

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

FORTY-THIRD 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

Tuesday, June 13, 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	Odinot
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	Walker
Dove	Marchand	Walsworth

Downs	Martiny	White
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	
Total - 103		
	ABSENT	

Kennard	Winston
Total - 2	

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

Prayer

Prayer was offered by Rev. Mary Ann Robinson.

Pledge of Allegiance

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

Reading of the Journal

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

On joint motion of Reps. Cazayoux and LaFonta, and under a suspension of the rules, the Journal of June 12, 2006, was corrected to reflect them as voting yea on final passage of Senate Bill No. 654.

On motion of Rep. Walker, the Journal of June 12, 2006, was adopted.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 293—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to be known as the Atchafalaya Parkway Advisory Commission to study the need for constructing and managing improvements to highways in St. Landry, Iberia, and St. Martin parishes and to make recommendations regarding same to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2007 Regular Session.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later than April 1, 2007.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the resolution was ordered passed to its third reading.

**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. Gallot, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 225.

HOUSE BILL NO. 225—
BY REPRESENTATIVE GALLOT
AN ACT

To enact Code of Civil Procedure Article 1732(7), relative to civil jury trials; to prohibit jury trials in suits on admiralty or general maritime claims in state court; and to provide for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Gallot, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 286.

HOUSE BILL NO. 286—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Civil Code Article 198, relative to an action for paternity; to provide for the time periods to bring an action; to provide time periods required by federal law; and to provide for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Gallot, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 593.

HOUSE BILL NO. 593—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 48:282, relative to the sale of cut or fallen timber on state highway rights-of-way; to require the Department of Transportation and Development to deduct timber removal costs from the proceeds of timber sales; and to provide for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Gallot, the Committee on Judiciary was discharged from further consideration of House Bill No. 878.

HOUSE BILL NO. 878—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:258.1, relative to state contracts; to provide for contracts for private legal counsel to represent the state in limited cases; to authorize the attorney general to contract with attorneys using contingency fee contracts in suits involving certain named drugs; to provide for limitations on such contingency fees; to provide for the disposition of monies recovered under the contracts; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Gallot, 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. 671—
BY SENATOR MARIONNEAUX
AN ACT

To enact Code of Civil Procedure Art. 372(F), relative to civil procedure; to require that an electronic copy of the transcript be provided to party requesting and paying for paper copy of transcript; 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 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. 42—
BY SENATOR B. GAUTREAUX
AN ACT

To enact R.S. 11:1195.1, relative to the Louisiana School Employees' Retirement System; to provide with respect to methods of financing; to provide for employer contributions; to require continuation of payments to the unfunded accrued liability by contributing employers who terminate employees under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 42 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, line 1, after "over" delete "five" and insert "ten"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 62—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:233(B) and 1903(A)(introductory paragraph), relative to the Parochial Employees' Retirement System; to provide with respect to benefit computation; to clarify definition of earnable compensation; to clarify provisions authorizing system membership; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 81—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 13:3662(H)(1), relative to conducting telephone hearings; to provide that law enforcement officers may appear in hearings by telephone, video conference, or similar communication equipment if agreed upon by the parties; 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 Engrossed Senate Bill No. 81 by Senator Jones

AMENDMENT NO. 1

On page 1, delete lines 3 and 4, and insert "provide for the appearance under certain circumstances of law enforcement officers or fire service personnel as witnesses in certain administrative hearings for the Department of Public Safety and Corrections; to provide relative to the receipt of witness fees by such persons; and"

AMENDMENT NO. 2

On page 1, line 17, after "testifies." delete the remainder of the line and on page 2, delete line 1

AMENDMENT NO. 3

On page 2, line 14, after "person. If" and before "the" insert a comma "," and insert "in accordance with R.S. 49:994(D)(4)."

AMENDMENT NO. 4

On page 2, line 15, after "video conference" and before "or" insert a comma ","

AMENDMENT NO. 5

On page 2, line 16, after "equipment" and before "the hearing" insert a comma ","

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 183—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:204(B) and 1147(B)(3) and (C), relative to the Louisiana School Employees' Retirement System; to provide with respect to disability benefits; to provide for eligibility and calculation of such benefits for persons who become members of the system on or after July 1, 2006; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 184—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1202(A)(1) and (C), relative to the Louisiana School Employees' Retirement System; to provide with respect to payment of contributions; to provide for timely remission of contributions by employers; to provide for interest on delinquent contributions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 185—

BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:312(5) and 312.1(E), relative to courts; to provide relative to courts of appeal; to provide relative to the Fifth Circuit Court of Appeal; to provide relative to election of judges; to provide certain terms, conditions, and procedures; to provide an effective date; 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 Reengrossed Senate Bill No. 185 by Senator Shepherd

AMENDMENT NO. 1

On page 2, delete lines 26 through 29 and on page 3, delete lines 1 through 11 and insert the following:

"E. The Court of Appeal for the Fifth Circuit, domiciled in the city of Gretna shall initially be composed of nine judges. On January 1, 1983 and thereafter, the court of appeal for the fifth circuit shall have eight judges. Seven judges initially shall be elected from the first district of the fifth circuit. Effective January 1, 1983, six

(1)(a) Six judges shall be elected from the first district of the fifth circuit by the qualified electors thereof.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph:

(i) The second vacancy created by the death, resignation, retirement, or removal of a judge of the first district occurring after June 7, 2006, shall be filled by election from election section two of the first district and such judgeship shall be assigned to election section two of the first district for election purposes; however, if no election has occurred or is scheduled to occur to fill a vacancy in such a judgeship from election section two prior to the opening of qualifying for the regular statewide elections in 2012, the regular election to fill the judgeship designated as Division G of the first district shall be held in election section two of the first district and such division shall be assigned to election section two for election purposes. A candidate for election to the judgeship assigned to election section two shall be domiciled in election section two for at least two years preceding the election.

(ii) At the time a judgeship is assigned to election section two, the remaining five judgeships in the first district shall be assigned to election section one for election purposes.

(2) One judge shall be elected from the second district of the fifth circuit by the qualified electors thereof.

(3) One judge shall be elected from the third district of the fifth circuit by the qualified voters thereof."

AMENDMENT NO. 2

On page 3, line 13, change "respective parish governing authorities" to "parish governing authority"

AMENDMENT NO. 3

On page 3, line 17, change "R.S. 18:532.1(G)" to "R.S. 18:532 or 532.1"

AMENDMENT NO. 4

On page 3, line 23, change "R.S. 18:532.1(G)" to "R.S. 18:532 or 532.1"

AMENDMENT NO. 5

On page 3, line 26, change "districts" to "election sections"

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. 185 by Senator Shepherd

AMENDMENT NO. 1

On page 3, line 27, following "Section" and before "of this" change "3(A)" to "2(A)"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 194—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 615(E), and to enact Children's Code Article 615(F), relative to the Department of Social Services; to provide for the confidentiality and disposition of reports; to provide for the admission of reports in court proceedings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 262—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:1902(introductory paragraph), (14), (17), 1938(J)(4), 1941, 1943, 1944, 1961, 1963, and 1964, and to enact R.S. 11:1927(E) and 1935(E), and to repeal R.S. 11:231(A)(8), relative to the Parochial Employees' Retirement System; to provide for eligibility for retirement and calculation of benefits for persons whose system membership begins on or after January 1, 2007; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 316—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:1732(introductory paragraph) and (15), and 1763(J)(1) and (2), and to repeal R.S. 11:231(A)(7), relative to the Municipal Employees' Retirement System; to provide for average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for definition of terms; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 316 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 3, after "(2)," delete "and to repeal R.S. 11:231(A)(7)," and insert "and to enact R.S. 11:231(C)(3),"

AMENDMENT NO. 2

On page 1, line 6, after "terms;" delete "to provide for implementation;"

AMENDMENT NO. 3

On page 1, line 10, after "reenacted" insert "and R.S. 11:231(C)(3) is hereby enacted"

AMENDMENT NO. 4

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

"§231. Average compensation

* * *

C.

