a fireman; to increase penalties for obstructing a fireman; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 775—

BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, AND WRIGHT AND SENATORS BAJOE AND HINES

AN ACT

To enact R.S. 29:36.1(E); to provide an exemption from tuition charges imposed by Louisiana public colleges and universities for certain students serving in the Louisiana National Guard pursuant to re-enlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemption; to provide for effectiveness, to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 775 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 16, after "a" and before "re-enlistment" insert "six-year"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 793—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 47:1705, relative to the information provided to assessor and the legislative auditor by tax recipient agencies; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 793 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, delete "information provided to" and insert "millage rates provided to the"

AMENDMENT NO. 2

On page 1, line 3, after "agencies;" and before "and to" insert "to provide for notice of hearings regarding increases in the millage rate;"

AMENDMENT NO. 3

On page 1, line 7, after "agencies" insert a semicolon ";" and "adjustment and increases of ad valorem tax millages; requirements"

AMENDMENT NO. 4

On page 1, line 16, delete "Paragraph (B) of Section 23 of Article VII" and insert "Article VII, Section 23(B)"

AMENDMENT NO. 5

On page 2, at the beginning of line 7, after "(3)" delete "that" and insert "That"

AMENDMENT NO. 6

On page 2, line 8, after "rate" delete the remainder of the line and on line 9, delete "B of Section 23 of Article VII" and insert "established as provided in Article VII, Section 23(B)"

AMENDMENT NO. 7

On page 2, at the end of line 9, after "Louisiana" delete the comma "," and "and" and insert a period "."

AMENDMENT NO. 8

On page 2, at the beginning of line 10, after "(4)" delete "that" and insert "That"

AMENDMENT NO. 9

On page 2, at the end of line 11, after "vote" insert "as provided in Article VII, Section 23(C) of the Constitution of Louisiana"

AMENDMENT NO. 10

On page 2, delete lines 13 and 14 and insert the following:

"adjusted millage rate ~~as required~~ established as provided in Paragraph (1) above (3) of this Subsection and by Paragraph B of Section 23 of Article VII Article VII, Section 23(B) of the Constitution of Louisiana."

AMENDMENT NO. 11

On page 2, at the end of line 15, delete "hereof," and insert "of this Section."

AMENDMENT NO. 12

On page 2, line 20, after "order to" delete the remainder of the line and at the beginning of line 21, delete "VII" and insert "ensure compliance with Article VII, Section 23(B)"

AMENDMENT NO. 13

On page 2, line 24, after "Section and" delete "the constitution." and insert "the Constitution of Louisiana."

AMENDMENT NO. 14

On page 2, line 27, after "provisions of" delete the remainder of the line and at the beginning of line 28, delete "23 of Article VII" and insert "Article VII, Section 23(C)"

AMENDMENT NO. 15

On page 2, line 29, after "Constitution" and before the period "." insert "of Louisiana"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 843 (Substitute for House Bill No. 389 by Representative Damico)—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid wastes; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**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. 28 (Duplicate of Senate Bill No. 8 by Senator Theunissen)—

BY REPRESENTATIVE MORRISH AND SENATOR THEUNISSEN AND COAUTHORED BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, AND KLECKLEY

AN ACT

To amend and reenact R.S. 34:204.1(B) and (D)(12), relative to the Lake Charles Harbor and Terminal District; to provide relative to the qualifications and authority of the port director; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed House Bill No. 28 by Representative Morrish

AMENDMENT NO. 1

On page 1, line 15, after "A" and before "from" delete "four-year degree" and insert the following:

"bachelor degree"

AMENDMENT NO. 2

On page 1, line 16, after "a" and before "higher education" delete "nationally recognized" and insert the following:

"regional or national"

AMENDMENT NO.3

On page 1, line 17, after "recognized" delete the remainder of the line and insert the following:

"by the United States Department of Education."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Farrar | Montgomery |
| Alario | Faucheux | Morrell |
| Alexander | Frith | Morrish |
| Ansardi | Gallot | Odinot |
| Arnold | Geymann | Pierre |
| Badon | Glover | Pinac |
| Baldone | Gray | Powell, M. |
| Barrow | Greene | Powell, T. |
| Baudoin | Guillory, E. | Quezaire |
| Baylor | Guillory, M. | Richmond |
| Beard | Hammett | Ritchie |
| Bowler | Heaton | Robideaux |
| Bruce | Hebert | Romero |
| Burns | Hill | Scalise |
| Burrell | Honey | Schneider |
| Carter, K. | Hopkins | Shepherd |
| Carter, R. | Hunter | Smiley |
| Cazayoux | Hutter | Smith, G. |
| Crane | Jackson | Smith, J.D.—50th |
| Cravins | Jefferson | Smith, J.H.—8th |

| | | |
|--------|-----------|------------------|
| Crowe | Johns | Smith, J.R.—30th |
| Curtis | Katz | Thompson |
| Damico | Kennard | Toomy |
| Daniel | Kenney | Townsend |
| Dartz | Kleckley | Trahan |
| DeWitt | LaFleur | Tucker |
| Doerge | LaFonta | Waddell |
| Dorsey | Lambert | Walker |
| Dove | Lancaster | Walsworth |
| Downs | Marchand | Winston |
| Durand | Martiny | Wooton |
| Erdey | McDonald | Wright |
| Fannin | McVea | |

Total - 98

NAYS

Total - 0

ABSENT

| | | |
|----------|-------------|-------|
| Bruneau | St. Germain | White |
| LaBruzzo | Strain | |
| Pitre | Triche | |

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 65—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 81—
BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 28:53.2(B)(5), relative to an order for custody; to provide for the contents of the order; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 81 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 17, after "steps" and before "to" insert a comma "," and insert "including the use of crisis intervention techniques."

