

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

SEVENTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 29, 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	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

ABSENT

Bajoie	Holden
Total—2	

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

Prayer

The prayer was offered by Rev. A. J. Luter, 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 Nevers, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

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

OFFICE OF THE COMMISSIONER OF INSURANCE
State of Louisiana

April 27, 2004

The Honorable Dr. Donald E. Hines & Members of the Senate
Louisiana Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Dr. Hines:

This is to inform you that I have appointed the following employees to the following positions:

James J. Donelon	Chief Deputy Commissioner
Chad M. Brown	Deputy Commission of the Office of Management and Finance
Amy W. Whittington	Assistant Commissioner of Public Affairs
Richard L. Chambers	Deputy Commissioner of the Office of Minority Affairs
Allan J. Pursnell	Deputy Commissioner of the Office of Receivership
Susan Denise Brignac	Deputy Commissioner of the Office of Financial Solvency
Ron C. Henderson	Deputy Commissioner of the Office of Licensing & Compliance
Dickie W. Patterson	Deputy Commissioner of the Office of Health Insurance
Paula Pellerin-Davis	Deputy Commissioner of Property & Casualty
Elizabeth D. Mackay	Executive Counsel

I am presenting these to you for consideration and confirmation.

If further information is needed, please do not hesitate to contact me.

With warm regards,
J. ROBERT WOOLEY
Commissioner of Insurance

STATE OF LOUISIANA
Office of the Governor

April 26, 2004

To the Honorable President of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated 04-10-04

April 29, 2004

through 04-18-04. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I hereby present them for your review.

Appreciatively,
KATHLEEN BABINEAUX BLANCO
Governor

Acadia

Steven G. Moosa
P.O. Drawer 1048
Eunice, La 70535

Avoyelles

Lisa Dufour
1769 Hwy. 114
Hessmer, La 71341

Beauregard

John A. Stebbins
15850 Hwy 171
Ragley, La 70657

Bossier

Roger Adams
P.O. Box 416
Shreveport, La 71162

Janine L. Beam
2920 Knight St.
Shreveport, La 71105

Billie Waterman
5005 Longstreet Place #15
Bossier City, La 71112

Caddo

Dorothy K. Barney
2829 Doles Place
Shreveport, La 71104

Shawn M. Bobbitt
8866 Blanchard Furrh Rd.
Shreveport, La 71107

Nancy Lillian Cameron
2204 McCutchen Ave.
Shreveport, La 71108

Joni B. Collier
3010 Newport St.
Shreveport, La 71118

Shonda L. England
401 Edwards St., Ste. 1500
Shreveport, La 71101

Karen E. Gilbert
2075 Crabapple
Shreveport, La 71118

Susan P. Hewitt
6898 Hwy. 1 North
Shreveport, La 71107

Reshonda D. Jackson
6260 Greenwood Rd., Apt. 102
Shreveport, La 71119

Amy McMullen
9162 Buncomb Rd.
Bethany, La 71007

Jeffrey Pou
6425 Youree Dr., Ste. 140
Shreveport, La 71105

William Craig Prothro
1500 Line Ave., 2nd Fl.
Shreveport, La 71101

Diane Smart
6201 Bert Kouns #844
Shreveport, La 71129

Gregory Milton Taylor
5057 Dixie Garden Dr.
Shreveport, La 71105

Misty L. Tidovsky
8805 Line Ave., Ste. 200
Shreveport, La 71106

Heather A. Tolbert
333 Texas St., Ste. 2375

Robin C. Walker
659 Stephenson St.