* * *

(3) This Section shall not apply to members of the Municipal Employees' Retirement System whose first employment making them eligible for system membership began on or after July 1, 2006.

* * **

AMENDMENT NO. 5

On page 1, delete line 17 and on page 2 delete lines 1 through 18 and insert the following:

"(15)(a) "Final compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, means the average monthly earnings during the highest thirty-six consecutive months or joined months if service was interrupted. The earnings to be considered for the thirteenth through the twenty-fourth months shall not exceed one hundred and twenty-five percent of the earnings for the first through the twelfth months. The earnings to be considered for the final twelve months shall not exceed one hundred and twenty-five percent of the earnings of the thirteenth through the twenty-fourth months.

(b) "Final compensation", for a member whose first employment making him eligible for membership in the system began on or after July 1, 2006, means the average monthly earnings during the highest sixty consecutive months or joined months if service was interrupted. The earnings to be considered for the thirteenth through the twenty-fourth months shall not exceed one hundred twenty-five percent of the earnings for the first through the twelfth months. The earnings to be considered for the twenty-fifth through the thirty-sixth month shall not exceed one hundred twenty-five percent of the earnings for the thirteenth through the twenty-fourth month. The earnings to be considered for the thirty-seventh through the forty-eighth month shall not exceed one hundred twenty-five percent of the earnings for the twenty-fifth through the

thirty-sixth month. The earnings to be considered for the final twelve months shall not exceed one hundred twenty-five percent of the earnings of the thirty-seventh through the forty-eighth month."

AMENDMENT NO. 6

On page 3, delete lines 9 through 29 and on page 4 delete lines 1 through 14 and insert the following:

"(1)(a) If his first employment making him eligible for membership in the system began on or before June 30, 2006, and his period of additional service is less than thirty-six months, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit.

(b) If his first employment making him eligible for membership in the system began on or after July 1, 2006, and his period of additional service is less than sixty months, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit.

(2)(a) If his first employment making him eligible for membership in the system began on or before June 30, 2006, and his period of additional service is thirty-six months or more, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

(b) If his first employment making him eligible for membership in the system began on or after July 1, 2006, and his period of additional service is sixty or more months, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

* * *

If a person dies or becomes disabled during the period of additional service, he shall be considered as having retired on the date of death or commencement of disability.

* * *

Section 2. This Act shall become effective on June 30, 2006; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2006, or on the day following such approval by the legislature, whichever is later."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 318—
BY SENATOR B. GAUTREUX
AN ACT

To amend and reenact R.S. 11:2258(B)(2)(d), relative to the Firefighters' Retirement System; to provide with respect to disability; to reauthorize conversion of regular retirement to disability retirement; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 332—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1763(F)(2)(introductory paragraph), relative to the Municipal Employees' Retirement System; to provide with respect to interest earnings on Deferred Retirement Option Plan accounts; to provide for daily crediting to individual accounts; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 382—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 24:51(2) and R.S. 49:72(5) and to repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal provisions relative to an elected official's authorization to accept certain gifts; 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 Engrossed Senate Bill No. 382 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 49:72(5)" insert a comma "," and "to enact R.S. 42:1115(C),"

AMENDMENT NO. 2

On page 1, line 4, after "gifts;" and before "and" insert "to prohibit public postsecondary education institutions from giving certain things of economic value to public servants; to prohibit public servants from soliciting or accepting certain things of economic value from public postsecondary education institutions;"

AMENDMENT NO. 3

On page 2, after line 1, insert the following:

"Section 2. R.S. 42:1115(C) is hereby enacted to read as follows:

§1115. Gifts

* * *

C. (1) No public servant shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any public postsecondary education institution or from any officer, director, agent, or employee of such an institution when such gift or gratuity is related to a sporting event to which tickets are sold.

(2) No public postsecondary education institution or any officer, director, agent, or employee of such an institution shall give, deliver, or offer to a public servant, directly or indirectly, any thing of economic value as a gift or gratuity related to a sporting event to which tickets are sold."

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, at the beginning of line 14, "Section 3." to "Section 4."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 422—

BY SENATOR JACKSON

AN ACT

To enact R.S. 24:515.1, relative to the legislative auditor; to require the legislative auditor to develop a uniform system of reporting all sources of revenue and expenditures relative to judicial district indigent defender boards, funds, and regional defense service centers; to require annual reporting of all major sources of revenues and expenditures through the new audit formats; to provide for uniformity, standardization, and consistency in terminology and classification for annual audit reports; to provide for compliance and reporting schedules; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 687—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1123(37), relative to the Code of Governmental Ethics; to authorize certain insurance producers to serve as a professional insurance advisor or an insurance producer of record to a governmental entity; to provide for payment of compensation under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 700—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:642(B) and to enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in the state minimum wage to six dollars and fifteen cents per hour; to provide with respect to the prohibition of a local governmental subdivision setting a minimum wage; to provide for exclusions; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 753 (Substitute of Senate Bill No. 650 by Senator Cravins)—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to enact R.S. 23:996, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to require the filing of an affidavit with a licensing agency; to provide with respect to an agency, department, board or commission of state or a parish agency to notify the attorney general or local district attorney when an employer who operates a business in the state knowingly employs an alien who is not lawfully entitled to reside or work in the United States; to provide for the attorney general or local district attorney to issue a cease and desist order; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 753 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 16, change "their" to "his"

AMENDMENT NO. 2

On page 1, line 17, change "boards" to "board" and change "commissions" to "commission"

Reported without amendments by the Legislative Bureau.

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

On motion of Rep. Hunter, the bill, as amended, 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. 129—

BY SENATOR JONES

AN ACT

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

Read by title.

On motion of Rep. Martiny, 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.

SENATE BILL NO. 611—

BY SENATOR ADLEY

AN ACT

To enact R.S. 27:306(A)(6) and (9), relative to the Video Draw Poker Devices Control Law; to provide relative to the licensing of qualified truck stop facilities; to require notice to the public prior to application of a truck stop facility for a license to operate video draw poker devices; to provide for signage and zoning requirements; and to provide for related matters.

Read by title.

On motion of Rep. Jane Smith, 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. Pitre, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 263—

BY REPRESENTATIVES SALTER AND BRUNEAU AND SENATORS HINES AND JONES

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years.

Read by title.

Motion

On motion of Rep. Bruneau, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 268—
BY REPRESENTATIVES GLOVER AND MONTGOMERY
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, the Department of Agriculture and Forestry, and the Department of Environmental Quality to take all action allowable by law to ensure that Louisiana Proteins, Inc. is in compliance with all laws, regulations, and permitting requirements applicable to its facility; to require Louisiana Proteins, Inc. to implement to the extent allowable by law any and all controls necessary to mitigate and eliminate the noxious odor emanating from its meat processing and rendering facility; and to take enforcement action to the maximum extent allowable by law if Louisiana Proteins, Inc. is found to be in violation of any permit condition, law, or regulation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE PITRE AND SENATOR DUPRE
A CONCURRENT RESOLUTION

To approve the Fiscal Year 2006-2007 Coastal Wetlands Protection and Restoration Plan as adopted by the Coastal Protection and Restoration Authority (authority).

