

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

**SIXTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 7, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**ABSENT**

Bajoie	Heitmeier
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Rev. Isaiah Webster, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Ullo, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Introduction of Senate Resolutions**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 21—**  
BY SENATOR MCPHERSON

A RESOLUTION

To commend the players, coaches, and managers of the 2003-2004 Peabody Magnet High School Boys Basketball Team on winning the Class 4A Boys State Basketball Championship Title.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 22—**  
BY SENATOR HINES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Cleveland James "Cleve" Vidrine.

On motion of Senator Hines, the resolution was read by title and adopted.

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

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

**SENATE BILL NO. 751—**  
BY SENATOR B. GAUTREAU  
AN ACT

To amend and reenact R.S. 47:605(A), relative to corporate franchise tax; to provide for an exclusion from the franchise tax base for set asides of surplus and undivided profits that are required by regulatory agencies and for certain unearned premium and claim reserves; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 752—**  
BY SENATOR HOLDEN  
AN ACT

To enact R.S. 39:474, relative to public finance; to authorize certain structured financing transactions; to provide definitions; to provide for submission to the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Finance.

**Messages from the House**

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 7, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 20—

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAOJIE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

HOUSE BILL NO. 51—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 33:1994(F), relative to minimum wages and maximum hours of firemen; to provide that the city of Bossier City may establish a work shift cycle in excess of forty-two hours weekly for operators of fire alarm systems; to provide for overtime hours and pay for such operators; and to provide for related matters.

HOUSE BILL NO. 973—

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact R.S. 13:996.60(A) and to enact R.S. 13:2507.1, relative to judicial expense funds; to establish a judicial expense fund for the Twentieth Judicial District Court and the Traffic Court of New Orleans; to retain provisions providing for the assessment of fees in civil and criminal matters, depositing of sums collected into a separate account designated as the judicial expense fund, annual audits, uses of the fund, and prohibiting uses of the fund for salaries of the judges; and to provide for related matters.

HOUSE BILL NO. 63—

BY REPRESENTATIVES ERDEY AND SMILEY

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the town of Springfield to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 270—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(3), relative to the Lafourche Parish Tourist Commission; to provide relative to the hotel occupancy tax levied by the commission; to provide relative to the definition of the term "hotel" as it applies in Lafourche Parish; and to provide for related matters.

HOUSE BILL NO. 283—

BY REPRESENTATIVES WINSTON, R. CARTER, MCVEA, T. POWELL, AND STRAIN

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(dd), relative to the Tangipahoa Parish Tourist and Film Commission; to increase the maximum rate of hotel occupancy tax which the commission is authorized to levy; and to provide for related matters.

HOUSE BILL NO. 499—

BY REPRESENTATIVES ERDEY AND SMILEY

AN ACT

To enact R.S. 33:3822.4, relative to waterworks systems; to authorize the city of Denham Springs to extend its waterworks system outside the city limits; to provide with respect to petitions or elections; to authorize the governing authority of the city to levy and collect local or special assessments on the property and to establish rates for the sale of water within the area so served; and to provide for related matters.

HOUSE BILL NO. 661—

BY REPRESENTATIVE GEYMAN

AN ACT

To enact R.S. 33:130.72(D) and (E), relative to the Ward One Economic Development Board of Calcasieu Parish; to provide for filling of vacancies, removal, and appointment of board members; and to provide for related matters.

HOUSE BILL NO. 119—

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LANCASTER, MARTINY, SHEPHERD, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO

AN ACT

To amend and reenact R.S. 13:1444(7) and to enact R.S. 13:1444(8), relative to the civil jurisdiction of parish courts; to limit jurisdiction over suits filed under the Governmental Claims Act; and to provide for related matters.

HOUSE BILL NO. 121—

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LANCASTER, MARTINY, SHEPHERD, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO

AN ACT

To amend and reenact R.S. 13:2561.2(A), 2561.4, 2562.2(A), and 2562.4, relative to parish courts; to limit the civil jurisdiction of the First and Second Parish Courts for Jefferson Parish; and to provide for related matters.

HOUSE BILL NO. 132—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 15:254.8, relative to compensation of off-duty law enforcement officers subpoenaed to testify in the mayor's court of Vinton; to require the clerk of the town of Vinton to pay witness fees when off-duty law enforcement officers are subpoenaed to testify; to provide for certification requirements;

to provide for maximum allowable fees; and to provide for related matters.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other improvements, or property of certain tax-exempt organizations; and to provide for related matters.

**HOUSE BILL NO. 104—**

BY REPRESENTATIVES TOOMY AND FRITH  
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b), relative to state holidays for the offices of clerks of court; to provide that the offices of district, parish, and city clerks of court shall be closed on any day that the governor proclaims a state holiday; and to provide for related matters.

**HOUSE BILL NO. 155—**

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER, SCALISE, TOOMY, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

To amend and reenact R.S. 15:705(A)(2), relative to food and clothing provisions for prisoners; to provide with respect to reimbursement from an inmate for certain expenses associated with incarceration; and to provide for related matters.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 33:450, relative to mayors' courts; to create a mayor's court of the town of St. Gabriel in Iberville Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 33:2711.20, relative to the town of Lake Providence; to authorize the governing authority of the town to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

**HOUSE BILL NO. 209—**

BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 33:1702.3, relative to the marshal of the City Court of Ruston; to prohibit the marshal from receiving a salary greater than the salary of the sheriff of Lincoln Parish; and to provide for related matters.