Shreveport, La 71101

Shreveport, La 71104

Jodi E. Zeigler
6121 Line Ave.
Shreveport, La 71106

Calcasieu

Monica Breaux
4830 Lake St.
Lake Charles, La 70605

Desoto

Tania B. Keller
388 Sandpiper Ln.
Stonewall, La 71078

Gina Wright
433 Twin Oaks
Stonewall, La 71078

East Baton Rouge

Michele S. Calandro
P.O. Box 98029
Baton Rouge, La 70898

Celeste E. Ellender
4422 Lake Lawford Ct.
Baton Rouge, La 70816

East Feliciana

Mary Lee Aycock
516 Myrtle Grove Ct.
Jackson, La 70748

Grant

Katie Rogers Bunting
111 Quail Ridge Rd.
Pollock, La 71467

Jefferson Davis

Troy A. Broussard
P.O. Box 3768
Lafayette, La 70502

Lafayette

Patrick A. Johnson
1015 St. John St.
Lafayette, La 70501

Lasalle

Angie J. Sandifer
P.O. Box 2408
Jena, La 71342

Lincoln

Terri R. Frasier
8308 Hwy 822
Dubach, La 71235

William Stewart
3500 Arthur Dr.
Ruston, La 71270

Livingston

Brenda Brooks Campbell
7335 Cherrydale Dr.
Denham Springs, La 70706

Morehouse

Charissa Annette Holmes
211 Williams Dr.
Bastrop, La 71220

Orleans

Joelle T. Bowers
145 Robert E. Lee Blvd.
New Orleans, La 70124

Paul William Pitts
909 Poydras St., Ste. 2600
New Orleans, La 70112

Lisa Marie Tobias
400 Poydras St., Ste. 2700
New Orleans, La 70130

Ouachita

Kevin Jackson
302 Timberwood
Monroe, La 71203

Kimberly Sayes
5405 Blanks Ave. #22
Monroe, La 71203

Rapides

Pierre Allemond
4200-A Jackson St.
Alexandria, La 71303

Rosalind M. Allemond
4200-B Jackson St.
Alexandria, La 71303

Caroyl Bryan
1526 Masters Dr.
Pineville, La 71360

Glenda S. McNeal
4615 Parliament Dr., Ste. 103
Alexandria, La 71301

Tonya J. Thacker-Smith
3338 Curtis Dr.
Alexandria, La 71301

Judith Williams
P.O. Box 1431
Alexandria, La 71309

St. Martin

Susan M. Andrew
1036 Mims Ln.
Breau Bridge, La 70517

St. Tammany

Piercy J. Stakelum III
P.O. Box 931
Metairie, La 70004

Stephanie A. Weeks
121 Secluded Forest Way
Madisonville, La 70447

Vermilion

Ashley Veron Breau
2419 Veterans Memorial
Abbeville, La 70511

**Privilege Report of the
Legislative Bureau**

April 29, 2004

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 154—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:112.2 and 112.3, relative to the fraudulent portrayal of a law enforcement officer; to create the crime of fraudulent portrayal of a law enforcement officer; to create the crime of aiding and abetting fraudulent portrayal of a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 355—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.4(B)(1), relative to diminution of sentence; to authorize the forfeiture of good time in certain circumstances involving escape; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 599—

BY REPRESENTATIVES GARY SMITH AND PIERRE AND
SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 56:1855(L), relative to scenic rivers; to authorize certain environmental remediation activities on Bayou Trepagnier; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Ullo 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. 49—

BY SENATOR BARHAM
A RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to place a moratorium on the taking of alligator snapping turtles.

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

SENATE CONCURRENT RESOLUTION NO. 90—

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 Iatt Lake.

The resolution was read by title. Senator Smith 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	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith

April 29, 2004

Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Fields	Holden
Total—3		

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

SENATE CONCURRENT RESOLUTION NO. 91—
 BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
 A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to draw down Saline Lake, to apply herbicides to the lake, and to allow the Saline Lake Game and Fish Preserve Commission to stock the lake with triploid grass carp, under the direct supervision of the department and its biologists.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Chaisson	Holden
Boasso	Fields	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 92—
 BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to draw down Iatt Lake, to apply herbicides to the lake, and to allow the Grant Parish Police Jury to stock the lake with triploid grass carp, under the direct supervision of the department and its biologists.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Fields
Chaisson	Holden
Total—4	

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

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 29, 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. 272—

BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MARCHAND, MCDONALD, STRAIN, WADDELL, WALKER, WINSTON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, ERDY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MURRAY,

ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, TOWNSEND, TRICHE, TUCKER, AND WRIGHT AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND SCHEDLER

AN ACT

To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1478—

BY REPRESENTATIVES WHITE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 51:2453(6) and 2460(C) and (D), relative to the Louisiana Quality Jobs Programs Act; to expand the definition of "new direct job" to include employees of a facility management contractor in certain instances; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1285—

BY REPRESENTATIVES JEFFERSON, BROOME, BURNS, CURTIS, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, LABRUZZO, MCDONALD, AND STRAIN

AN ACT

To amend and reenact R.S. 40:1299.1(B), relative to testing of newborns; to require the Department of Health and Hospitals to increase the number of tests required on newborns; and to provide for related matters.

HOUSE BILL NO. 1439—

BY REPRESENTATIVES DOWNS AND SALTER
AN ACT

To amend and reenact R.S. 22:1194.2(A), relative to the Louisiana Consortium of Insurance and Financial Services; to provide for appointment of board members; to provide for legislative appointments; and to provide for related matters.

HOUSE BILL NO. 45—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to the limitation of liability for motorized off-road vehicle activities; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1097—

BY REPRESENTATIVES WALKER AND ANSARDI
AN ACT

To amend and reenact R.S. 9:2798.4(A)(1), relative to liability of the state, a state agency, or political subdivision or any person for injuries sustained by an intoxicated operator of a motor vehicle, aircraft, watercraft, or vessel; to provide for the blood alcohol level of the operator; and to provide for related matters.