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Odinet and Pitre to Engrossed House Concurrent Resolution No. 193 by Representative Pitre

AMENDMENT NO. 1

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

"WHEREAS, the comprehensive coastal protection and restoration plan shall include immediate closure of the Mississippi River Gulf Outlet (MRGO) as requested in Governor Blanco's June 2, 2006, letter to Major General Don T. Riley, Director of Civil Works for the U.S. Army Corps of Engineers, and shall give due consideration to the risks associated with construction or installation of flood gates located at the convergence of MRGO and the Gulf Intracoastal Waterway; and"

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

Rep. Pitre moved the adoption of the resolution, as amended.

By a vote of 94 yeas and 0 nays, the resolution, as amended, was adopted.

Ordered to the Senate.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 695—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F)(introductory paragraph) and (4), relative to the Sex Offender Registry Technology Fund; to increase certain fees payable as a condition of probation for persons convicted of sex offenses; to provide for appropriations from the fund and specifies uses thereof; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Engrossed House Bill No. 695 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 21, after "hundred" and before "thousand" insert "ninety"

AMENDMENT NO. 2

On page 2, between lines 5 and 6, insert the following:

"(b) For Fiscal Year 2006-2007 and each year thereafter, an amount equal to fifteen percent of the total residual monies available for appropriation from the fund after satisfying the requirements of Subparagraph (a) of this Paragraph shall be appropriated to the Department of Corrections, office of adult probation and parole."

AMENDMENT NO. 3

On page 2, at the beginning of line 6, change "(b)" to "(c)"

AMENDMENT NO. 4

On page 2, line 7, after "requirements of" and before "of this" change "Subparagraph (a)" to "Subparagraphs (a) and (b)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Harris	Robideaux
Bruce	Heaton	Romero

Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Wooton
Fannin	Montgomery	

Total - 101

NAYS

Carter, K.
Total - 1

ABSENT

Kennard	LaFonta	Winston
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Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 708—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), relative to the Parimutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the use of a portion of such monies to support functions of the Louisiana Racing Commission; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire

Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	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	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Alexander	Damico	Kennard
Curtis	Katz	Winston

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 868—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 33:1324.1, relative to cooperative endeavors and contracts for services between political corporations, subdivisions, or courts; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

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

HOUSE BILL NO. 1404 (Substitute for House Bill No. 337 by Representative M. Guillory)—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 40:1300.52(A)(1), (B)(1), (C), (D)(2), and (E) and to enact R.S. 40:1300.52(B)(3), relative to nonlicensed persons and licensed ambulance personnel; to provide for security checks; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative M. Guillory to Engrossed House Bill No. 1404 by Representative M. Guillory

AMENDMENT NO. 1

On page 3, line 12, after "information" insert "to the employer"

On motion of Rep. Mickey Guillory, the amendments were adopted.

Rep. Mickey Guillory moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Cravins, Curtis, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Total - 99, Total - 0, Ansardi, Crowe, Total - 6, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Marchand, McDonald, McVea, Montgomery, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Wooton

NAYS

ABSENT

Table with 3 columns of names: Damico, Kennard, Martiny, Winston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mickey Guillory 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. 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. 482— BY REPRESENTATIVE GRAY AN ACT

To enact R.S. 18:24(A)(6), relative to the powers, duties, and functions of the State Board of Election Supervisors; to provide for job performance evaluations of registrars of voters; to provide for policies and procedures; 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. 482 by Representative Gray

AMENDMENT NO. 1

On page 1, line 14, after "board shall" delete the remainder of the line and delete lines 15 and 16 and insert "develop an evaluation form by which the board shall evaluate the job performance of each registrar of voters on an annual basis."

AMENDMENT NO. 2

On page 1, at the end of line 17, after "performance of" change "the" to "each"

AMENDMENT NO. 3

On page 1, line 18, delete "by the parish governing authority"

AMENDMENT NO. 4

On page 2, delete lines 5 through 8 and insert the following:

"(c) A registrar of voters who receives an overall rating of poor shall be subject to removal"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, line 13, after "rated," and before "and time" insert "methods for the inclusion of input of a parish governing authority in the evaluation of the registrar of voters of its parish,"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gray to Engrossed House Bill No. 482 by Representative Gray

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 18:53(B)(1) and to"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." and before "R.S." insert "R.S. 18:53(B)(1) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 2, after line 14 insert the following:

"§53. Tenure; removal from office; may not be own immediate successor

* * *

B.(1) A registrar accused of any of the types of conduct set forth in Subsection A or convicted of a felony shall be subject to immediate suspension from office, with or without pay, by majority vote of the State Board of Election Supervisors. The board may take action on such suspension and may conduct a hearing on the removal of a registrar in accordance with this Subsection upon the receipt of a complaint from any person accusing a registrar of any of the conduct set forth in Subsection A or upon its own motion.

* * *

Rep. Gray moved the adoption of the amendments.

Rep. Katz objected.

By a vote of 50 yeas and 43 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Engrossed House Bill No. 482 by Representative Gray

AMENDMENT NO. 1

On page 1, line 4, after "procedures;" and before "and" insert "to provide applicability;"

AMENDMENT NO. 2

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

"(f) The provisions of this Paragraph shall apply to registrars of voters in any parish having a population of more than four hundred eighty thousand persons according to the most recent federal decennial census."

Rep. Waddell moved the adoption of the amendments.

Rep. Gray objected.

By a vote of 81 yeas and 19 nays, 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	Glover	Jefferson
Badon	Gray	LaFonta
Barrow	Guillory, E.	Marchand
Baylor	Harris	Pierre
Burrell	Heaton	Powell, T.
Carter, K.	Honey	Richmond
Dorsey	Hunter	
Gallot	Jackson	
Total - 22		

NAYS

Mr. Speaker	Fannin	Powell, M.
Alario	Farrar	Quezaire
Alexander	Faucheux	Ritchie
Ansardi	Frith	Robideaux
Baldone	Geymann	Romero
Baudoin	Greene	Scalise
Beard	Guillory, M.	Schneider
Bowler	Hammett	Smiley
Bruce	Hebert	Smith, G.
Bruneau	Hill	Smith, J.D.-50th
Burns	Hopkins	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kenney	Thompson
Cravins	Kleckley	Toomy
Crowe	LaBruzzo	Townsend
Curtis	LaFleur	Trahan
Damico	Lambert	Triche
Daniel	Lancaster	Tucker
Dartez	Martiny	Waddell
DeWitt	McDonald	Walker
Doerge	McVea	Walsworth
Dove	Montgomery	White
Downs	Morrish	Wooton
Durand	Pinac	
Erdey	Pitre	
Total - 79		

ABSENT

Kennard	Odinet
Morrell	Winston
Total - 4	

The Chair declared the above bill failed to pass.