**HOUSE BILL NO. 251—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 33:4574.13(A) and (C)(1)(e), relative to the Madison Parish Tourism Commission; to authorize the commission to levy a hotel occupancy tax without voter approval; and to provide for related matters.

**HOUSE BILL NO. 396—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 33:4096(B)(2), (D), and (E) and 4121(B)(2), (D), and (E), relative to the New Orleans Sewerage and Water Board; to provide with respect to certain limitations on issuing water and sewerage revenue bonds; and to provide for related matters.

**HOUSE BILL NO. 417—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 33:9078, relative to the Kenilworth Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

**HOUSE BILL NO. 491—**

BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 33:2345(A), (B), and (E), to enact R.S. 33:2345(F), and to repeal R.S. 33:2344(B)(3), relative to training of municipal police chiefs; to provide relative to the authority granted to the governing board of the Law Enforcement Executive Management Institute; to provide relative to training requirements for municipal chiefs of police; to provide exceptions; and to provide for related matters.

**HOUSE BILL NO. 5—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 15:145(B)(3), relative to contract attorneys for judicial district indigent defender boards; to delete the requirement that any contract attorney be a resident of the judicial district; and to provide for related matters.

**HOUSE BILL NO. 14—**

BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact the heading of Chapter 5-L of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.91, 380.92(A) and (C)(2), 380.93(B)(5) and (C)(1), 380.94, 380.95(A), (B), and (C)(1), (2)(b)(iii), and (3), and 380.96 and R.S. 36:744(W) and 801.16(A)(1) and (2) and (C), relative to the Mansfield Women's College Museum in the Department of State; to change the name of the museum; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions on  
Second Reading**

The following House Bills and Joint Resolutions were read by their titles and placed on the Calendar for their second reading.

April 7, 2004

**HOUSE BILL NO. 5—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 15:145(B)(3), relative to contract attorneys for judicial district indigent defender boards; to delete the requirement that any contract attorney be a resident of the judicial district; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 14—**  
BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact the heading of Chapter 5-L of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.91, 380.92(A) and (C)(2), 380.93(B)(5) and (C)(1), 380.94, 380.95(A), (B), and (C)(1), (2)(b)(iii), and (3), and 380.96 and R.S. 36:744(W) and 801.16(A)(1) and (2) and (C), relative to the Mansfield Women's College Museum in the Department of State; to change the name of the museum; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 20—**  
BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAJOIE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

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The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 41—**  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other improvements, or property of certain tax-exempt organizations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 51—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 33:1994(F), relative to minimum wages and maximum hours of firemen; to provide that the city of Bossier City may establish a work shift cycle in excess of forty-two hours weekly for operators of fire alarm systems; to provide for overtime hours and pay for such operators; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 63—**  
BY REPRESENTATIVES ERDEY AND SMILEY  
AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the town of Springfield to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 104—**  
BY REPRESENTATIVES TOOMY AND FRITH  
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b), relative to state holidays for the offices of clerks of court; to provide that the offices of district, parish, and city clerks of court shall be closed on any day that the governor proclaims a state holiday; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 119—**  
BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LANCASTER, MARTINY, SHEPHERD, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

To amend and reenact R.S. 13:1444(7) and to enact R.S. 13:1444(8), relative to the civil jurisdiction of parish courts; to limit jurisdiction over suits filed under the Governmental Claims Act; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 121—**  
BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LANCASTER, MARTINY, SHEPHERD, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

To amend and reenact R.S. 13:2561.2(A), 2561.4, 2562.2(A), and 2562.4, relative to parish courts; to limit the civil jurisdiction of the First and Second Parish Courts for Jefferson Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 132—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 15:254.8, relative to compensation of off-duty law enforcement officers subpoenaed to testify in the mayor's court of Vinton; to require the clerk of the town of Vinton to pay witness fees when off-duty law enforcement officers are subpoenaed to testify; to provide for certification requirements; to provide for maximum allowable fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 155—**

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER, SCALISE, TOOMY, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO

AN ACT

To amend and reenact R.S. 15:705(A)(2), relative to food and clothing provisions for prisoners; to provide with respect to reimbursement from an inmate for certain expenses associated with incarceration; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 33:450, relative to mayors' courts; to create a mayor's court of the town of St. Gabriel in Iberville Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 33:2711.20, relative to the town of Lake Providence; to authorize the governing authority of the town to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 209—**

BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 33:1702.3, relative to the marshal of the City Court of Ruston; to prohibit the marshal from receiving a salary greater than the salary of the sheriff of Lincoln Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 251—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 33:4574.13(A) and (C)(1)(e), relative to the Madison Parish Tourism Commission; to authorize the commission to levy a hotel occupancy tax without voter approval; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 270—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(3), relative to the Lafourche Parish Tourist Commission; to provide relative to the hotel occupancy tax levied by the commission; to provide relative to the definition of the term "hotel" as it applies in Lafourche Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 283—**