HOUSE BILL NO. 1143—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

HOUSE BILL NO. 1145—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

HOUSE BILL NO. 308—

BY REPRESENTATIVES MORRISH, BOWLER, ERDEY, FAUCHEUX, JACKSON, JOHNS, MCVEA, TUCKER, AND WALSWORTH
AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health insurers and health maintenance organizations to offer flexible health benefits policies, contracts, and agreements without state health insurance mandates or certain other requirements; and to provide for related matters.

HOUSE BILL NO. 446—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:2074.1 and to enact R.S. 22:1078(B)(21) and 2074(B)(4), relative to risk retention groups; to provide for fees; to provide for revocation or suspension; and to provide for related matters.

HOUSE BILL NO. 668—

BY REPRESENTATIVES MONTGOMERY AND DANIEL
AN ACT

To enact R.S. 30:148.1.1, relative to underground storage of hydrocarbons; to define reservoir; and to provide for related matters.

HOUSE BILL NO. 760—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard insurance forms; to provide for fire insurance; to provide for standard provisions; to provide for the peril of fire; and to provide for related matters.

HOUSE BILL NO. 915—
BY REPRESENTATIVES BAYLOR AND K. CARTER
AN ACT

To amend and reenact R.S. 56:1687.1, relative to the office of state parks; to remove provisions relative to the posting of boundaries of certain lands under the jurisdiction of the office of state parks; and to provide for related matters.

HOUSE BILL NO. 1211—
BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 22:215.14(A) and to enact R.S. 22:215.14(E), relative to health insurance; to provide that coverage of childhood immunizations shall not be subject to any deductible; and to provide for related matters.

HOUSE BILL NO. 1225—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 14:123(C)(4), relative to the crime of perjury; to clarify the penalty provisions for that crime; to provide that the penalty provisions for perjury committed "in all other cases" applies to perjury when committed in any civil action, or in any administrative proceeding, or in any legislative hearing or proceeding, or in any other legal proceeding; and to provide for related matters.

HOUSE BILL NO. 793—
BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for mold or mold damage; and to provide for related matters.

HOUSE BILL NO. 1557—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 51:1423, relative to unfair or deceptive acts or practices; to provide for boilers at commercial laundromats; to provide for minimum water temperature for hot water in washing machines at commercial laundromats; to provide for enforcement; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1500—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:698(A)(6), (9), and (10), (D)(2), (E), and (F), and (M) and 700(D)(2), (E), (F), (J), (L), (M), (N), (O), and (Q), to enact R.S. 37:698(A)(19) and 700(A)(9) and (10), and to repeal R.S. 37:698(O) and 700(P), relative to professional engineers and professional surveyors; to revise provisions relative to the disciplining of licensees and certificate holders and enforcement proceedings against non-licensees and non-certificate holders; and to provide for related matters.

HOUSE BILL NO. 1425—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

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

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

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

HOUSE BILL NO. 45—
BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to the limitation of liability for motorized off-road vehicle activities; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 272—
BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MARCHAND, MCDONALD, STRAIN, WADDELL, WALKER, WINSTON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, ERDY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, TOWNSEND, TRICHE, TUCKER, AND WRIGHT AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND SCHEDLER

AN ACT

To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 308—
BY REPRESENTATIVES MORRISH, BOWLER, ERDEY, FAUCHEUX,
JACKSON, JOHNS, MCVEA, TUCKER, AND WALSWORTH
AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health insurers and health maintenance organizations to offer flexible health benefits policies, contracts, and agreements without state health insurance mandates or certain other requirements; and to provide for related matters.

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

HOUSE BILL NO. 446—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:2074.1 and to enact R.S. 22:1078(B)(21) and 2074(B)(4), relative to risk retention groups; to provide for fees; to provide for revocation or suspension; and to provide for related matters.

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

HOUSE BILL NO. 668—
BY REPRESENTATIVES MONTGOMERY AND DANIEL
AN ACT

To enact R.S. 30:148.1.1, relative to underground storage of hydrocarbons; to define reservoir; and to provide for related matters.

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

HOUSE BILL NO. 760—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard insurance forms; to provide for fire insurance; to provide for standard provisions; to provide for the peril of fire; and to provide for related matters.

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

HOUSE BILL NO. 793—
BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for mold or mold damage; and to provide for related matters.

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

HOUSE BILL NO. 915—
BY REPRESENTATIVES BAYLOR AND K. CARTER
AN ACT

To amend and reenact R.S. 56:1687.1, relative to the office of state parks; to remove provisions relative to the posting of boundaries of certain lands under the jurisdiction of the office of state parks; and to provide for related matters.

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

HOUSE BILL NO. 1097—
BY REPRESENTATIVES WALKER AND ANSARDI
AN ACT

To amend and reenact R.S. 9:2798.4(A)(1), relative to liability of the state, a state agency, or political subdivision or any person for injuries sustained by an intoxicated operator of a motor vehicle, aircraft, watercraft, or vessel; to provide for the blood alcohol level of the operator; and to provide for related matters.