Rep. Wooton 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.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 659—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 33:130.105(A), relative to the Morehouse Economic Development District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammatt	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.-50th
Carter, R.	Hunter	Smith, J.H.-8th
Cazayoux	Hutter	Smith, J.R.-30th
Chandler	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Wooton
Durand	McDonald	
Erdey	McVea	
Total - 97		

NAYS

Bruneau	Schneider	
Total - 2		
ABSENT		
Fannin	Kennard	Scalise
Farrar	Morrell	Winston
Total - 6		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 296—
 BY SENATORS QUINN AND HINES AND REPRESENTATIVE TOOMY
 A JOINT RESOLUTION

Proposing to amend Article VI, Section 14 of the Constitution of Louisiana, to provide that no law, unless enacted by two-thirds of the elected members of each house of the legislature, requiring increased expenditures for any purpose shall be applicable to a city, parish, or other local public school board except under certain circumstances; to provide for exceptions to such prohibition; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Reengrossed Senate Bill No. 296 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 24, after "system" delete the remainder of the line and delete line 25 in its entirety and insert in lieu thereof "only as long as the legislature"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 296 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 4, after "legislature," and before "requiring" insert "or State Board of Elementary and Secondary Education rule or regulation"

AMENDMENT NO. 2

On page 2, line 22, after "law" and before "requiring" insert "or rule or regulation adopted by the State Board of Elementary and Secondary Education"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pitre
Alexander	Gray	Powell, M.
Ansardi	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Honey	Romero
Bruneau	Hunter	Scalise
Burns	Hutter	Schneider
Burrell	Jefferson	Smiley
Cazayoux	Johns	Smith, G.
Chandler	Katz	Smith, J.D.-50th
Crowe	Kenney	Smith, J.R.-30th
Damico	Kleckley	St. Germain
Daniel	LaBruzzo	Strain
Dartez	LaFleur	Thompson
Doerge	Lancaster	Toomy
Dorsey	Martiny	Townsend
Dove	McDonald	Trahan
Downs	McVea	Triche
Durand	Montgomery	Tucker
Erdey	Morrish	Walker
Faucheux	Odinot	Walsworth
Frith	Pierre	White
Gallot	Pinac	Wooton
Total - 75		

NAYS

Alario	Fannin	Lambert
Arnold	Farrar	Marchand
Baylor	Geymann	Morrell
Bruce	Greene	Richmond
Carter, R.	Hill	Smith, J.H.-8th
Crane	Hopkins	Waddell
Curtis	Jackson	
DeWitt	LaFonta	
Total - 22		

ABSENT

Badon	Cravins	Kennard
Baldone	Hammitt	Winston
Carter, K.	Harris	
Total - 8		

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

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

Suspension of the Rules

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

Speaker Pro Tempore Dorsey in the Chair

SENATE BILL NO. 19—
BY SENATOR MCPHERSON AND REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:1226.2(B)(1) and (2) and to enact R.S. 37:1226.2(F), (G), and (H), relative to the donation of prescription drugs to free pharmacies; to require free pharmacies to accept certain prescription drugs; to allow dispensing at the discretion of the pharmacist; to provide for mandatory donation of certain prescription drugs to charitable pharmacies under certain circumstances; to provide for a deduction of any such charges when unopened prescription drugs are returned, unused to a pharmacy; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Walker gave notice of her intention to call Senate Bill No. 19 from the calendar for future action.

SENATE BILL NO. 451—
BY SENATOR BROOME
AN ACT

To amend and reenact Part VI-B of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742.1, relative to providing information and making recommendations of lifestyle modifications, food, dietary supplements, or homeopathic remedies; to provide with respect to disclosure by certain individuals who provide such information recommendations; to provide for information to be disclosed in the disclosure; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 451 by Senator Broome

AMENDMENT NO. 1

On page 3, delete line 11 and insert the following:

"(1) Practicing medicine or performing surgery as defined in R.S. 37:1262."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Reengrossed Senate Bill No. 451 by Senator Broome

AMENDMENT NO. 1

On page 2, at the end of line 1, change "provider" to "vendor"

AMENDMENT NO. 2

On page 2, at the end of line 5, change "provider" to "vendor"

AMENDMENT NO. 3

On page 2, at the beginning of line 11, change "provider" to "vendor"

AMENDMENT NO. 4

On page 2, line 14, after "Before a" and before "provides" change "provider" to "vendor"

AMENDMENT NO. 5

On page 2, line 15, after "such" and before "shall" change "provider" to "vendor"

AMENDMENT NO. 6

On page 2, line 18, after "by the" and before the period "." change "provider" to "vendor"

AMENDMENT NO. 7

On page 2, line 21, after "to any" and before "who violates" change "provider" to "vendor"

AMENDMENT NO. 8

On page 2, line 22, after "advising the" and before "that he" change "provider" to "vendor"

AMENDMENT NO. 9

On page 3, delete line 19 in its entirety and insert the following:

"he is a health care provider, as defined in R.S. 40:1299.41(A)(1), or performing the authorized prerogatives of the scope of practice of an individual credentialed by any licensing, certification, or registration board or agency of the state."

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AMENDMENT NO. 10

On page 3, at the end of line 21, change "provider" to "vendor"

Rep. Morrish moved the adoption of the amendments.

Rep. Jackson objected.

By a vote of 53 yeas and 45 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea, and Montgomery.

Total - 97

NAYS

Morrish
Total - 1

ABSENT

Table listing names of representatives who were absent: Baldone, Crane, Cravins, Greene, Kennard, St. Germain, and Winston.

Total - 7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 570

BY SENATOR HINES

AN ACT

To enact Part I-B of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1306 through 1310, relative to rural hospitals and physician referral practices; to provide for the encouragement of collaboration between rural hospitals and physicians; to provide definitions; to provide standards for ethical referral by physicians; to provide prohibitions and exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Engrossed Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

Delete House Committee Amendment No. 5 proposed by House Committee on Health and Welfare and adopted by the House of Representatives on June 5, 2006.

AMENDMENT NO. 2

On page 3, line 20, after "development" and before "as" insert ", including services provided by a mobile unit which is part of an existing facility."

AMENDMENT NO. 3

On page 6, at the end of line 3, insert the following:

"Such offer shall be conveyed to the rural hospital in a written offer by the proposing party containing the terms and conditions of the offer. The rural hospital shall accept or reject such offer in writing within ninety days of receipt of the offer from the proposing party. In the case of acceptance by the rural hospital, the closing of the acquisition of such ownership interest shall occur within ninety days of the rural hospital's written acceptance of the offer unless such closing is delayed by mutual consent of the rural hospital and the proposing party. The rural hospital and the proposing party shall, at all times, act in good faith in accordance with the requirements of C.C. Art. 1759. The failure to act in good faith on the part of the rural hospital shall constitute a rejection by the rural hospital of such offer. The failure to act in good faith on the part of the proposing party shall constitute a failure to satisfy the requirement that an offer be made to the rural hospital as specified above."

AMENDMENT NO. 4

On page 6, line 7, delete "and in the case of a rural hospital"

AMENDMENT NO. 5

On page 6, delete lines 8 and 9 in their entirety and insert in lieu thereof "and such"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative T. Powell to Engrossed Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

On page 4, line 23, between "Covington," and "Houma," insert "Hammond," and on line 25, between "Opelousas," and "Ruston" insert "Ponchatoula,"

On motion of Rep. Tank Powell, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

Delete Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House on June 5, 2006.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

On page 6 line 26, after "suspension" delete "or revocation"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

On page 3, between lines 27 and 28 insert the following:

"(f) Any community health care clinic or rural health clinic."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Arnold	Farrar	Montgomery
Badon	Faucheux	Morrell
Barrow	Frith	Pierre
Baudoin	Gallot	Powell, T.
Baylor	Gray	Quezaire
Bruce	Guillory, M.	Richmond
Burrell	Hammett	Ritchie
Carter, R.	Harris	Smiley
Cazayoux	Heaton	Smith, G.