BY REPRESENTATIVES WINSTON, R. CARTER, MCVEA, T. POWELL, AND STRAIN

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(dd), relative to the Tangipahoa Parish Tourist and Film Commission; to increase the maximum rate of hotel occupancy tax which the commission is authorized to levy; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 396—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 33:4096(B)(2), (D), and (E) and 4121(B)(2), (D), and (E), relative to the New Orleans Sewerage and Water Board; to provide with respect to certain limitations on issuing water and sewerage revenue bonds; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 417—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 33:9078, relative to the Kenilworth Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 491—**

BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 33:2345(A), (B), and (E), to enact R.S. 33:2345(F), and to repeal R.S. 33:2344(B)(3), relative to training of municipal police chiefs; to provide relative to the authority granted to the governing board of the Law Enforcement Executive Management Institute; to provide relative to training requirements for municipal chiefs of police; to provide exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 499—**

BY REPRESENTATIVES ERDEY AND SMILEY  
AN ACT

To enact R.S. 33:3822.4, relative to waterworks systems; to authorize the city of Denham Springs to extend its waterworks system outside the city limits; to provide with respect to petitions or elections; to authorize the governing authority of the city to levy and collect local or special assessments on the property and to establish rates for the sale of water within the area so served; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 661—**  
BY REPRESENTATIVE GEYMAN  
AN ACT

To enact R.S. 33:130.72(D) and (E), relative to the Ward One Economic Development Board of Calcasieu Parish; to provide for filling of vacancies, removal, and appointment of board members; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 973—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact R.S. 13:996.60(A) and to enact R.S. 13:2507.1, relative to judicial expense funds; to establish a judicial expense fund for the Twentieth Judicial District Court and the Traffic Court of New Orleans; to retain provisions providing for the assessment of fees in civil and criminal matters, depositing of sums collected into a separate account designated as the judicial expense fund, annual audits, uses of the fund, and prohibiting uses of the fund for salaries of the judges; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 6, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To commend the Department of Transportation and Development for receiving the National Institute of Governmental Purchasing's Outstanding Agency Accreditation Achievement Award.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To commend the Department of Transportation and Development for receiving the National Institute of Governmental Purchasing's Outstanding Agency Accreditation Achievement Award.

The resolution was read by title. Senator Marionneaux moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Barham	Fields	Marionneaux
Boasso	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Chaisson	Hainkel	Nevers
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Irons	Ullo
Heitmeier	Romero	
Holden	Schedler	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

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

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 327—**  
BY REPRESENTATIVE DURAND  
AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 637—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 657—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

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

The following House Bills and Joint Resolutions, subject to call, were read by title and acted upon as follows:

**Called from the Calendar**

Senator B. Gautreaux asked that House Bill No. 367 be called from the Calendar at this time.

**HOUSE BILL NO. 367—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 3:556.3(B)(4) and (E) and to repeal R.S. 3:556.3(B)(5), relative to the Louisiana Crawfish Promotion and Research Board; to provide for changes in membership of the board; to provide relative to vacancies; and to provide for related matters.

**Floor Amendments Sent Up**

Senator B. Gautreaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator B. Gautreaux to Engrossed House Bill No. 367 by Representative Thompson (Duplicate of Senate Bill No. 244)

AMENDMENT NO. 1  
On page 1, line 2, after "reenact" delete the remainder of the line and insert the following: "R.S. 3:556.3(B) and (E), relative"

AMENDMENT NO. 2  
On page 1, line 7, change "3:556.3(B)(4)" to "3:556.3(B)"

AMENDMENT NO. 3  
On page 1, line 13, delete the asterisks "\*" \* "\*" and insert in lieu thereof the following:

"(1) One member who is engaged in crawfish farming east of the Atchafalaya River appointed from a list of three persons nominated by the Louisiana Crawfish Farmers Association.

(2) One member who is engaged in crawfish farming west of the Atchafalaya River and south of U.S. Highway 190 appointed from a list of three persons nominated by the Louisiana Crawfish Farmers Association.

(3) One member who is engaged in crawfish farming north of U.S. Highway 190 appointed from a list of three persons nominated by the Louisiana Crawfish Farmers Association."

AMENDMENT NO. 4

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

~~"(5) One member who is engaged only in harvesting wild crawfish appointed at large.~~

~~(6)(5)~~ One member who is engaged in crawfish farming or crawfish harvesting appointed from a list of three persons nominated by the Louisiana Farm Bureau Federation.

~~(7)(6)~~ One member who is an owner or operator of a facility which produces artificial crawfish bait.

~~(8)(7)~~ One member who is an owner or operator of a facility which processes crawfish.

~~(9)(8)~~ One member appointed from a list of three persons nominated by the Louisiana Restaurant Association.

~~(10)(9)~~ One member appointed who owns or operates a retail crawfish-seafood facility, appointed from the state at large.

~~(11)(10)~~ One member who is a landowner engaged in commercial crawfish leasing appointed from a list of three persons nominated by the Louisiana Landowners Association."

AMENDMENT NO. 5

On page 1, delete lines 17 through 19 and insert in lieu thereof the following:

"E. Vacancies in the offices of the members A vacancy in the office of a member shall be filled in the same manner as the original appointments for the unexpired portion of the term of office vacated. If any board or association nominating potential members becomes defunct or does not submit the required list of names to the commissioner within thirty days after he requests such list, the commissioner may appoint any otherwise qualified person not already a board member to fill a vacancy. A person appointed to fill a vacancy shall serve out the unexpired portion of the term of office vacated.

