

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

**TWENTY-FIRST DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 3, 2006

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	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth

Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	
Total - 104		
	ABSENT	

Total - 0

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

**Prayer**

Ms. Angela Perry sang *The Lord's Prayer*.

Prayer was offered by Dr. Ken Ward.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Rep. Pierre, and under a suspension of the rules, the Journal of May 2, 2006, was corrected to reflect him as voting yea on final passage of House Bill No. 1149.

On motion of Rep. Pinac, the Journal of May 2, 2006, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**SENATE BILLS**

May 3, 2006

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

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

Senate Bill Nos. 129, 217, 221, 647, 737, and 742

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

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

**SENATE BILL NO. 129—**  
BY SENATOR JONES

AN ACT

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

Read by title.

**SENATE BILL NO. 217—**  
BY SENATORS NEVERS AND CHEEK  
AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1541 and 1553(C), relative to unemployment compensation; to provide with respect to contributions; to provide for the social charge account and unemployment benefit charges arising from executive orders issued by the governor in response to a declared disaster or emergency; to prohibit the charging of such benefits to employers' experience rating records; to prohibit the recoupment of such benefits through the social charge tax; and to provide for related matters.

Read by title.

**SENATE BILL NO. 221—**  
BY SENATOR MOUNT  
AN ACT

To enact R.S. 33:4699.1(D), relative to commercial and residential development in the city of Lake Charles; to provide for commercial and residential development of certain lakefront property in the city of Lake Charles, subject to voter approval; to authorize the calling of a special election by the city; to provide for a separate election for any gaming operations; and to provide for related matters.

Read by title.

**SENATE BILL NO. 647—**  
BY SENATORS DUPLESSIS, BOASSO, QUINN, SHEPHERD, DARDENNE AND HOLLIS  
AN ACT

To amend and reenact R.S. 9:1425, R.S. 11:1481(2)(b)(i) and (d)(i), R.S. 13:4405(B), R.S. 18:602(C), R.S. 33:2828(B)(1)(introductory paragraph), (B)(2), and (D), and 9091.1(D)(1)(e) and (f), R.S. 35:281, R.S. 42:261(D)(2), R.S. 44:205, R.S. 47:1709, 1856(E)(1), 1874(B), 1901, 1901.1, 1903.2, 1903.3, 1904(B), 1907(A)(1), 1909, 1910, 1910.1, 1910.2, 1925.8, 1931, 1956(A)(1), 1958(E), 1960, 1979(A), 1987(A), 1991(A) and (B), 1992(A)(1)(a) and (F)(1), 2110(A)(2) and (E), and 2305(A), to enact R.S. 33:9091.1(D)(6), and to repeal R.S. 11:1481(2)(c) and R.S. 47:1907(A)(2), relative to assessors; to provide for the consolidation of the assessors of Orleans Parish; to provide for changes to various provisions of law pertaining to assessment of property for ad valorem tax purposes to reflect a single assessor in Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 737—**  
BY SENATOR JONES  
AN ACT

To enact Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.11, relative to the Teachers Education Trust Fund Incentive Program; to provide incentives for qualified teachers to locate and work in disadvantaged areas; to authorize the development and establishment of Teachers Education Trust Fund Incentive Program within the state treasury; to provide for program approval; to authorize the office of student financial assistance to administer the program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 742 (Substitute of Senate Bill No. 105 by Senator Marionneaux)—**  
BY SENATORS MARIONNEAUX, DARDENNE, FIELDS, JONES, ULLO, HOLLIS AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:1300.45(B) and to enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251 through 1300.253, 1300.255, 1300.261 through 1300.263, and to repeal Part XLII

of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.28, and R.S. 40:1300.41, 1300.42, 1300.43, 1300.46, 1300.47, and 1300.48, relative to prohibiting and penalizing smoking in certain places; to provide relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Smokefree Air Act; to provide relative to purposes, definitions, restrictions, and exceptions; to prohibit certain activity and to provide penalties for violation; to provide for an effective date; and to provide for related matters.

Read by title.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 60—**  
BY SENATOR MOUNT  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Cemetery Board and the Louisiana State Board of Embalmers and Funeral Directors to review their rules and regulations and develop and implement necessary changes within their respective jurisdictions, and make recommendations for legislation, to prevent and respond to the problems that arose during hurricanes Katrina and Rita with the displacement of human remains and subsequent identification of those remains.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 61—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION

To direct the governor to have lowered the United States and Louisiana flags flying over the State Capitol Building to half-staff in observance of the death of each state resident in the armed forces of the United States who is killed in war.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR FIELDS  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the availability of need-based aid in the state of Louisiana for students attending postsecondary institutions and to make recommendations to the legislature regarding the adequacy of that aid, the type of program required to accommodate the demand of such aid, and the cost of implementing a program that would make need-based aid available to qualified students beginning in the 2007-2008 school year.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 67—**  
BY SENATORS CRAVINS, N. GAUTREUX AND HINES AND REPRESENTATIVES BAUDOIN, CRAVINS, M. GUILLORY AND LAFLEUR  
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Sheriff Howard Zerangue.

Read by title.

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

### 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. 26—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 49:213.1(E) and 213.4(A)(7), and to repeal that portion of Section 3 of Act No. 1 of the 2006 First Extraordinary Session of the Legislature enacting R.S. 49:213.1(E) and 213.4(A)(7), relative to the Coastal Protection and Restoration Authority; to provide relative to its powers, duties, and functions; to authorize the authority to serve as the single entity responsible to act as local sponsor for certain projects relative to hurricane protection and flood control; to authorize the authority to enter into certain contracts relative to hurricane protection and flood control projects; 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. 85—**  
BY SENATOR JONES

AN ACT

To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and procedures for such centers; to provide for eligibility; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 141—**  
BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 24 of the Constitution of Louisiana, to provide for a single tax assessor in Orleans Parish; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

### Motion

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

**SENATE BILL NO. 160—**  
BY SENATOR JONES

AN ACT

To enact 4-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1051 through 1054, relative to establishing an alliance among states effected by hurricanes Katrina and Rita; to provide for the purpose of restoring and revitalizing the states of Mississippi, Alabama, Louisiana and Texas; to provide for an alliance between states and agree to the alliance on behalf of Louisiana; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 417—**  
BY SENATOR BAJOE

AN ACT

To enact Part VI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1181, relative to kidney disease; to require that clinical laboratories determine the estimated glomerular filtration rate of certain patients; 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. 530—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:3302(A), relative to the president of postsecondary systems; to remove any requirement for appointments of such presidents to be confirmed by the Board of Regents; 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. 635—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 49:214.32(B) and (D), and 214.41(A)(6), and to enact R.S. 49:214.22(8), 214.32(C)(8), and 214.41(A)(7), relative to coastal resources; to provide relative to coastal resources management; to provide relative to the coastal zone; to provide relative to coastal zone management; to provide certain terms, conditions, definitions, requirements, functions, and procedures; 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. 685—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 22:672 (A) and (C)(2) and to repeal R.S. 22:672(E), relative to insurance coverage for vehicle towing and storage; to prohibit an insurer from assuming legal title of a motor vehicle unless the insurer assumes any covered towing and storage charges which are owed pursuant to the insurance policy; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 701—**  
BY SENATOR JONES

AN ACT

To enact R.S. 17:3981(6), relative to charter schools; to require the State Board of Elementary and Secondary Education to provide certain financial information upon the request of certain school systems; 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. 732—**

BY SENATORS CAIN, DUPRE AND B. GAUTREAUX AND REPRESENTATIVES HEBERT, T. POWELL AND TOWNSEND  
AN ACT

To amend and reenact R.S. 22:1430.3(A)(5), (B), and (C), 1430.6(B)(2), (C), and (D)(1) and (6), 1430.14, 1430.15, and 1441.13, and to enact 1430.3(A)(12),(13), and (F), 1430.6(D)(7), (8) and (G),1430.22 and 1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to provide for changes in the membership and duties of the board of directors; to add additional board members; to add additional criteria to the appointment of certain board members; to change the number to establish a quorum; to provide for the term of service for each board member; to establish a procedure for hiring certain employees; to require the purchase of adequate reinsurance; to require certain reports to be delivered to the legislative insurance committees; to provide binding authority to certain insurance agents; to provide a preference to Louisiana vendors, adjusters and adjusting firms; to prohibit payments to multiple adjusters to adjust a single claim; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 736—**

BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 34:1221(A)(5), relative to the Greater Baton Rouge Port Commission; to provide for membership; and to provide for related matters.

Read by title.

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

**Motion**

On motion of Rep. Pitre, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Bill No. 27.

**SENATE BILL NO. 27—**

BY SENATOR DUPRE  
A JOINT RESOLUTION

Proposing to amend Article VI, Section 42(A), and to add Article I, Section 4(G), of the Constitution of Louisiana; to provide relative to the taking of property; to provide relative to the compensation paid for certain takings of property; to provide relative to compensation paid for the taking of, or loss or damage to, property rights affected by certain hurricane protection or flood control activities, and for levees and levee drainage purposes; to provide that compensation for such takings shall be limited and governed by the Fifth Amendment of the United States Constitution; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**Motion**

Rep. Pitre moved that Senate Bill No. 27 be designated as a duplicate of House Bill No. 450.

Which motion was agreed to.

Rep. Pitre moved that Senate Bill No. 27 be amended to conform with House Bill No. 450 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming amendments proposed by Representative Pitre to Engrossed Senate Bill No. 27 by Senator Dupre (Duplicate of House Bill No. 450)

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "relative" and at the beginning of line 5, delete "to" and insert "that"

AMENDMENT NO. 2

On page 1, line 6, after "certain" delete "hurricane protection or" and after "control" delete the remainder of the line and delete line 7 in its entirety and insert "projects shall be"

AMENDMENT NO. 3

On page 1, line 8, after "Constitution;" delete "and"

AMENDMENT NO. 4

On page 1, at the end of line 10, delete the period "." and insert a semicolon and "and to provide for related matters."