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

HOUSE BILL NO. 1143—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

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

HOUSE BILL NO. 1145—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

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

HOUSE BILL NO. 1211—
BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 22:215.14(A) and to enact R.S. 22:215.14(E), relative to health insurance; to provide that coverage of childhood immunizations shall not be subject to any deductible; and to provide for related matters.

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

HOUSE BILL NO. 1225—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 14:123(C)(4), relative to the crime of perjury; to clarify the penalty provisions for that crime; to provide that the penalty provisions for perjury committed "in all other cases" applies to perjury when committed in any civil action, or in any administrative proceeding, or in any legislative hearing or proceeding, or in any other legal proceeding; and to provide for related matters.

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

HOUSE BILL NO. 1285—
BY REPRESENTATIVES JEFFERSON, BROOME, BURNS, CURTIS,
GLOVER, GRAY, E. GUILLORY, M. GUILLORY, LABRUZZO,
MCDONALD, AND STRAIN
AN ACT

To amend and reenact R.S. 40:1299.1(B), relative to testing of newborns; to require the Department of Health and Hospitals to increase the number of tests required on newborns; and to provide for related matters.

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

HOUSE BILL NO. 1425—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

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

HOUSE BILL NO. 1439—
BY REPRESENTATIVES DOWNS AND SALTER
AN ACT

To amend and reenact R.S. 22:1194.2(A), relative to the Louisiana Consortium of Insurance and Financial Services; to provide for appointment of board members; to provide for legislative appointments; and to provide for related matters.

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

HOUSE BILL NO. 1478—
BY REPRESENTATIVES WHITE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT
AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 51:2453(6) and 2460(C) and (D), relative to the Louisiana Quality Jobs Programs Act; to expand the definition of "new direct job" to include employees of a facility management contractor in certain instances; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1500—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:698(A)(6), (9), and (10), (D)(2), (E), and (F), and (M) and 700(D)(2), (E), (F), (J), (L), (M), (N), (O), and (Q), to enact R.S. 37:698(A)(19) and 700(A)(9) and (10), and to repeal R.S. 37:698(O) and 700(P), relative to professional engineers and professional surveyors; to revise provisions relative to the disciplining of licensees and certificate holders and enforcement proceedings against non-licensees and non-certificate holders; and to provide for related matters.

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

HOUSE BILL NO. 1557—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 51:1423, relative to unfair or deceptive acts or practices; to provide for boilers at commercial laundromats; to provide for minimum water temperature for hot water in washing machines at commercial laundromats; to provide for enforcement; to provide for rules and regulations; 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 29, 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. 149—
BY REPRESENTATIVES MURRAY AND BRUNEAU
A CONCURRENT RESOLUTION

To commend Dean James Marshall Klebba of Loyola University New Orleans School of Law upon the occasion of his portrait unveiling ceremony.

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVES GARY SMITH AND DORSEY AND
SENATOR CHAISSON
A CONCURRENT RESOLUTION

To commend Dana "Pokey" Chatman upon her selection as head coach of the Louisiana State University Lady Tigers basketball team.

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to eliminate doe days and increase buck days during certain deer hunting seasons within the Maurepas Swamp Wildlife Management Area.

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION

To commend Sue Gunter upon her retirement for her remarkable twenty-two year legacy as head coach of the Louisiana State University Lady Tigers basketball team and to extend to her best wishes in her future endeavors.

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

House Concurrent Resolutions

Senator Nevers 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. 149—
BY REPRESENTATIVES MURRAY AND BRUNEAU
A CONCURRENT RESOLUTION

To commend Dean James Marshall Klebba of Loyola University New Orleans School of Law upon the occasion of his portrait unveiling ceremony.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Chaisson	Holden
Total—3		

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

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVES GARY SMITH AND DORSEY AND SENATOR CHAISSON
A CONCURRENT RESOLUTION

To commend Dana "Pokey" Chatman upon her selection as head coach of the Louisiana State University Lady Tigers basketball team.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Holden
Total—3		

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

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION
To urge and request the Wildlife and Fisheries Commission to eliminate doe days and increase buck days during certain deer hunting seasons within the Maurepas Swamp Wildlife Management Area.

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

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION
To commend Sue Gunter upon her retirement for her remarkable twenty-two year legacy as head coach of the Louisiana State University Lady Tigers basketball team and to extend to her best wishes in her future endeavors.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneau
Barham	Fontenot	McPherson

April 29, 2004

Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Holden
Total—3		

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. 114—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 22:1404(3)(d)(iii), relative to automobile liability insurance rates; to provide for discounts; to provide for defensive driving; to provide for senior drivers; and to provide for related matters.