\* \* \*

AMENDMENT NO. 6

On page 2, delete lines 1 through 6 in their entirety.

AMENDMENT NO. 7

On page 2, line 7, change "Section 3." to "Section 2."

On motion of Senator B. Gautreaux, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 244, was read by title and referred to the Legislative Bureau.

**Called from the Calendar**

Senator Fontenot asked that House Bill No. 571 be called from the Calendar at this time.

**HOUSE BILL NO. 571—**  
BY REPRESENTATIVE T. POWELL  
AN ACT

To amend and reenact R.S. 3:472, 473, 474, 476, and 478(A), relative to the Louisiana Strawberry Marketing Board; to provide relative to definitions; to provide relative to membership and powers of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide relative to assessments; to provide relative to penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Fontenot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Fontenot to Engrossed House Bill No. 571 by Representative T. Powell (Duplicate of Senate Bill No. 247)

AMENDMENT NO. 1

On page 2, line 7, after "commissioner," delete the remainder of the line and delete line 8 in its entirety and on line 9, delete "Tangipahoa"

AMENDMENT NO. 2

On page 2, line 29, immediately after "ex officio" delete the period "." and add the following: "and shall have all rights and responsibilities of appointed members. The commissioner or his designee, the resident coordinator of the Louisiana State University Agriculture Experiment Station at Hammond, and the chairman of the Ponchatoula Strawberry Festival shall be counted for purposes of constituting a quorum."

AMENDMENT NO. 3

On page 3, line 2, after "appointment," add the following: "The chairman of the Ponchatoula Strawberry Festival shall serve for one year until the end of his term as chairman and shall be automatically replaced by his successor."

AMENDMENT NO. 4

On page 5, line 22, change "is vested with" to "shall have"

AMENDMENT NO. 5

On page 6, line 4, change "choose and promote" to "decide upon" and delete "and suggestive"

AMENDMENT NO. 6

On page 6, line 5, between "and" and "register" insert "to"

AMENDMENT NO. 7

On page 6, line 6, between "method" and the period "." insert the following: "and promote the use of same in promoting Louisiana strawberries"

AMENDMENT NO. 8

On page 6, delete line 11 and insert in lieu thereof the following: "(6) To advise the commissioner on the civil penalties to be imposed or the injunctive or other"

AMENDMENT NO. 9

On page 6, line 12, between "sought" and "to punish" insert "to be sought"

AMENDMENT NO. 10

On page 6, line 13, change "rules" to "of the rules"

AMENDMENT NO. 11

On page 6, line 16, change "is vested with" to "shall have"

AMENDMENT NO. 12

On page 7, lines 9 and 10, change "parish of proper venue," to "other parish in which venue is authorized."

AMENDMENT NO. 13

On page 7, line 28, change "administering" to "and administering"

AMENDMENT NO. 14

On page 8, lines 21 and 22, change "each violation," to "each act of violation and for each day of violation."

On motion of Senator Fontenot, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 247, was read by title and referred to the Legislative Bureau.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
TRANSPORTATION, HIGHWAYS, AND  
PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

April 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

**SENATE RESOLUTION NO. 15—**

BY SENATOR BOASSO

**A RESOLUTION**

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highway 41 and Pine Street in St. Tammany Parish.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 27—**  
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of increasing the speed limits on certain two-lane roads.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 34—**  
BY SENATORS ULLO AND HOLLIS

A CONCURRENT RESOLUTION

To urge and request the governor and the Louisiana Department of Transportation and Development to make every effort to expedite the proposed widening of the Huey P. Long Bridge and improvements to the eastbank and westbank roadway approaches.

Reported favorably.

**SENATE BILL NO. 28—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 48:229(A)(11), relative to transportation; to provide relative to priority reports on construction projects; to provide relative to factors to be considered in the order of priorities; to add as a factor the safe evacuation of population when necessitated by catastrophic events; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 368—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(F)(1)(d) and (2), and to enact R.S. 38:325(C)(4), relative to the Lafourche Basin Levee District; to provide for the authority, powers, duties, functions, and membership of the district; to provide for the scope of activities of the district; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 554—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:365(A)(1), relative to motor vehicles; to provide relative to traffic safety; to prohibit driving a motor vehicle equipped with certain display screens used with audio equipment capable of driver distractions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 555—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:361.2, relative to motor vehicle safety; to provide for medical exemptions to restrictions on tint on motor vehicle windows; to provide for the review of such exemptions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 558—**  
BY SENATOR DUPRE

AN ACT

To authorize the Lafourche Parish governing authority to acquire certain property in Lafourche Parish by certain means; to provide for use of certain monies available to the parish; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 710—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 34:855.3(E), relative to the regulation of personal watercraft; to authorize a person born after January 1, 1991, until they reach the age of 16, to operate a personal watercraft if they have completed a boater safety education course and are accompanied by a person at least 18 years of age; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

Senator Holden, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

April 6, 2004

To the President and Members of the Senate:

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

**SENATE BILL NO. 140—**  
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 40:1300.51(2) and (3), relative to those employed to care for the infirm; to provide for criminal background checks on those seeking employment at agencies that care for the infirm; to provide a bar to employment in these agencies of persons convicted of certain offenses; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
MELVIN "KIP" HOLDEN  
CHAIRMAN

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 6, 2004

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 30—**  
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the possible migration of triploid grass carp out of Saline Lake.