AMENDMENT NO. 5

On page 2, line 2, after "(G)" delete the remainder of the line and insert "Compensation paid"

AMENDMENT NO. 6

On page 2, line 3, after "rights" delete "affected by" and insert "for the construction, enlargement, improvement, or modification of"

AMENDMENT NO. 7

On page 2, line 4, after "protection" change "or" to "and" and after "control" delete the remainder of the line and insert "projects, including levees"

AMENDMENT NO. 8

On page 2, line 5, delete "water control structures," and at the end of the line delete "be limited to and" and insert "not exceed the compensation"

AMENDMENT NO. 9

On page 2, line 6, delete "governed by the amount and circumstances"

AMENDMENT NO. 10

On page 2, at the beginning of line 20, delete "Such" and insert "With respect to lands and improvements actually used or destroyed in the construction, enlargement, improvement, or modification of hurricane protection and flood control projects, including levees and mitigation related thereto, such"

AMENDMENT NO. 11

On page 2, at the beginning of line 21, change "Article 1," to "Article I,"

AMENDMENT NO. 12

On page 3, line 8, after "affected by" insert "the construction, enlargement, improvement, or modification of"

AMENDMENT NO. 13

On page 3, delete lines 9 and 10 in their entirety and insert "projects, including levees and mitigation related thereto, shall be"

AMENDMENT NO. 14

On page 3, line 11, after "limited to" delete "fair market value and governed" and insert "the compensation required"

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

**Motion**

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

**Motion**

On motion of Rep. Pinac, the Committee on Judiciary was discharged from further consideration of Senate Bill No. 142.

**SENATE BILL NO. 142—**  
BY SENATOR ADLEY

## AN ACT

To amend and reenact R.S. 26:909 and R.S. 47:843(C)(5), 844, 848(B), and 859(A)(1) and to enact R.S. 26:907.1 and 916(H), relative to regulation of tobacco products; to provide for certain regulation, permitting, and other requirements for certain elements of the tobacco industry; to authorize enforcement and audit of certain activities; and to provide for related matters.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 142 be designated as a duplicate of House Bill No. 200.

Which motion was agreed to.

Rep. Pinac moved that Senate Bill No. 142 be amended to conform with House Bill No. 200 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 142 by Senator Adley (Duplicate of House Bill No. 200)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:843(C)(5)," delete "844,"

AMENDMENT NO. 2

On page 1, line 3, after "916(H)" delete the comma "," and insert "and R.S. 47:844(D) and 844.1,"

AMENDMENT NO. 3

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

"to provide for a new provision governing dealer permits under the office of alcohol and tobacco control; to provide for suspension or revocation of a permit by the office of alcohol and tobacco control; to provide for applying for and obtaining a permit; to provide that certain provisions providing for applying for and obtaining a permit, certain obligations of the secretary of the Department of Revenue,

certain provisions relating to an applicant having been convicted of a felony, and certain provisions requiring fees for application in the Department of Revenue apply only to tobaccoconists; to provide for definitions;"

AMENDMENT NO. 4

On page 1, at the beginning of line 12, insert "A." and after "commissioner" delete "may" and insert "shall have the authority to"

AMENDMENT NO. 5

On page 1, line 16, after "Chapter." delete the remainder of the line and delete line 17 in its entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:

"B. No rule or regulation promulgated pursuant to this Section shall apply to a tobaccoconist."

AMENDMENT NO. 6

On page 2, between lines 20 and 21, insert the following:

"(b) Where, in the discretion of the commissioner, the person is not of good moral character."

AMENDMENT NO. 7

On page 2, at the beginning of line 21, change "(b)" to "(c)"

AMENDMENT NO. 8

On page 3, line 2, delete the comma "," after "1950"

AMENDMENT NO. 9

On page 3, delete lines 17 and 18 in their entirety

AMENDMENT NO. 10

On page 3, at the beginning of line 19, change "F." to "E." and after "provision of" delete "the"

AMENDMENT NO. 11

On page 3, line 20, after "outlet" insert "as defined in this Subsection"

AMENDMENT NO. 12

On page 3, at the end of line 21, after "manufacturer" change the semicolon ";" to a comma ","

AMENDMENT NO. 13

On page 3, line 22, after "wholesale dealer." delete "provided" and insert "or other supplier, if"

AMENDMENT NO. 14

On page 3, delete line 23 in its entirety and insert "permit."

AMENDMENT NO. 15

On page 3, line 24, after "(2)" delete the remainder of the line and insert "Tobaccoconist at a particular"

AMENDMENT NO. 16

On page 3, line 25, after "outlet" insert "for purposes of this Subsection"

AMENDMENT NO. 17

On page 3, between lines 28 and 29, insert the following:

"F. No rule or regulation promulgated pursuant to Subsections B, C, D, and F of this Section shall apply to a tobaccoconist."

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## AMENDMENT NO. 18

On page 4, line 6, after "R.S. 47:843(C)(5)," delete "844,"

## AMENDMENT NO. 19

On page 4, line 7, after "reenacted" insert "and R.S. 47:844(D) and 844.1 are hereby enacted"

## AMENDMENT NO. 20

On page 4, delete lines 19 through 29 in their entirety and on page 5, delete lines 1 through 29 in their entirety and on page 6, delete lines 1 through 28 in their entirety and insert the following:

"\* \* \*

D.(1) The provisions of this Section shall only apply to tobacconists.

(2) "Tobacconist" is defined as a bona fide retail dealer engaged in receiving bulk smoking tobacco for the purpose of blending such tobacco for retail sale at a particular retail outlet where fifty percent or more of the total purchases for the preceding twelve months were purchases of tobacco products, excluding cigarettes.

### §844.1. Dealer permits

A. Every person who sells or is about to engage in the business of selling at retail, at wholesale, or by vending machine, or is about to engage in the business of receiving unstamped or nontax paid cigarettes, cigars, or other tobacco products, or who is engaged in the business of receiving stamped cigarettes at wholesale shall first apply for and obtain a permit for each place of business and each vending machine from the office of alcohol and tobacco control in accordance with R.S. 26:901 et seq.

B. No rule or regulation promulgated pursuant to this Section shall apply to a tobacconist."

## AMENDMENT NO. 21

On page 8, at the end of line 7, delete the period "." and insert a semicolon ";" and "if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2006, or on the day following such approval by the legislature, whichever is later."

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

### **Motion**

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

### **Motion**

On motion of Rep. Triche, the Committee on Administration of Criminal Justice was discharged from further consideration of Senate Bill No. 407.

### **SENATE BILL NO. 407—** BY SENATOR LENTINI

#### AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a) and to enact R.S. 27:364(A)(1)(b)(vi), relative to the Department of Social Services; to provide for the authority to seize progressive jackpot annuities from individuals in arrearage in child support; to authorize the gaming control board to promulgate rules for the seizure of progressive slot machine jackpots and annuities; and to provide for related matters.

Read by title.

### **Motion**

Rep. Triche moved that Senate Bill No. 407 be designated as a duplicate of House Bill No. 819.

Which motion was agreed to.

Rep. Triche moved that Senate Bill No. 407 be amended to conform with House Bill No. 819 and sent up the following floor amendments:

### **HOUSE FLOOR AMENDMENTS**

Conforming amendments proposed by Representative Triche to Engrossed Senate Bill No. 407 by Senator Lentini (Duplicate of House Bill No. 819)

#### AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 46:236.15(D)(1)(a)" and insert "R.S. 46:236.15(D)(1)(introductory paragraph) and (a)"

#### AMENDMENT NO. 2

On page 1, line 4, after "progressive" delete "jackpot" and insert "slot machine"

#### AMENDMENT NO. 3

On page 1, line 5, delete "the seizure" and insert "seizures"

#### AMENDMENT NO. 4

On page 1, line 6, delete "jackpots and"

#### AMENDMENT NO. 5

On page 1, line 8, delete "R.S. 46:236.15(D)(1)(a) is" and insert "R.S. 46:236.15(D)(1)(introductory paragraph) and (a) are"

#### AMENDMENT NO. 6

On page 2, line 1, change "and/or" to "or"

#### AMENDMENT NO. 7

On page 2, line 2, after "licensed" delete the remainder of the line and insert "or permitted by any state agency or"

#### AMENDMENT NO. 8

On page 2, at the beginning of line 3, delete "authorized" and after "board" delete the comma "," and insert "under Chapters 4, 5, or 7 of Title 27."

#### AMENDMENT NO. 9

On page 2, at the end of line 5, change "first" to "second"

#### AMENDMENT NO. 10

On page 2, line 6, change "payments," to "payment."

#### AMENDMENT NO. 11

On page 2, line 14, change "and/or" to "or"

#### AMENDMENT NO. 12

On page 2, at the beginning of line 25, delete the comma "," after "annuities" and after "who have" insert "received"

AMENDMENT NO. 13

On page 2, line 29, delete the comma " ," after "arrearages"

AMENDMENT NO. 14

On page 3, line 2, after "withholding any" insert "progressive slot machine" and after "annuities" insert a comma " ,"

AMENDMENT NO. 15

On page 3, line 3, delete "adopt such rules" and insert "enact such rules and regulations"

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

**Motion**

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

**SENATE BILL NO. 741 (Substitute of Senate Bill No. 50 by Senator Marionneau)—**

BY SENATOR MARIONNEAUX

**AN ACT**

To amend and reenact R.S. 14:103, relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace regarding funerals; to provide for additional penalties; and to provide for related matters.

Called from the calendar.

Read by title.