Chandler	Hill	Smith, J.D.-50th
Cravins	Hopkins	Strain
Crowe	Hunter	Thompson
Damico	Jefferson	Toomy
Doerge	Kenney	Townsend
Dorsey	LaFleur	Trahan
Downs	Lambert	Walker
Durand	Marchand	White
Erdey	McDonald	Wooton
Total - 57		

NAYS

Alario	Greene	Pitre
Alexander	Guillory, E.	Powell, M.
Ansardi	Hebert	Robideaux
Baldone	Honey	Romero
Beard	Hutter	Scalise
Bowler	Jackson	Schneider
Bruneau	Johns	Smith, J.H.-8th
Burns	Katz	Smith, J.R.-30th
Crane	Kleckley	St. Germain
Daniel	LaBruzzo	Triche
Dartez	Lancaster	Tucker
DeWitt	Martiny	Waddell
Dove	Morrish	Walsworth
Geymann	Odinot	
Total - 41		

ABSENT

Carter, K.	Kennard	Winston
Curtis	LaFonta	
Glover	Pinac	
Total - 7		

The Chair declared the above bill was finally passed.

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

Explanation of Vote

Rep. Pinac disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

Speaker Salter in the Chair

SENATE BILL NO. 620—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 22:658(B)(1), relative to insurance claims; to increase the penalties for failure to timely pay a claim; to authorize the assessment of attorney fees and cost against an insurer who fails to timely pay a claim; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Tucker and Walsworth to Reengrossed Senate Bill No. 620 by Senator Murray

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AMENDMENT NO. 1

On page 1, line 3, after "claim;" delete the remainder of the line and delete line 4 in its entirety and insert "and to provide for"

AMENDMENT NO. 2

On page 2, line 7, after "due" delete "as well as reasonable attorney fees and costs." and insert a period "."

Rep. Tucker moved the adoption of the amendments.

Rep. Farrar objected.

By a vote of 47 yeas and 55 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 620 by Senator Murray

AMENDMENT NO. 1

On page 2, at the end of line 7, insert "Such penalties, if awarded, shall not be used by the insurer in computing either past or prospective loss experience for the purpose of setting rates or making rate filings."

Rep. Baldone moved the adoption of the amendments.

Rep. Bowler objected.

By a vote of 63 yeas and 38 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Cravins, Crowe, Curtis, Damico, Dartez, Doerge, Dorsey, Durand, Fannin, Farrar, Frith, Gallot, Geymann, Gray, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Honey, Hunter, Hutter, Jackson, Jefferson, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Marchand, McVea, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Schneider, Smith, G., Smith, J.D.-50th, St. Germain, Strain, Toomy, Townsend, Trahan, Triche, Walker, Wooton. Total - 74

NAYS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Bowler, Crane, Daniel, DeWitt, Dove, Downs, Erdey, Fauchaux, Johns, Katz, LaBruzzo, Lancaster, Martiny, McDonald, Montgomery, Scalise, Smiley, Smith, J.H.-8th, Smith, J.R.-30th, Thompson, Tucker, Waddell, Walsworth. Total - 26

ABSENT

Table with 3 columns of names: Glover, Hopkins, Kennard, White, Winston. Total - 5

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

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

Suspension of the Rules

On motion of Rep. Badon, the rules were suspended in order to take up and consider Special Order of the Day at this time.

Special Order of the Day

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

SENATE BILL NO. 141—

BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD A JOINT RESOLUTION

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed Senate Bill No. 141 by Senator Duplessis

AMENDMENT NO. 1

Delete House Floor Amendment proposed by Representative Badon and adopted by the House on June 6, 2006.

AMENDMENT NO. 2

On page 1, delete lines 13 through 17 in their entirety and on page 2, delete line 1 in its entirety and insert the following:

~~"(B) Orleans Parish. There shall be seven assessors in New Orleans, who shall compose the Board of Assessors for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of New Orleans, for terms of four years each. Their duties and compensation shall be as provided by law."~~

AMENDMENT NO. 3

On page 2, at the beginning of line 2, delete "~~(B)~~" and insert "(C)"

AMENDMENT NO. 4

On page 2, line 13, after "Parish" and before "(Amends" insert "to be elected at the same time as the municipal officers of New Orleans"

Rep. Arnold asked for and obtained a division of the question.

Rep. Scalise moved adoption of Amendment No. 1.

Rep. Arnold objected.

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

On motion of Rep. Scalise, Amendment Nos. 2, 3, and 4 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	Morrish
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Barrow	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	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	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Wooton
Erdey	McVea	
Total - 98		

NAYS

Morrell	Odinet	
Total - 2		
	ABSENT	
Arnold	Heaton	Winston
Harris	Kennard	
Total - 5		

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

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.

SENATE BILL NO. 647—

BY SENATORS DUPLESSIS, BOASSO, QUINN, SHEPHERD, DARDENNE AND HOLLIS

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Reengrossed Senate Bill No. 647 by Senator Duplessis

AMENDMENT NO. 1

In Amendment No. 2 of the set of House Floor Amendments proposed by Representative Badon and adopted by the House on June 6, 2006, on page 4, delete lines 8 and 9 in their entirety and insert the following:

"B. In the parish of Orleans, there shall be elected seven tax assessors, one from each municipal district. At the local municipal election held every four years, there shall be elected in Orleans Parish by the qualified voters thereof, one tax assessor, who shall hold office for four years from and after the thirty-first day of December of the year in which he is elected."

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	McDonald
Alario	Farrar	McVea
Alexander	Faucheux	Montgomery
Ansardi	Frith	Morrish

Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Barrow	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
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	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	Wooton
Total - 99		

NAYS

Morrell	Odinet
Total - 2	

ABSENT

Arnold	Smith, J.R.—30th
Kennard	Winston
Total - 4	

The Chair declared the above bill was finally passed.

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.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 89: Reps. Pitre, Quezaire, and Alario.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 482: Reps. Durand, McDonald, and John Smith.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 685—
BY SENATOR ELLINGTON

AN ACT

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

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinet
Arnold	Geymann	Pierre
Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, M.
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
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Fannin	McVea	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Badon	Kennard	Smith, J.R.—30th
Erdey	LaBruzzo	Winston
Total - 6		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 732—

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

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 732 by Senator Cain

AMENDMENT NO. 1

Delete House Committee Amendments Numbers 1 through 8, 11, 12, 13, 15, 16, 17, and 18 proposed by the House Committee on Insurance on May 31, 2006, and adopted by the House on June 5, 2006.

AMENDMENT NO. 2

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 22:1430.6(B)(2), (C) and (D)(1) and"

AMENDMENT NO. 3

On page 1, line 3, after "enact" delete the remainder of the line

AMENDMENT NO. 4

On page 1, at the beginning of line 4, insert "R.S. 22:"

AMENDMENT NO. 5

On page 1, line 5, after "the" delete "membership and"

AMENDMENT NO. 6

On page 1, line 6 after "directors;" delete the remainder of the line, delete lines 7 and 8 in their entirety and insert "to establish a"

AMENDMENT NO. 7

On page 1, line 15 after "Section 1." delete the remainder of the line and insert "R.S. 22:1430.6(B)(2),(C), and (D)(1) and (6),"

AMENDMENT NO. 8

On page 1, line 17, delete "22:1430.3(A)(12) and 13, and (F)," and insert "22:"

Rep. Hebert moved the adoption of the amendments.