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

HOUSE BILL NO. 137—
BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 15:541(1) and 542.1(H)(3)(b), relative to registration of sex offenders; to provide with respect to the length of time certain sex offenders are required to register; to provide for the definition of "aggravated offense"; and to provide for related matters.

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

HOUSE BILL NO. 196—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

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

HOUSE BILL NO. 247—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:67.2(A) and (C)(introductory paragraph) and to enact R.S. 14:67.2(B)(4), relative to theft; to provide with respect to theft of animals; to authorize courts to order restitution in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 346—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:3041(I)(1), relative to third-party administrators; to provide for surety bonds; and to provide for related matters.

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

HOUSE BILL NO. 352—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:5(10) and 215(A)(1)(a)(iv) and (vi), relative to health insurance; to provide with respect to coverage provided through an employee benefit trust, a multiple benefit trust, or an association; and to provide for related matters.

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

HOUSE BILL NO. 442—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 37:2706(A)(2), 2707(A)(2), and 2708(A)(2), relative to social workers; to extend the time within which experienced social workers who graduated from nonaccredited schools can seek registration, certification, and licensure; and to provide for related matters.

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

HOUSE BILL NO. 651—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(G), relative to oilfield site restoration fees; to increase such fee after a certain date; 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. 655—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:560, relative to natural gas distribution; to provide relative to pipeline safety inspection fees; to provide relative to the amounts and imposition of such fees; 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. 656—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:503(12) and to enact R.S. 30:503(13) and (14), relative to the regulation of natural gas distribution; to define certain distribution systems; 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. 669—

BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:93, relative to oilfield site restoration; to provide relative to sites eligible for restoration; to provide relative to recovery of restoration costs; 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. 738—

BY REPRESENTATIVE MARTINY
AN ACT

To enact Code of Criminal Procedure Article 775.1, relative to mistrials; to provide for an automatic twenty-four-hour stay of proceedings following declaration of a mistrial; and to provide for related matters.

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

HOUSE BILL NO. 1015—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT,
SALTER, AND THOMPSON
AN ACT

To amend and reenact R.S. 24:56 and 56.1 and to enact R.S. 18:1505.2(Q), (R), and (S) relative to campaign finance; to prohibit certain persons from accepting certain campaign contributions during certain legislative sessions; to prohibit the governor from accepting certain campaign contributions during certain legislative sessions and for a certain time period thereafter; to prohibit statewide elected officials and public service commissioners from receiving campaign contributions during certain legislative sessions; to prohibit a legislator from accepting certain campaign contributions during certain legislative sessions; to prohibit a legislator from soliciting certain campaign contributions during certain legislative sessions; to prohibit the offer or providing of certain campaign contributions to a legislator during certain legislative sessions; to provide relative to notice of certain fundraising functions; to provide for penalties and enforcement; to provide exceptions; and to provide for related matters.

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

HOUSE BILL NO. 1244—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.19, relative to offenses affecting the public sensibility; to create the crime of hog and canine fighting; to provide for exceptions; to provide for penalties; to provide for definitions; and to provide for related matters.

Senator Chaisson moved that the bill be referred to the Committee on Judiciary C.

Senator Smith moved as a substitute motion that the bill be referred the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

Senator Chaisson objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Cain	Nevers	Smith
Total—3		

NAYS

Adley	Ellington	Kostelka
Amedee	Fields	Lentini
Barham	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	McPherson
Chaisson	Heitmeier	Michot
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—30		

ABSENT

Mr. President	Dupre	Holden
Bajoie	Hainkel	Mount
Total—6		

The Chair declared motion was not adopted and the bill was referred to the Committee on Judiciary C.

HOUSE BILL NO. 1246—

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, BALDONE, K. CARTER, DOWNS, ERDEY, FAUCHEUX, FLAVIN, GALLOT, HAMMETT, LANCASTER, PITRE, GARY SMITH, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, AND WALSWORTH
AN ACT

To amend and reenact R.S. 42:1132(D), 1134(N), and 1157(A)(1) and (3) and to enact R.S. 24:55(G) and Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:71 through 78, relative to the regulation of lobbying; to provide for the regulation of lobbying in state government; to provide for the reporting of certain expenditures by principals and employers of lobbyists; to provide for lobbying of the executive branch; to provide for definitions; to provide for registration, reporting, and disclosure; to provide for

administration and enforcement; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1266—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 49:214.30(C)(2)(a) and 214.42(C) and (D), relative to coastal management; to provide relative to notification of multiple landowners of proposed activities under a coastal use permit; to provide for use of the funds in the Coastal Mitigation Account; 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. 1297—
BY REPRESENTATIVES TOWNSEND AND CAZAYOUX
AN ACT

To amend and reenact R.S. 1:13 and R.S. 13:3712(A) and to enact R.S. 24:177, all relative to interpretation of laws; to specifically provide that certain elements of a bill are not law; to provide with respect to audio and video recordings of legislative proceedings; to provide with respect to legislative intent; to define the extent to which certain elements of a bill are considered to determine legislative intent; and to provide for related matters.