On motion of Rep. Robert Carter, the bill was referred to the Committee on Administration of Criminal Justice, under the rules.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 132—**

BY REPRESENTATIVE KATZ

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect signs indicating the location of Antique Alley in West Monroe.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 132 by Representative Katz

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "the" delete "direct" insert "urge and request"

AMENDMENT NO. 2

On page 2, at the beginning of line 5, delete "direct" and insert "urge and request"

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

On motion of Rep. Quezaire, the resolution, as amended, 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. 133—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 40:1299.96(A)(2)(b) and (c), relative to health care records; to provide relative to the fees paid for copying medical records; to provide for the certification of the records; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 133 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 3, after "provide" and before "the" change "that" to "relative to"

AMENDMENT NO. 2

On page 1, line 3, after "records" and before "certification" delete "includes" and insert a semicolon ";" and insert "to provide for the"

AMENDMENT NO. 3

On page 1, line 19, after "a" and before "copy" delete "certified" and after "copy" and before "of" insert a comma "," and insert "or a certified copy if requested."

AMENDMENT NO. 4

On page 2, line 4, after the comma "," and before "and" insert "a certification fee not to exceed twenty-five dollars, but in no case shall the total handling and certification fees exceed thirty-five dollars."

AMENDMENT NO. 5

On page 2, line 5, after "copies" and before "of" insert a comma "," and insert "certified copies if requested."

AMENDMENT NO. 6

On page 2, line 7, after "providers" change the period "." to a comma "," and insert "and a certification fee not to exceed twenty-five dollars, but in no case shall the total handling and certification fees exceed thirty-five dollars."

AMENDMENT NO. 7

On page 2, line 10, after "a" and before "copy" delete "certified" and after "copy" and before "of" insert a comma "," and insert "or a certified copy if requested."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 152—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To enact R.S. 51:943(A)(9), (10), (11), and (12), relative to the membership of the Small Business Entrepreneurship Commission; to increase the membership of the commission to add members chosen from Louisiana colleges and universities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 152 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 51:943(A)(9)" delete "and (10)" and insert a comma "," and insert "(10), (11), and (12)"

AMENDMENT NO. 2

On page 1, line 4, after "from" delete "certain Historically Black Colleges and Universities;" and insert "Louisiana colleges and universities;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 51:943(A)(9)" delete "and (10)" and insert a comma "," and insert "(10), (11), and (12)"

AMENDMENT NO. 4

On page 1, delete lines 13 through 15 in their entirety and insert the following:

"(9) One representative from the Louisiana State University System selected by its president who shall be a nonvoting member. However, such member may be counted for purposes of establishing a quorum.

(10) One representative from the Southern University System selected by its president who shall be a nonvoting member. However, such member may be counted for purposes of establishing a quorum.

(11) One representative from the University of Louisiana System selected by its president who shall be a nonvoting member. However, such member may be counted for purposes of establishing a quorum.

(12) One representative from the Louisiana Community and Technical College System selected by its president who shall be a nonvoting member. However, such member may be counted for purposes of establishing a quorum."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 299—**

BY REPRESENTATIVES DANIEL, BEARD, GREENE, KATZ, PITRE, QUEZAIRE, AND TRAHAN

AN ACT

To amend and reenact R.S. 48:2074(A) and 2077(24) and to enact R.S. 48:2077(25) and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2111 through 2119, relative to construction and funding of transportation projects; to provide relative to the Louisiana Transportation Authority; to provide relative to powers and duties of such authority regarding the Transportation Mobility Fund; to create and establish the Transportation Mobility Fund; to provide relative to the distribution of proceeds; to provide relative to the eligibility, ranking, and prioritizing of projects; to provide relative to applications for funding; to provide relative to the financing of qualified projects; to authorize the issuance of debt in certain circumstances; to provide relative to the required security for such financing and interest rates; to provide relative to preliminary and final approval of project financing; to impose certain obligations and responsibilities on applicants; to provide relative to certain financial and credit requirements; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 299 by Representative Daniel

AMENDMENT NO. 1

On page 4, delete lines 11 through 28 in their entirety, delete page 5 in its entirety and on page 6, delete lines 1 through 3 in their entirety and insert the following:

"§2113. Transportation Mobility Fund; applications for funding; project eligibility; limitations; ranking and prioritizing project applications

A.(1) All projects competing for funding from the Transportation Mobility Fund shall comply with the provisions of R.S. 48:2114. To qualify for funding from the Transportation Mobility Fund a project shall be either a mega project from Priority list A through D of the Department of Transportation and Development's Statewide Transportation Plan or identified as a mega project by the board of the Louisiana Transportation Authority, hereinafter referred to as the "board", and recommended by such board to be included as a mega project in an update of the department's Statewide Transportation Plan. Applications for funding of projects shall be submitted to the board no later than March first of each year.

(2) The Department of Transportation and Development may submit applications for other mega projects which are not on the Statewide Transportation Plan for funding from the Transportation Mobility Fund if such projects meet criteria established by the department. The department shall promulgate rules and regulations in accordance with the Administrative Procedure Act for the establishment of criteria for submitting applications for funding from the Transportation Mobility Fund.

(3) A mega project constructed by the Louisiana Transportation Authority before the establishment or funding of the Transportation Mobility Fund which project is funded in whole or in part by tolls

may have such preexisting tolls considered in applying for Transportation Mobility Fund funds for subsequent phases of construction of the mega project.

B. The board shall promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement the provisions of this Chapter, including but not limited to rules and regulations for the submission of applications and establishment of factors and criteria for the development of a system and procedure for prioritizing and ranking project funding applications. All rules and regulations promulgated by the board shall be subject to oversight by the House and Senate Committees on Transportation, Highways and Public Works."

#### AMENDMENT NO. 2

On page 6, at the beginning of line 4, change "E." to "C."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 345—

BY REPRESENTATIVE CAZAYOUX  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 345 by Representative Cazayoux

#### AMENDMENT NO. 1

On page 3, line 13, after "stocks of" and before "of the" delete "a portion" and insert "up to thirty-five percent"

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

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

#### HOUSE BILL NO. 367—

BY REPRESENTATIVE LAFONTA  
AN ACT

To amend and reenact R.S. 32:861(A)(2), relative to compulsory motor vehicle liability security; to provide an exemption for water-damaged vehicles; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 403—

BY REPRESENTATIVE ALARIO  
AN ACT

To repeal R.S. 39:1405.1(B), relative to fees to defray expenses of the State Bond Commission; to repeal the authorization to rebate excess fees collected by the State Bond Commission.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 406—

BY REPRESENTATIVE DANIEL  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment of a portion of the Medicaid Trust Fund for the Elderly in equities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

#### HOUSE BILL NO. 412—

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 40:1299.41(A)(3), (8), and (9), relative to medical malpractice; to revise the definitions of "patient", "malpractice", and "health care"; to provide for the inclusion of blood donors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 414—

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 414 by Representative Baldone

#### AMENDMENT NO. 1

On page 1, at the end of line 20, after "verdict" and before the period "." insert "or the court may order counsel for a party in the case to

prepare and submit a judgment to the court for signature within ten days of the rendition of the verdict, in accordance with the rules for Louisiana district courts"

**AMENDMENT NO. 2**

On page 2, line 15, after "judgment" and before the comma ", " insert "to the court for signature"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 462—**  
BY REPRESENTATIVE HEBERT  
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide relative to eligibility for candidates for statewide elective office; to provide that persons who are nominated and confirmed to fill a vacancy in the office of lieutenant governor or who fill a vacancy in a statewide elective office as a result of being appointed first assistant shall not be eligible to be a candidate in the next election for such office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 462 by Representative Hebert

**AMENDMENT NO. 1**

On page 2, line 18, after "that" and before "person" insert "a"

**AMENDMENT NO. 2**

On page 2, line 20, change "such" to "the"

**AMENDMENT NO. 3**

On page 2, line 21, change "such" to "that"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 716—**  
BY REPRESENTATIVE BEARD  
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 716 by Representative Beard

**AMENDMENT NO. 1**

On page 2, delete lines 15 through 23 and insert the following:

"To provide for the filling of vacancies in the lieutenant governor's office and other statewide elective offices; to provide that if more than one year remains in the term, the person nominated by the governor and confirmed by the legislature to serve as lieutenant governor or the first assistant in other statewide elected offices, shall fill the vacancy only until the office can be filled at the next regular statewide or congressional election or until the governor is required to call a special election. (Amends Article IV, Sections 15 and 16)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 770—**  
BY REPRESENTATIVES DEWITT AND ALARIO  
AN ACT

To amend and reenact R.S. 46:2623, relative to state funds; to provide for uses of monies in the Louisiana Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1010—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 32:300.3, relative to operating motor vehicles; to prohibit the operator or a passenger in a motor vehicle from smoking when children of a certain age are present; to provide relative to penalties for violations; to provide relative to citations issued for violations; to prohibit certain actions by law enforcement officers; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1010 by Representative Gary Smith

**AMENDMENT NO. 1**

On page 1, line 4, after "violations;" insert "to provide relative to citations issued for violations; to prohibit certain actions by law enforcement officers;"

**AMENDMENT NO. 2**

On page 1, line 11, after "when" delete the remainder of the line in its entirety and insert the following:

"a child who is required to be restrained in a rear-facing child safety seat, a forward-facing child safety seat, a booster seat, or a motor vehicle's safety belt as required in R.S. 32:295 is also present in such"

**AMENDMENT NO. 3**

On page 2, at the end of line 3, delete the period "." insert a semicolon ";" and insert the following:

"however, a law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this Section.