Rep. Bowler objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Frith	Kenney
Badon	Gallot	LaFleur
Baldone	Glover	Marchand
Barrow	Gray	Morrell
Burrell	Hammett	Powell, T.
Carter, K.	Harris	Quezaire
Cazayoux	Hebert	Richmond
Cravins	Hill	Smith, G.
Dartez	Honey	Smith, J.D.-50th
DeWitt	Hopkins	Townsend
Doerge	Hunter	Triche
Farrar	Jefferson	White
Total - 36		

NAYS

Mr. Speaker	Fannin	Pinac
Alario	Faucheux	Pitre
Alexander	Greene	Powell, M.
Baudoin	Guillory, E.	Ritchie
Bear	Guillory, M.	Scalise
Bowler	Hutter	Smiley
Bruce	Johns	St. Germain
Burns	Katz	Strain
Carter, R.	Kleckley	Thompson
Chandler	LaBruzzo	Toomy
Crane	Lambert	Trahan
Damico	Lancaster	Tucker
Daniel	Martiny	Waddell
Dorsey	McDonald	Walker
Downs	McVea	Walsworth
Durand	Morrish	Wooton
Erdey	Pierre	
Total - 50		

ABSENT

Ansardi	Heaton	Romero
Baylor	Jackson	Schneider
Bruneau	Kennard	Smith, J.H.-8th
Crowe	LaFonta	Smith, J.R.-30th
Curtis	Montgomery	Winston
Dove	Odinot	
Geymann	Robideaux	
Total - 19		

The amendments were rejected.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Alexander gave notice of his intention to call Senate Bill No. 22 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Martiny gave notice of his intention to call Senate Bill No. 528 from the calendar for future action.

SENATE BILL NO. 19—

BY SENATOR MCPHERSON AND REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:1226.2(B)(1) and (2) and to enact R.S. 37:1226.2(F), (G), and (H), relative to the donation of prescription drugs to free pharmacies; to require free pharmacies to accept certain prescription drugs; to allow dispensing at the discretion of the pharmacist; to provide for mandatory donation of certain prescription drugs to charitable pharmacies under certain circumstances; to provide for a deduction of any such charges when unopened prescription drugs are returned, unused to a pharmacy; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 19 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 31, 2006, at the end of line 12, insert the following:

"The provisions of this Subsection shall not apply to any hospital, health care facility, or governmental entity owned by or operated by an agency or department of the executive branch of the state."

AMENDMENT NO. 2

In House Committee Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 31, 2006, line 13, change "a" to "such"

AMENDMENT NO. 3

In House Committee Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 31, 2006, delete lines 26 through 31 and insert in lieu thereof the following:

"political subdivision of the state."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaBruzzo to Reengrossed Senate Bill No. 19 by Senator McPherson

AMENDMENT NO. 1

Delete House Committee Amendments No. 1 through 4 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 31, 2006

AMENDMENT NO. 2

On page 1, line 2, change "(1) and (2)" to ", (C), (D), and (E)" and after "R.S. 37:1226.2" and before "(F)" insert "(A)(3),"

AMENDMENT NO. 3

On page 1, line 3, after "pharmacies;" delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete lines 4 through 8 in their entirety and insert in lieu thereof the following:

"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."

AMENDMENT NO. 5

On page 1, line 10, change "(1) and (2)" to ", (C), (D), and (E)"

AMENDMENT NO. 6

On page 1, line 11, after "R.S. 37:1226.2" and before "(F)" insert "(A)(3),"

AMENDMENT NO. 7

On page 1, delete lines 14 through 17 in their entirety and insert in lieu thereof the following:

"A. All drugs dispensed on prescription to a patient shall be accepted for return, exchange, or redispensing by a charitable pharmacy after such drugs have been removed from the pharmacy premises where they were dispensed including but not limited to:

* * *

(3) Notwithstanding the provisions of Subsection C 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.

~~B. C.~~ Donations of prescription drugs to a charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill pharmacy are subject to the following requirements:

(1) The charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill 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, penal institution pharmacy, or state hospital for the mentally ill 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, penal institution pharmacy, or state hospital for the mentally ill pharmacy.

(3) The donor, guardian, patient, or care giver 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, penal institution pharmacy, or state hospital for the mentally ill pharmacy shall not be redispensed.

(7) The charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill pharmacy shall comply with all state and federal laws regarding controlled dangerous substances.

(8) No drug dispensed through a charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill pharmacy shall be eligible for reimbursement from the Medicaid Pharmacy Program.

~~E. 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.

~~E. E.~~(1) No person, including a drug manufacturer, health care facility, charitable pharmacy, or governmental agency who donates prescription drugs to a charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill pharmacy, hospital, health care facility, or governmental entity as well as the charitable pharmacy, penal institution pharmacy, or state hospital for the mentally ill pharmacy, or state hospital, health care facility, or governmental entity 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. 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.

G. For purposes of this Section, "penal institution pharmacy" shall mean any institutional pharmacy permitted by the board and located within a penal institution operated by or under the authority of the Department of Public Safety and Corrections.

H. For the purpose of this Section, "state hospital for the mentally ill pharmacy" shall mean any institutional pharmacy permitted by the board and located within a state hospital for the mentally ill as designated by R.S. 28:21 operated by or under the authority of the Department of Health and Hospitals."

AMENDMENT NO. 8

On page 2, delete lines 1 through 21

Motion

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

Rep. Durand objected.

By a vote of 57 yeas and 27 nays, the House returned the bill to the calendar.

Suspension of the Rules

On motion of Rep. Daniel, the rules were suspended to make Senate Bill No. 742 Special Order of the Day No. 1 for Thursday, June 15, 2006.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 884

House Bill No. 1010

The conference committee reports for the legislative instruments above lie over under the rules.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 13, 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. 231
Returned with amendments

House Concurrent Resolution No. 292
Returned without amendments

House Concurrent Resolution No. 294
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 13, 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. 13
Returned with amendments

House Bill No. 128
Returned with amendments

House Bill No. 284
Returned without amendments

House Bill No. 414
Returned without amendments

House Bill No. 439
Returned with amendments

House Bill No. 448
Returned without amendments

House Bill No. 520
Returned with amendments

House Bill No. 604
Returned without amendments

House Bill No. 669
Returned with amendments

House Bill No. 675
Returned with amendments

House Bill No. 793
Returned with amendments

House Bill No. 1044
Returned with amendments

House Bill No. 1056
Returned with amendments

House Bill No. 1094
Returned with amendments

House Bill No. 1203
Returned without amendments

House Bill No. 1217
Returned with amendments

House Bill No. 1240
Returned with amendments

House Bill No. 1266
Returned without amendments

House Bill No. 1289
Returned with amendments

House Bill No. 1291
Returned with amendments

House Bill No. 1293
Returned with amendments

House Bill No. 1302
Returned with amendments

House Bill No. 1307
Returned with amendments

House Bill No. 1314
Returned without amendments

House Bill No. 1341
Returned without amendments

House Bill No. 1366
Returned without amendments

House Bill No. 1367
Returned without amendments

House Bill No. 1384
Returned with amendments

House Bill No. 1389
Returned without amendments

House Bill No. 1393
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 13, 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. 94, 125, 127, 128, 129, 132, and 133

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. 94—
 BY SENATORS B. GAUTREAU, BOASSO, DARDENNE AND SHEPHERD

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Louisiana State Employees' Retirement System to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

Read by title.

On motion of Rep. Schneider, and under a suspension of the rules, the above resolution was referred to the Committee on Retirement, under the rules.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 13, 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 signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 59 and 124

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
 Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 13, 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 signed the following Senate Bills:

Senate Bill Nos. 25, 37, 256, 384, 468, 469, 473, 529, 552, 560, 584, 641, 642, 699, and 746

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
 Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

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

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

HOUSE RESOLUTION NO. 108—
 BY REPRESENTATIVE BARROW

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the fiscal impacts of the creation of the Central community school system on the East Baton Rouge Parish school system and other school systems in the state and to submit a report of its findings in writing to the House Committee on Education and the Senate Committee on Education and to make such report available to the public by not later than September 30, 2006.

Read by title.