Reported favorably.

**SENATE BILL NO. 8—**  
BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate St. Mary Parish as the Bass Fishing Capital of the World; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 10—**  
BY SENATOR DUPRE

AN ACT

To authorize and empower the Terrebonne Parish School Board to negotiate and lease certain described properties to the Terrebonne Council on Aging, Inc.; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 35—**  
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 56:699.7, relative to firearm and hunter education; to allow the Department of Wildlife and Fisheries to offer instruction for safely riding "four wheeler" or all-terrain vehicles in the hunter and firearm education program; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 120—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:1847(58), (59), (60), (61), (62), and (63), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; and to provide for related matters.

Reported with amendments.

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

AN ACT

To repeal R.S. 56:1855(K), relative to natural and scenic rivers; to provide relative to exceptions; to repeal the exception authorizing certain commercial or suburban agricultural zoning

exemptions for tracts of land located along the Tchefuncte River between Louisiana Highway No. 22 and Lake Pontchartrain; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
MAX T. MALONE  
Chairman

**REPORT OF COMMITTEE ON  
EDUCATION**

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

April 6, 2004

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 31—**  
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to provide to the Louisiana Legislature, through the members of the Senate Committee on Education and the House Committee on Education, a report on school performance, as measured by the school and district accountability program, excluding the effect of the test results of students who are classified as special education students, other than those that are gifted and talented.

Reported favorably.

**SENATE BILL NO. 51—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:47(C)(1)(a) and (b), relative to certification of injury or disability leave; to require two physicians certifications; to require a biannual reevaluation from the date of the injury; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 57—**  
BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:176.1, relative to field trips and extracurricular activities; to require that school boards develop policies and procedures effecting bonding and insurance limits relating to travel or booking agents that provide out-of-state travel and lodging arrangements for students; to prohibit school principals from approving certain out-of-state excursions unless in conformity with school board policies and procedures; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 7, 2004

To the President and Members of the Senate:

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

**SENATE BILL NO. 119—  
BY SENATOR MCPHERSON**

AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Louisiana Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase property and office space and to incur debt in such purchase; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 674—  
BY SENATOR HINES**

AN ACT

To enact R.S. 37:1360.31(B)(8), relative to prescriptive authority for physician assistants; to provide for such prescriptive authority for physician assistants under certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 735—  
BY SENATOR MCPHERSON**

AN ACT

To amend and reenact R.S. 40:2117.1(4), relative to licensure of end stage renal disease (ESRD) facilities; to exempt penal and correctional facilities from the requirements of licensure as end stage renal disease (ESRD) facilities; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

**REPORT OF COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND  
INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 7, 2004

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**SENATE BILL NO. 97—  
BY SENATOR ADLEY (By Request)  
AN ACT**

To amend and reenact R.S. 37:2301, 2302(2) and (3), 2303(A)(5), 2308, 2309(B), (D),(G), (H), (K) and (L), 2313(A)(2)(d) and (e), and 2317(B) relative to the maintenance and repair of citizen band radios; to repeal requirements that a person must be licensed by the Louisiana State Radio and Technicians Board in order to repair a citizen band radio; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 175—  
BY SENATOR MICHOT  
AN ACT**

To amend and reenact R.S. 37:2150, 2150.1(4)(a), 2156.1(C), (F), and (H), 2156.2(D), and 2159(D) and to enact R.S. 37:2150.1(4)(e), (f), (g), and (h) and 2156.1(M), relative to the state Licensing Board for Contractors; to provide for legislative intent; to provide for licensure and regulation of persons who perform heating, ventilation, air conditioning, and refrigeration work; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 191—  
BY SENATORS IRONS AND DUPRE  
AN ACT**

To repeal R.S. 39:1220(A)(2), relative to local agencies; to remove certain limits on the amount of deposit to a financial institution; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 200—  
BY SENATOR BARHAM  
AN ACT**

To enact R.S. 40:1662.4(C)(10), relative to public health and safety; to provide for a license exemption for certain locksmiths; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 248—  
BY SENATOR ULLO  
AN ACT**

To amend and reenact R.S. 8:606, relative to internment; to require submission of certain information to the Louisiana Cemetery Board; to the initiation of construction of mausoleums or similar structures within a specified period pursuant to plans and contracts; to provide for timely delivery of acceptable interment space; to provide for imposition of penalties for failure to comply; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 268—  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:465(A)(1)(a) and (3) and 4(g); relative to trust funds; to include additional persons in the prohibition against being the recipient of loans or investments from any perpetual trust; to prohibit any remuneration to certain persons in connection with the loan or investment of any trust account; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 271—  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 37:1207(A) and to enact R.S. 36:254(A)(15), relative to the Louisiana Board of Pharmacy; to provide with respect to the powers and duties of the board and the renewal of license, registration, and certification; to authorize the board to issue a probationary license to a pharmacist who is delinquent in paying certain fees or taxes; to require the secretary of the Department of Health and Hospitals to develop a program to notify the Louisiana Board of Pharmacy with respect to fees and taxes payable to the department by licensed pharmacists; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 281—  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:459.1(B), 502(E), 509 and 510(B)(2), relative to perpetual care trust funds; to provide for the manner in which a trustee administers trusts and require such trust funds to be placed with certain federally insured financial institutions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 295—  
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to prohibit the issuing of a gift certificate with an expiration date or which includes any service fee; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 416—  
BY SENATOR MICHOT

AN ACT

To enact R.S. 37:2150.1(14), and Part III of Chapter 24 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2180.1 through 2180.5, relative to heating, ventilation, air conditioning, and refrigeration ("HVACR") contracting; to provide for the registration of HVACR contractors; to provide for requirements for certain HVACR contractors; to provide for requirements for certain HVACR contracts; to provide fees for registrations and renewal; to provide for administrative penalties; to provide for exemptions from registration; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 26—  
BY SENATORS MICHOT AND SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to replace the term "visitation" when referring to the time a parent spends with their child in Louisiana laws.