D. A violation of this Section shall be considered a nonmoving violation and a citation issued by a law enforcement officer for such violation shall not be included on the driver's operating record."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1025—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 48:194, relative to construction on highways in the state highway system in East Baton Rouge Parish; to provide relative to certain projects that may be fully funded by the governing authority of East Baton Rouge Parish; to provide limitations and procedures; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1075—**

BY REPRESENTATIVE T. POWELL

AN ACT

To amend and reenact R.S. 42:851(C)(1), (D) and (E)(1)(introductory paragraph), and to enact R.S. 42:851(C)(4) and (E)(5), relative to state group insurance; to provide for employee and retiree participation in certain programs sponsored by the Office of Group Benefits; to provide with respect to the state contribution for premiums; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1075 by Representative T. Powell

**AMENDMENT NO. 1**

On page 2, line 21, after "and who" and before "not" delete "does" and insert "did"

**AMENDMENT NO. 2**

On page 2, at the end of line 22, delete "before" and insert "on"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1103—**

BY REPRESENTATIVES WADDELL, BEARD, DANIEL, DOWNS, ERDEY, GREENE, HUTTER, PITRE, M. POWELL, QUEZAIRE, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(c) and 410(A)(3)(a)(iii) and R.S. 47:503(A)(3) and to enact R.S. 32:409(C), relative to personal information required by the office of motor vehicles on drivers license and motor vehicle registration applications; to provide relative to the address requirements on such forms for certain applicants; to provide exceptions for law enforcement officers, court officers, and members of their immediate families; to prohibit the release of personal information for such persons under certain circumstances; to provide for certain definitions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1103 by Representative Waddell

**AMENDMENT NO. 1**

On page 1, line 18, after "enforcement officer" change "of" to "or"

**AMENDMENT NO. 2**

On page 2, at the end of line 8, insert "Court officer shall also include any administrative law judge or the director of the division of administrative law as provided in Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950."

**AMENDMENT NO. 3**

On page 2, line 16, after "Corrections." delete the remainder of the line and delete lines 17 through 20 in their entirety

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1170—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To require that the Department of Transportation and Development provide improvements at an intersection in Patterson, Louisiana; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1173—**  
BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 48:279(A), relative to highway construction by the Department of Transportation and Development; to provide relative to the hours when construction may be done on certain highways; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1173 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 2, change "48:279(A) and (B)," to "48:279(A),"

AMENDMENT NO. 2

On page 1, line 4, after "highways;" delete the remainder of the line and insert "and"

AMENDMENT NO. 3

On page 1, line 7, change "and (B) are" to "is"

AMENDMENT NO. 4

On page 1, line 18, after "shall be" insert "considered"

AMENDMENT NO. 5

On 1, line 19, after "feasible" delete the comma "," and on page 2, delete lines 2 through 20 and insert "and provides an incentive to construct expeditiously, the contractor shall perform non-peak work or provide just cause for failure to perform non-peak work in order to qualify for or earn the incentive to construct expeditiously."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1189—**  
BY REPRESENTATIVE RITCHIE  
AN ACT

To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1202—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 47:1417, relative to the Board of Tax Appeals; to authorize the Board of Tax Appeals to impose fees; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1202 by Representative LaFleur

AMENDMENT NO. 1

On page 1, between lines 17 and 18, insert the following:

"C. The Department of Revenue and the statutory entities made a part of the department by law shall be exempt from the fees imposed by this Section."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1204—**  
BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS  
ELLINGTON AND HEITMEIER  
AN ACT

To enact R.S. 32:1525, relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 5, after "vehicles;" delete the remainder of the line and delete line 6 in its entirety and insert the following:

"to provide relative to the administrative review of such violations; to authorize the posting of certain"

AMENDMENT NO. 2

On page 1, line 14, after "penalties;" delete the remainder of the line and insert "administrative review"

AMENDMENT NO. 3

On page 1, line 18, after "send the" delete the remainder of the line and delete "owner of the motor vehicle" from the beginning of line 19 and insert "responsible party"

AMENDMENT NO. 4

On page 2, delete lines 3 through 26 in their entirety and insert the following:

"(2)(a) Each notice of violation shall clearly indicate if a monetary penalty is assessed for the violation or if the notice of violation is only a warning. In cases of the assessment of a monetary penalty, each notice of violation shall be sent to the responsible party by certified mail, return receipt requested. Such notice of violation shall also contain notice that the monetary penalty for the violation shall be paid within forty-five calendar days of issuance of the notice of violation or the responsible party may request, in writing, an administrative hearing for the purposes of reviewing the notice of violation. In cases where the amount of the civil penalty is negotiated between the office of state police and the responsible party, the office of state police shall send written notification to the responsible party of the amount of the negotiated civil penalty within thirty calendar days of the date of the final negotiation."

AMENDMENT NO. 5

On page 2, at the beginning of line 27, change "(c)" to "(b)"

AMENDMENT NO. 6

On page 3, at the beginning of line 1, after "regarding the" delete "hearing conducted by the review panel" and insert "administrative hearing"

AMENDMENT NO. 7

On page 3, at the end of line 2, insert a period "." and delete line 3 in its entirety and at the beginning of line 4 change "(4)" to "(3)"

AMENDMENT NO. 8

On page 3, line 5, after "days of the" change "violation" to "inspection"

AMENDMENT NO. 9

On page 3, line 6, after "to the" delete the remainder of the line and delete line 7 in its entirety and insert "responsible party, the violation shall be dismissed."

AMENDMENT NO. 10

On page 3, at the beginning of line 8, change "(5)" to "(4)" and change "review panel" to "administrative law judge"

AMENDMENT NO. 11

On page 3, line 9, change "jurisdiction" to "venue"

AMENDMENT NO. 12

On page 3, delete lines 10 through 13 in their entirety and insert the following:

"B.(1) If a motor carrier is determined to be the responsible party for a notice of violation, and if such party fails to pay the assessed penalty within thirty calendar days of receiving a notice of final judgment from the administrative law judge, the outstanding penalty amount shall be posted on the office of state police's official web site. The outstanding penalty amount for such responsible party shall continue to appear on the web site until all"

AMENDMENT NO. 13

On page 3, line 15, change "violation ticket" to "notice of violation"

AMENDMENT NO. 14

On page 3, at the beginning of line 18, change "violation ticket" to "notice of violation"

AMENDMENT NO. 15

On page 3, at the beginning of line 21, change "violation ticket" to "notice of violation"

AMENDMENT NO. 16

On page 3, line 22, change "violation ticket" to "notice of violation"

AMENDMENT NO. 17

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

"(2) If the driver of a motor carrier is found to be the responsible party for a notice of violation by the office of state police, the driver shall be responsible for the payment of all fines and fees associated with issuance of the notice of violation. If the office of state police fails to timely receive payment of all fines and fees associated with issuance of the notice of violation, the office of state police shall transmit the driver's commercial driver's license number to the office of motor vehicles. The office of motor vehicles shall be prohibited from renewing such license until all fines and fees associated with the notice of violation have been paid in full. Upon payment of all fines and fees associated with the notice of violation, the office of motor vehicles shall immediately authorize the renewal of the driver's commercial driver's license."

(3) Motor carriers shall not be responsible for driver violations."

AMENDMENT NO. 18

On page 3, at the end of line 26, change "violation ticket" to "notice of violation"

AMENDMENT NO. 19

On page 3, line 29, change "violation tickets" to "notice of violations"

AMENDMENT NO. 20

On page 4, delete lines 3 through 23 in their entirety and insert the following:

"Section 2. This Act shall become effective on January 1, 2007."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

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 BILL NO. 1212—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1212 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact" and before "relative" delete "R.S. 32:383(A)(3),(B)(3), and (C), and insert "R.S. 32:383(C),"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "to" and on line 4, delete "provide with respect to the penalty for failure to secure a load;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete "R.S. 32:383(A)(3),(B)(3), and (C) are" and insert "R.S. 32:383(C) is"

AMENDMENT NO. 4

On page 1, delete lines 10 through 18 in their entirety and on page 2, delete lines 1 through 3 in their entirety

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1240—**

BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural

hospital service districts; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1269—**

BY REPRESENTATIVE RITCHIE  
AN ACT

To amend and reenact R.S. 6:121.2, relative to the Office of Financial Institutions; to provide for the powers and duties of the Office of Financial Institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1270—**

BY REPRESENTATIVE RITCHIE  
AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the assessment of certain fees; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE RITCHIE  
AN ACT

To amend and reenact R.S. 6:1088(C)(1)(a), (F)(4), and (G) and 1090(B)(1) and to enact R.S. 6:1090(H), 1092(A)(16) and (17) and (K), 1092.1, 1092.2, and 1096(E)(3) and (G)(3), relative to loans; to provide for the Residential Mortgage Lending Act; to provide for requirements for licensure and filing fees; to provide for the powers and duties of the commissioner of financial institutions; to provide time limits regarding reapplication for licensure; to provide restrictions on employment; to provide for the suspension, revocation, or denial of licensure; to provide for appellate rights; to prohibit the assessment of certain charges; to prohibit the financing of certain charges; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1271 by Representative Ritchie

##### AMENDMENT NO. 1

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

"(c) Notwithstanding the provisions of R.S. 37: 2950, when determining an applicant's character and fitness, the commissioner may consider the criminal record of an applicant for a new license or a renewal thereof, and may deny such application if the applicant's criminal record includes a plea of guilty or nolo contendere to, or conviction of, any felony within ten years of the date of submission of the application."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1282—

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1282 by Representative Schneider

##### AMENDMENT NO. 1

On page 2, at the end of line 3, insert the following:

"However, no project shall be divided or separated into smaller projects which would have the effect of avoiding the requirements of advertising and letting by contract to the lowest responsible bidder as required in this Section."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1293—

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 51:1783(6) and (7) and 1787(A)(1), (B)(2)(a), (C)(1), (D)(2)(a), (F), and (H)(1)(a), relative to the rebate of sales and use taxes pursuant to the Louisiana

Enterprise Zone Act; to provide for the rebate of local sales and use taxes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1299—

BY REPRESENTATIVES MONTGOMERY, BARROW, DANIEL, FRITH, PINAC, RITCHIE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 4:1(A) and (B) and to enact R.S. 4:1(E), (F), and (G), relative to amusements and sports; to provide for the price printed on tickets; to provide for the reselling of certain tickets; to provide for procedures to resell certain tickets; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1299 by Representative Montgomery

##### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 4:1(E)," insert "(F), and (G),"

##### AMENDMENT NO. 2

On page 1, line 3, after "sports;" insert "to provide for the price printed on tickets;"

##### AMENDMENT NO. 3

On page 1, line 4, after "tickets;" insert "to provide for exceptions;"

##### AMENDMENT NO. 4

On page 1, line 6, after "R.S. 4:1(E)" delete "is" and insert a comma "," and "(F), and (G) are"

##### AMENDMENT NO. 5

On page 1, line 17, after "provided in" delete "Subsection E" and insert in lieu thereof "Subsections E and F"

##### AMENDMENT NO. 6

On page 2, delete lines 6 through 18 in their entirety and insert in lieu thereof the following:

"E. Nothing shall prohibit the resale or offering for resale of an admission ticket, or prohibit anyone from permitting the resale or offering for resale of an admission ticket, at any price, if such resale or offering is authorized by the owner or operator of the building where the event is occurring, or the organizer of the athletic contest, dance, theater, concert, circus, or other amusement.