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

HOUSE BILL NO. 1338—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 56:700.12(4) and (5) and 700.13(C) and to enact R.S. 56:700.13(F), relative to the Oyster Lease Damage Evaluation Board; to provide for biological surveys of oyster leases; to authorize such surveys to be conducted by the board; 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 Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To commend Melissa McConnell of Baton Rouge for her outstanding accomplishments and for proudly representing the state as Miss Louisiana USA 2004.

The resolution was read by title. Senator Barham 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	Nevers
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Holden	Mount
Total—3		

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

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE GEYMANN AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Jeffrey Lynn "Jeff" Parker of Lake Charles.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie

Holden

Total—2

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 NATURAL RESOURCES

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

April 29, 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. 75— BY SENATORS N. GAUTREAU, AMEDEE, BOASSO, CHAISSON, DUPRE, B. GAUTREAU, HAINKEL, MCPHERSON, MOUNT, ROMERO, SCHEDLER AND THEUNISSEN A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and fund the establishment of the Coastal Forest Reserve Program, and to urge the United States Department of Agriculture Forest Service, the Louisiana Department of Agriculture and Forestry, and the Louisiana State University School of Renewable Natural Resources, with the assistance from the University of Louisiana at Lafayette and other Louisiana universities, to provide an inventory and assessment of coastal forests.

Reported with amendments

SENATE BILL NO. 45— BY SENATOR SMITH AN ACT

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in the lake; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 494— BY SENATOR SCHEDLER AN ACT

To amend and reenact R.S. 56:320(A)(1) and (C)(1), relative to methods of taking saltwater fish; to authorize the use of multi-pronged barbed gigs for taking flounder in salt water; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 789— BY SENATOR MALONE AN ACT

To amend and reenact R.S. 30:148.2(A)(2), relative to lease and storage of natural gas, oil, and liquid hydrocarbons in reservoirs and salt dome caverns; to define "reservoir"; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 203— BY REPRESENTATIVE FRITH AN ACT

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

Reported favorably

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.

Reported favorably

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.

Reported with amendments

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.

Reported with amendments

HOUSE BILL NO. 914— BY REPRESENTATIVE MCVEA AN ACT

To authorize and provide for the exchange of certain state property in West Feliciana Parish to West Feliciana Parish Police Jury; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 944—

BY REPRESENTATIVES SCALISE, BOWLER, ALARIO, ANSARDI, BRUNEAU, LABRUZZO, LANCASTER, MARTINY, AND WOOTON AND SENATORS BOISSIERE, HEITMEIER, HOLLIS, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:4570.12, relative to naming of public grounds; to name a portion of LaSalle Park in Jefferson Parish as the Oswald-Dubea Arboretum and Nature Center of LaSalle Park; to provide for an exemption from R.S. 14:316; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

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

April 29, 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. 432—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 800—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2 relative to contractors; to provide for requirements for issuance of local building permits; to provide for additional requirements for home improvement contractors; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT J. BARHAM
Vice-Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

April 29, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 194—

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE

A JOINT RESOLUTION

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

Reported favorably.

SENATE BILL NO. 220—

BY SENATORS DARDENNE, ULLO, BARHAM, BOASSO, BOISSIERE, CRAVINS, DUPRE, B. GAUTREAU, HAINKEL, MCPHERSON, MICHOT, ROMERO AND SCHEDLER

AN ACT

To enact R.S. 17:24.11, relative to programs of early childhood education; to establish and provide for a program of early childhood education provided by state-approved nonpublic schools at no cost to certain eligible students; to provide for the participation of schools; to provide for the eligibility and selection of students; to provide for administration of the program; to mandate participating schools meet certain requirements; to provide with regard to funding; to provide with regard to compliance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 224—

BY SENATOR MALONE

AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 311—

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE

AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of

selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 641—
BY SENATOR MALONE

AN ACT

To enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 772—
BY SENATOR MALONE

AN ACT

To enact R.S. 17:85.6, relative to naming an auditorium; to authorize the parish school board in certain parishes to name an auditorium in honor of a former educator and principal; to provide limitations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**REPORT OF COMMITTEE ON
LOCAL AND MUNICIPAL AFFAIRS**

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 29, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 141—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 33:4574.1 (A)(1)(a)(i) and (K), relative to municipalities and parishes; to provide for the allocation of funds derived from existing hotel/motel taxes currently levied by the Calcasieu Parish governing authority and collected from facilities located in Ward 2, 6 or 7 which become operational after July 1, 2004; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 356—
BY SENATOR CHEEK

AN ACT

To enact R.S. 33:2711.15(G), relative to local sales and use taxes; to provide for the renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 576—
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 33:2561.1, relative to municipal and parish fire and police civil service; to provide for awarding attorney fees in civil service board appeals by municipal fire and police classified civil service employees regarding disciplinary actions in certain circumstances; and to provide for related matters.