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

HOUSE RESOLUTION NO. 109—
 BY REPRESENTATIVE WALKER

A RESOLUTION

To commend the Society for Consulting Psychologists and the Society for Industrial and Organizational Psychology, divisions of the American Psychological Association, for sponsoring the Katrina Aid and Relief Effort (KARE), to express appreciation to Louisiana State University at Alexandria, the A.B. Freeman School of Business at Tulane University, and the Department of Psychology at the University of New Orleans, KARE co-sponsors, and to recognize these groups for their humanitarian efforts.

Read by title.

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

HOUSE RESOLUTION NO. 110—
 BY REPRESENTATIVE FRITH

A RESOLUTION

To commend the staff members of the Louisiana Rural Water Association for their outstanding response to Hurricanes Katrina and Rita.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 296—
 BY REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To urge and request the Louisiana Manufactured Housing Commission to encourage and facilitate the procurement and administrative function inherent in supplying Louisiana citizens with factory built residential dwellings, built to federal or state construction standards, for the purpose of increasing competition and availability statewide.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 297—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Agriculture and Forestry not to implement the minimum ethanol requirements if the requirements will increase the price of gasoline by more than two cents per gallon.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 298—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency and the Substance Abuse and Mental Health Services Administration to support program flexibility within the federal Crisis Counseling Assistance and Training Program.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 299—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the Louisiana congressional delegation to urge the Substance Abuse and Mental Health Services Administration to support programmatic flexibility within the federal Crisis Counseling Assistance and Training Program.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 300—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of U.S. Highway 61 and Louisiana Highway 3274 in Gramercy, Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 301—

BY REPRESENTATIVE WALKER AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend Frank Stronach of Canada for his extraordinary generosity to the citizens of Louisiana following the hurricanes of 2005.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 302—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To commend the staff members of Charity Hospital for their extraordinary selflessness and bravery during and following Hurricane Katrina.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 303—

BY REPRESENTATIVES BOWLER AND LABRUZZO

A CONCURRENT RESOLUTION

To commend Rob Pugliese and the students of Northern Valley Regional High School in Demarest, New Jersey, for their assistance to Louisiana after Hurricane Katrina.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 304—

BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To authorize and request the secretary of state to add to the information required to be provided to the public by R.S. 18:18(A)(8) during the annual official state voter registration week information regarding the procedures for a registered voter to change his address, the differences between mailing address and residential address for purposes of voter registration and voting absentee by mail, eligibility to vote absentee by mail, and procedures for voting absentee by mail.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 305—

BY REPRESENTATIVES QUEZAIRE, BEARD, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, M. GULLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, AND TUCKER

A CONCURRENT RESOLUTION

To urge and request the governor to include funding in the state budget for construction and maintenance of state highways that are not eligible for federal highway funds.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

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

June 13, 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:

Senate Bill No. 47, by Nevers
Reported with amendments. (8-0) (Regular)

Senate Bill No. 331, by Cain
Reported favorably. (8-0) (Regular)

DANIEL MARTINY
Chairman

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

Report of the Committee on Education

June 13, 2006

To the Speaker and Members of the House of Representatives:

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

House Resolution No. 102, by Fannin
Reported favorably. (11-0)

House Resolution No. 103, by Fannin
Reported favorably. (12-0)

House Concurrent Resolution No. 290, by Crane
Reported favorably. (15-0)

CARL CRANE
Chairman

Report of the Committee on House and Governmental Affairs

June 13, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 31, by Hebert
Reported favorably. (9-0)

House Resolution No. 95, by Arnold
Reported favorably. (8-0)

House Resolution No. 99, by Walker
Reported with amendments. (8-0)

House Resolution No. 105, by Baldone
Reported with amendments. (8-0)

House Resolution No. 106, by Gray
Reported with amendments. (9-0)

House Concurrent Resolution No. 281, by Hammett
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 105, by Jones
Reported favorably. (8-0)

Senate Concurrent Resolution No. 117, by Jones
Reported with amendments. (8-0)

Senate Concurrent Resolution No. 121, by Hines
Reported favorably. (8-0)

Senate Bill No. 597, by Dardenne
Reported with amendments. (10-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

Report of the Committee on Natural Resources

June 13, 2006

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 676, by Hines
Reported with amendments. (8-0-1) (Regular)

WILFRED PIERRE
Chairman

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

Suspension of the Rules

On motion of Rep. Crane, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Reported by Committee at this time.

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. 281— BY REPRESENTATIVE HAMMETT AND SENATOR MICHOT A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to review the provisions of law regarding criminal trespass as they relate to professional land surveyors and make recommendations to the Louisiana Legislature prior to the 2008 Regular Session.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 281 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 1, delete lines 7 through 10

AMENDMENT NO. 3

On page 1, line 11, after "reviewed" delete the remainder of the line and delete line 12 and insert a period "."

AMENDMENT NO. 4

On page 1, line 14, change "direct" to "urge and request"

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

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

HOUSE CONCURRENT RESOLUTION NO. 290—
BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

Read by title.

Reported favorably by the Committee on Education.

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

Privileged Report of the Legislative Bureau

June 13, 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. 5
Reported without amendments.

Senate Bill No. 73
Reported without amendments.

Senate Bill No. 155
Reported without amendments.

Senate Bill No. 486
Reported without amendments.

Senate Bill No. 496
Reported without amendments.

Senate Bill No. 607
Reported with amendments.

Senate Bill No. 695
Reported without amendments.

Senate Bill No. 703
Reported with amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Senate Concurrent Resolutions

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

Motion

On motion of Rep. Martiny, the Committee on Administration of Criminal Justice was discharged from further consideration of Senate Concurrent Resolution No. 106.

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections to notify inmates under its supervision of the revisions to the laws and regulations relating to the Louisiana Risk Review Panel, good time and diminution of sentence.

Read by title.

On motion of Rep. Martiny, and under a suspension of the rules, the resolution was ordered passed to its third reading.

Privileged Report of the Committee on Enrollment

June 13, 2006

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 96—
BY REPRESENTATIVE M. GUILLORY
A RESOLUTION

To commend the Louisiana State University at Eunice Bengals baseball team upon winning the National Junior College Athletic Association Division II World Series championship.

HOUSE RESOLUTION NO. 97—
BY REPRESENTATIVE M. GUILLORY
A RESOLUTION

To commend the Louisiana State University at Eunice Students in Free Enterprise (SIFE) team upon winning the RadioShack SIFE USA National Championship in the two-year college division.

HOUSE RESOLUTION NO. 98—
BY REPRESENTATIVES LAFONTA, RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE
A RESOLUTION

To commend Usher Raymond IV for his outstanding accomplishments, to express appreciation for his contributions to Hurricane Katrina and Hurricane Rita recovery efforts, and to recognize today as Usher Raymond Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 100—
BY REPRESENTATIVES SALTER AND DEWITT
A RESOLUTION

To designate the first Wednesday in June as the annual Former State Representative Recognition Day and recognize the extraordinary men and women who have served in the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 101—
BY REPRESENTATIVE DURAND
A RESOLUTION

To designate June 13, 2006, as "Men's Wellness Day at the Louisiana Legislature" and to urge and request full participation by all men in the legislature and in the state capitol.

HOUSE RESOLUTION NO. 104—

BY REPRESENTATIVES THOMPSON, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Billy Wayne Dartlone of Delhi and to recognize and record his distinguished career and his many contributions to his community and his state.