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

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

Total - 103

NAYS

Total - 0

ABSENT

Doerge LaBruzzo
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 118—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Hunter Kennard
Johns Kleckley
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 209—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux | Odinet |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Glover | Powell, M. |
| Badon | Gray | Powell, T. |
| Baldone | Greene | Quezaire |
| Barrow | Guillory, E. | Richmond |
| Baylor | Guillory, M. | Ritchie |
| Beard | Hammett | Robideaux |
| Bowler | Heaton | Romero |
| Bruce | Hebert | Scalise |
| Bruneau | Hill | Schneider |
| Burns | Honey | Shepherd |
| Burrell | Hopkins | Smiley |
| Carter, K. | Hunter | Smith, G. |
| Carter, R. | Hutter | Smith, J.D.—50th |
| Cazayoux | Jackson | Smith, J.H.—8th |
| Crane | Jefferson | Smith, J.R.—30th |
| Cravins | Katz | St. Germain |
| Crowe | Kennard | Strain |
| Curtis | Kenney | Thompson |
| Damico | LaBruzzo | Toomy |
| Daniel | LaFleur | Townsend |
| Dartez | LaFonta | 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 |

Total - 102

NAYS

Total - 0

ABSENT

| | | |
|---------|-------|----------|
| Baudoin | Johns | Kleckley |
|---------|-------|----------|

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 247—

BY REPRESENTATIVES JOHNS, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS BAJIOIE, KOSTELKA, AND MOUNT

AN ACT

To amend and reenact R.S. 13:5106(B)(1) and (2), relative to the Louisiana Governmental Claims Act; to provide relative to limitations of liability for the state and political subdivisions; to provide for liability for damages for personal injury and wrongful death; to provide for legislative intent; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Johns gave notice of his intention to call House Bill No. 247 from the calendar for future action.

HOUSE BILL NO. 256—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 38:301(C)(1)(b) and to enact R.S. 38:301(C)(2)(g) and (3), relative to the Terrebonne Levee and Conservation District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

Read by title.

Rep. Dove moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 105

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dove 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. 266—

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 38:3086.22(A) and 3086.23(A), (B), and (C), relative to the Bayou Lafourche Fresh Water District; to provide for expanding the jurisdiction of the district; to authorize the inclusion of Terrebonne Parish within the district subject to approval of the governing authority and the voters of the parish; to provide for the composition of board if the jurisdiction is expanded; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Baldone gave notice of his intention to call House Bill No. 266 from the calendar for future action.

HOUSE BILL NO. 271—

BY REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact R.S. 47:332.6(B), relative to the dedication of certain sales tax revenues in the city of Shreveport; to change the dedication and allowable uses of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Baylor moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Farrar | Pierre |
| Alario | Faucheux | Pinac |
| Alexander | Frith | Pitre |
| Ansardi | Gallot | Powell, M. |
| Arnold | Geymann | Powell, T. |
| Badon | Glover | Quezaire |
| Baldone | Gray | Richmond |
| Barrow | Greene | Ritchie |
| Baudoin | Guillory, E. | Robideaux |
| Baylor | Guillory, M. | Romero |
| Beard | Hammett | Scalise |
| Bowler | Heaton | Shepherd |
| Bruce | Hebert | Smiley |
| Bruneau | Hill | Smith, G. |
| Burns | Honey | Smith, J.D.—50th |

| | | |
|------------|------------|------------------|
| Burrell | Hopkins | Smith, J.H.—8th |
| Carter, K. | Hunter | Smith, J.R.—30th |
| Carter, R. | Hutter | St. Germain |
| Cazayoux | Jackson | Strain |
| Crane | Jefferson | Thompson |
| Cravins | Kennard | Toomy |
| Crowe | Kenney | Townsend |
| Curtis | LaBruzzo | Trahan |
| Damico | LaFonta | Triche |
| Daniel | Lambert | Tucker |
| Dartez | Lancaster | Waddell |
| DeWitt | Marchand | Walker |
| Doerge | Martiny | Walsworth |
| Dorsey | McDonald | White |
| Dove | McVea | Winston |
| Downs | Montgomery | Wooton |
| Durand | Morrell | Wright |
| Erdey | Morrish | |
| Fannin | Odinet | |

Total - 100

NAYS

Total - 0

ABSENT

| | | |
|-------|----------|-----------|
| Johns | Kleckley | Schneider |
| Katz | LaFleur | |

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baylor 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. 278—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 9:2795.4(A)(3), (4)(a), and (6), relative to the limitation of liability for motorized off-road activities; to revise the definitions of "motorized off-road vehicles", "motorized off-road vehicle activity", and "motorized off-road vehicle facility"; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------|
| Mr. Speaker | Fannin | Odinet |
| Alario | Farrar | Pierre |
| Alexander | Frith | Pinac |
| Ansardi | Gallot | Pitre |
| Arnold | Geymann | Powell, M. |
| Badon | Glover | Powell, T. |
| Baldone | Gray | Quezaire |
| Barrow | Greene | Richmond |
| Baudoin | Guillory, E. | Ritchie |
| Baylor | Guillory, M. | Robideaux |
| Beard | Hammett | Romero |
| Bowler | Heaton | Scalise |
| Bruce | Hebert | Schneider |
| Bruneau | Hill | Shepherd |
| Burns | Honey | Smiley |