Reported favorably

SENATE BILL NO. 739—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 27:93(A)(1) and R.S. 46:4, and to enact R.S. 27:93(A)(9), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to admission fees for riverboats in East Baton Rouge Parish; to provide for allocation of funds derived from additional riverboat boarding fees; and to provide for related matters.

Reported favorably

SENATE BILL NO. 749—
BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 756—
BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to the Madison Parish Hospital Service District; to authorize per diem for the members of the board of commissioners; and to provide for related matters.

Reported favorably

SENATE BILL NO. 757—
BY SENATOR JONES

AN ACT

To enact R.S. 33:2862.1, relative to adjudicated property in the city of Monroe; to provide with respect to the procedure for taking possession of adjudicated property; and to provide for related matters.

Reported favorably

SENATE BILL NO. 758—
BY SENATOR JONES

AN ACT

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

Reported favorably

SENATE BILL NO. 761—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 794—
BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2711(A)(1)(c), relative to tax authorization within municipalities with voter approval; to provide with respect to certain limitations imposed on parishes and parish school boards; and to provide for related matters.

Reported favorably

SENATE BILL NO. 801—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

Reported favorably

SENATE BILL NO. 864—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an adjoining parish; to provide certain terms, procedures, and conditions; and to provide for related matters.

Reported favorably

Respectfully submitted,
CLEO FIELDS
Chairman

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 29, 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 BILL NO. 4—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state and any state or local entity from using the "design-build" concept unless specifically authorized by law; to prohibit the state and any state or local entity from executing agreements to purchase unimproved property which agreement requires the successful design and construction of a structure prior to transfer of title unless specifically authorized by law; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 13—
BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1005, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 152—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7(A), 387.7(A)(3) and (B), and the introductory paragraph of R.S. 32:387.9, 387.9(3) and (5), and to enact R.S. 32:387.7(A)(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 196—
BY SENATOR SMITH

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:388(B)(1)(a), and to enact R.S. 32:388(B)(1)(b)(iv), relative to weight and load of vehicles; to provide relative to penalties for over-axle weight violations on certain vehicles which transport forestry products; to provide limitations under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 289—

BY SENATORS BOISSIERE, LENTINI AND ULLO, AND REPRESENTATIVES ANSARDI, DAMICO AND LANCASTER
AN ACT

To amend and reenact R.S. 38:2212(C)(2)(a), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by certain means; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 346—

BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 34:2471(A)(1)(d), (3)(d), (6), and (7), 2473(B)(3) and (F), and 2474(B), and to enact R.S. 34:2471(A)(8), 2472(D), 2476.1, 2476.2, and 2476.3, relative to the Port of South Louisiana, to provide for the membership, powers, duties, and functions of the Port of South Louisiana Commission; to provide relative to contracts for professional services; to provide for the authority to issue bonds; to provide for economic and industrial development functions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 556—

BY SENATOR DUPRE
AN ACT

To enact R.S. 32:672 through 674, relative to the Department of Public Safety and Corrections; to require the Department of Public Safety and Corrections, office of motor vehicles, to establish and maintain the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE LAMBERT
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of constructing an interstate interchange along Interstate 10 at Louisiana Highway 74 in Ascension Parish.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of designing and utilizing traffic roundabouts as an alternative to traffic signals at heavily traveled and congested intersections along state highways and to report its findings to the House and

Senate Transportation, Highways and Public Works Committees prior to the convening of the 2005 Regular Session.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

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

SENATE BILL NO. 3—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 43:111.1, relative to public media advertising; to prohibit the expenditure of any state funds for media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to provide for penalties for violation of this provision; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 3 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "public media" to "the expenditure of public funds on"

AMENDMENT NO. 2

On page 1, line 3, after "funds for" insert "certain"

AMENDMENT NO. 3

On page 1, line 5, after "entity for" insert "certain"

AMENDMENT NO. 4

On page 1, line 13, delete "**including public service advertisement**"

AMENDMENT NO. 5

On page 2, delete lines 7 through 9 and insert "**advertisement.**"

AMENDMENT NO. 6

On page 2, lines 12 and 13, delete "**or public service advertisement**"

AMENDMENT NO. 7

On page 2, delete lines 19 through 22

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 27—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 39—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 46—
BY SENATOR THEUNISSEN

AN ACT

To enact Subpart G-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:200, relative to the use of electric personal assistive mobility devices; to provide for the operation of such devices by those individuals with mobility impairments; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 5, after "impairments;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 17, after "roadways" insert "during daylight hours only"

AMENDMENT NO. 3

On page 2, line 2, after "less" insert "or where suitable sidewalks are not available"

AMENDMENT NO. 4

On page 2, line 6, delete "Section"

AMENDMENT NO. 5

On page 2, line 7, at the beginning of the line change "et. seq.," to "et seq.,"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 130—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to remove the requirement that the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

Reported favorably by the Committee on Insurance. The bill was read by title, and recommitted to the Committee on Retirement.

