

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

THIRTIETH 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

Thursday, May 18, 2006

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	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	Hammett	Ritchie
Bowler	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
Chandler	Jackson	Smith, J.R.—30th
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	Walsworth
Dove	Marchand	White

Downs
Durand
Erdey
Fannin
Total - 103

Martiny
McDonald
McVea
Montgomery

Winston
Wooton

ABSENT

Kennard
Total - 2

Walker

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

Prayer

Prayer was offered by Rep. Downs.

Pledge of Allegiance

Rep. Odinet 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. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Gallot, the Journal of May 17, 2006, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 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. 68, 91, and 93

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

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

**SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR MOUNT**

A CONCURRENT RESOLUTION

To commend and to congratulate Kathy Bonsall of Sulphur High School on receipt of the Presidential Award for Excellence in Mathematics and Science Teaching for 2005 and to recognize her contributions to education and the teaching profession.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend and congratulate Irene Velma King upon the occasion of her one hundredth birthday.

Read by title.

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

Message from the Senate

SENATE BILLS

May 18, 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. 213, 222, 241, 529, 597, and 743

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. 213—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1998(A)(1)(a) and (F), and to enact R.S. 47:1998(G), relative to judicial review of assessed valuation property; to provide procedures for judicial review of assessed valuation property; and to provide for related matters.

Read by title.

SENATE BILL NO. 222—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a) and (c), 416, 417(A), and 427(A)(1), and to enact R.S. 14:92.2(A)(4) and (B)(3) and R.S. 32:417(D) and (E), relative to motor vehicles; to increase the penalties for any unlicensed person who operates a motor vehicle; to increase the penalties for any person who allows an unlicensed minor to operate a motor vehicle; to provide for penalties when an unlicensed person is involved in an accident which results in the serious injury or death of another person; to provide for the improper supervision of a minor by a parent or legal custodian; to provide for exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 241—

BY SENATOR SHEPHERD

AN ACT

To enact R.S. 9:2941.1, relative to contracts; to provide relative to bond for deed contracts; to provide relative to recording of such contracts; to prohibit interest for subsequent filings by or against the bond for deed purchaser; to provide for the cancellation of certain mortgage records after registry of the sale of a bond for deed under certain circumstances; to provide relative to cancellation of a bond for deed contract upon default; to provide relative to tax sales; and to provide for related matters.

Read by title.

SENATE BILL NO. 529—

BY SENATORS JACKSON AND BAJOIE

AN ACT

To enact R.S. 29:766(G) and R.S. 40:2009.25, relative to nursing home emergency preparedness; to provide for the declaration of a state public health emergency; to provide for requirements of emergency preparedness plans in certain parishes; to provide for the evaluation of such plans; to create and provide for the content of the Nursing Home Emergency Preparedness Review Committee; to provide for rules and regulations; to provide for application to existing law; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 597—

BY SENATOR DARDENNE

AN ACT

To enact Part III of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:44 through 51, relative to public records; to provide for confidentiality of the addresses of registered voters who are victims of abuse; and to provide for related matters.

Read by title.

SENATE BILL NO. 743 (Substitute of Senate Bill No. 600 by Senator Murray)—

BY SENATOR MURRAY

AN ACT

To enact Chapter 20 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1401 through 1422, relative to loans; to provide for the Louisiana Motor Vehicle Title Loan Act; to provide for definitions; to provide requirements for title loan agreements; to require the lender to maintain certain records; to provide for lender's rights and remedies upon default; to provide for certain charges; to provide for the length of title loans; to provide for the borrower's rights and remedies; to prohibit certain acts; to provide requirements for licensure; to provide exceptions from licensure; to provide procedures for licensure; to provide for the denial, suspension, and revocation of a license; to provide for the powers and duties of the commissioner of financial institutions; to authorize a private right of action; to provide for the regulation of former licensees; to provide for certain exemptions from licensure; to provide for severability; and to provide for related matters.

Read by title.

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

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

Motion

On motion of Rep. Cravins, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 574.

HOUSE BILL NO. 574—

BY REPRESENTATIVE CRAVINS

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(introductory paragraph) and to enact R.S. 27:308(B)(4) and (5), relative to causes of force majeure which affect the operation of video draw poker devices; to provide for an exception to the restaurant requirements of a qualified truck stop facility in cases where the restaurant cannot be operated because of force majeure; to

provide for the temporary surrender of a license as a result of force majeure; to provide for an exemption from certain fees due to force majeure; to provide with respect to restoration of a license surrendered as a result of force majeure; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Cravins, the bill was withdrawn from the files of the House.

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. 6— BY SENATOR SHEPHERD

AN ACT

To enact R.S. 40:1614, relative to fire protection; to require all mattresses and box springs sold in Louisiana to be fire retardant; to provide for open flame resistance standards; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 284— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:407(E) and to enact R.S. 32:414(T) and 431.1, relative to motor vehicles; to provide relative to driver's licenses and learner's permits; to authorize the denial or suspension of a driver's license or learner's permit of a minor who is not enrolled in or has not completed school or an adult education program; to authorize school boards and nonpublic schools to adopt policies providing relative to such denial or suspensions; to provide for notification to the Department of Public Safety and Corrections when a minor drops out of school; to provide for reinstatement of driving privileges; to authorize issuance of a hardship license; to provide for an appeal process; to provide for the responsibilities of the department; to provide definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 375— BY SENATOR ADLEY

AN ACT

To enact R.S. 29:732.1, relative to contractual relationships; to provide for certain contracts or agreements executed during, or as a result of, a declared state disaster or emergency; to provide certain terms and conditions; to provide for violations of contractual provisions; to provide for an effective date; to provide for certain retroactive application; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 546— BY SENATOR MOUNT

AN ACT

To enact R.S. 47:337.9(F), relative to sales and use taxes imposed by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with the state; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 618— BY SENATORS HINES, ADLEY, DUPLESSIS, KOSTELKA, MALONE, MICHOT, MOUNT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:9 and 337.19(A), R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C), to enact R.S. 47:1508(B)(23) and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7), and to repeal R.S. 47:306(D), relative to tax collection; to provide for registration, certification, and required security for taxes from certain contractors; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 624— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 28:2(21) and (22), 52(D) and (H)(2)(b), 53(B)(1) and (2), (F), (G)(1), (J)(1) and (2), (K)(1)(a) and (c), and (O)(2), 53.2(A)(5) and (C), 55(I)(1)(a) and (c), 63(A)(1) and (B), 94(B)(2), 96.1(A), (E), and (F), 141, 171(D)(3), (5) and (8), (F), (G), (N) and (P), relative to mental health; to provide for duties and responsibilities of physicians, psychiatrists, and psychologists; to add duties and responsibilities of nurse practitioners and psychiatric mental health nurse practitioners; 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. 718— BY SENATORS CHAISSON, BOASSO, DUPLESSIS, LENTINI, QUINN, SHEPHERD AND ULLO

AN ACT

To enact R.S. 30:2154(B)(2)(h), (i), and (j), relative to environmental quality; to provide for the authority of the secretary of the Department of Environmental Quality; to require the secretary to determine the present capacity for acceptance of anticipated construction and demolition debris related to Hurricane Katrina of all Type I, Type II, and Type III permitted landfills in certain parishes; to prohibit the permitting of certain additional landfills; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 747 (Substitute of Senate Bill No. 602 by Senator Murray)— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9108(D) and to enact R.S. 33:9106.2 and 9108(E), relative to the Orleans Parish Communication District; to authorize a fixed rate for emergency telephone

service charges; to provide for the services for which the 9-1-1 charges are applicable; to provide for a termination date of the fixed rate emergency telephone service charge; to provide relative to limiting liability of the district; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 285—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

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

**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. 5—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Concurrent Resolution No. 5 by Representative Gray

AMENDMENT NO. 1

On page 2, delete line 2 and insert "competent to stand trial may access services and receive the necessary competency restoration"

AMENDMENT NO. 2

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

"(18) The president of Victims and Citizens Against Crime or her designee.

(19) Three members of the Louisiana District Attorneys Association designated by the president of the Louisiana District Attorneys Association."

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

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

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Center-Health Care Services Division to take all necessary measures to name the library located at the Earl K. Long Medical Center in Baton Rouge the "Jane Lambremont LSU Library" in honor of former library director Jane Lambremont.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 168—

BY REPRESENTATIVES GREENE, CURTIS, DOERGE, DURAND, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, AND WADDELL
A CONCURRENT RESOLUTION

To urge and request congress to amend the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA) to allow state and local governments to prevent the placement of group homes for former substance abusers in proximity to day care centers and preschools.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

**Senate Concurrent Resolutions
Reported by Committee**

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

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR JONES
A CONCURRENT RESOLUTION

To direct state agencies to provide to the division of archives, records management, and history of the Department of State all locations where their public records are stored and to direct such division to work in cooperation with the Louisiana Geographical Information Center to develop mapping relative to such locations.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To create a study committee to review and recommend a proposal for development and location of regional records centers outside of the State Archives Building and a records recovery complex to provide for storage and back up storage for Louisiana's clerks of court, registrars of voters, assessors and the secretary of state's office.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 15 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert:

"request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and"

AMENDMENT NO. 2

On page 2, line 3, after "Louisiana" delete the remainder of the line and delete line 4 and insert:

"does hereby request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and location of regional"

AMENDMENT NO. 3

On page 2, line 6, before "that the" delete the remainder of the line and delete lines 7 through 30 and on page 3, delete lines 1 through 25 and insert the following:

"that the joint committee shall specifically solicit the recommendations, input, and advice of the following:

(1) An employee of the office of facility planning and control in the division of administration designated by the commissioner of administration.

(2) An employee of the office of risk management in the division of administration designated by the commissioner of administration.

(3) Two employees of the division of archives, records management and history of the Department of State designated by the secretary of state.

(4) The secretary of state or his designee.