Page 28 HOUSE

8th Day's Proceedings - May 5, 2005

| | | |
|------------|------------|------------------|
| Burrell | Hopkins | Smith, J.D.—50th |
| Carter, K. | Hunter | Smith, J.H.—8th |
| Carter, R. | Hutter | Smith, J.R.—30th |
| Cazayoux | Jefferson | St. Germain |
| Crane | Katz | Strain |
| Cravins | Kennard | Thompson |
| Crowe | Kenney | Toomy |
| Curtis | LaBruzzo | Townsend |
| Damico | LaFonta | Trahan |
| Daniel | Lambert | Triche |
| Dartez | Lancaster | Tucker |
| DeWitt | Marchand | Waddell |
| Doerge | Martiny | Walker |
| Dorsey | McDonald | White |
| Dove | McVea | Winston |
| Downs | Montgomery | Wooton |
| Durand | Morrell | Wright |
| Erdey | Morrish | |
| Total - 98 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|-----------|
| Faucheux | Kleckley | Walsworth |
| Jackson | LaFleur | |
| Johns | Smith, G. | |
| Total - 7 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 279—
BY REPRESENTATIVE BAYLOR
AN ACT

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

Read by title.

Rep. Baylor moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux | Morrish |
| Alario | Frith | Odinet |
| Ansardi | Gallot | Pierre |
| Arnold | Geymann | Pinac |
| Badon | Glover | Pitre |
| Baldone | Gray | Powell, M. |
| Barrow | Greene | Powell, T. |
| Baudoin | Guillory, E. | Quezaire |
| Baylor | Guillory, M. | Ritchie |
| Beard | Hammett | Robideaux |
| Bruce | Heaton | Romero |
| Bruneau | Hebert | Schneider |
| Burns | Hill | Smiley |
| Burrell | Honey | Smith, G. |
| Carter, K. | Hopkins | Smith, J.D.—50th |
| Carter, R. | Hunter | Smith, J.H.—8th |

| | | |
|------------|------------|------------------|
| Cazayoux | Hutter | Smith, J.R.—30th |
| Crane | Jefferson | St. Germain |
| Cravins | Katz | Strain |
| Crowe | Kennard | Thompson |
| Curtis | Kenney | Toomy |
| Damico | Kleckley | Townsend |
| Daniel | LaBruzzo | Trahan |
| Dartez | LaFleur | Triche |
| DeWitt | LaFonta | Tucker |
| Doerge | Lambert | Waddell |
| Dorsey | Lancaster | Walker |
| Dove | Marchand | Walsworth |
| Downs | Martiny | White |
| Durand | McDonald | Winston |
| Erdey | McVea | Wooton |
| Fannin | Montgomery | Wright |
| Farrar | Morrell | |
| Total - 98 | | |

NAYS

Bowler
Total - 2

Shepherd

ABSENT

| | | |
|-----------|----------|---------|
| Alexander | Johns | Scalise |
| Jackson | Richmond | |
| Total - 5 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 297—
BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY,
KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT
AND THEUNISSEN
AN ACT

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 313—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.297, relative to Lake St. John in Concordia Parish; to create the Lake St. John Recreation and Water Conservation District as a political subdivision of the state; to create and to provide for a board of commissioners to manage the district; to provide for powers and duties of the district and the board; to authorize the board to levy taxes and parcels fees, issue bonds,

and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district; to provide for penalties; to provide relative to the duties and powers of the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; to provide with respect to mineral leases; to provide for creation and construction of playgrounds and recreational facilities; to provide for the regulation of commercial establishments; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 313 by Representative Hammett

AMENDMENT NO. 1

On page 5, line 15, change "To manage" to "Manage" and change "to make" to "make"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux | Odinet |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Glover | Powell, M. |
| Badon | Gray | Powell, T. |
| Baldone | Greene | Quezaire |
| Barrow | Guillory, E. | Richmond |
| Baudoin | Guillory, M. | Ritchie |
| Baylor | Hammett | Robideaux |
| Beard | Heaton | Romero |
| Bowler | Hebert | Scalise |
| Bruce | Hill | Schneider |
| Bruneau | Honey | Shepherd |
| Burns | Hopkins | Smiley |
| Burrell | Hunter | Smith, G. |
| Carter, K. | Jefferson | Smith, J.D.—50th |
| Carter, R. | Johns | Smith, J.H.—8th |
| Cazayoux | Katz | Smith, J.R.—30th |
| Crane | Kennard | St. Germain |
| Cravins | Kenney | Strain |
| Crowe | Kleckley | Thompson |
| Damico | LaBruzzo | Toomy |
| Daniel | LaFleur | Townsend |
| Dartez | LaFonta | 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 |
| Total - 102 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|--------|---------|
| Curtis | Hutter | Jackson |
| Total - 3 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett 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. 332—

BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, JACKSON, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 51:1286(C)(1)(b) and (c), relative to tourism; to provide for restrictions on in-state advertising by the office of tourism; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Frith | Morrish |
| Alario | Gallot | Odinet |
| Ansardi | Geymann | Pierre |
| Arnold | Glover | Pinac |
| Badon | Gray | Pitre |
| Baldone | Greene | Powell, M. |
| Baudoin | Guillory, E. | Powell, T. |
| Baylor | Guillory, M. | Quezaire |
| Beard | Hammett | Richmond |
| Bowler | Heaton | Ritchie |
| Bruce | Hebert | Robideaux |
| Burns | Hill | Scalise |
| Burrell | Hopkins | Shepherd |
| Carter, K. | Hunter | Smiley |
| Carter, R. | Hutter | Smith, G. |
| Cazayoux | Jackson | Smith, J.D.—50th |
| Crane | Jefferson | Smith, J.H.—8th |
| Cravins | Johns | Smith, J.R.—30th |
| Crowe | Kennard | Strain |
| Curtis | Kenney | Thompson |
| Damico | Kleckley | Toomy |
| Daniel | LaBruzzo | Townsend |
| Dartez | LaFleur | Trahan |
| Doerge | LaFonta | Triche |
| Dorsey | Lambert | Waddell |
| Dove | Lancaster | Walker |
| Downs | Marchand | White |
| Durand | Martiny | Winston |
| Erdey | McDonald | Wooton |
| Fannin | McVea | Wright |
| Farrar | Montgomery | |
| Faucheux | Morrell | |
| Total - 94 | | |