F. (1) Nothing shall prohibit the resale or offering for resale of an admission ticket, at any price, if such resale or offering is made through an Internet web site and the web site operator, through

Internet web pages on which are visibly posted text or links to web pages on which are posted text, makes and posts the following guarantees and disclosures to which a prospective purchaser is directed before completion of the resale transaction:

(a) The web site operator guarantees a full refund of the amount paid for the ticket if one of the following occurs:

(i) The ticketed event is canceled.

(ii) The purchaser is denied admission to the ticketed event, unless such denial is due to the action or omission of the purchaser.

(iii) The ticket is not delivered to the purchaser in the manner requested and pursuant to any guarantee made by the reseller and such failure results in the purchaser's inability to attend the ticketed event.

(b) The web site operator discloses that it is not the issuer, original seller, or reseller of the ticket or items and does not control the pricing of the ticket or items, which may be resold for more than the original value.

(2) A refund issued pursuant to Subparagraph (1)(a) of this Section shall include any servicing, handling, or processing fees unless such fees are declared nonrefundable under the terms of the guarantee.

G. The provisions of Subsections E and F of this Section shall not apply to tickets allocated to Louisiana legislators or to student tickets issued by Louisiana universities for sporting events."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1308—**  
BY REPRESENTATIVE KENNARD  
AN ACT

To amend and reenact R.S. 32:1305(H) and (I), relative to motor vehicle safety inspection programs; to revise the programs relative to motor vehicles transporting forest products and motor vehicles transporting general freight and commodities; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1322—**  
BY REPRESENTATIVES DOWNS AND GALLOT  
AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or use of state sales tax extension for certain economic development projects or programs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1371 (Substitute for House Bill No. 1055 by Representative Pinac)—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 40:1646, to enact Subpart D-3 of Part III of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1664.1 through 1664.16, and to repeal Subpart D of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1625 through 1638, Subpart E of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through 1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for an advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local regulation; to provide for effective date; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

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

**SENATE BILL NO. 251—**  
BY SENATOR FONTENOT  
AN ACT

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

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 388—**  
BY SENATOR ELLINGTON  
AN ACT

To enact R.S. 47:1576.1, relative to settlement offers made by taxpayers; to require certain determinations of tax due and prescription of tax refunds or credits; to require certain responses by the secretary of the Department of Revenue to settlement offers; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 448—**  
BY SENATOR BROOME

AN ACT

To enact R.S. 17:170.1, relative to school systems providing information regarding meningococcal meningitis; to require that healthcare information be disseminated to parents and guardians on meningococcal diseases with updated information if available; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 636—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:329.1, relative to levees; to provide for the powers and duties of the South Lafourche Levee District; to provide relative bonding and taxing authority of the district; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

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

**Suspension of the Rules**

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

**HOUSE CONCURRENT RESOLUTION NO. 1—**  
BY REPRESENTATIVE WADDELL  
A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on Medicaid reimbursement, relative to Vagus Nerve Stimulators, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Read by title.

Rep. Waddell moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
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	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	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
Erdey	McDonald	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	

Total - 98

NAYS

Total - 0

ABSENT

Bruneau	Hutter	McVea
Durand	Kennard	Smith, J.R.—30th
Total - 6		

The resolution was adopted.

Ordered to the Senate.

**Suspension of the Rules**

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

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

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

**Regular Calendar**

**HOUSE BILL NO. 922—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:701(5)(a), (b), and (d), 789(D)(3) and (4), 1002(6), 1141.2(B)(10), 1152(J)(3) and (4), 1312(J)(5), 1402(6), 1422, 1503(7), 1732(15), 1763(J)(1) and (2), 1902(14), 2031(5), 2178(B)(1)(b) and (C)(1)(c), 2213(4), and 2220.2(B)(10); to enact R.S. 11:231(C)(3), 1310(A)(3), 1312(J)(6) and (7), relative to benefits of the state and statewide retirement systems of Louisiana; to provide for definitions; to provide for calculation of average compensation; to provide for the calculation of benefits after participation in the Deferred Retirement Option Plan; to provide for applicability and effectiveness; and to provide for related matters.

Read by title.

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

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## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 922 by Representative Schneider

### AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 11:1002(6),"

### AMENDMENT NO. 2

On page 1, line 3, after "1152(J)(3) and (4)," delete "1312(J)(5),"

### AMENDMENT NO. 3

On page 1, line 4, after "2031(5)," insert "and"

### AMENDMENT NO. 4

On page 1, line 4, after "(C)(1)(c)" delete the comma "," and delete the remainder of the line and at the beginning of line 5 delete "2220.2(B)(10);" and insert "and"

### AMENDMENT NO. 5

On page 1, line 5, after "R.S. 11:231(C)(3)," delete "1310(A)(3), 1312(J)(6) and (7),"

### AMENDMENT NO. 6

On page 1, line 14 after "Section 1." delete the remainder of the line and insert "R.S. 11:1002(6),"

### AMENDMENT NO. 7

On page 1, line 15, after "1152(J)(3) and (4)," delete "1312(J)(5),"

### AMENDMENT NO. 8

On page 1, line 16, after "2031(5)," insert "and"

### AMENDMENT NO. 9

On page 1, line 16, after "(C)(1)(c)" delete the comma "," and delete "2213(4), and 2220.2(B)(10),"

### AMENDMENT NO. 10

On page 1, line 17, after "R.S. 11:231(C)(3)" delete the comma "," and delete "1310(A)(3), 1312(J)(6) and (7) are" and insert "is"

### AMENDMENT NO. 11

On page 2, delete line 8

### AMENDMENT NO. 12

On page 2, at the beginning of line 9, change "(d)" to "(c)"

### AMENDMENT NO. 13

On page 2, at the beginning of line 10, change "(e)" to "(d)"

### AMENDMENT NO. 14

On page 2, at the beginning of line 11, change "(f)" to "(e)"

### AMENDMENT NO. 15

On page 2, delete line 12

### AMENDMENT NO. 16

On page 2, delete line 13

### AMENDMENT NO. 17

On page 2, delete lines 21 through 29 and delete pages 3 through 5

### AMENDMENT NO. 18

On page 10, delete lines 8 through 29 and on page 11 delete lines 1 through 19

### AMENDMENT NO. 19

On page 19, delete lines 17 through 29 and delete page 20 and on page 21 delete lines 1 through 15

Rep. Schneider moved the adoption of the amendments.

Rep. Downs objected.

By a vote of 76 yeas and 17 nays, the amendments were adopted.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.-50th
Crane	Jefferson	Smith, J.H.-8th
Cravins	Johns	Smith, J.R.-30th
Crowe	Katz	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	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	
Faucheux	Odinet	
Total - 94		

### NAYS

Arnold	Carter, K.	Honey
Baylor	Gray	St. Germain
Total - 6		

ABSENT

Carter, R. Kennard  
Hopkins Martiny  
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1036—**

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

Read by title.

Rep. Tucker 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	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammitt	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	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	

Total - 101

NAYS

Total - 0

ABSENT

Barrow Gallot Kennard  
Total - 3

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.

**Suspension of the Rules**

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

**Speaker Pro Tempore Dorsey in the Chair**

**HOUSE BILL NO. 1039—**

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 11:925(D), relative to the optional retirement plan of the Teachers' Retirement System of Louisiana; to provide for eligibility; to provide for transfer from the optional retirement plan to the defined benefit plan; to provide for transfer of service credit and the purchase thereof; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Triche to Engrossed House Bill No. 1039 by Representative Triche

AMENDMENT NO. 1

On page 1, at the beginning of line 2 delete "To" and insert "To amend and reenact R.S. 11:925(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "eligibility;" insert "to provide for eligibility of academic and administrative employees of Louisiana public colleges and universities and the public postsecondary education management boards;"

AMENDMENT NO. 3

On page 1, line 10, after "Section 1." insert "R.S. 11:925(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"A. Academic and administrative employees of public ~~institutions of higher education colleges and universities~~ and employees of the Board of Regents, Board of Trustees for State ~~Colleges and Universities,~~ the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, ~~and the Board of Supervisors of Southern University and Agricultural and Mechanical College,~~ and the Board of Supervisors of

Community and Technical Colleges or their successors, and any other constitutionally established board which manages institutions of ~~higher public postsecondary~~ education who are current members in the regular retirement plan of the Teachers' Retirement System of Louisiana may make an irrevocable election to participate in the optional retirement plan within one hundred eighty days after the implementation date of the optional retirement plan at their employer institution or board. Eligible employees who are initially employed on or after the implementation date at their employer institution or board may make an irrevocable election to participate in the optional retirement plan within sixty days after their employment date. Any academic or administrative employee of a public ~~institutions of higher education colleges and universities~~ and employees of the Board of Regents, Board of Trustees for State Colleges and ~~Universities~~, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, ~~and the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors of Community and Technical Colleges,~~ or their successors, and any other constitutionally established board which manages institutions of ~~higher public postsecondary~~ education who is not eligible for membership in the Teachers' Retirement System of Louisiana because of age shall be eligible to participate in the optional retirement plan upon election by such employee. Elections must be made in writing and filed with the appropriate officer of the employer institution or board, who shall forward a copy of the completed election to the Teachers' Retirement System of Louisiana. Current Teachers' Retirement System of Louisiana members' elections will be effective as of the date they are filed. Elections of eligible employees hired on or after the implementation date of the optional retirement plan at their institution or board will be effective as of the date of their employment. If an eligible employee fails to make the election provided for in this Section, he shall become a member of the regular retirement plan of the Teachers' Retirement System of Louisiana in accordance with R.S. 11:721."