(5) One employee from each of the following, designated by the secretary of state: the executive office, the commercial division, the elections division, and the museums division of the Department of State.

(6) Two representatives of the Louisiana Clerks of Court Association designated by the president of such association.

(7) A representative of the Louisiana Supreme Court designated by the chief justice.

(8) Two representatives of the Louisiana Registrar of Voters Association designated by the president of such association.

(9) A representative of the Louisiana Assessors Association appointed by the president of such association.

(10) An employee of the archeology division within the Department of Culture, Recreation and Tourism designated by the lieutenant governor.

(11) An employee of the office of the state museum within the Department of Culture, Recreation and Tourism designated by the lieutenant governor.

BE IT FURTHER RESOLVED that the joint committee shall report its findings to the legislature by March 1, 2007."

AMENDMENT NO. 4

On page 3, line 27, before "lieutenant governor," insert "the"

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

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

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consider pay increases for school support personnel.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original Senate Concurrent Resolution No. 18 by Senator Nevers

AMENDMENT NO. 1

On page 2, delete lines 2 and 3 in their entirety

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

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to pass the proposed constitutional amendment banning the desecration of the United States flag.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to establish a special committee to research, study and make recommendations regarding the update, revision, and recodification of all of Louisiana's criminal or penal statutes and penalties into one comprehensive Criminal Code.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 58—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 44:12.1, relative to public records; to prohibit the use of oral only contacts and interviews for certain applicants for certain public positions; to provide for the examination, inspection, copying, or reproduction of certain specific records; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 226—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:193(A), relative to viatical settlements; to provide relative to the annual statement of viatical settlement transactions required to be submitted to the commissioner of insurance; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 251—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:191.1(C), relative to viatical settlements; to provide for an annual expiration date for a license as a viatical settlement provider, broker, or investment agent; to provide otherwise with respect to renewal of such licenses; to provide relative to the annual statement required of licensees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 251 by Representative K. Carter

AMENDMENT NO. 1

On page 1, at the beginning of line 13, delete "annually on March first" and insert "on March 1, 2008, and on March first of each year thereafter"

AMENDMENT NO. 2

On page 1, line 17, after "later than" change "February" to "March"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 313—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:1384(A)(3), relative to the Insurance Guaranty Association; to modify the authority of the commissioner of insurance with respect to the board of commissioners of the association relative to certificates of authority of insurers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 313 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "repeal" and insert "amend and reenact"

AMENDMENT NO. 2

On page 1, line 2, after "Association; to" change "remove" to "modify"

AMENDMENT NO. 3

On page 1, line 3, after "insurance" delete "to consult with" and insert "with respect to"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 1, line 6, after "hereby" delete the remainder of the line and insert "amended and reenacted to read as follows:"

AMENDMENT NO. 6

On page 1, after line 6, insert the following:

"§1384. Duties and powers of the commissioner

A. The commissioner shall:

* * *

~~(3) Consult with Notify the board of directors of the association, or with said board's duly appointed committee, on of all applications to do business in this state made by domestic and foreign insurers which are prospective member insurers and all applications for modification of existing certificates of authority to do business in this state made by such insurers. to determine whether such insurer is in such a condition that its transaction of business in this state would be hazardous to policyholders and creditors in this state and to the public, or that its transaction of business in this state or the modification of its present authority to transact business in this state would involve a substantial risk of a covered claim being made against the association under the provisions of this Part. In the event the association or such board's duly appointed committee recommends in writing to the commissioner that a domestic or foreign insurer not be admitted to do business in this state or that the existing certificate of authority issued to such an insurer not be modified because one or more of the above cited conditions are deemed to exist, then in that event it shall be the duty of the commissioner to conduct a hearing on the application, giving the insurer at least thirty days notice of such hearing. The hearing shall be conducted in accordance with the Rules of Practice and Procedure before the commissioner of insurance and the Administrative Procedure Act of Title 22 of the Louisiana Revised Statutes of 1950. The association shall be notified of the hearing at least fifteen days in advance thereof, and shall be afforded a reasonable opportunity to inspect all documentary evidence, to present evidence and examine witnesses if it so elects. Within thirty days after the termination of the hearing, the commissioner shall make his order thereon which shall in all respects comply with the provisions of R.S. 22:1359.~~

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 327—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 22:1381(A)(2), relative to the Insurance Guaranty Association; to delete superseded provisions relative to the board of directors of the association.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 489—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 18:101(D)(introductory paragraph), 115(B) and (E)(1), and 135(A), relative to voter registration; to provide for voter registration until the seventh day prior to an

election; to remove provisions relative to verification of applications to register to vote by mail; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 1393 (Substitute for House Bill No. 489 by Representative Jefferson)—

BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 18:135.1, relative to voter registration; to require the secretary of state to examine issues related to changing the close of voter registration and to report to the House and Senate Governmental Affairs Committees whether it would be feasible to change the voter registration deadline; to authorize the secretary of state to develop and implement a plan relative to changing the voter registration deadline if he reports that it is feasible to do so; to require and provide for gubernatorial and legislative approval of such plan prior to implementation; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the substitute was adopted and became House Bill No. 1393 by Rep. Jefferson, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Bill No. 489 by Rep. Jefferson.

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

HOUSE BILL NO. 518—
BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for claims adjusters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 518 by Representative Farrar

AMENDMENT NO. 1

On page 1, at the end of line 13, change "\$100.00" to "\$75.00"

AMENDMENT NO. 2

On page 1, at the end of line 14, change "\$75.00" to "\$50.00"

AMENDMENT NO. 3

On page 1, at the end of line 16, change "\$100.00" to "\$75.00"

AMENDMENT NO. 4

On page 1, at the end of line 17, change "\$75.00" to "\$50.00"

AMENDMENT NO. 5

On page 1, at the end of line 19, change "\$50.00" to "\$25.00"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 896—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 37:1302, relative to the practice of medicine and delivery of health care services by a hospital; to allow a physician or a hospital to discount the fee charged for rendered health care services unless prohibited by contract; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 1394 (Substitute for House Bill No. 896 by Representative Walsworth)—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the substitute was adopted and became House Bill No. 1394 by Rep. Walsworth, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 896 by Rep. Walsworth.

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

HOUSE BILL NO. 1047—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1405(J), relative to public fire protection grading; to provide for appeal and review; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 1395 (Substitute for House Bill No. 1047 by Representative St. Germain)—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; and to provide for related matters.

Read by title.

On motion of Rep. Karen Carter, the substitute was adopted and became House Bill No. 1395 by Rep. St. Germain, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1047 by Rep. St. Germain.

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

HOUSE BILL NO. 1272—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:1478, relative to property insurance; to provide for insurer-produced written catastrophe response plans; to provide that the catastrophe plan describe each insurer's response to catastrophes affecting insureds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1301—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 22:1386(A), relative to the Louisiana Insurance Guaranty Association; to provide relative to nonduplication of recovery; to provide for an exception for coverage afforded through state agencies under self-insurance certificates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1307—
BY REPRESENTATIVES HUTTER AND LANCASTER
AN ACT

To amend and reenact R.S. 18:402(C), (E)(1)(c) and (2)(c), and (F)(3), 1280.21, and 1280.22(B)(1), relative to the presidential preference primary and elections held at the same time as such primary; to change the dates of the presidential preference primary and elections held at the same time as such primary; to allow for certain municipal primary and general elections to be held on the existing date; to provide relative to the costs incurred in such elections; to require notice to the secretary of state by the municipal governing authority of its decision to avail itself of the existing date; to provide relative to candidate qualifying for the presidential preference primary; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1307 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 5, after "such primary," insert the following:

"to allow for certain municipal primary and general elections to be held on the existing date; to provide relative to the costs incurred in

such elections; to require notice to the secretary of state by the municipal governing authority of its decision to avail itself of the existing date;"

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:

"(3) A municipal governing authority may hold a primary election for municipal and ward officers on the second Tuesday in March and the general election for such election on the third Saturday in April in the presidential election year; however, the municipal governing authority shall be responsible for all election expenses incurred in such elections and shall reimburse the secretary of state for any such costs. The municipal governing authority shall provide written notice to the secretary of state that it will hold elections on the dates provided in this Paragraph not later than ninety days prior to the primary election."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to charitable gaming; to provide for the number of electronic video bingo machines which may be operated at a licensed establishment; to provide for limitations on the times electronic video bingo machines may be operated; to provide with respect to the beginning of bingo sessions; to provide with respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1315 by Representative Martiny

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert in lieu thereof the following:

"To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to"

AMENDMENT NO. 2

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

"to provide with respect to the beginning of bingo sessions; to provide with respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." delete the remainder of the line and delete line 10 in its entirety and insert "R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) are hereby amended and reenacted and R.S. 4:724(B)(10) and (J) and 740(D) are hereby enacted to read as follows:"

AMENDMENT NO. 4

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

"§715. Personnel to hold games; commissions or salaries; equipment and supplies; expenses

A. * * *

(2) * * *

(b) Any person, association, or corporation licensed to hold, operate, or conduct any games of chance under any license issued pursuant to this Chapter may compensate, for services rendered, any fifteen employees, including a bingo caller, who assist in the holding, operating, or conducting of such games. The rate of compensation shall be no more than ~~ten dollars~~ twelve dollars and fifty cents per hour and in any event shall not exceed fifty seventy-five dollars per session for any employee. Each employee or volunteer worker may also be provided meals and beverages to be eaten on the premises not to exceed a total value of fifteen dollars per person. Expenditures made under the provisions of this Subsection shall be subject to the reporting provisions of R.S. 4:716. Compensation provided for in this Paragraph shall not constitute a violation of the prohibition against the payment or giving of a commission, salary, compensation, reward, or recompense to any person holding, operating, or conducting any such game. In no event may the amount paid to workers exceed forty percent of the aggregate net gaming revenue for any two fiscal quarters. Payment of workers in excess of forty percent of the aggregate net gaming revenue for any two fiscal quarters shall constitute grounds for suspension or revocation.