Reported favorably by the Committee on Judiciary A.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Schedler
Fields	Holden	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**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:

**SENATE BILL NO. 14—  
BY SENATOR DUPRE**

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to criminal procedure; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to authorize such bureau to release criminal history records and identification files to the Louisiana State Bar Association; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Adley	Dupre	Malone
Amedee	Ellington	Marionneau
Barham	Fontenot	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Hollis	Nevers
Chaisson	Irons	Romero
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—32		
NAYS		
Total—0		
ABSENT		
Mr. President	Gautreaux, B	Schedler
Bajoie	Heitmeier	
Fields	Holden	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 21—  
BY SENATOR DUPRE**

AN ACT

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

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 21 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 16 following "shall" and before "to" change "only apply" to "apply only"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Adley	Ellington	Malone
Amedee	Fields	Marionneau
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		
NAYS		
Total—0		
ABSENT		
Mr. President	Heitmeier	Schedler
Bajoie	Holden	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 42—  
BY SENATOR NEVERS AND REPRESENTATIVE STRAIN  
AN ACT**

To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to dairy promotion; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana dairy products; to authorize the Department of Agriculture and Forestry to sell licenses for such trademarks or labels; to create the Dairy Farmer Support Fund;

to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 42 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 7 following "associations" and before "or" insert ", "

AMENDMENT NO. 2

On page 3, line 10 following "(E)" and before "." insert "of the Constitution of Louisiana"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Nevers moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier	Schedler
Bajoie	Holden	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 44—**

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.12 of the Constitution of Louisiana, relative to providing funds for the support of dairy farmers; to establish the Dairy Farmer Support Fund as a special fund in the state treasury; to provide for sources of revenue, and for deposit and uses of monies in the fund; to authorize the legislature by law to establish and implement programs to assist Louisiana dairy farmers; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier
Bajoie	Schedler
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 117—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 56:39, relative to wildlife violations; to provide an additional penalty for violations involving wildlife; to provide for the collection, deposit, and use of funds derived from the additional penalty; and to provide for related matters.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 117 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 10, change "56:37" to "56:37.1"

AMENDMENT NO. 2

On page 1, line 16, delete ", including, city courts, mayor's courts, and magistrate courts,"

On motion of Senator McPherson, the amendments were adopted.

On motion of Senator McPherson, the amended bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 143—**

BY SENATORS DUPRE AND DUPLESSIS  
AN ACT

To amend and reenact R.S. 35:12(D), relative to notaries public; to provide relative to the required use of identification numbers on notarized documents; to exempt out-of-state notaries public from such requirement; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Hainkel  
Total—1

ABSENT

Mr. President	Heitmeier
Bajoie	Schedler
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 144—**

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 33:2345(A), (B), and (E), to enact R.S. 33:2345(F), and to repeal R.S. 33:2344(B)(3), relative to training of municipal police chiefs; to provide relative to the authority granted to the governing board of the Law Enforcement Executive Management Institute; to provide relative to training requirements for municipal chiefs of police; to provide exceptions; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 161—**

BY SENATOR B. GAUTREAUX

AN ACT

To enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.9, and R.S. 36:629(Q), relative to the Louisiana Aquatic Chelonian Research and Promotion Board; to provide for definitions; to provide for the composition, powers, and duties of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide for a referendum for imposition of assessments and authorization for certain activities; to provide for the collection and disbursement of assessments; to provide for violations and penalties; and to provide for related matters.

On motion of Senator B. Gautreaux, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 182—**

BY SENATOR LENTINI (On Recommendations of the Louisiana State Law Institute)

AN ACT

To amend and reenact Civil Code Arts. 1493(A) and 1582 and to repeal Civil Code Arts. 1493(E) and 1582.1, relative to the different modes of acquiring the ownership of things; to provide relative to the validity of testaments; to provide relative to witness to testaments; to provide relative to forced heirs; to provide for permanently incapable persons as forced heirs; to provide for spouses as witnesses to testaments; to provide for transitional rules; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 198—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:4623(A), 4671, and 4684, to enact R.S. 3:4602(14.1), and to repeal R.S. 3:4672(G), 4674, 4676, 4677, 4687, and 4688, relative to the regulation of devices for weighing and measuring petroleum products; to exempt petroleum for specified uses from certain fees; to provide relative to penalties for violations of petroleum weights and measures regulations; to repeal regulations applicable to gasoline blended with ethanol or methanol; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 213—**

BY SENATOR ELLINGTON

**AN ACT**

To repeal R.S. 3:4617(F), relative to the labeling of food products; to provide relative to registered trade names and trademarks; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bajoie	Heitmeier	Smith
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 233—**