HOUSE RESOLUTION NO. 107—

BY REPRESENTATIVES GLOVER AND MONTGOMERY

A RESOLUTION

To urge and request the Department of Health and Hospitals, the Department of Agriculture and Forestry, and the Department of Environmental Quality to take all action allowable by law to ensure that Louisiana Proteins, Inc. is in compliance with all laws, regulations, and permitting requirements applicable to its facility; to require Louisiana Proteins, Inc. to implement to the extent allowable by law any and all controls necessary to mitigate and eliminate the noxious odor emanating from its meat processing and rendering facility; and to take enforcement action to the maximum extent allowable by law if Louisiana Proteins, Inc. is found to be in violation of any permit condition, law, or regulation.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

June 13, 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. 128—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create and provide for the Tri-Parish Tourism Development Advisory Commission to study and make recommendations relative to regional tourism development in the parishes of Iberia, Lafayette, and St. Martin.

HOUSE CONCURRENT RESOLUTION NO. 229—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to establish a committee to review the duties of local governing

authorities during emergency periods lasting more than sixty days and to make necessary recommendations clarifying the role of local government.

HOUSE CONCURRENT RESOLUTION NO. 264—

BY REPRESENTATIVE CHANDLER AND SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider alternate plans for the segment of the U.S. Hwy 167 project which will traverse through the village of Dry Prong, which is part of the TIMED Program, and to present the alternate plan to the elected officials and citizens of Dry Prong as soon as practicable.

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing median barrier systems along Interstate 10 and Interstate 12 to prevent cross-median crashes and submit its recommendations to the House and Senate Committees on Transportation, Highways and Public Works prior to the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 271—

BY REPRESENTATIVE WOOTON

A CONCURRENT RESOLUTION

To extend the authority for the Forensic Strategic Task Force until July 1, 2008.

HOUSE CONCURRENT RESOLUTION NO. 282—

BY REPRESENTATIVE QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Ascension Catholic High School Principal Gene Harrell upon his retirement.

HOUSE CONCURRENT RESOLUTION NO. 283—

BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana to adopt a more specified and detailed policy or a rule of court that provides for a uniform travel policy that applies to each judge and their employees in all tiers of court and is in conformity with the travel procedures applicable to the legislative and executive branches of government.

HOUSE CONCURRENT RESOLUTION NO. 286—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to study water transportation development and expansion in St. Martin Parish including but not limited to identifying the need for such development and expansion and identifying potential funding sources and to make recommendations to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 291—

BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To commend Laney Chouest and Restore America's Wetlands for their coastal restoration efforts and to declare support for their letter-writing campaign.

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

June 13, 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. 7—
BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 26:583(D), relative to the merger of one area with another area as to the legal sales characteristic of the annexed area regarding alcohol sales; to exempt Ward Two from taking on the sales characteristic of Bastrop, Morehouse Parish; and to provide for related matters.

HOUSE BILL NO. 27—
BY REPRESENTATIVE FARRAR AND SENATOR MCPHERSON
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), (K), (L), and (M), relative to city court jurisdiction; to increase the jurisdictional amount in dispute for the City Court of Alexandria and the City Court of Pineville; and to provide for related matters.

HOUSE BILL NO. 98—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:71.1(3)(c) and 271.2(3)(c), relative to alcoholic beverage permits; to require the granting of a Class A-Special permit to sell alcohol to the convention center located in the city of Natchitoches; and to provide for related matters.

HOUSE BILL NO. 186—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph) and to enact R.S. 9:392(A)(7)(c), relative to the acknowledgment of paternity; to require the disclosure of certain information prior to the execution of an acknowledgment; to prohibit the suspension of certain responsibilities and obligations; and to provide for related matters.

HOUSE BILL NO. 265—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:334, relative to child custody; to provide for the qualifications of mediators in child custody proceedings; and to provide for related matters.

HOUSE BILL NO. 266—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 439(B) and to enact Children's Code Article 439(F)(7) and (H) through (K), relative to qualifications of a mediator for juvenile court disputes; to provide for mandatory qualifications and continuing education; to provide for the establishment and maintenance of a register of qualified mediators; to provide for the assessment of reasonable fees; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 538—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:299.31 and 299.32(1) and (2) and to enact R.S. 9:315.26 and 325 and R.S. 47:299.41(C), relative to support; to provide for the intercept of income tax refunds for the payment of spousal support; to provide for the intercept of

income tax refunds for the payment of child support; to provide for the ranking and priority of claims; and to provide for related matters.

HOUSE BILL NO. 570—
BY REPRESENTATIVES SCALISE, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, CHANDLER, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HEATON, HEBERT, HOPKINS, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LAMBERT, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, PIERRE, M. POWELL, T. POWELL, RICHMOND, RITCHE, ROMERO, SALTER, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, AND WOOTON
AN ACT

To enact Chapter 22 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2151 through 2163, relative to qui tam actions; to create the Hurricane Relief Funds Integrity Act; to prohibit false or fraudulent claims or false or misleading statements in relation to obtaining funds, property, use of property, or other compensation from hurricane relief programs; to provide for civil actions by the attorney general or by other persons to recover hurricane relief program funds; to provide for damages, fines, penalties, and interest; to create the Hurricane Relief Programs Fraud Detection Fund; to provide for an awards program for information on violations; to provide for protection for certain persons against reprisals by certain persons; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 586—
BY REPRESENTATIVES GREENE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS CHEEK, DARDENNE, AND FONTENOT
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to increase the time limitation relative to notifying the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of the death of a fireman or law enforcement officer; and to provide for related matters.

HOUSE BILL NO. 601—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:315.4 and R.S. 46:236.8(A), (B)(1)(introductory paragraph), (c), (e), (f), and (C), (E), (F), and (G)(6) and to enact R.S. 9:315(C)(8), relative to child support; to provide for the definition of medical support; to require medical support orders; to provide changes in terminology; and to provide for related matters.

HOUSE BILL NO. 603—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:934(2) and 936(B), relative to the Responsible Vendor Program; to provide for the validity of server permits for four years; to increase the fees that providers may charge for conducting server training courses; and to provide for related matters.

HOUSE BILL NO. 633—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:80(H) and 280(H), relative to the Alcoholic Beverage Control Law; to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; and to provide for related matters.

HOUSE BILL NO. 905—

BY REPRESENTATIVES GALLOT AND DOWNS
AN ACT

To amend and reenact R.S. 15:848.5(B), relative to the Lincoln Parish Detention Center; to provide relative to the incarceration of prisoners; to provide for the use of other jail and prison facilities in the state; and to provide for related matters.

HOUSE BILL NO. 1026—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:2252(2), 2253(A)(1)(a)(ii), and 2256(A)(4) and to enact R.S. 11:2252(22) and (23), 2254(D), 2271, and 2272, relative to the Firefighters' Retirement System; to provide for compliance with the Internal Revenue Code; to provide relative to definitions, membership, service credit, and benefits; to provide with respect to tax qualification; to provide for an excess benefit plan; and to provide for related matters.

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.

HOUSE BILL NO. 1362—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1390 (Substitute for House Bill No. 1340 by Representative Gray)—

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 18:401.3(B), relative to the conduct of early voting in certain parishes for certain elections; to authorize the secretary of state to include the conduct of early voting in certain parishes in an emergency plan developed by the secretary of state for the conduct of an election in an area affected by a gubernatorially declared state of emergency; to provide relative to the conduct of such early voting; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Suspension of the Rules

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

Senate Concurrent Resolution No. 94

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to meet on Wednesday, June 14, 2006, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 754

Senate Concurrent Resolution No. 112

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Wednesday, June 14, 2006, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 569 and 671

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Karen Carter, at 6:17 P.M., the House agreed to adjourn until Wednesday, June 14, 2006, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Wednesday, June 14, 2006.

ALFRED W. SPEER
Clerk of the House