* * *

B. * * *

(2) Notwithstanding any provision of law to the contrary, any person, association, or corporation licensed to hold, operate, or conduct any games of chance that benefit the visually and hearing impaired or either, paraplegics, quadriplegics, mentally retarded, or persons sixty years of age or older, under any license issued pursuant to this Chapter may compensate, for services rendered, any fifteen employees who assist in the holding, operating, or conducting of such games. The rate of compensation shall be no more than ~~ten dollars~~ twelve dollars and fifty cents per hour and in any event shall not exceed fifty seventy-five dollars per session for any employee. Each employee or volunteer worker may also be provided meals and beverages to be eaten on the premises not to exceed a total value of fifteen dollars per person. Expenditures made under the provisions of this Subsection shall be subject to the reporting provisions of R.S. 4:716. Compensation provided for in this Subsection shall not constitute a violation of the prohibition against the payment or giving of a commission, salary, compensation, reward, or recompense to any person holding, operating, or conducting, or assisting in the holding, operation, or conduct of any such game. In no event may the amount paid to workers exceed forty percent of the aggregate net gaming revenue for any two fiscal quarters. Payment of workers in excess of forty percent of the aggregate net gaming revenue for any two fiscal quarters shall constitute grounds for suspension or revocation.

* * *

AMENDMENT NO. 5

On page 1, between lines 15 and 16 insert the following:

"(9) No person under the age of eighteen shall assist in the holding, operation, or conducting of electronic or video bingo games. No person under the age of twenty-one shall play an electronic video bingo machine."

AMENDMENT NO. 6

On page 2, delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"B. ~~Selling of~~ No pull-tabs, bingo paper, or bingo cards shall be sold or electronic video bingo machines operated except during the designated time period of the charitable organization's session, constitutes the beginning of a session."

AMENDMENT NO. 7

On page 2, after line 9, insert the following:

"D. Electronic video bingo machines may be available for play at premises licensed by the division for the conducting of games of chance only during the licensed six-hour session at which no less than ten games of call bingo or keno are played with a minimum of two hundred dollars total prize amounts being awarded."

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

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

Under the rules, placed on the regular calendar.

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. 35—
BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 3061, relative to successions; to provide relative to judgments of possession; to provide relative to the requirement for an inheritance tax return in such instances; to limit such requirement to certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 57—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2011(A)(1) and 2052 and to repeal R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), relative to environmental quality; to remove the jurisdiction of Department of Environmental Quality relative to the regulation of noise pollution; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Bill No. 57 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "2052" insert a comma "," and "and to enact R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), effective July 1, 2007,"

AMENDMENT NO. 2

On page 2, after line 12, insert the following:

"Section 3. R.S. 30:2011(A)(1) and 2052 are hereby amended and reenacted and R.S. 30:2011(A)(2), 2053(5) and 2054(B)(7) are hereby enacted to read as follows:

§2011. Department of Environmental Quality created; duties; powers; structure

A.(1) There is hereby created the Department of Environmental Quality which shall be the primary agency in the state concerned with environmental protection and regulation. The department shall have jurisdiction over matters affecting the regulation of the environment within the state, including but not limited to the regulation of air quality, noise pollution control, water pollution control, the regulation of solid waste disposal, the protection and preservation of the scenic rivers and streams of the state, the regulation and control of radiation, the management of hazardous waste, and the regulation of those programs which encourage, assist, and result in the reduction of wastes generated within Louisiana.

(2) However, the jurisdiction of the department relative to the regulation of noise pollution control shall not prevent local governments from adopting local noise pollution control ordinances which are at least as strict as state regulations pertaining to the regulation of noise pollution.

* * *

§2052. Policy; purpose

The legislature finds and declares that the purity of the air in the environment is a matter of vital concern to the welfare of the people of the state and to promote an environment free from pollution that jeopardizes the health and welfare of the citizens of the state, consistent with sound policies for employment and industrial development, it is necessary to establish an efficient method for the regulation and control of discharge of contaminants into the air resources of the state. The legislature further finds and declares the policy of the state of Louisiana to promote an environment free from noise that endangers the health or welfare of its people.

§2053. Definitions

As used in this Chapter, the following terms shall have the meanings ascribed to them in this Section, unless the context clearly indicates otherwise:

* * *

(5) "Noise" means the intensity, duration, and the character of sounds from all sources.

* * *

§2054. Air quality control; secretary of environmental quality; powers and duties

* * *

B. The secretary shall have the following powers and duties:

* * *

(7) To adopt and promulgate rules and regulations establishing and implementing a comprehensive program for the control and abatement of environmental noise pollution. The regulations shall be consistent with applicable federal laws, rules, and regulations and, at a minimum, shall provide for the following:

(a) Criteria and standards for noise control and abatement.

(b) Levels of noise appropriate to defined areas under various conditions.

* * *

Section 4. This Section and Sections 1, 2, and 5 of 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 Section and Sections 1, 2, and 5 shall become effective on the day following such approval.

Section 5. Section 3 of this Act shall become effective July 1, 2007."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 79—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2195.2(A)(1)(c)(ii), and (3), 2195.4(A), and 2195.10 and to enact R.S. 30:2195.9(A)(6); relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; authorizes the Department of Environmental Quality to file liens in lieu of tank owners paying deductibles on underground storage tanks; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 79 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 5, following "releases" and before "the Department" change "authorizes" to "to authorize"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 123—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:315(C)(3)(a), relative to child support; to provide for the definition of gross income; to include the basic allowance for housing for military personnel as gross income; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 125—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 28:382.2(C) and R.S. 39:1533(A) and to enact R.S. 28:771(G), and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to create the South Central Louisiana Human Services Authority; to provide for the powers, duties and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 190—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:114(F)(2) and 1520(A) and (C), relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; 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 Engrossed Senate Bill No. 190 by Senator Mount

Page 12 HOUSE

30th Day's Proceedings - May 18, 2006

AMENDMENT NO. 1

On page 2, line 29, after "(c)" delete "Ninety percent of the" and change "individual" to "Individual"

AMENDMENT NO. 2

On page 3, at the end of line 2, after "year" delete the period "." and insert the following:

"may be required to be filed electronically as follows:

(i) Thirty percent of the returns due on or after January 1, 2007.

(ii) Sixty percent of the returns due on or after January 1, 2009.

(iii) Ninety percent of the returns due on or after January 1, 2011."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 207—

BY SENATORS MICHOT, BOASSO, DUPLESSIS, HOLLIS, MOUNT, QUINN AND SCHEDLER

AN ACT

To enact R.S. 51:1783(10) and 1787(K), relative to the Louisiana Enterprise Zone Act; to define the term "residential type development"; to provide for additional business enterprises eligible for participation in the Louisiana Enterprise Zone Act; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 227—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belts; to exempt from the safety belt law certain utility workers in the performance of their duties under certain circumstances; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 252—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:381(C)(3), relative to utilities and facilities; to provide for the relocation of utilities and facilities for highway widening, relocation, or improvement purposes; to provide for utility relocation agreements; to provide relative to delays; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 268—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:287.655(A), (D)(introductory paragraph), and (G)(1), and to repeal R.S. 47:120, 120.1, and 120.2, relative to installment payments of estimated income tax by corporations; to specify that the amount to be paid if there is an underpayment of tax or an adjustment is a penalty; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 394—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:443(A), relative to expropriation of property by the Department of Transportation and Development; to provide relative to the number of persons making real estate estimates for the department when expropriating property; to decrease the number of such persons; 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 Senate Bill No. 394 by Senator Ellington

AMENDMENT NO. 1

On page 1, at the beginning of line 5, after "property" delete the semicolon ";" and delete the remainder of the line in its entirety and insert the following:

"under certain circumstances; to decrease the number of such persons; to provide relative to the persons authorized to make real estate estimates for the department; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 10, after "estimate" and before the period "." insert "when he determines that the estimated value of the property to be expropriated is thirty thousand dollars or less. If the estimated value of the property to be expropriated is more than thirty thousand dollars, the real estate administrator shall select two or more persons to make the estimate"

AMENDMENT NO. 3

On page 1, line 11, after "by" delete "either a right-of-way appraiser or agent" and insert "a real estate appraiser or real estate specialist"

AMENDMENT NO. 4

On page 1, line 12, after "department" delete the comma "," and the remainder of the line and delete "designation by a national appraisal organization," from the beginning of line 13

AMENDMENT NO. 5

On page 1, at the end of line 16, after "taken" and before the period "." insert the following:

"and shall conduct the appraisal in accordance with real estate appraisal guidelines"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 400—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:455, relative to the Department of Transportation and Development; to provide relative to the accrual of legal interest against the department in expropriation proceedings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 406—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.47(B)(1)(c) and to enact R.S. 40:1299.47(B)(1)(d) and (N), relative to medical malpractice; to provide relative to medical risk review panels; to provide relative to the waiver of such panel; to establish an expedited risk review panel process; to require a written request for such process; to provide for time requirements relative to request for such process, the selection of panel members, and the rendering of the opinion of the panel; to provide relative to notification of certain participants in the panel; to require certain information of certain health care providers; to provide relative to a HIPAA Compliant Authorization form; to authorize a protection order of medical records; to provide relative to certain evidence; to require a written report of the conclusion of the panel; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Reconsideration

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

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.

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

Returned to the calendar under the rules.

Suspension of the Rules

On motion of Rep. Thompson, 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:

Local and Consent Calendar

HOUSE BILL NO. 1167—
BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 9:2800.16, relative to limitations of liability; to provide an exemption from liability for the gratuitous medical transportation services for a child and his family under certain circumstances; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pitre

Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Heaton	Schneider
Burrell	Hebert	Smiley
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hopkins	Smith, J.H.—8th
Chandler	Hunter	Smith, J.R.—30th
Crane	Hutter	St. Germain
Cravins	Jefferson	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Erdy	McDonald	

Total - 95

NAYS

Total - 0

ABSENT

Barrow	Kennard	Walker
Durand	McVea	Wooton
Jackson	Morrell	
Johns	Pinac	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson 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.