BY SENATORS NEVERS AND DUPLESIS AND REPRESENTATIVE STRAIN

**AN ACT**

To amend and reenact R.S. 15:574.2(B), relative to parole; to provide with respect to the parole of offenders convicted of certain offenses against a peace officer; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux

Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie	Heitmeier
Hainkel	Smith
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 242—**

BY SENATOR N. GAUTREAUX

**AN ACT**

To enact R.S. 47:1903.4, relative to the imposition of fees for filing certain records with the assessor of Vermilion Parish; to authorize the assessor of Vermilion Parish to set and collect a fee for filing certain records; to provide for use of the monies collected; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Irons	Nevers
Duplessis	Jackson	Romero
Dupre	Jones	Schedler
Ellington	Kostelka	Theunissen
Fields	Lentini	Ullo
Total—30		

**NAYS**

Adley	Dardenne
Barham	Hainkel
Total—4	

**ABSENT**

Bajoie	Cheek	Smith
Cain	Heitmeier	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions  
On Second Reading**

The following Senate Resolutions on second reading were taken up and acted upon as follows:

**SENATE RESOLUTION NO. 21—  
BY SENATOR MCPHERSON**

**A RESOLUTION**

To commend the players, coaches, and managers of the 2003-2004 Peabody Magnet High School Boys Basketball Team on winning the Class 4A Boys State Basketball Championship Title.

On motion of Senator McPherson, the resolution was read by title and adopted.

**Regular Order of the Day Resumed**

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

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

**SENATE BILL NO. 244—  
BY SENATOR B. GAUTREAU**

**AN ACT**

To amend and reenact R.S. 3:556.3(B) and (E), relative to the Louisiana Crawfish Promotion and Research Board; to provide for the membership of the board; to provide relative to vacancies; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 247—  
BY SENATOR FONTENOT**

**AN ACT**

To amend and reenact R.S. 3:472(4) and (5), 473, 474, 476, and 478(A), and to repeal R.S. 3:472(6) and (7), relative to the Louisiana Strawberry Marketing Board; to provide for the membership, powers, and duties of the board; to provide relative to assessments on the sale of strawberries; to provide for the powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 277—  
BY SENATOR ULLO**

**AN ACT**

To enact R.S. 14:32.2, relative to offenses against the person; to create the crime of vehicular manslaughter; to provide for definitions; to provide for penalties; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 438—  
BY SENATOR ULLO**

**AN ACT**

To amend and reenact R.S. 14:67.10(B)(2), relative to theft of goods; to increase the threshold value of misappropriated goods for the purpose of meeting felony status; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 439—  
BY SENATOR ULLO**

**AN ACT**

To amend and reenact R.S. 14:78.1 (C), relative to aggravated incest; to provide that consent is not a defense to aggravated incest; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 441—  
BY SENATOR ULLO**

**AN ACT**

To amend and reenact R.S. 14:30(A)(7), relative to first degree murder; to provide for intent to inflict great bodily harm while engaged in ritualistic acts; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 443—  
BY SENATOR ULLO**

**AN ACT**

To amend and reenact R.S. 14:32.6 relative to first degree feticide; to provide for assault by drive by shooting and second degree kidnaping in the crime of first degree feticide; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 444—  
BY SENATOR ULLO**

**AN ACT**

To amend and reenact R.S. 14:2(13)(kk) and 64.4, relative to robbery; to rename the offense of aggravated robbery to second degree robbery; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 500—  
BY SENATOR LENTINI AND REPRESENTATIVES WALKER AND ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Art. 2411(B), relative to garnishment; to provide relative to required documents for such action; to include a notice of seizure as a required document; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jackson
Adley	Dupre	Jones
Amedee	Ellington	Kostelka
Barham	Fields	Lentini
Boasso	Fontenot	Marionneaux
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Chaisson	Hainkel	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Malone	Nevers
Heitmeier	McPherson	Smith
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 559—  
BY SENATORS ELLINGTON AND SMITH  
AN ACT

To amend and reenact R.S. 36:802.6 and R.S. 44:4.1(B)(1), and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13, and R.S. 36:629(Q), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to require certain aquatic producers to obtain a license or permit; to provide for the cost and issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 559 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 20 following "corporation," and before "liability" change "legal" to "limited"

AMENDMENT NO. 2

On page 15, line 26 following "(K)," and before "**and (Q)**" delete "(M),"

On motion of Senator Lentini, the amendments were adopted.

On motion of Senator Ellington, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 659—  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:2(13)(m), the introductory paragraph of R.S. 14:43.2(A) and (C), 78.1(B)(1), 107.2(A), R.S. 46:1844(W)(2), Code of Criminal Procedure Arts. 571.1 and 893.3(E)(1)(b), Code of Evidence Art. 412.1, relative to sexual battery; to rename the offense of aggravated sexual battery to second degree sexual battery; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of reverting to Morning Hour.

Introduction of Senate Bills and Joint Resolutions

The following Senate Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

SENATE BILL NO. 753—  
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 3:4278.2(B), relative to the removal of timber; to provide for the removal of timber with the consent of a majority of the ownership interest in the land in which the timber is located; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Lentini asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 23—  
BY SENATOR MOUNT**

**A RESOLUTION**

To commend the players, coaches, managers and statisticians of the 2003-2004 Washington-Marion High School Boys Basketball Team in Lake Charles, Louisiana for their attendance and performance at the Top 28 Boys High School Basketball State Tournament.