NAYS

| | | |
|-----------|-----------|--------|
| Alexander | Katz | Tucker |
| Bruneau | Schneider | |
| Total - 5 | | |

Page 30 HOUSE

8th Day's Proceedings - May 5, 2005

ABSENT

| | | |
|-----------|--------|-------------|
| Barrow | Honey | St. Germain |
| DeWitt | Romero | Walsworth |
| Total - 6 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 297—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

Called from the calendar.

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 | Faucheux | Odinet |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Glover | Powell, M. |
| Badon | Gray | Powell, T. |
| Baldone | Greene | Quezaire |
| Barrow | Guillory, E. | Richmond |
| Baudoin | Hammett | Ritchie |
| Baylor | Heaton | Robideaux |
| Beard | Hebert | Romero |
| Bowler | Hill | Scalise |
| Bruce | Honey | Schneider |
| Bruneau | Hopkins | Shepherd |
| Burns | Hunter | Smiley |
| Burrell | Hutter | Smith, G. |
| Carter, K. | Jackson | Smith, J.D.—50th |
| Carter, R. | Jefferson | Smith, J.H.—8th |
| Cazayoux | Johns | Smith, J.R.—30th |
| Crane | Katz | St. Germain |
| Cravins | Kennard | Strain |
| Crowe | Kenney | Thompson |
| Curtis | Kleckley | Toomy |
| Damico | LaBruzzo | Townsend |
| Daniel | LaFleur | Trahan |
| Dartez | LaFonta | Triche |
| DeWitt | Lambert | Tucker |
| Doerge | Lancaster | Waddell |
| Dorsey | Marchand | Walker |
| Dove | Martiny | Walsworth |
| Downs | McDonald | White |
| Durand | McVea | Winston |
| Erdey | Montgomery | Wooton |
| Fannin | Morrell | Wright |
| Farrar | Morrish | |
| Total - 104 | | |

NAYS

Total - 0

ABSENT

Guillory, M.

Total - 1

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.

HOUSE BILL NO. 339—

BY REPRESENTATIVE PITRE

AN ACT

To authorize the Grand Isle Port Commission to use certain state property for seafood research; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux | Odinet |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Glover | Powell, M. |
| Badon | Gray | Powell, T. |
| Baldone | Greene | Quezaire |
| Barrow | Guillory, E. | Ritchie |
| Baudoin | Guillory, M. | Robideaux |
| Baylor | Hammett | Romero |
| Beard | Heaton | Scalise |
| Bowler | Hebert | Schneider |
| Bruce | Hill | Shepherd |
| Bruneau | Honey | Smiley |
| Burns | Hopkins | Smith, G. |
| Burrell | Hunter | Smith, J.D.—50th |
| Carter, K. | Hutter | Smith, J.H.—8th |
| Carter, R. | Jackson | Smith, J.R.—30th |
| Cazayoux | Jefferson | St. Germain |
| Crane | Johns | Strain |
| Cravins | Kennard | Thompson |
| Crowe | Kenney | Toomy |
| Curtis | Kleckley | Townsend |
| Damico | LaBruzzo | Trahan |
| Daniel | LaFleur | Triche |
| Dartez | LaFonta | Tucker |
| DeWitt | Lambert | Waddell |
| Doerge | Lancaster | Walker |
| Dorsey | Marchand | Walsworth |
| Dove | Martiny | White |
| Downs | McDonald | Winston |
| Durand | McVea | Wooton |
| Erdey | Montgomery | Wright |
| Fannin | Morrell | |
| Farrar | Morrish | |
| Total - 103 | | |

NAYS

Total - 0

ABSENT

Katz Richmond
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pitre 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. 342—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 47:1707, relative to exemption for ad valorem taxation; to clarify the exemption for motor vehicles; to provide that the definition of motor vehicles does not include certain machinery and equipment; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 348—
BY REPRESENTATIVES GREENE, ANSARDI, JOHNS, LABRUZZO, ROBIDEAUX, AND WALKER AND SENATOR KOSTELKA
AN ACT

To amend and reenact Civil Code Article 466, relative to immovable property; to provide revisions to the definition of "component parts"; to provide for things permanently attached to buildings or other constructions; and to provide for related matters.

Read by title.

Motion

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

Speaker Pro Tempore Dorsey in the Chair

HOUSE BILL NO. 357—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.287, relative to creating and providing for the Lake Bistineau Conservation District; to provide for the purpose, boundaries, corporate powers, and governance of the district; to provide for powers and duties of the board of commissioners; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|----------|---------|
| Mr. Speaker | Faucheux | Morrish |
| Alario | Frith | Odinet |
| Alexander | Gallot | Pierre |
| Ansardi | Geymann | Pinac |
| Arnold | Glover | Pitre |

| | | |
|------------|--------------|------------------|
| Badon | Gray | Powell, M. |
| Baldone | Greene | Powell, T. |
| Barrow | Guillory, E. | Quezaire |
| Baudoin | Guillory, M. | Richmond |
| Baylor | Hammett | Ritchie |
| Beard | Heaton | Robideaux |
| Bowler | Hebert | Romero |
| Bruce | Hill | Scalise |
| Bruneau | Honey | Schneider |
| Burns | Hopkins | Shepherd |
| Burrell | Hunter | Smiley |
| Carter, K. | Hutter | Smith, G. |
| Carter, R. | Jackson | Smith, J.D.—50th |
| Cazayoux | Jefferson | Smith, J.H.—8th |
| Crane | Johns | Smith, J.R.—30th |
| Cravins | Katz | St. Germain |
| Crowe | Kennard | Strain |
| Curtis | Kenney | Thompson |
| Damico | Kleckley | Toomy |
| Daniel | LaBruzzo | Townsend |
| Dartez | LaFleur | Trahan |
| DeWitt | LaFonta | Triche |
| Doerge | Lambert | Waddell |
| Dorsey | Lancaster | Walker |
| Dove | Marchand | White |
| Downs | Martiny | Winston |
| Durand | McDonald | Wooton |
| Erdey | McVea | Wright |
| Fannin | Montgomery | |
| Farrar | Morrell | |

Total - 103

NAYS

Total - 0

ABSENT

Tucker Walsworth
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 390—
BY REPRESENTATIVES STRAIN AND DANIEL
AN ACT

To amend and reenact R.S. 38:421(B) through (F) and (I) through (K) and to enact R.S. 38:421(O), relative to the assessments and forced contribution of levee and drainage districts; to exempt certain produce and other commodities from the local assessment or forced contribution; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|---------|--------|
| Mr. Speaker | Frith | Odinet |
| Alario | Gallot | Pierre |
| Alexander | Geymann | Pinac |
| Ansardi | Glover | Pitre |

Page 32 HOUSE

8th Day's Proceedings - May 5, 2005

| | | |
|-------------|--------------|------------------|
| Arnold | Gray | Powell, M. |
| Badon | Greene | Powell, T. |
| Baldone | Guillory, E. | Quezaire |
| Barrow | Guillory, M. | Richmond |
| Baudoin | Hammett | Ritchie |
| Baylor | Heaton | Robideaux |
| Beard | Hebert | Romero |
| Bowler | Hill | Scalise |
| Bruce | Honey | Schneider |
| Bruneau | Hopkins | Shepherd |
| Burns | Hunter | Smiley |
| Burrell | Hutter | Smith, G. |
| Carter, K. | Jackson | Smith, J.D.—50th |
| Carter, R. | Jefferson | Smith, J.H.—8th |
| Cazayoux | Johns | Smith, J.R.—30th |
| Crane | Katz | St. Germain |
| Cravins | Kennard | Strain |
| Crowe | Kenney | Thompson |
| Curtis | Kleckley | Toomy |
| Damico | LaBruzzo | Townsend |
| Daniel | LaFleur | Trahan |
| Dartez | LaFonta | Triche |
| DeWitt | Lambert | Tucker |
| Dorsey | Lancaster | Waddell |
| Dove | Marchand | Walker |
| Downs | Martiny | White |
| Durand | McDonald | Winston |
| Erdey | McVea | Wooton |
| Fannin | Montgomery | Wright |
| Farrar | Morrell | |
| Faucheux | Morrish | |
| Total - 103 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|-----------|
| Doerge | Walsworth |
| Total - 2 | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Strain 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. 403—
BY REPRESENTATIVES WADDELL AND PINAC
AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Waddell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|----------|------------|
| Mr. Speaker | Faucheux | Odinet |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Glover | Powell, M. |

| | | |
|------------|--------------|------------------|
| Badon | Gray | Powell, T. |
| Baldone | Greene | Richmond |
| Baudoin | Guillory, E. | Ritchie |
| Baylor | Guillory, M. | Robideaux |
| Beard | Hammett | Romero |
| Bowler | Heaton | Scalise |
| Bruce | Hebert | Schneider |
| Bruneau | Hill | Shepherd |
| Burns | Hopkins | Smiley |
| Burrell | Hunter | Smith, G. |
| Carter, K. | Hutter | Smith, J.D.—50th |
| Carter, R. | Jackson | Smith, J.H.—8th |
| Cazayoux | Jefferson | Smith, J.R.—30th |
| Crane | Johns | St. Germain |
| Cravins | Katz | Strain |
| Crowe | Kennard | Thompson |
| Curtis | Kenney | Toomy |
| Damico | Kleckley | Townsend |
| Daniel | LaFleur | Trahan |
| Dartez | LaFonta | Triche |
| DeWitt | Lambert | Tucker |
| Doerge | Lancaster | Waddell |
| Dorsey | Marchand | Walker |
| Dove | Martiny | White |
| Downs | McDonald | Winston |
| Durand | McVea | Wooton |
| Erdey | Montgomery | Wright |
| Fannin | Morrell | |
| Farrar | Morrish | |

Total - 100

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|-----------|
| Barrow | LaBruzzo | Walsworth |
| Honey | Quezaire | |
| Total - 5 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell 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. 425—
BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N), 53.2(G), and 54(E) and 63(O), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

Read by title.