Regular Calendar

HOUSE BILL NO. 3—
 BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
 AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
 AN ACT

To enact the Omnibus Bond Authorization Act of 2006, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 3 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Richmond gave notice of his intention to call House Bill No. 558 from the calendar for future action.

HOUSE BILL NO. 255 (Duplicate of Senate Bill No. 400)—
 BY REPRESENTATIVE QUEZAIRES AND SENATOR ELLINGTON
 AN ACT

To amend and reenact R.S. 48:455, relative to the Department of Transportation and Development; to provide relative to the accrual of legal interest against the department in expropriation proceedings; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 275—
 BY REPRESENTATIVE QUEZAIRES
 AN ACT

To amend and reenact R.S. 48:443(A), relative to expropriation of property by the Department of Transportation and Development; to provide relative to the number of persons making real estate estimates for the department when expropriating property under certain circumstances; to decrease the number of such persons; to provide relative to the persons authorized to make real estate estimates for the department; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 851—
 BY REPRESENTATIVE DAMICO
 AN ACT

To amend and reenact R.S. 30:2186(A) and to enact R.S. 30:2011(D)(25), relative to reviews and determination conducted by the Department of Environmental Quality; to provide for request for reviews of certain immovable property; to provide for reviews and determinations of environmental media; to provide for fees; to provide for authority to promulgate rules and regulations; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Damico gave notice of his intention to call House Bill No. 851 from the calendar for future action.

HOUSE BILL NO. 869—
 BY REPRESENTATIVE DAMICO
 AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), relative to laboratory accreditation; to provide for fees collected by the Department of Environmental Quality for laboratory accreditation; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Damico gave notice of his intention to call House Bill No. 869 from the alendar for future action.

HOUSE BILL NO. 1200—
BY REPRESENTATIVES ARNOLD AND TUCKER
AN ACT

To require the Crescent City Connection Division within the Department of Transportation and Development to operate the Algiers/Canal Street ferry during certain hours; to provide exceptions; 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. 1200 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 8, following "12:00" and before "," change "a.m." to "midnight"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Erdey	Montgomery	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Durand	Jackson	Lancaster
Hill	Kennard	Walker

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1217—
BY REPRESENTATIVES K. CARTER, ALEXANDER, ANSARDI,
BOWLER, AND WALKER

AN ACT

To enact Chapter 4 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4241 through 4276, relative to arbitration; to provide for the International Commercial Arbitration Act; to provide for definitions; to provide for court intervention; to provide for arbitration agreements; to provide for the arbitral tribunal; to provide for jurisdiction; to provide procedures; to provide for the making of awards; to provide for settlements; to provide for recourse; to provide for recognition; to provide for enforcement; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Barrow	Gray	Powell, T.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Harris	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jefferson	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.R.—30th
Chandler	Katz	St. Germain
Crane	Kenney	Strain

Page 16 HOUSE

30th Day's Proceedings - May 18, 2006

Cravins	Kleckley	Thompson
Crowe	LaBruzzo	Toomy
Curtis	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Erdey	Montgomery	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Damico	Heaton	Kennard
Durand	Hebert	Smith, J.H.—8th
Hammett	Jackson	Walker

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1302—
BY REPRESENTATIVE BURNS
AN ACT

To provide relative to the interruption of prescription for property damage claims related to Hurricanes Katrina and Rita; to establish legislative intent; to provide for the interruption of prescription for one year; to authorize suit for declaratory judgment; to provide an emergency effective date; and to provide for related matters.

Read by title.

Rep. Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Montgomery
Alario	Gallot	Morrell
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Guillory, E.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Honey	Schneider
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th

Cazayoux	LaBruzzo	St. Germain
Curtis	LaFleur	Toomy
Daniel	LaFonta	Townsend
Dartez	Lancaster	Tucker
DeWitt	Marchand	Wooton
Doerge	Martiny	
Dorsey	McVea	

Total - 61

NAYS

Alexander	Frith	Powell, M.
Beard	Greene	Powell, T.
Bowler	Guillory, M.	Smiley
Carter, R.	Hill	Smith, J.R.—30th
Chandler	Hutter	Strain
Cravins	Johns	Thompson
Dove	Katz	Trahan
Durand	Kenney	Triche
Erdey	Kleckley	Waddell
Fannin	Lambert	Walsworth
Farrar	McDonald	Winston
Faucheux	Morrish	

Total - 35

ABSENT

Crane	Jackson	Scalise
Crowe	Kennard	Walker
Damico	Odinet	White

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1312—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 32:361.2(A)(2)(f) and 361.3(C), relative to motor vehicle windshields; to provide for objects or materials placed or affixed on windshields; to provide for medical and security exceptions; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Barrow	Gray	Powell, T.
Baudoin	Greene	Quezaire

Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	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
Chandler	Jackson	Smith, J.R.—30th
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	Lancaster	Waddell
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	

Total - 101

NAYS

Total - 0

ABSENT

Guillory, E.	Lambert
Kennard	Walker

Total - 4

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. 1391 (Substitute for House Bill No. 1020 by Representative Dorsey)—
BY REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 39:13(D) and to enact R.S. 28:826 and R.S. 39:13(E), relative to state facilities; to provide for the proceeds from the sale or lease of movable and immovable property previously operated by the Department of Health and Hospitals; to create the Community and Family Support System Fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1392 (Substitute for House Bill No. 1163 by Representative Ansardi)—
BY REPRESENTATIVE ANSARDI

AN ACT

To enact R.S. 19:1.1, relative to expropriation; to require approval by the local governing authority prior to expropriating private property; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

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

HOUSE BILL NO. 169—

BY REPRESENTATIVE BADON

AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide for the length of time within which an investigation of certain law enforcement officers must be completed in a parish with a population exceeding four hundred seventy-five thousand; to provide for disciplinary action for failure to timely complete the investigative report; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 169 by Representative Badon

AMENDMENT NO. 1

On page 3, after line 4, insert the following:

"Section 2. The provisions of R.S. 40:2531(B)(7)(b) shall cease to be effective on August 15, 2010."

Motion

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

Suspension of the Rules

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

HOUSE BILL NO. 1291—

BY REPRESENTATIVES ERDEY, R. CARTER, FAUCHEUX, AND WHITE

AN ACT

To enact R.S. 49:155.6, relative to state symbols; to provide the state cajun poem to be "I Am Louisiana" by Paul Ott; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Erdey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McDonald
Alario	Faucheux	McVea

Alexander	Frith	Montgomery
Ansardi	Gallot	Morrell
Arnold	Geymann	Morrish
Badon	Glover	Odinet
Baldone	Gray	Pierre
Baudoin	Greene	Pinac
Baylor	Guillory, E.	Powell, T.
Beard	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Smiley
Chandler	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	Wooton
Total - 93		

NAYS

Cazayoux	LaFleur	Powell, M.
Total - 3		

ABSENT

Barrow	Kennard	Trahan
Downs	Pitre	Walker
Farrar	Smith, G.	Winston
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Erdey 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. Wooton, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 426—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; to limit the value of the promotion; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Engrossed House Bill No. 426 by Representative Wooton

AMENDMENT NO. 1

On page 1, change "R.S. 27:326" to "R.S. 27:308(H)"

AMENDMENT NO. 2

On page 1, delete lines 3 through 5 in their entirety and insert "for a seventy-two-hour notice to the device owner prior to disabling any video draw poker device; and to provide for"

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 27:326" to "R.S. 27:308(H)"

AMENDMENT NO. 4

On page 1, delete lines 9 through 19 in their entirety and insert the following:

"§308. Powers and duties of the board or division; restrictions; permits

* * *

H. The division shall provide notice to the device owner at least seventy-two hours prior to disabling any video draw poker device by either registered or certified mail."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Martiny
Alario	Frith	McVea
Ansardi	Glover	Montgomery
Arnold	Gray	Morrell
Baylor	Guillory, E.	Morrish
Bowler	Guillory, M.	Odinet
Bruce	Hammett	Pierre
Bruneau	Harris	Pinac
Burrell	Hebert	Pitre
Carter, K.	Honey	Quezaire
Carter, R.	Hunter	Richmond
Cravins	Hutter	Romero
Curtis	Jackson	Smith, G.
Damico	Jefferson	Smith, J.D.—50th
Daniel	Johns	St. Germain
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Dorsey	LaFonta	Triche
Dove	Lancaster	Tucker
Durand	Marchand	Wooton
Total - 60		

NAYS

Alexander	Greene	Schneider
Baldone	Hill	Smiley
Baudoin	Hopkins	Smith, J.H.—8th
Beard	Katz	Smith, J.R.—30th
Chandler	Kenney	Strain

Crane	Kleckley	Thompson
Crowe	McDonald	Trahan
Doerge	Powell, M.	Waddell
Downs	Powell, T.	Walsworth
Erdey	Ritchie	White
Fannin	Robideaux	Winston
Farrar	Scalise	
Total - 35		

ABSENT

Badon	Gallot	Lambert
Barrow	Geymann	Walker
Burns	Heaton	
Cazayoux	Kennard	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1130—
BY REPRESENTATIVES RICHMOND, ARNOLD, BARROW, GLOVER, GRAY, HUTTER, JEFFERSON, MARCHAND, AND ST. GERMAIN
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.100 through 9039.111, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 24, between lines 10 and 11, insert the following:

"D. Notwithstanding any provision of law to the contrary, the provisions of this Chapter shall not supersede or impair any existing powers or duties of a board of commissioners of an economic development district created prior to the effective date of this Chapter."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 8, line 10, after "necessary" and before "desirable" change "or" to "and"

AMENDMENT NO. 2

On page 10, line 24, change "may deem necessary or appropriate" to "deems necessary and appropriate"