On motion of Senator Mount, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 24—  
BY SENATOR BARHAM**

**A RESOLUTION**

To urge and request the Louisiana congressional delegation to work to permanently abolish the federal death tax.

On motion of Senator Ullo, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**SENATE RESOLUTION NO. 25—  
BY SENATOR BARHAM**

**A RESOLUTION**

To urge and request the Louisiana congressional delegation to work to make certain federal tax cuts permanent.

On motion of Senator Ullo, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**SENATE RESOLUTION NO. 26—  
BY SENATOR SCHEDLER**

**A RESOLUTION**

To recognize the Slidell Heritage Festival, on the occasion of the seventh anniversary of its initiation, as a premier Louisiana cultural event and, in doing so, to acknowledge the extraordinary value of this festival in attracting tourists, educating citizens, promoting Louisiana products, highlighting music and arts, preserving heritage and customs, and entertaining families.

On motion of Senator Schedler, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 50—  
BY SENATOR ELLINGTON**

**A CONCURRENT RESOLUTION**

To recognize and commend Superintendent Lloyd Lindsey of West Feliciana Parish schools for being selected as the 2004 Superintendent of the Year in Louisiana, and to record his myriad accomplishments in education and his contributions to the schools in West Feliciana Parish, to his community, and to the state of Louisiana.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie	Heitmeier
Hainkel	Smith
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 51—  
BY SENATORS MOUNT, BAJOIE, CHEEK, DUPLESSIS, IRONS,  
JACKSON, DARDENNE, FIELDS, AND HOLDEN**

**A CONCURRENT RESOLUTION**

To commend and congratulate Dana "Pokey" Chatman on an outstanding job as associate coach and acting head coach of the Louisiana State University Lady Tigers basketball team.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie                      Lentini  
 Heitmeier                 Smith  
 Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 52—**  
 BY SENATORS MOUNT, BAJOIE, CHEEK, DUPLESSIS, IRONS,  
 JACKSON, DARDENNE, FIELDS, AND HOLDEN  
**A CONCURRENT RESOLUTION**

To recognize and commend the Louisiana State University Lady Tigers basketball team and coaching staff for a season of historic proportions and for outstanding performances at its first appearance at the National Collegiate Athletic Association (NCAA) Final Four in New Orleans.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie                      Lentini  
 Heitmeier                 Smith  
 Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 53—**  
 BY SENATOR HINES  
**A CONCURRENT RESOLUTION**

To approve salaries for statewide elected officials recommended by the Compensation Review Commission in accordance with law; to authorize and direct the payment of the salaries of statewide

elected officials so approved; and to provide an effective date for such salaries.

On motion of Senator Ullo, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 7, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 84—**  
 BY REPRESENTATIVES ODINET AND HUTTER AND SENATOR BOASSO

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences of the legislature upon the death of Mr. Joseph R. Moity of Chalmette.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 84—**  
 BY REPRESENTATIVES ODINET AND HUTTER AND SENATOR BOASSO

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences of the legislature upon the death of Mr. Joseph R. Moity of Chalmette.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson

Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Smith
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 7, 2004

To the President and Members of the Senate:

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

**SENATE BILL NO. 96—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 24:14(A), relative to Senate confirmation; to provide for removal from office upon expiration of an appointed term; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 126—**  
BY SENATOR ULLO  
AN ACT

To enact R.S. 24:511(E), relative to the legislative auditor; to authorize the legislative auditor to appoint a first assistant; to provide that the legislative auditor shall establish the salary, duties and authority of the first assistant legislative auditor; to provide for the first assistant legislative auditor to serve as acting legislative auditor in absence of the legislative auditor or vacancy in the office of the legislative auditor; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 261—**  
BY SENATOR HINES  
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(a)(iii) and to enact R.S. 42:1119 (B)(2)(a)(iv), relative to the Code of Governmental Ethics; to provide with respect to nepotism; to authorize the employment of immediate family members of a school board member or a superintendent as a certified guidance counselor; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 653—**  
BY SENATOR JONES  
AN ACT

To amend and reenact R.S. 44:4.1(B)(31), and to enact R.S. 47:1508(B)(20) and 51:936(C) and (D), relative to the Department of Economic Development; to provide for cooperation between the Department of Economic Development and other state agencies; to authorize the department to obtain certain information in the possession of any state agency; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

**Motion to Recommit**

Senator Jones asked for and obtained a suspension of the rules and recommitted Senate Bill No. 699 from the Committee on Commerce, Consumer Protection and International Affairs to the Committee on Insurance.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 7, 2004

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 45—**  
BY SENATORS ROMERO, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE ROMERO  
A CONCURRENT RESOLUTION

To commemorate the life of Private First Class Houston D. Duhon who died serving his state and his country on June 6, 1944, during the D-Day invasion of Normandy and to record for posterity the enduring appreciation and gratitude of the members of the Louisiana Legislature for his courage and heroism.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bajoie            1 Day            Heitmeier       1 Day

**Adjournment**

Senator Ullo moved that the Senate adjourn until Tuesday, April 13, 2004, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Tuesday, April 13, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk