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

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Triche gave notice of his intention to call House Bill No. 1039 from the calendar for future action.

**HOUSE BILL NO. 1043—**  
BY REPRESENTATIVES GREENE AND SCALISE  
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for increased penalties for the crime of vehicular homicide; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Greene to Engrossed House Bill No. 1043 by Representative Greene

AMENDMENT NO. 1

On page 2, after line 3, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the

time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gary Smith to Engrossed House Bill No. 1043 by Representative Greene

AMENDMENT NO. 1

On page 1, line 12, after "imprisonment" and before "shall" insert a comma "," and insert "up to two years of which may be home incarceration under electronic monitoring."

Rep. Gary Smith moved the adoption of the amendments.

Rep. Greene objected.

By a vote of 57 yeas and 37 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Alario	Frith	Pinac
Alexander	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Greene	Richmond
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bruce	Hill	Romero
Bruneau	Hopkins	Scalise
Burns	Hunter	Schneider
Cazayoux	Hutter	Smiley
Crane	Jackson	Smith, G.
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	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	McDonald	Walsworth
Erdey	Montgomery	White
Fannin	Morrell	Wooton
Farrar	Morrish	
Faucheux	Odinot	
Total - 82		

NAYS

Barrow	Gray	McVea
Baylor	Guillory, E.	Pierre
Bowler	Harris	Quezaire
Burrell	Heaton	Smith, J.D.—50th
Carter, K.	Hebert	Townsend
Carter, R.	Jefferson	Winston
Total - 18		

**ABSENT**

Mr. Speaker           Honey  
 Ansardi               Martiny  
 Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene 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. 1052—**  
 BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS MCPHERSON AND NEVERS

**AN ACT**

To enact Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.21, relative to titling of vessels; to provide for titling and registering of vessels; to provide for definitions; to provide for certificates of title; to provide for form and content of application for title and certificate of title; to provide for duplicate titles; to provide for exemptions; to provide for manufacturers and dealers; to provide for transfer of and interest in vessels; to provide for liens; to provide for fees; to provide for rules and regulations; 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. 1052 by Representative Jack Smith

AMENDMENT NO. 1

On page 9, line 7, change "34:852.5" to "34:852.4"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 1052 by Representative Jack Smith

AMENDMENT NO. 1

On page 11, after line 21 insert the following:

"Section 3. The Louisiana State Law Institute is hereby authorized and directed to propose, through legislation, at the next regular session of the legislature, necessary amendments to the Uniform Commercial Code to conform the Code to the passage of this Act. The Louisiana State Law Institute is further authorized and directed to propose, through legislation, at the next regular session of the legislature, necessary amendments to the enactments of this Act to conform to the Uniform Commercial Code. It is the further intent of this Section to clarify that the Louisiana State Law Institute is to propose only the necessary amendments to the Uniform Commercial Code and enactments of this Act."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Pierre
Arnold	Gallot	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, T.
Barrow	Guillory, E.	Quezaire
Baylor	Harris	Richmond
Bruce	Heaton	Ritchie
Burrell	Honey	Romero
Carter, K.	Hopkins	Smith, J.D.--50th
Carter, R.	Hunter	St. Germain
Curtis	Jackson	Strain
Damico	Jefferson	Thompson
Daniel	Kenney	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Walker
Durand	Marchand	White
Fannin	Morrell	Winston
Total - 51		

**NAYS**

Alario	Greene	Powell, M.
Alexander	Hammett	Robideaux
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruneau	Hutter	Smiley
Burns	Johns	Smith, G.
Cazayoux	Katz	Smith, J.R.--30th
Crane	Kleckley	Toomy
Cravins	LaBruzzo	Triche
Crowe	Lancaster	Tucker
DeWitt	McDonald	Waddell
Downs	McVea	Walsworth
Erdey	Montgomery	
Farrar	Morrish	
Total - 40		

**ABSENT**

Ansardi	Geymann	Odinet
Baudoin	Guillory, M.	Smith, J.H.--8th
Dartez	Kennard	Wooton
Dove	LaFleur	
Frith	Martiny	
Total - 13		

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

**HOUSE BILL NO. 1069—**  
 BY REPRESENTATIVE PIERRE  
**AN ACT**

To amend and reenact R.S. 30:572(1)(a), relative to the Natural Resources and Energy Act of 1973; to provide that when intrastate natural gas is rationed or allocated because of an emergency shortage, priority is given to the petroleum, petrochemical, and chemical industry to the extent necessary to ensure the protection of the public health, safety, and the environment; and to provide for related matters.

Read by title.

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

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Bill No. 1069 by Representative Pierre

### AMENDMENT NO. 1

On page 2, delete lines 11 through 14 in their entirety and insert in lieu thereof the following:

"needs. In order to ensure the protection of public health, safety, and the environment, the petroleum, petrochemical, and chemical industry that uses intrastate natural gas to operate facilities shall have a priority as long as the gas is used to the extent necessary to ensure the protection of public health, safety, and the environment."

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

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	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

Total - 102

### NAYS

Total - 0

### ABSENT

Gallot	LaFleur
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

## HOUSE BILL NO. 1119—

BY REPRESENTATIVE CRANE

### AN ACT

To amend and reenact R.S. 17:3141.3(A)(4), 3141.5(C)(4), and 3141.18(A), (B), (C), and (D), to enact R.S. 17:3141.3(G) and R.S. 36:651(L) and 801.5, and to repeal R.S. 36:651(G)(1), relative to proprietary schools; to provide relative to the membership and duties of the Advisory Commission on Proprietary Schools; to provide relative to the revocation of licenses in the event of a change of ownership of a proprietary school; to provide relative to certain authority of the Board of Regents and the Advisory Commission on Proprietary Schools with regard to the investigation of complaints and hearings relative thereto; to provide relative to the placement of the Advisory Commission on Proprietary Schools in the executive branch of state government and for the exercise of its powers, duties, functions, and responsibilities; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	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	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker

Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	
Farrar	Morrell	

Total - 103

NAYS

Total - 0

ABSENT

LaFleur  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane 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. 1162—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 32:661(C)(1), 661.1(C)(1), 661.2(C)(1), and 667(A)(1), relative to tests for suspected drunken drivers; to provide with respect to the standardized form given to a person who has submitted to a chemical test; to provide with respect to the manner in which the name of law enforcement officials involved in the stop, detention, investigation, or arrest of a person for operating a vehicle or watercraft while intoxicated must be provided to the person who has submitted to a chemical test; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Katz	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan

Dorsey	LaFonta	Triche
Dove	Lambert	Tucker
Downs	Lancaster	Waddell
Durand	Marchand	Walker
Erdey	Martiny	Walsworth
Fannin	McDonald	White
Farrar	McVea	Wooton
Faucheux	Montgomery	

Total - 98

NAYS

Smith, G.  
Total - 2

Winston

ABSENT

Barrow  
Beard  
Total - 4

Crowe  
Kennard

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1193—**  
BY REPRESENTATIVES BALDONE AND MCDONALD  
AN ACT

To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche

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Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	Montgomery	Wooton
Total - 102		

NAYS

Total - 0

ABSENT

Dartez	McVea
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1229—**

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

Read by title.

Rep. Baudoin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker

Downs	Marchand	Walsworth
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	
Farrar	Montgomery	
Total - 103		

NAYS

Total - 0

ABSENT

White  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baudoin 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. 1268—**

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 22:1379(8) and to enact R.S. 22:1379(3)(g), relative to insurance; to provide for insurer insolvency; to provide for a program to pay claims of insolvent insurers; to provide for an exclusion from coverage under the program; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 1268 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 15, after "that was" and before "issued by", delete "originally"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
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	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley

Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	

Total - 101

NAYS

Total - 0

ABSENT

Bowler	Lancaster	Odinot
--------	-----------	--------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farrar 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. 1332—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1365 (Substitute for House Bill No. 202 by Representative Crowe)—**  
BY REPRESENTATIVE CROWE  
AN ACT

To enact R.S. 30:2014.5 and Chapter 24-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2195.1 through 2195.15, relative to mold assessment; to provide for licensing of mold assessors by the Department of Environmental Quality, to provide for definitions; to provide for powers of the department; to provide for qualifications for licensure; to provide for continuing education; to provide for written reports; to provide for post-remediation assessment and verification; to provide for prohibited acts and penalties; to provide for injunctive relief; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 11—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 18:463(A)(1)(a), relative to candidates; to provide for the notice of candidacy; to prohibit a candidate from filing multiple notices for the same office; to provide for information listed on the ballot; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed House Bill No. 11 by Representative Hunter

AMENDMENT NO. 1

On page 1, after line 20, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	McVea
Ansardi	Gallot	Morrell
Arnold	Glover	Morrish
Badon	Gray	Pierre
Baldone	Greene	Pinac
Barrow	Guillory, E.	Powell, T.
Baudoin	Harris	Quezaire
Baylor	Heaton	Richmond
Bruce	Hebert	Ritchie
Burrell	Hill	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.R.—30th
Curtis	Jefferson	St. Germain
Damico	Johns	Thompson
Daniel	Kennard	Townsend
Dartez	Kenney	Triche
Dorsey	LaFleur	Walker
Durand	LaFonta	White
Farrar	Marchand	
Faucheux	McDonald	

Total - 64

NAYS

Alario	Fannin	Schneider
Alexander	Geymann	Smiley
Beard	Hutter	Smith, J.H.—8th
Bowler	Katz	Strain
Bruneau	Kleckley	Toomy

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Burns	LaBruzzo	Trahan
Crane	Lambert	Tucker
Crowe	Lancaster	Waddell
DeWitt	Martiny	Walsworth
Doerge	Montgomery	Winston
Dove	Pitre	Wooton
Downs	Powell, M.	
Erdey	Scalise	
Total - 37		

ABSENT

Guillory, M.	Hammett	Odinet
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hunter 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. 19—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To repeal R.S. 16:11(A)(2), relative to the annual salary of assistant district attorneys payable by the state; to repeal provisions authorizing the district attorney for the parish of Orleans and the Nineteenth Judicial District to reallocate the total funds authorized and payable by the state by combining or dividing the amounts fixed for each of the assistant district attorneys effective August 15, 2011, subject to the enactment into law of House Bill No. 1178 of this 2006 Regular Session.

Read by title.

Rep. Toomy moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
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	
Total - 98		

NAYS

Alexander	Greene
Total - 2	

ABSENT

Carter, R.	Katz
Geymann	Thompson
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Speaker Salter in the Chair**

**HOUSE BILL NO. 62—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To repeal R.S. 15:574.15 and 574.16, relative to violations of municipal ordinances; to repeal the authority of elected officials to parole persons arrested for violations of certain municipal ordinances in municipalities having a population of more than four hundred fifty thousand; and to repeal the penalty imposed on an officer for the refusal to parole.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Heaton to Engrossed House Bill No. 62 by Representative Scalise

AMENDMENT NO. 1

On page 1, line 2, change "15:574.15 and 574.16" to "15:574.15(C)"

AMENDMENT NO. 2

On page 1, line 8, change "15:574.15 and 574.16" to "15:574.15(C)"

Rep. Heaton moved the adoption of the amendments.

Rep. Scalise objected.

By a vote of 39 yeas and 61 nays, the amendments were rejected.

Rep. Scalise moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Alexander	Fannin	Pitre
Ansardi	Geymann	Powell, M.
Baudoin	Greene	Powell, T.
Beard	Heaton	Ritchie

Bowler	Johns	Robideaux
Bruce	Katz	Scalise
Bruneau	Kennard	Schneider
Burns	Kenney	Smiley
Carter, R.	Kleckley	Smith, J.H.—8th
Cazayoux	LaBruzzo	Strain
Crane	Lambert	Toomy
Crowe	Lancaster	Trahan
Curtis	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	White
Erdey	Morrish	Winston

Total - 48

NAYS

Mr. Speaker	Durand	LaFonta
Alario	Farrar	Marchand
Arnold	Faucheux	Morrell
Badon	Frith	Odinet
Baldone	Gallot	Pierre
Barrow	Glover	Pinac
Baylor	Gray	Quezaire
Burrell	Guillory, E.	Richmond
Carter, K.	Hammitt	Romero
Cravins	Hebert	Smith, G.
Damico	Honey	Smith, J.D.—50th
Daniel	Hopkins	Smith, J.R.—30th
Dartez	Hunter	St. Germain
DeWitt	Hutter	Thompson
Doerge	Jackson	Townsend
Dorsey	Jefferson	Wooton

Total - 48

ABSENT

Guillory, M.	LaFleur	Tucker
Harris	Montgomery	Walsworth
Hill	Triche	

Total - 8

The Chair declared the above bill failed to pass.

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

**HOUSE BILL NO. 87—**  
BY REPRESENTATIVE WHITE

AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251, relative to health care of persons arrested for felony offenses; to require that hospitals notify requesting law enforcement agencies prior to discharge of a person admitted to the hospital under certain conditions; to provide for definitions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative White to Engrossed House Bill No. 87 by Representative White

AMENDMENT NO. 1

On page 1, at the end of line 16, after "for" delete "a felony" and insert "an"

AMENDMENT NO. 2

On page 2, at the beginning of line 4, change "six" to "twelve"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	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.	Richmond
Beard	Hammitt	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Harris Lancaster

Total - 2

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. 154—**

BY REPRESENTATIVES STRAIN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BURRELL, CRANE, CROWE, DANIEL, DOERGE, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GREENE, HARRIS, HEATON, HONEY, KATZ, KENNEY, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JANE SMITH, TRAHAN, TUCKER, WADDELL, AND WALKER

AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain students of postsecondary education institutions to provide documentation of certain immunizations; to require such

institutions to provide information relative to certain immunizations to certain persons; to provide for exceptions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Strain to Engrossed House Bill No. 154 by Representative Strain

AMENDMENT NO. 1

On page 1, delete lines 11 through 15 in their entirety and insert the following:

"A. (1) Except as provided in Subsection C of this Section, for the Fall, 2006 semester, quarter, or comparable academic period, a person shall provide satisfactory evidence of current immunization against meningococcal disease as a condition of registration for courses at a public or nonpublic postsecondary education institution.

(2) Except as provided in Subsection C of this Section, effective for the Spring, 2007 semester, quarter, or comparable academic period and thereafter, a person entering a public or nonpublic postsecondary education institution for the first time shall provide satisfactory evidence of current immunization against meningococcal disease as a condition of his initial registration for courses at such institution.

(3) Except as provided in Subsection C of this Section, effective for the Spring, 2007 semester, quarter, or comparable academic period and thereafter, a person returning to a public or nonpublic postsecondary education institution who was not registered for courses at such institution during the Fall, 2006 semester, quarter, or comparable academic period and therefore was not subject to the requirement of Paragraph (A)(1) of this Subsection shall provide satisfactory evidence of current immunization against meningococcal disease as a condition of his initial registration for courses upon returning to such institution."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	
Total - 95		

**NAYS**

Bowler	Cravins	Kleckley
Carter, K.	Geymann	
Cazayoux	Hutter	
Total - 7		

**ABSENT**

Guillory, M.	Smiley
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. 177—**

BY REPRESENTATIVE SMILEY  
AN ACT

To enact R.S. 49:155.6, relative to state symbols; to require the state poem to be "I Love My Louisiana" by James Ellis Richardson; and to provide for related matters.

Read by title.

**Motion**

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

Rep. Smiley objected.

By a vote of 33 yeas and 65 nays, the House refused to return the bill to the calendar.

Rep. Smiley moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Erdey	McDonald
Alario	Fannin	McVea
Alexander	Faucheux	Montgomery
Ansardi	Frith	Morrell
Arnold	Gallot	Morrish
Badon	Geymann	Odinet
Baldone	Glover	Pierre
Barrow	Gray	Pitre
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Schneider
Bruneau	Heaton	Smiley
Burns	Hebert	Smith, J.D.—50th
Burrell	Hill	Smith, J.H.—8th
Carter, R.	Hopkins	Smith, J.R.—30th
Crane	Hunter	Strain
Cravins	Hutter	Thompson

Crowe	Jefferson	Toomy
Damico	Johns	Townsend
Daniel	Katz	Trahan
Dartez	Kennard	Triche
DeWitt	Kenney	Tucker
Doerge	Kleckley	Waddell
Dorsey	LaBruzzo	Walker
Dove	LaFonta	Walsworth
Downs	Lambert	White
Durand	Martiny	Wooton

Total - 87

NAYS

Carter, K.	Jackson	Powell, M.
Cazayoux	LaFleur	Richmond
Farrar	Marchand	Romero
Honey	Pinac	Winston

Total - 12

ABSENT

Curtis	Scalise	St. Germain
Lancaster	Smith, G.	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Smiley 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. 1332—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Townsend moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
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	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
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Downs	Katz
-------	------

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 181—**

BY REPRESENTATIVE DOWNS  
AN ACT

To amend and reenact R.S. 17:25(A), relative to the distribution of minimum foundation program formula funds; to authorize the state superintendent of education to take certain actions relative to the distribution of such funds in the event of a declared disaster including suspending or reducing monthly payments for certain school districts and schools; to provide for the duration of such authority; to provide for certain notification to the State Board of Elementary and Secondary Education and the governor relative to the exercising of such authority; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed House Bill No. 181 by Representative Downs

AMENDMENT NO. 1

On page 1, at the end of line 6, insert "legislative approval of such authority; to provide for"

AMENDMENT NO. 2

On page 2, line 11, after "authority" delete the remainder of the line and insert "to recommend to the Joint Legislative Committee on the Budget the suspension or reduction of"

AMENDMENT NO. 3

On page 2, at the end of line 15, add the following:

"If, as, and when such recommendation is approved by the Joint Legislative Committee on the Budget, the state superintendent of education shall have temporary authority to suspend or reduce any monthly minimum foundation program payments for the affected local school systems, state-approved charter schools, or laboratory schools."

On motion of Rep. Alario, the amendments were adopted.  
Rep. Downs moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Erdey	Montgomery
Alexander	Fannin	Morrish
Badon	Faucheux	Powell, T.
Baldone	Frith	Ritchie
Baudoin	Gallot	Robideaux
Beard	Greene	Smiley
Bruce	Guillory, E.	Smith, J.H.—8th
Burns	Hammett	Smith, J.R.—30th
Carter, R.	Hebert	Strain
Crane	Honey	Thompson
Crowe	Johns	Triche
Damico	Katz	Waddell
Dartez	Kenney	Walsworth
Dove	Kleckley	White
Downs	LaBruzzo	
Durand	McDonald	
Total - 46		

**NAYS**

Alario	Gray	Pierre
Ansardi	Harris	Pinac
Arnold	Heaton	Pitre
Barrow	Hill	Powell, M.
Baylor	Hopkins	Quezaire
Bowler	Hunter	Richmond
Bruneau	Hutter	Romero
Burrell	Jackson	Scalise
Carter, K.	Jefferson	Smith, G.
Cazayoux	Kennard	Smith, J.D.—50th
Cravins	LaFleur	St. Germain
Curtis	LaFonta	Toomy
Daniel	Lambert	Townsend
DeWitt	Lancaster	Tucker
Doerge	Marchand	Walker
Dorsey	Martiny	Winston
Farrar	McVea	Wooton
Geymann	Morrell	
Glover	Odinet	
Total - 55		

**ABSENT**

Guillory, M.	Schneider	Trahan
Total - 3		

The Chair declared the above bill failed to pass.

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

**Suspension of the Rules**

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

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 3, 2006

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 146  
Returned without amendments

House Concurrent Resolution No. 150  
Returned without amendments

House Concurrent Resolution No. 158  
Returned without amendments

House Concurrent Resolution No. 159  
Returned without amendments

House Concurrent Resolution No. 160  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**HOUSE BILLS**

May 3, 2006

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

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

House Bill No. 267  
Returned without amendments

House Bill No. 434  
Returned with amendments

House Bill No. 680  
Returned without amendments

House Bill No. 820  
Returned with amendments

House Bill No. 856  
Returned without amendments

House Bill No. 921  
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

May 3, 2006

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

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

Senate Concurrent Resolution Nos. 64, 65, 66, 69, 70, and 71

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### SENATE BILLS

May 3, 2006

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

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

Senate Bill Nos. 151, 195, and 258

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Senate Bills and Joint Resolutions on First Reading

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

#### SENATE BILL NO. 151— BY SENATOR MCPHERSON

##### AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures and to provide for related matters.

Read by title.

#### SENATE BILL NO. 195—

BY SENATORS MCPHERSON, CHEEK, ELLINGTON, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES AND ULLO  
AN ACT

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

Read by title.

#### SENATE BILL NO. 258—

BY SENATORS BOASSO, BARHAM, DARDENNE, B. GAUTREAUX, HOLLIS, SHEPHERD AND THEUNISSEN

##### A JOINT RESOLUTION

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

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. 161— BY REPRESENTATIVE GEYMAN

##### A CONCURRENT RESOLUTION

To commend Evan Alexandra Adams upon being named Louisiana's 2006 Junior High/Middle School Student of the Year and to recognize her extraordinary accomplishments.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 162— BY REPRESENTATIVE GLOVER

##### A CONCURRENT RESOLUTION

To recognize the State Fair of Louisiana upon the celebration of its centennial anniversary and to declare May 9, 2006, as State Fair of Louisiana Day at the Louisiana Legislature.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 163— BY REPRESENTATIVE STRAIN

##### A CONCURRENT RESOLUTION

To recognize September of 2006 as Parent Teacher Association Month in Louisiana, to commend those involved in their schools and communities, and to encourage school and community participation.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 164— BY REPRESENTATIVE WALSWORTH

##### A CONCURRENT RESOLUTION

To commend Randy Ewing for his leadership and guidance as the chief executive officer of the Louisiana Family Recovery Corps.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 165— BY REPRESENTATIVE MORRELL

##### A CONCURRENT RESOLUTION

To urge and request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs to conduct a hearing before sine die of the 2006 Regular Session on the increases and fluctuations of gasoline prices within the state.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 166—**

BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

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 Administration of Criminal Justice**

May 3, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 5, by Gray  
Reported favorably. (9-0)

House Bill No. 78, by Gray  
Reported by substitute. (10-0) (Regular)

House Bill No. 503, by Gray  
Reported with amendments. (11-0) (Regular)

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

House Bill No. 995, by Gray  
Reported by substitute. (10-0) (Regular)

House Bill No. 1142, by Gray  
Reported with amendments. (6-5) (Regular)

House Bill No. 1201, by Honey  
Reported with amendments. (8-0) (Regular)

House Bill No. 1258, by Kleckley  
Reported favorably. (11-0) (Regular)

DANIEL MARTINY  
Chairman

**Report of the Committee on Education**

May 3, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 310, by Tucker  
Reported with amendments. (11-0) (Regular)

House Bill No. 1233, by John Smith  
Reported favorably. (10-0) (Regular)

CARL CRANE  
Chairman

**Report of the Committee on Health and Welfare**

May 3, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 473, by Winston  
Reported favorably. (10-0) (Regular)

House Bill No. 1254, by Durand  
Reported favorably. (12-0) (Regular)

SYDNEIE MAE DURAND  
Chairman

**Report of the Committee on Insurance**

May 3, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 585, by K. Carter  
Reported with amendments. (14-0) (Regular)

House Bill No. 792, by K. Carter  
Reported with amendments. (10-0) (Regular)

House Bill No. 1056, by Farrar  
Reported with amendments. (8-7) (Regular)

KAREN CARTER  
Chairman

**Report of the Committee on Natural Resources**

May 3, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 85, by Powell, T.  
Reported favorably. (8-0-1) (Regular)

House Bill No. 1145, by Smith, Jack  
Reported by substitute. (8-0-1) (Regular)

WILFRED PIERRE  
Chairman

**Privileged Report of the Legislative Bureau**

May 3, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 1  
Reported without amendments.

Senate Bill No. 154  
Reported without amendments.

Senate Bill No. 209  
Reported without amendments.

Senate Bill No. 615  
Reported with amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Privileged Report of the Committee on Enrollment**

May 3, 2006

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

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

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 50—**

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH  
A RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to construct a westbank expressway along Louisiana Highway 3127 between Baton Rouge and New Orleans in order to create an alternate escape route during hurricane evacuations.

**HOUSE RESOLUTION NO. 51—**

BY REPRESENTATIVE DORSEY  
A RESOLUTION

To recognize May 4, 2006 as Together Rx Access Awareness Day.

**HOUSE RESOLUTION NO. 52—**

BY REPRESENTATIVE DORSEY  
A RESOLUTION

To commend the members of the Council of Student Body Presidents for their outstanding accomplishments.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 3, 2006

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

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

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE SCHNEIDER AND SENATORS BARHAM, BOASSO, DARDENNE, B. GAUTREAUX, HOLLIS, SHEPHERD, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend Robert L. Borden for his outstanding service as executive director of the Louisiana State Employees' Retirement System (LASERS).

**HOUSE CONCURRENT RESOLUTION NO. 141—**

BY REPRESENTATIVES ERDEY, K. CARTER, FARRAR, FAUCHEUX, HARRIS, HEBERT, JOHNS, KLECKLEY, MCVEA, MORRISH, PITRE, T. POWELL, RICHMOND, SCALISE, GARY SMITH, TOOMY, TOWNSEND, TUCKER, AND WALSWORTH

A CONCURRENT RESOLUTION

To urge and request Louisiana's congressional delegation and the state insurance commissioner to support and secure passage of federal legislation establishing a catastrophic reinsurance fund to support state efforts to keep homeowners' disaster insurance affordable.

**HOUSE CONCURRENT RESOLUTION NO. 147—**

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To commend Cynthia M. Lemelle upon her retirement as director of career services at Grambling State University and to recognize her dedication and contributions to this great university.

**HOUSE CONCURRENT RESOLUTION NO. 148—**

BY REPRESENTATIVES GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINE, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To commend former State Senator Virginia K. Shehee of Shreveport upon being honored as a 2006 Louisiana Legend by Louisiana Public Broadcasting and to recognize her singular achievements and contributions.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend the workers of NASA's Michoud Assembly Facility in New Orleans for their heroic efforts during Hurricane Katrina.

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To express condolences upon the death of Dr. Robert Lawson Bailey, retired professor of biological sciences and head of the Department of Agriculture at Grambling State University.

**HOUSE CONCURRENT RESOLUTION NO. 153—**

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To designate June 1, 2006, the first day of hurricane season, as a statewide day of prayer for protection from hurricanes throughout the season.

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVES JOHNS, GEYMANN, E. GUILLORY, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend Wilmer Dugas upon the occasion of his retirement from the Sulphur City Council.

**HOUSE CONCURRENT RESOLUTION NO. 156—**

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend NASA's Michoud Assembly Facility in New Orleans for being awarded the manufacturing of the Crew Launch Vehicle.

**HOUSE CONCURRENT RESOLUTION NO. 157—**

BY REPRESENTATIVE GALLOT

**A CONCURRENT RESOLUTION**

To commend Dean Busby upon his retirement as road superintendent of Claiborne Parish.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 3, 2006

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

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

The following House Bills have been properly enrolled:

**HOUSE BILL NO. 377 (Duplicate of Senate Bill No. 202)—**

BY REPRESENTATIVE MARTINY AND SENATOR JONES

**AN ACT**

To amend and reenact R.S. 15:828(B), relative to treatment and rehabilitation programs for inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules and regulations to encourage voluntary participation in such programs; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Suspension of the Rules**

On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 233 and 234

House Concurrent Resolution No. 77

**Suspension of the Rules**

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 1001 and 1262

**Suspension of the Rules**

On motion of Rep. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to meet upon adjournment on Thursday, May 4, 2006.

**Adjournment**

On motion of Rep. Kenney, at 5:55 P.M., the House agreed to adjourn until Thursday, May 4, 2006, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, May 4, 2006.

ALFRED W. SPEER  
Clerk of the House