AMENDMENT NO. 3

On page 12, delete lines 26 and 27

AMENDMENT NO. 4

On page 13, at the beginning of line 1, change "(10)" to "(9)"

AMENDMENT NO. 5

On page 13, at the beginning of line 4, change "(11)" to "(10)"

AMENDMENT NO. 6

On page 13, at the beginning of line 15, change "(12)" to "(11)"

AMENDMENT NO. 7

On page 13, at the beginning of line 19, change "(13)" to "(12)"

AMENDMENT NO. 8

On page 13, at the beginning of line 22, change "(14)" to "(13)"

AMENDMENT NO. 9

On page 13, at the beginning of line 24, change "(15)" to "(14)"

AMENDMENT NO. 10

On page 19, line 9, change "may deem necessary or advantageous" to "deems necessary and advantageous"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 12, line 24, after "district" insert a period "." and delete the remainder of the line and delete line 25 in its entirety

AMENDMENT NO. 2

On page 16, line 3, after "commercial," delete "retail,"

Page 20 HOUSE

30th Day's Proceedings - May 18, 2006

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baylor to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 3, line 26, after "Louisiana." and before "The parish." insert the following:

"At least thirty days prior to the enactment of an ordinance to create a district pursuant to this Section, the governing authority of each participating parish and municipality shall conduct a public hearing on the proposed ordinance. At least ten days prior to such hearing, the governing authority of each participating parish and municipality shall publish notice of such hearing in the official journal of the respective parish or municipality."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 5, line 26, after "compensation" and before "and" insert "from the district"

AMENDMENT NO. 2

On page 6, delete lines 18 through 23 in their entirety

AMENDMENT NO. 3

On page 6, at the beginning of line 24, change "I." to "G."

AMENDMENT NO. 4

On page 6, at the beginning of line 25, change "J." to "H."

AMENDMENT NO. 5

On page 7, delete lines 1 through 3 in their entirety

AMENDMENT NO. 6

On page 7, at the beginning of line 4, change "L." to "I."

AMENDMENT NO. 7

On page 7, at the beginning of line 7, change "M." to "J."

AMENDMENT NO. 8

On page 7, at the beginning of line 17, insert "A."

AMENDMENT NO. 9

On page 7, at the end of line 28, insert the following:

"B. The district shall be subject to public laws governing political subdivisions, generally, including the Public Bid Law, public records law, open meetings law, and the Code of Governmental Ethics."

AMENDMENT NO. 10

On page 10, delete lines 18 through 20 in their entirety

AMENDMENT NO. 11

On page 17, at the beginning of line 21, change "Chapter" to "Section"

AMENDMENT NO. 12

On page 17, at the beginning of line 22, change "Chapter" to "Section"

AMENDMENT NO. 13

On page 17, at the end of line 25, delete the period "." and insert "for a project located in or program to be performed in the district and related to the goals or objectives of the district."

AMENDMENT NO. 14

On page 18, line 5, after "taxes" and before "revenues" delete "of any nature," and insert "referenced in this Chapter."

AMENDMENT NO. 15

On page 18, line 13, after "compensation" delete the remainder of the line and insert "in accordance with law."

AMENDMENT NO. 16

On page 20, line 21, after "district" and before "Such" delete the period "." and insert "for a project located in or program to be performed in the district and related to the goals and objectives of the district."

AMENDMENT NO. 17

On page 20, line 25, after "shall" and before "approval" delete "subsume and contain" and insert "be deemed to be"

AMENDMENT NO. 18

On page 21, delete lines 11 through 16 in their entirety

AMENDMENT NO. 19

On page 21, at the beginning of line 17, change "(4)" to "(3)"

AMENDMENT NO. 20

On page 21, at the beginning of line 26, change "(5)" to "(4)"

AMENDMENT NO. 21

On page 22, at the beginning of line 9, change "(6)" to "(5)"

AMENDMENT NO. 22

On page 22, at the beginning of line 15, change "(7)" to "(6)"

AMENDMENT NO. 23

On page 22, line 24, after "All" delete the remainder of the line, and delete lines 25 through 27 in their entirety and insert "bonds, certificates, or notes of the district and the interest payable thereon shall be exempt from all state and local taxes."

AMENDMENT NO. 24

On page 22, at the beginning of line 28, change "(8)" to "(7)"

AMENDMENT NO. 25

On page 23, at the beginning of line 18, change "(9)" to "(8)"

AMENDMENT NO. 26

On page 23, line 18, after "agencies are" and before "to render" delete "hereby directed" and insert "authorized at their discretion"

AMENDMENT NO. 27

On page 23, delete lines 24 through 27 in their entirety

AMENDMENT NO. 28

On page 23, at the beginning of line 28, change "B." to "A."

AMENDMENT NO. 29

On page 24, at the beginning of line 6, change "C." to "B."

AMENDMENT NO. 30

In House Floor Amendment No. 1 proposed by Representative Richmond and adopted by the House of Representatives on May 18, 2006, on page 24, between lines 10 and 11, change "D." to "C."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 3, line 22, after "contrary," delete the remainder of the line

AMENDMENT NO. 2

On page 3, at the beginning of line 23, change "number and" to "any"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alexander	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Glover	Odinot
Badon	Gray	Pierre
Baldone	Guillory, E.	Pinac
Baylor	Guillory, M.	Pitre
Bruce	Hammett	Quezaire
Burns	Harris	Richmond
Burrell	Heaton	Ritchie
Carter, K.	Hebert	Robideaux
Cazayoux	Hill	Romero

Cravins	Honey	Scalise
Crowe	Hunter	Smith, G.
Curtis	Hutter	Smith, J.D.--50th
Damico	Jackson	Smith, J.R.--30th
Daniel	Jefferson	St. Germain
Dartez	Kenney	Thompson
Doerge	LaBruzzo	Toomy
Dorsey	LaFleur	Townsend
Dove	LaFonta	Trahan
Downs	Marchand	Walsworth
Durand	Martiny	Winston
Fannin	McDonald	Wooton

Total - 72

NAYS

Alario	Greene	Schneider
Baudoin	Johns	Smiley
Bowler	Katz	Smith, J.H.--8th
Bruneau	Kleckley	Strain
Crane	Lambert	Tucker
DeWitt	Lancaster	Waddell
Erdey	Montgomery	White
Faucheux	Powell, M.	
Geymann	Powell, T.	

Total - 25

ABSENT

Barrow	Chandler	Triche
Beard	Hopkins	Walker
Carter, R.	Kennard	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Suspension of the Rules

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

HOUSE BILL NO. 169—

BY REPRESENTATIVE BADON

AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide for the length of time within which an investigation of certain law enforcement officers must be completed in a parish with a population exceeding four hundred seventy-five thousand; to provide for disciplinary action for failure to timely complete the investigative report; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 169 by Representative Badon

AMENDMENT NO. 1

On page 3, after line 4, insert the following:

"Section 2. The provisions of R.S. 40:2531(B)(7)(b) shall cease to be effective on August 15, 2010."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Powell, T.
Beard	Guillory, M.	Quezaire
Bowler	Hammett	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hutter	Smith, J.D.-50th
Chandler	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	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Total - 96		

NAYS

Scalise
Total - 1

ABSENT

Barrow	Harris	Richmond
Carter, K.	Hunter	Walker
Gray	Kennard	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Badon 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. Townsend, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 1308 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, change "32:1305(H) and (I)," to "32:1305(I),"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" delete the remainder of the line and on line 4, delete "products and"

AMENDMENT NO. 3

On page 2, line 7, change "32:1305(H) and (I) are" to "32:1305(I) is"

AMENDMENT NO. 4

On page 1, delete lines 11 through 20

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

Rep. Townsend 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.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.-50th
Chandler	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	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	

Total - 101

NAYS

Total - 0

ABSENT

Barrow	Kennard
Hopkins	Walker

Total - 4

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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ansardi gave notice of his intention to call House Bill No. 1392 from the calendar for future action.

HOUSE BILL NO. 851—
BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2186(A) and to enact R.S. 30:2011(D)(25), relative to reviews and determination conducted by the Department of Environmental Quality; to provide for request for reviews of certain immovable property; to provide for reviews and determinations of environmental media; to provide for fees; to provide for authority to promulgate rules and regulations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Morrish
Alario	Glover	Odinot
Ansardi	Guillory, M.	Pierre
Arnold	Hammett	Pinac
Badon	Harris	Pitre
Baldone	Heaton	Powell, T.
Baylor	Hill	Quezaire
Bruce	Honey	Richmond
Burrell	Hopkins	Ritchie
Chandler	Hunter	Romero
Cravins	Hutter	Smith, G.
Damico	Jackson	Smith, J.D.—50th

Daniel	Jefferson	Smith, J.H.—8th
Dartez	Johns	Smith, J.R.—30th
DeWitt	Kenney	St. Germain
Doerge	Kleckley	Thompson
Dorsey	LaFleur	Toomy
Dove	LaFonta	Townsend
Downs	Lancaster	Triche
Durand	Marchand	Tucker
Fannin	Martiny	White
Farrar	McDonald	Winston
Faucheux	McVea	Wooton
Frith	Morrell	

Total - 71

NAYS

Alexander	Crowe	Powell, M.
Baudoin	Erdey	Robideaux
Bowler	Geymann	Scalise
Bruneau	Greene	Schneider
Burns	Guillory, E.	Smiley
Carter, K.	Hebert	Strain
Carter, R.	Katz	Trahan
Cazayoux	LaBruzzo	Waddell
Crane	Lambert	Walsworth

Total - 27

ABSENT

Barrow	Gray	Walker
Beard	Kennard	
Curtis	Montgomery	

Total - 7

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 869—
BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), relative to laboratory accreditation; to provide for fees collected by the Department of Environmental Quality for laboratory accreditation; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McDonald
Alario	Faucheux	McVea
Ansardi	Frith	Morrell
Arnold	Gallot	Morrish
Badon	Gray	Odinot
Baldone	Guillory, E.	Pierre
Baudoin	Guillory, M.	Pinac
Baylor	Hammett	Pitre
Bruce	Harris	Quezaire
Burrell	Heaton	Richmond

Page 24 HOUSE

30th Day's Proceedings - May 18, 2006

Chandler
Cravins
Curtis
Damico
Daniel
Dartez
DeWitt
Dorsey
Dove
Downs
Durand
Total - 61

Hopkins
Hunter
Jackson
Jefferson
Johns
Kenney
LaFonta
Lambert
Lancaster
Marchand
Martiny

Ritchie
Romero
Smith, G.
St. Germain
Thompson
Toomy
Townsend
Triche
Wooton

NAYS

Alexander
Bowler
Burns
Carter, K.
Cazayoux
Crane
Crowe
Doerge
Erdey
Farrar
Geymann
Total - 32

Glover
Greene
Hebert
Hill
Katz
Kleckley
LaBruzzo
LaFleur
Montgomery
Powell, M.
Powell, T.

Robideaux
Scalise
Smiley
Smith, J.D.-50th
Strain
Trahan
Tucker
Waddell
Walsworth
Winston

ABSENT

Barrow
Beard
Bruneau
Carter, R.
Total - 12

Honey
Hutter
Kennard
Schneider

Smith, J.H.-8th
Smith, J.R.-30th
Walker
White

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

Motion to reconsider pending.

Suspension of the Rules

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

Suspension of the Rules

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

HOUSE BILL NO. 1235—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow a penal institution or state hospital for the mentally ill to receive donated medications for redispensing to individuals in its facility; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaBruzzo to Engrossed House Bill No. 1235 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 2, after "37:1226.2" delete the remainder of the line in its entirety and insert in lieu thereof "(B), (C), (D), and (E) and to enact"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety

AMENDMENT NO. 3

On page 1, line 4, delete "(F) and (G)" and insert in lieu thereof "(A)(3), (F), (G), and (H)"

AMENDMENT NO. 4

On page 1, line 6, between the semi-colon ";" and "and to" insert "to provide for an effective date;"

AMENDMENT NO. 5

On page 1, line 9, after "37:1226.2" delete the remainder of the line in its entirety and insert in lieu thereof: "(B), (C), (D), and (E) are hereby amended and reenacted"

AMENDMENT NO. 6

On page 1, delete line 10 in its entirety

AMENDMENT NO. 7

On page 1, line 11, delete "(F) and (G)" and insert in lieu thereof "(A)(3), (F), (G), and (H)"

AMENDMENT NO. 8

On page 1, line 15, after "pharmacy" delete the remainder of the line

AMENDMENT NO. 9

On page 1, line 16, at the beginning of the line delete "pharmacy, or state hospital for the mentally ill pharmacy"

AMENDMENT NO. 10

On page 1, delete lines 20 through 21 in their entirety and insert in lieu thereof:

"(3) Notwithstanding the provisions of Subsection B of this Section, all hospitals, health care facilities, and governmental entities shall donate all excess prescription drugs located on their premises. All hospitals, health care facilities, and governmental entities shall provide all persons to whom they provide prescription drugs with a consent form that shall authorize such hospital, health care facility, or governmental entity to send unused drugs to charitable pharmacies if the patient so desires. The consent form shall only apply to prescription drugs that remain on the premises of such hospital, health care facility, or governmental entity from which the patient received such prescription drugs. The consent form shall be created and distributed by the Department of Health and Hospitals.

B. Drugs dispensed on prescription to a patient shall be accepted for return, exchange, or redispensing by a penal institution pharmacy, or state hospital for the mentally ill pharmacy after such drugs have been removed from the pharmacy premises where they were dispensed. Drug manufacturers, hospitals, health care facilities, governmental entities, and charitable pharmacies shall donate prescription drugs to a penal institution pharmacy or state hospital for the mentally ill pharmacy for relabeling and dispensing to a prisoner or patient of that institution pursuant to a valid prescription order.

The provisions of this Subsection shall only apply if one of the following events occurs:

(1) A person, including a drug manufacturer, hospital, health care facility, or governmental entity first offers to donate prescription drugs to the charitable pharmacy in closest proximity to such person or entity and such charitable pharmacy refuses the donation. Such refusal shall be documented and shall be kept on file by all persons who donate prescription drugs to penal institution pharmacies or pharmacies of state hospitals for the mentally ill.

(2) A charitable pharmacy donates prescription drugs they designate as not needed to penal institution pharmacies or pharmacies of state hospitals for the mentally ill."

AMENDMENT NO. 11

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 12

On page 2, line 5, change "B." to "~~B~~. C."

AMENDMENT NO. 13

On page 2, delete line 22 in its entirety and replace in lieu thereof:

"(4) The patient's name, prescription number, and any other identifying marks shall be obliterated from the packaging prior to redispensing the medication to another patient.

(5) The drug name, strength, and expiration date shall remain on the medication package label. The redispensed medication shall be assigned the expiration date stated on the package."

AMENDMENT NO. 14

On page 3, line 4 delete the asterisks "****" and insert in lieu thereof:

"~~C~~. D. The board shall have the authority to promulgate rules and regulations in accordance with the Administrative Procedure Act for the purpose of administering the provisions of this Section."

AMENDMENT NO. 15

On page 3, line 5, change "D." to "~~D~~. E." and after "facility," and before "or" insert "charitable pharmacy,"

AMENDMENT NO. 16

On page 3, line 7, after "state hospital for the mentally ill pharmacy," and before "as well" insert "hospital, health care facility, or governmental entity"

AMENDMENT NO. 17

On page 3, line 9, after "mentally ill pharmacy," and before "any pharmacist" insert "or state hospital, health care facility, or governmental entity"

AMENDMENT NO. 18

On page 3, delete line 15 the following in lieu thereof:

"(2) No pharmaceutical manufacturer shall be liable for any claim or injury arising from the transfer of any prescription drug pursuant to the provisions of this Section, including but not limited to liability for failure to transfer or communicate product or consumer information regarding the transferred drug, as well as the expiration date of the transferred drug.

~~E~~. F. For purposes of this Section "charitable pharmacy" means the practice of a pharmacy at a site where prescriptions are dispensed by a charitable organization free of charge to appropriately screened and qualified patients."

AMENDMENT NO. 19

On page 3, line 16, change "F." to "G."

AMENDMENT NO. 20

On page 3, line 20, change "G." to "H."

AMENDMENT NO. 21

On page 3, after line 23, insert the following:

"Section 2. R.S. 37:1226.2 (B), (C), (D), and (E) are hereby amended and reenacted to read as follows:

§1226.2. Prescription drug returns, exchanges, and redispensing; donation requirements; authority to promulgate rules; limitation of liability

* * *

B. Donations of prescription drugs to a charitable pharmacy are subject to the following requirements:

(1) The charitable pharmacy may accept only those drugs in their original sealed and tamper-evident packaging, except that drugs packaged in single-unit doses may be accepted and dispensed when the outside packaging is opened if the single-unit dose packaging is intact.

(2) The pharmacist in charge of the charitable pharmacy shall determine if the drug is not adulterated or misbranded and is safe to dispense. No product where the integrity of the medication cannot be assured shall be accepted for redispensing by the pharmacist of the charitable pharmacy.

(3) The donor shall execute a form stating the donation of the drugs. The pharmacy shall retain that form along with other acquisition records.

(4) The patient's name, prescription number, and any other identifying marks shall be obliterated from the packaging prior to redispensing the medication to another patient.

(5) The drug name, strength, and expiration date shall remain on the medication package label. The redispensed medication shall be assigned the expiration date stated on the package.

(6) Expired drugs accepted by a charitable pharmacy shall not be redispensed.

(7) The charitable pharmacy shall comply with all state and federal laws regarding controlled dangerous substances.

(8) No drug dispensed through a charitable pharmacy shall be eligible for reimbursement from the Medicaid Pharmacy Program.

C. The board shall have the authority to promulgate rules and regulations in accordance with the Administrative Procedure Act for the purpose of administering the provisions of this Section.

D.(1) No person, including a drug manufacturer, health care facility, or governmental agency who donates prescription drugs to a charitable pharmacy, as well as the charitable pharmacy, any pharmacist who originally dispensed the donated prescription drugs, any pharmacist dispensing donated prescription drugs, or the board

of pharmacy shall be subject to any professional disciplinary action, criminal prosecution, liability in tort or other civil action for injury, death, or loss to person or property related to the donating, accepting, or dispensing of donated prescription drugs.

(2) No pharmaceutical manufacturer shall be liable for any claim or injury arising from the transfer of any prescription drug pursuant to the provisions of this Section, including but not limited to liability for failure to transfer or communicate product or consumer information regarding the transferred drug, as well as the expiration date of the transferred drug.

E. For purposes of this Section "charitable pharmacy" means the practice of a pharmacy at a site where prescriptions are dispensed by a charitable organization free of charge to appropriately screened and qualified patients.

Section 3. Section 1 of this Act shall cease to be effective on January 1, 2008. Section 2 of this Act shall become effective January 1, 2008."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Morrish	Odinet	Triche
---------	--------	--------

Total - 3

ABSENT

Barrow	Dorsey	Robideaux
Beard	Kennard	Walker

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 839—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shedders license; to eliminate the soft shell crab shedders license; and to provide for related matters.

Called from the calendar.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
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
Chandler	Jackson	Smith, J.R.-30th
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	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	

Total - 100

NAYS

Total - 0

ABSENT

Barrow	Kennard	Walker
Greene	Robideaux	
Total - 5		

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

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1142—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 15:574.4(A)(4), relative to eligibility for parole; to provide for parole eligibility for certain offenders prosecuted as adults and who were juveniles at the time offense was committed; to provide for conditions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gray to Engrossed House Bill No. 1142 by Representative Gray

AMENDMENT NO. 1

On page 1, line 15, after "parole" and before "at" insert "consideration"

AMENDMENT NO. 2

On page 1, line 18, after "parole" and before "servng" change "after" to "consideration upon"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed House Bill No. 1142 by Representative Gray

AMENDMENT NO. 1

On page 1, line 15, after "who" and before "at" delete "was under the age of seventeen years" and insert "was fifteen years of age or older but less than seventeen years of age"

AMENDMENT NO. 2

On page 1, line 18, after "parole" delete the remainder of the line and insert "consideration upon reaching the age of thirty-one years."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 1142 by Representative Gray

AMENDMENT NO. 1

On page 1, line 18, after "eligible" delete the remainder of the line and insert "to apply for a parole hearing upon serving at least twenty years in continuous, confined custody."

AMENDMENT NO. 2

Delete House Floor Amendment No. 2 proposed by Representative LaFleur and adopted by the House of Representatives on May 8, 2006.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 1142 by Representative Gray

AMENDMENT NO. 1

On page 1, at the end of line 18, insert the following:

"Any offender who has been sentenced to life who was under the age of seventeen years at the time the offense was committed shall be eligible to apply for a parole hearing upon serving at least twenty years in continuous, confined, custody."

AMENDMENT NO. 2

Delete House Floor Amendments No. 1 and No. 2 proposed by Representative Martiny and adopted by the House of Representatives on May 18, 2006.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Faucheux	Morrish
Badon	Gallot	Odinet
Baylor	Glover	Pierre
Bowler	Gray	Pinac
Bruce	Guillory, E.	Quezaire
Burrell	Honey	Richmond
Carter, K.	Hunter	Ritchie
Cravins	Jackson	Romero
Curtis	Jefferson	Smith, G.
Dartez	LaFleur	Thompson
Dorsey	LaFonta	Trahan
Durand	Marchand	
Farrar	Martiny	
Total - 37		

NAYS

Mr. Speaker	Frith	Powell, T.
Alario	Greene	Scalise
Alexander	Guillory, M.	Smiley
Baudoin	Hammett	Smith, J.D.-50th

Beard	Hebert	Smith, J.H.—8th
Bruneau	Hill	Smith, J.R.—30th
Burns	Johns	St. Germain
Carter, R.	Katz	Strain
Cazayoux	Kleckley	Toomy
Chandler	LaBruzzo	Triche
Crane	Lambert	Tucker
Damico	Lancaster	Waddell
Doerge	McVea	Walsworth
Downs	Montgomery	White
Erdey	Pitre	Winston
Fannin	Powell, M.	Wooton
Total - 48		

ABSENT

Ansardi	Geymann	McDonald
Baldone	Harris	Morrell
Barrow	Heaton	Robideaux
Crowe	Hopkins	Schneider
Daniel	Hutter	Townsend
DeWitt	Kennard	Walker
Dove	Kenney	
Total - 20		

The Chair declared the above bill failed to pass.

Rep. Scalise 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.

Suspension of the Rules

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

HOUSE BILL NO. 397—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 36:458(B), (C), (D), (E), and (F), relative to the offices, purposes, and functions of the Department of Revenue; to modify certain provisions to reflect the agency's current organizational structure and functions; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Greene	Quezaire
Beard	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th

Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	McDonald	Walsworth
Erdey	Montgomery	White
Fannin	Morrell	Winston
Total - 93		

NAYS

Total - 0

ABSENT

Ansardi	Harris	Martiny
Barrow	Heaton	McVea
Bowler	Jackson	Walker
DeWitt	Kennard	Wooton
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Hammett, 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

APPOINTMENT OF CONFERENCE COMMITTEE

May 18, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 52: Senators Malone, McPherson, and N. Gautreaux.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

May 18, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 66: Senators Smith, Malone, and Kostelka.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

May 18, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 418: Senators Heitmeier, Cheek, and Dupre.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

May 18, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 800: Senators Nevers, Michot, and Hines.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

May 18, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1073: Senators Heitmeier, Cain, and Lentini.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 18, 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. 8
Returned without amendments

House Concurrent Resolution No. 198
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 18, 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. 15
Returned without amendments

House Bill No. 26
Returned without amendments

House Bill No. 64
Returned without amendments

House Bill No. 88
Returned with amendments

House Bill No. 100
Returned with amendments

House Bill No. 101
Returned without amendments

House Bill No. 102
Returned without amendments

House Bill No. 122
Returned without amendments

House Bill No. 164
Returned without amendments

House Bill No. 167
Returned without amendments

House Bill No. 187
Returned without amendments

House Bill No. 215
Returned without amendments

House Bill No. 220
Returned without amendments

House Bill No. 264
Returned without amendments

House Bill No. 352
Returned without amendments

House Bill No. 364
Returned without amendments

House Bill No. 409
Returned without amendments

House Bill No. 410
Returned without amendments

House Bill No. 425
Returned without amendments

House Bill No. 602
Returned without amendments

House Bill No. 616
Returned without amendments

House Bill No. 743
Returned without amendments

House Bill No. 796
Returned without amendments

House Bill No. 798
Returned without amendments

House Bill No. 828
Returned with amendments

House Bill No. 865
Returned without amendments

House Bill No. 931
Returned with amendments

House Bill No. 988
Returned without amendments

House Bill No. 1060
Returned with amendments

House Bill No. 1125
Returned without amendments

House Bill No. 1140
Returned with amendments

House Bill No. 1154
Returned without amendments

House Bill No. 1299
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 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. 92, 95, 96, and 97

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 18, 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. 10, 328, and 340

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. 10—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 14:35.3(F)(2), (I), and (K), relative to penalties for the crime of domestic abuse battery; to provide for enhancement of penalties under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 328—
BY SENATOR MARIONNEAUX
AN ACT

To repeal Code of Evidence Art. 510(F), relative to malpractice; to provide relative to health care provider-patient privilege; to repeal certain limitations on such privilege in medical malpractice claims; to repeal certain limitations on the disclosure of a patient's treatment or condition in medical malpractice claims; and to provide for related matters.

Read by title.

SENATE BILL NO. 340—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 14:91.11(A)(1) and (2), (B), and (D) and to enact R.S. 14:91.11(A)(4), and (5), and (E), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to provide that the provisions apply to persons under the age of eighteen years; to require identification prior to selling materials harmful to minors; and to provide for related matters.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 217—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to provide an update to the House and Senate Transportation, Highways and Public Works Committees prior to the adjournment of the 2006 Regular Session, regarding the status of its field offices in hurricane-affected areas.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 218—
BY REPRESENTATIVES HONEY, TOOMY, DORSEY, JACKSON, AND LANCASTER

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Louisiana Supreme Court to expedite an evaluation of the need for an additional judgeship for the City Court of Baton Rouge.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

May 18, 2006

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 17, 2006, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Concurrent Resolution No. 128, by Durand
Reported favorably. (8-0-1)

House Bill No. 467, by Walsworth
Reported favorably. (9-0-1) (Regular)

House Bill No. 493, by Wooton
Reported favorably. (8-0-1) (Regular)

House Bill No. 543, by Hebert
Reported by substitute. (6-3-1) (Regular)

House Bill No. 712, by Walsworth
Reported with amendments. (9-0-1) (Regular)

House Bill No. 741, by Richmond
Reported favorably. (5-4-1) (Regular)

House Bill No. 762, by Winston
Reported favorably. (9-0-1) (Regular)

House Bill No. 1160, by Faucheux
Reported favorably. (7-0-1) (Regular)

House Bill No. 1183, by Morrish
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1333, by Cravins
Reported with amendments. (9-0-1) (Regular)

ERNEST BAYLOR, JR.
Chairman

**Report of the Committee on
Administration of Criminal Justice**

May 18, 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 Bill No. 527, by Martiny
Reported favorably. (6-3-1) (Regular)

Senate Bill No. 566, by Chaisson
Reported with amendments. (11-0) (Regular)

DANIEL MARTINY
Chairman

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

Report of the Committee on Education

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 32, by Theunissen
Reported favorably. (11-0) (Regular)

Senate Bill No. 489, by Mike Smith
Reported with amendments. (12-0) (Regular)

Senate Bill No. 530, by Fields
Reported with amendments. (12-0) (Regular)

CARL CRANE
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 32, were referred to the Legislative Bureau.

Report of the Committee on Health and Welfare

May 18, 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 Concurrent Resolution No. 120, by Gray
Reported favorably. (11-0)

House Concurrent Resolution No. 166, by Durand
Reported favorably. (10-0)

House Bill No. 848, by Winston
Reported with amendments. (12-0) (Regular)

Senate Bill No. 482, by McPherson
Reported with amendments. (11-0) (Regular)

Senate Bill No. 568, by Dardenne
Reported favorably. (10-0) (Regular)

Senate Bill No. 605, by McPherson
Reported with amendments. (10-0) (Regular)

SYDNIE MAE DURAND
Chairman

The above Senate Bills reported favorably or with amendments,
except Senate Bill No. 605, were referred to the Legislative Bureau.

Report of the Committee on Labor and Industrial Relations

May 18, 2006

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 30, by Gray
Reported with amendments. (9-0)

House Bill No. 194, by Hunter
Reported with amendments. (6-5) (Regular)

House Bill No. 1144, by Bowler
Reported favorably. (10-0) (Regular)

WILLIE HUNTER
Chairman

Report of the Committee on Retirement

Thursday, May 18, 2006

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 207, by Schneider
Reported with amendments. (7-0)

House Bill No. 43, by Montgomery
Reported with amendments. (7-0) (Regular)

House Bill No. 348, by Quezaire
Reported favorably. (7-0) (Regular)

House Bill No. 811, by Alario
Reported with amendments. (7-0) (Regular)

House Bill No. 1362, by Erdey
Reported favorably. (7-0) (Regular)

M.P. SCHNEIDER III
Chairman

Privileged Report of the Legislative Bureau

May 18, 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. 33
Reported with amendments.