Rep. Trahan moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|----------|------------|
| Mr. Speaker | Faucheux | Pierre |
| Alario | Frith | Pinac |
| Alexander | Gallot | Pitre |
| Ansardi | Geymann | Powell, M. |
| Arnold | Glover | Powell, T. |

| | | |
|------------|--------------|------------------|
| Baldone | Gray | Quezaire |
| Baudoin | Greene | Richmond |
| Baylor | Guillory, E. | Ritchie |
| Beard | Guillory, M. | Robideaux |
| Bowler | Hammett | Romero |
| Bruce | Heaton | Scalise |
| Bruneau | Hebert | Schneider |
| Burns | Honey | Shepherd |
| Burrell | Hopkins | Smiley |
| Carter, K. | Hunter | Smith, G. |
| Carter, R. | Hutter | Smith, J.D.—50th |
| Cazayoux | Jackson | Smith, J.H.—8th |
| Crane | Jefferson | Smith, J.R.—30th |
| Cravins | Johns | St. Germain |
| Crowe | Katz | Strain |
| Curtis | Kenney | Thompson |
| Damico | Kleckley | Toomy |
| Daniel | LaFleur | Townsend |
| Dartez | LaFonta | Trahan |
| DeWitt | Lambert | Triche |
| Doerge | Lancaster | Tucker |
| Dorsey | Martiny | Waddell |
| Dove | McDonald | Walker |
| Downs | McVea | Walsworth |
| Durand | Montgomery | White |
| Fannin | Morrish | Winston |
| Farrar | Odinet | Wright |

Total - 96

NAYS

Marchand
Total - 2

ABSENT

| | | |
|--------|----------|--------|
| Badon | Hill | Wooton |
| Barrow | Kennard | |
| Erdey | LaBruzzo | |

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Trahan 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. 446—
BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

Read by title.

Rep. Trahan moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|----------|------------|
| Mr. Speaker | Faucheux | Montgomery |
| Alario | Frith | Morrill |
| Ansardi | Gallot | Morrish |

| | | |
|------------|--------------|------------------|
| Arnold | Geymann | Odinet |
| Baldone | Glover | Pierre |
| Barrow | Gray | Pinac |
| Baudoin | Greene | Pitre |
| Baylor | Guillory, E. | Powell, M. |
| Bowler | Guillory, M. | Powell, T. |
| Bruce | Hammett | Quezaire |
| Bruneau | Heaton | Richmond |
| Burns | Hebert | Ritchie |
| Burrell | Hill | Robideaux |
| Carter, K. | Honey | Romero |
| Carter, R. | Hopkins | Scalise |
| Cazayoux | Hunter | Schneider |
| Crane | Hutter | Smiley |
| Cravins | Jackson | Smith, G. |
| Crowe | Jefferson | Smith, J.D.—50th |
| Curtis | Johns | Smith, J.H.—8th |
| Damico | Katz | Smith, J.R.—30th |
| Daniel | Kenney | St. Germain |
| Dartez | Kleckley | Strain |
| DeWitt | LaBruzzo | Toomy |
| Doerge | LaFleur | Townsend |
| Dorsey | LaFonta | Trahan |
| Dove | Lambert | Triche |
| Downs | Lancaster | Walker |
| Durand | Marchand | White |
| Erdey | Martiny | Winston |
| Fannin | McDonald | Wooton |
| Farrar | McVea | Wright |

Total - 96

NAYS

Alexander
Total - 1

ABSENT

| | | |
|---------|----------|-----------|
| Badon | Shepherd | Waddell |
| Beard | Thompson | Walsworth |
| Kennard | Tucker | |

Total - 8

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. Trahan 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. 462—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, RITCHIE, GARY SMITH, WALSWORTH, WHITE, AND WINSTON AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 51:3053(5)(a) and to enact R.S. 51:3054(B)(4), relative to the Louisiana Major Project Development Authority; to provide for certain project thresholds; to authorize the creation of an executive committee of the board of directors; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------|---------|
| Mr. Speaker | Frith | Morrish |
| Alario | Gallot | Odinet |

Page 34 HOUSE

8th Day's Proceedings - May 5, 2005

| | | |
|------------|--------------|------------------|
| Alexander | Geymann | Pierre |
| Ansardi | Glover | Pinac |
| Arnold | Gray | Pitre |
| Baldone | Greene | Powell, M. |
| Barrow | Guillory, E. | Powell, T. |
| Baudoin | Guillory, M. | Quezaire |
| Beard | Hammett | Richmond |
| Bowler | Hebert | Ritchie |
| Bruce | Hill | Robideaux |
| Bruneau | Honey | Romero |
| Burns | Hopkins | Scalise |
| Carter, K. | Hunter | Schneider |
| Carter, R. | Hutter | Smiley |
| Cazayoux | Jackson | Smith, G. |
| Crane | Jefferson | Smith, J.D.-50th |
| Cravins | Johns | Smith, J.H.-8th |
| Crowe | Katz | Smith, J.R.-30th |
| Curtis | Kennard | St. Germain |
| Damico | Kenney | Strain |
| Daniel | Kleckley | Thompson |
| Dartez | LaBruzzo | Toomy |
| DeWitt | LaFleur | Townsend |
| Doerge | LaFonta | Trahan |
| Dorsey | Lambert | Triche |
| Dove | Lancaster | Tucker |
| Downs | Marchand | Waddell |
| Durand | Martiny | Walker |
| Erdey | McDonald | White |
| Fannin | McVea | Winston |
| Farrar | Montgomery | Wooton |
| Faucheux | Morrell | Wright |

Total - 99

NAYS

Total - 0

ABSENT

| | | |
|--------|---------|-----------|
| Badon | Burrell | Shepherd |
| Baylor | Heaton | Walsworth |

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 498—
BY REPRESENTATIVES KLECKLEY, GEYMAN, JOHNS, AND MORRISH AND SENATOR THEUNISSEN
AN ACT

To name a portion of Nelson Road Extension in Calcasieu Parish the L'Auberge Boulevard and to provide for related matters.

Read by title.

Rep. Kleckley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------|
| Mr. Speaker | Geymann | Pinac |
| Alario | Glover | Pitre |
| Alexander | Gray | Powell, M. |
| Ansardi | Greene | Powell, T. |
| Arnold | Guillory, E. | Quezaire |

| | | |
|------------|--------------|------------------|
| Baldone | Guillory, M. | Richmond |
| Baudoin | Hammett | Ritchie |
| Beard | Heaton | Robideaux |
| Bowler | Hebert | Romero |
| Bruce | Hill | Scalise |
| Bruneau | Honey | Schneider |
| Burns | Hopkins | Shepherd |
| Carter, K. | Hunter | Smiley |
| Carter, R. | Hutter | Smith, G. |
| Cazayoux | Jackson | Smith, J.D.-50th |
| Crane | Jefferson | Smith, J.H.-8th |
| Cravins | Johns | Smith, J.R.-30th |
| Crowe | Katz | St. Germain |
| Curtis | Kennard | Strain |
| Damico | Kenney | Thompson |
| Daniel | Kleckley | Toomy |
| Dartez | LaBruzzo | Townsend |
| DeWitt | LaFleur | Trahan |
| Doerge | LaFonta | Triche |
| Dorsey | Lambert | Tucker |
| Dove | Lancaster | Waddell |
| Downs | Marchand | Walker |
| Durand | Martiny | Walsworth |
| Erdey | McDonald | White |
| Fannin | McVea | Winston |
| Farrar | Montgomery | Wooton |
| Faucheux | Morrish | Wright |
| Frith | Odinot | |
| Gallot | Pierre | |

Total - 100

NAYS

Total - 0

ABSENT

| | | |
|--------|---------|---------|
| Badon | Baylor | Morrell |
| Barrow | Burrell | |

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 554—
BY REPRESENTATIVE BAYLOR
AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed House Bill No. 554 by Representative Baylor

AMENDMENT NO. 1

On page 1, lines 14 and 15, after "to" delete "accomplish the provisions of this Part" and insert "maintain a permanent testing center as required by Subparagraph (A)(1)(a)."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

| | |
|-----------|-----------|
| Burrell | Morrell |
| Jackson | Walsworth |
| Total - 4 | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baylor 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. 562—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to provide for disposition of monies recovered on behalf of the state by the attorney general; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

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

HOUSE BILL NO. 592—
BY REPRESENTATIVE WALSWORTH
AN ACT

To repeal R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to repeal requirement that the attorney general certify the constitutionality of appropriations from such fund prior to the expenditure of such revenues; to repeal requirement that such certification be transmitted to the legislature.

Read by title.

Suspension of the Rules

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

HOUSE BILL NO. 596—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 36: 509 (U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Jackson Parish Dugdemona Watershed Reservoir Authority; to create the Jackson Parish Dugdemona Watershed Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 596 by Representative Fannin

AMENDMENT NO.1

On page 5, line 10, following "among" and before "membership" change "its" to "the"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------|
| Mr. Speaker | Frith | Morrish |
| Alario | Gallot | Odinet |
| Alexander | Geymann | Pierre |
| Ansardi | Glover | Pinac |
| Arnold | Gray | Pitre |
| Badon | Greene | Powell, M. |
| Baldone | Guillory, E. | Powell, T. |

| | | |
|------------|--------------|------------------|
| Barrow | Guillory, M. | Quezaire |
| Baylor | Hammett | Richmond |
| Beard | Heaton | Ritchie |
| Bowler | Hebert | Robideaux |
| Bruce | Hill | Romero |
| Bruneau | Honey | Scalise |
| Burns | Hopkins | Shepherd |
| Burrell | Hunter | Smiley |
| Carter, K. | Hutter | Smith, G. |
| Carter, R. | Jackson | Smith, J.D.—50th |
| Cazayoux | Jefferson | Smith, J.H.—8th |
| Crane | Johns | Smith, J.R.—30th |
| Cravins | Kennard | Strain |
| Crowe | Kenney | Thompson |
| Damico | Kleckley | Toomy |
| Daniel | LaBruzzo | Townsend |
| Dartez | LaFleur | Trahan |
| Doerge | LaFonta | Triche |
| Dorsey | Lambert | Tucker |
| Dove | Lancaster | Waddell |
| Downs | Marchand | Walker |
| Durand | Martiny | White |
| Erdey | McDonald | Winston |
| Fannin | McVea | Wooton |
| Farrar | Montgomery | Wright |
| Faucheux | Morrell | |
| Total - 98 | | |

NAYS

DeWitt
Total - 1

ABSENT

| | | |
|-----------|-----------|-------------|
| Baudoin | Katz | St. Germain |
| Curtis | Schneider | Walsworth |
| Total - 6 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 618—
BY REPRESENTATIVE FANNIN
AN ACT

To enact 40:1846(H), relative to liquified petroleum gas; to provide for limitations on liability for certain activities related to liquified petroleum gas; to provide for the liability of retailers, suppliers, handlers, transports, and consumers; and to provide for related matters.

Read by title.

Suspension of the Rules

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

HOUSE BILL NO. 751—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Racing Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Faucheux | Odinot |
| Alario | Frith | Pierre |
| Alexander | Gallot | Pinac |
| Ansardi | Geymann | Pitre |
| Arnold | Gray | Powell, M. |
| Baldone | Guillory, E. | Powell, T. |
| Barrow | Guillory, M. | Quezaire |
| Beard | Hammett | Richmond |
| Bowler | Heaton | Ritchie |
| Bruce | Hill | Robideaux |
| Bruneau | Honey | Romero |
| Burns | Hopkins | Scalise |
| Burrell | Hunter | Schneider |
| Carter, K. | Hutter | Shepherd |
| Carter, R. | Jackson | Smiley |
| Cazayoux | Jefferson | Smith, G. |
| Crane | Johns | Smith, J.D.—50th |
| Cravins | Katz | Smith, J.H.—8th |
| Curtis | Kennard | Smith, J.R.—30th |
| Damico | Kenney | St. Germain |
| Daniel | Kleckley | Strain |
| Dartez | LaBruzzo | Thompson |
| DeWitt | LaFleur | Toomy |
| Doerge | LaFonta | Townsend |
| Dorsey | Lambert | Triche |
| Dove | Lancaster | Tucker |
| Downs | Marchand | Waddell |
| Durand | Martiny | Walker |
| Erdey | McDonald | Walsworth |
| Fannin | McVea | White |
| Farrar | Montgomery | Winston |
| | Morrell | Wooton |
| | Morrish | |
| Total - 98 | | |

NAYS

| | |
|-----------|--------|
| Hebert | Wright |
| Total - 2 | |

ABSENT

| | | |
|-----------|--------|--------|
| Badon | Glover | Trahan |
| Crowe | Greene | |
| Total - 5 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 789—
BY REPRESENTATIVE DANIEL
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize certain political subdivisions to enter into agreements for the construction, maintenance, and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the construction and content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for

the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 789 by Representative Daniel

AMENDMENT NO. 1

On page 2, at the end of line 6, insert the following:

"Provided that any contract with a private entity entered into pursuant to this Subparagraph shall be awarded pursuant to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|--------------|------------------|
| Mr. Speaker | Gallot | Pierre |
| Alario | Geymann | Pinac |
| Ansardi | Gray | Pitre |
| Arnold | Greene | Powell, M. |
| Baldone | Guillory, E. | Powell, T. |
| Barrow | Hammett | Quezaire |
| Baudoin | Heaton | Ritchie |
| Baylor | Hill | Robideaux |
| Bowler | Honey | Scalise |
| Bruce | Hunter | Smiley |
| Burns | Hutter | Smith, G. |
| Carter, K. | Jackson | Smith, J.D.—50th |
| Carter, R. | Jefferson | Smith, J.H.—8th |
| Cazayoux | Kennard | Smith, J.R.—30th |
| Crane | Kenney | St. Germain |
| Cravins | Kleckley | Strain |
| Curtis | LaFleur | Thompson |
| Damico | LaFonta | Toomy |
| Daniel | Lambert | Townsend |
| Dartez | Lancaster | Trahan |
| Doerge | Marchand | Triche |
| Dorsey | Martiny | Waddell |
| Dove | McDonald | Walker |
| Durand | McVea | White |
| Fannin | Montgomery | Winston |
| Farrar | Morrell | Wooton |
| Faucheux | Morrish | Wright |
| Frith | Odinet | |
| Total - 83 | | |

NAYS

| | | |
|-----------|--------|-----------|
| Alexander | DeWitt | Schneider |
| Bruneau | Hebert | |
| Total - 5 | | |

ABSENT

| | | |
|-------|--------------|----------|
| Badon | Glover | Richmond |
| Beard | Guillory, M. | Romero |

| | | |
|------------|----------|-----------|
| Burrell | Hopkins | Shepherd |
| Crowe | Johns | Tucker |
| Downs | Katz | Walsworth |
| Erdey | LaBruzzo | |
| Total - 17 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 19—

BY REPRESENTATIVE JOHNS
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Ida Williams of Vinton.

Read by title.

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

HOUSE RESOLUTION NO. 20—

BY REPRESENTATIVE DURAND
A RESOLUTION

To commend the Louisiana Occupational Therapy Association for its achievements and to recognize Tuesday, May 10, 2005, as Louisiana Occupational Therapy Association Day.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 82—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Municipal, Parochial and Cultural Affairs

May 5, 2005

To the Speaker and Members of the House of Representatives:

Page 38 HOUSE

8th Day's Proceedings - May 5, 2005

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

House Bill No. 137, by Bruneau
Reported favorably. (7-0-1) (Regular)

House Bill No. 145, by Thompson
Reported favorably. (6-0-1) (Regular)

House Bill No. 189, by Guillory, E.
Reported favorably. (6-0-1) (Regular)

House Bill No. 253, by Burns
Reported favorably. (7-0-1) (Regular)

House Bill No. 280, by Gallot
Reported favorably. (7-0-1) (Regular)

House Bill No. 312, by Glover
Reported favorably. (7-0-1) (Regular)

House Bill No. 376, by Salter
Reported favorably. (6-0-1) (Regular)

House Bill No. 452, by Doerge
Reported favorably. (7-0-1) (Regular)

House Bill No. 512, by Guillory, E.
Reported with amendments. (6-0-1) (Regular)

House Bill No. 586, by Jefferson
Reported with amendments. (7-0-1) (Regular)

ERNEST BAYLOR, JR.
Chairman

Adjournment

On motion of Rep. Kenney, at 4:00 P.M., the House agreed to adjourn until Monday, May 9, 2005, at 2:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 2:00 P.M., Monday, May 9, 2005.

ALFRED W. SPEER
Clerk of the House