Senate Bill No. 147
Reported without amendments.

Senate Bill No. 186
Reported without amendments.

Senate Bill No. 189
Reported without amendments.

Senate Bill No. 195
Reported without amendments.

Senate Bill No. 240
Reported with amendments.

Senate Bill No. 397
Reported without amendments.

Senate Bill No. 549
Reported without amendments.

Senate Bill No. 562
Reported without amendments.

Senate Bill No. 655
Reported with amendments.

Senate Bill No. 740
Reported without amendments.

Senate Bill No. 746
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

May 18, 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 has been properly enrolled:

HOUSE RESOLUTION NO. 75—

BY REPRESENTATIVE DURAND
A RESOLUTION

To declare May 16, 2006, as Emergency Medical Services for
Children Day at the Louisiana House of Representatives.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolution 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 18, 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. 203—
BY REPRESENTATIVES SCALISE AND SALTER AND SENATOR HINES
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to ensure that the Centers for Medicare and Medicaid Services (CMS) do not penalize senior citizens who resided in areas affected by Hurricane Katrina for taking advantage of the special enrollment period set for enrollment in Medicare Part D.

HOUSE CONCURRENT RESOLUTION NO. 204—
BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study speed limits and their enforcement on state and U.S. highways within municipalities, to urge and request the legislative auditor to study excessive speed limit enforcement in at least one municipality as part of the department's study, and to request that the department report its findings to the House and Senate Committees on Transportation, Highways and Public Works prior to the convening of the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 205—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles.

HOUSE CONCURRENT RESOLUTION NO. 208—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require a minimum time period for a business to refund an unauthorized overcharge on a debit card.

HOUSE CONCURRENT RESOLUTION NO. 210—
BY REPRESENTATIVES CROWE, SCHNEIDER, AND STRAIN AND SENATORS BOASSO AND NEVERS
A CONCURRENT RESOLUTION

To commend Chris Duhon for being named the Grand Winner of the Superintendent's Award for Outstanding Character and Citizenship, presented by the St. Tammany Parish superintendent of schools.

HOUSE CONCURRENT RESOLUTION NO. 211—
BY REPRESENTATIVE KLECKLEY AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To commend the Barbe High School Buccaneers of Lake Charles for winning the State 5A baseball championship.

HOUSE CONCURRENT RESOLUTION NO. 213—

BY REPRESENTATIVES BAYLOR AND QUEZAIRE
A CONCURRENT RESOLUTION

To recognize Thursday, May 18, 2006, as Omega Psi Phi/Purple and Gold Day at the Louisiana State Capitol and to commend Omega Psi Phi Fraternity, Incorporated.

HOUSE CONCURRENT RESOLUTION NO. 214—

BY REPRESENTATIVES HONEY, BADON, BARROW, BAYLOR, BEARD, BURRELL, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DORSEY, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, HARRIS, HUNTER, JACKSON, JEFFERSON, KENNARD, LAFONTA, MARCHAND, MCVEA, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND WHITE AND SENATORS BAJOIE, BROOME, CRAVINS, DARDENNE, DUPLESSIS, FIELDS, FONTENOT, JACKSON, JONES, MARIONNEAUX, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

To express the heartfelt condolences of the Legislature of Louisiana upon the death of Mr. Ryan Francis.

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 18, 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 Joint Resolution has been properly enrolled:

HOUSE BILL NO. 48 (Duplicate of Senate Bill No. 177)—
BY REPRESENTATIVE WHITE AND SENATOR FONTENOT AND COAUTHORED BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes, the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above Joint Resolution contained in the report was 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 Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 18, 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. 376—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:711(G), 1111(I), and 1135(A), (B)(introductory paragraph) and (2), and (D), relative to work release programs; to provide for the eligibility of inmates convicted of certain offenses involving controlled dangerous substances to participate in work release programs; and to provide for related matters.

HOUSE BILL NO. 434—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To enact R.S. 38:2212(D)(1)(c), relative to public contracts; to except projects for repairs of hurricane damage to state buildings from certain requirements of the Public Bid Law; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 435—

BY REPRESENTATIVES GEYMAN AND SCHNEIDER
AN ACT

To amend and reenact R.S. 14:42(D)(2)(introductory paragraph), relative to aggravated rape; to change the penalty provisions relative to the age of the victim to conform to the definition of the crime; to provide for penalties imposed when the victim is under the age of thirteen years; and to provide for related matters.

HOUSE BILL NO. 449—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1601(A)(2), relative to the Department of Revenue; to provide relative to the interest rate on unpaid state taxes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 452—

BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE
AN ACT

To enact R.S. 38:301.1, relative to levee districts in the coastal zone; to require such levee districts to prepare and submit levee elevation reports; to provide relative to the preparation of such reports; to provide relative to the frequency of submission of such reports; and to provide for related matters.

HOUSE BILL NO. 572—

BY REPRESENTATIVES CRAVINS, GEYMAN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CURTIS, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GULLORY, M. GULLORY, HARRIS, HEATON, HEBERT, HONEY, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, LABRUZZO, LAFLEUR, LANCASTER, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATORS CHAISSON, B. GAUTREAUX, AND MOUNT
AN ACT

To amend and reenact R.S. 14:91.1(D)(2) and R.S. 15:542.1(D), (H)(2), and (M), to enact R.S. 15:541(3.1), 542.1(H)(3)(c), and Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:560 through 560.4, and to repeal R.S. 15:542.1(B), relative to sex offenders; to provide for the creation of the Sex Offender Assessment Panel; to provide for its membership and duties; to provide for its applicability; to provide with respect to determinations made by such panels; to provide with respect to registration and notification of sex offenders; to provide with respect to monitoring of sex offenders; to repeal the provisions with regard to the sexually violent predator commission; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 637 (Duplicate of Senate Bill No. 179)—

BY REPRESENTATIVE MARTINY AND SENATOR MOUNT AND COAUTHORED BY REPRESENTATIVES BALDONE AND GRAY
AN ACT

To amend and reenact Code of Evidence Article 505, relative to spousal witness privilege; to provide for an exception to the privilege; and to provide for related matters.

HOUSE BILL NO. 694—

BY REPRESENTATIVE SMILEY
AN ACT

To enact R.S. 32:123(E), relative to motor vehicle traffic regulations; to provide relative to motor vehicle violations occurring at stop signs and yield signs; to provide relative to penalties for such violations; and to provide for related matters.

HOUSE BILL NO. 730 (Duplicate of Senate Bill No. 579)—

BY REPRESENTATIVE PINAC AND SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 37:3288(A), relative to prohibited acts and administrative penalties under the Private Security Regulatory and Licensing Law; to prohibit certain egregious acts; to provide for penalties for egregious acts; to increase certain administrative penalties; and to provide for related matters.

HOUSE BILL NO. 774—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(d), relative to public contracts; to provide for certain contracts of institutions of higher education under the authority of grants or joint agreements; to provide for the duration of such contracts, grants, or agreements; and to provide for related matters.

HOUSE BILL NO. 815 (Duplicate of Senate Bill No. 410)—

BY REPRESENTATIVE WHITE AND SENATOR FONTENOT AND COAUTHORED BY REPRESENTATIVE KENNARD AND SENATOR MARIONNEAUX
AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

HOUSE BILL NO. 820—

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, SCALISE, AND WOOTON AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(f) and to enact R.S. 38:2212.1(B)(4), relative to public contracts; to authorize political subdivisions to develop their own uniform standards to receive bids for public works contracts or for acquiring materials, supplies, or equipment electronically; to provide for the development of uniform standards; and to provide for related matters.

HOUSE BILL NO. 837 (Duplicate of Senate Bill No. 65)—

BY REPRESENTATIVE JACK SMITH AND SENATOR DUPRE AND COAUTHORED BY REPRESENTATIVES ALARIO, K. CARTER, DANIEL, DEWITT, DORSEY, HAMMETT, JEFFERSON, PIERRE, RITCHIE, RICHMOND, AND SALTER AND SENATORS HEITMEIER, HINES, MALONE, MCPHERSON, MOUNT, AND NEVERS
AN ACT

To amend and reenact R.S. 56:2(D), relative to the Wildlife and Fisheries Commission; to authorize the chairman of the commission to cancel meetings under certain circumstances; to provide for actions by the secretary; and to provide for related matters.

HOUSE BILL NO. 841 (Duplicate of Senate Bill No. 587)—
BY REPRESENTATIVE PINAC AND SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 37:3276(F) and (G) and 3284(B)(3), (E)(3), (F)(2), and (J) and to enact R.S. 37:3274(B)(11) and 3291(B)(12), relative to the Private Security Regulatory and Licensing Law; to authorize out-of-state private security companies to operate in this state during certain emergencies; to provide relative to the training and experience requirements for licensees and instructors; to prohibit the engagement of services of unlicensed private security businesses upon notice by the board; and to provide for related matters.

HOUSE BILL NO. 921—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 48:381(E)(1)(a) and (F), relative to utility operators permitted to use and occupy highway rights-of-way; to add natural gas and propane distribution systems to the definition of utility operators; to provide relative to the fee for certain utility operators to use and occupy highway rights-of-way; and to provide for related matters.

HOUSE BILL NO. 1007—
BY REPRESENTATIVES BALDONE, SCALISE, AND SCHNEIDER AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 15:571.3(C)(1)(r) and (s) and to enact R.S. 15:571.3(C)(1)(t), relative to diminution of sentence; to provide that a person convicted of looting that occurred during a state of emergency not have the benefit of diminution of sentence for good behavior; 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.

Leave of Absence

Rep. Kennard - 1 day

Rep. Walker - ½ day

Adjournment

On motion of Rep. Trahan, at 5:01 P.M., the House agreed to adjourn until Monday, May 22, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, May 22, 2006.

ALFRED W. SPEER
Clerk of the House