SENATE BILL NO. 157—
BY SENATORS CAIN, IRONS, ADLEY, BAJOIE, MICHOT, SMITH AND KOSTELKA

AN ACT

To amend and reenact R.S. 22:253(A) and to enact R.S. 22:253(A)(1) and (2); relative to funeral policies and burial insurance; to provide for payment of benefits to policy holders; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 157 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, after "22:253(A)" delete the remainder of the line and insert in lieu thereof the following: ", relative to"

AMENDMENT NO. 2

On page 1, line 10, after "furnished." delete the remainder of the line and delete lines 11 through 17 and insert the following:

"If upon the death of the insured, the dollar value of the funeral to be furnished, as stated in the policy or policies, is less than the retail price of the funeral benefits specified in the policy or policies, the beneficiary shall be entitled to a cash payment which shall be equal to one hundred percent of the face amount of the policy or policies."

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(2) It is the intent of the legislature that under no"

AMENDMENT NO. 4

On page 2, line 6, change "Section 2" to "(3)" and change "Act" to "Subsection"

AMENDMENT NO. 5

On page 2, delete line 5 and on line 8 change "Section 3" to "(4)" and change "Act" to "Subsection"

AMENDMENT NO. 6

On page 2, between lines 10 and 11, insert the following:

* * *

AMENDMENT NO. 7

On page 2, line 11, change "Section 4" to "Section 2"

AMENDMENT NO. 8

On page 2, line 10, after "date" add the following: "The provisions of this Paragraph shall not be construed to effect any claim arising from or involving any misrepresentation as to the terms and conditions of the policy by an insurer or its agent to the insured."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 171—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1832 (A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 171 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 9, after "state" insert "shall be representative of the state's population as nearly as practicable"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 202—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), (C)(introductory paragraph), (F)(2) and (G), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A)(1) and (B), 436, 453, 467(introductory paragraph) and (2), 468(A), 552(A)(introductory paragraph), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1)

and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.23, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 202 by Senator Fields

AMENDMENT NO. 1

On page 12, lines 26 and 28, after "first" insert "party"

AMENDMENT NO. 2

On page 16, line 8, after "first" insert "party"

AMENDMENT NO. 3

On page 19, line 28, after "second" insert "party"

AMENDMENT NO. 4

On page 20, line 1, after "first" insert "party"

AMENDMENT NO. 5

On page 20, line 17, after " in the" and before "primary" insert "first party"

AMENDMENT NO. 6

On page 28, lines 6, 9, 13, 16 and 27, before "second" insert "**general election or the**"

AMENDMENT NO. 7

On page 29, lines 5 and 6, before "second" insert "**general election or the**"

AMENDMENT NO. 8

On page 32, lines 15 and 17, before "second" insert "**general election or the**"

AMENDMENT NO. 9

On page 32, line 25, after "primary" insert "**and general election or a**"

AMENDMENT NO. 10

On page 32, line 29, before "second" insert "general election or the"

AMENDMENT NO. 11

On page 34, line 5, change "ten" to "seven"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 215—
BY SENATOR FIELDS

AN ACT

To enact R.S. 22:652.5, relative to automobile insurance; to prohibit use of credit information in determining whether to refuse to issue or renew; to increase premiums, or cancel coverage on a policy; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 215 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, between "22:652.5" and the comma "," insert the following: "and to repeal R.S. 22:1481 through 1494"

AMENDMENT NO. 2

On page 1, line 2, change "automobile" to "personal"

AMENDMENT NO. 3

On page 1, line 3, after "renew;" delete the remainder of the line and delete line 4 in its entirety and insert in lieu thereof the following: "and to provide for"

AMENDMENT NO. 4

On page 1, line 8, change "automobile" to "personal"

AMENDMENT NO. 5

On page 1, delete lines 11 through 17 in their entirety and pages 2 through 8 in their entirety and insert in lieu thereof the following: "Credit scoring and the use of information concerning a person's credit worthiness is prohibited in determining whether or not to issue or renew any policy of personal liability insurance or in determining the policy premium to be paid. Credit scoring and the use of information concerning a person's credit worthiness may be used in determining any interest rate to be charged when financing a premium payment."

AMENDMENT NO. 6

On page 9, delete line 1 in its entirety and insert in lieu thereof the following:

"Section 2. R.S. 22:1481 through 1494 are hereby repealed."

AMENDMENT NO. 7

On page 9, line 2, change "Section 2." to "Section 3."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 337—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from urban or rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 337 by Senator Smith

AMENDMENT NO. 1

On page 1, line 3 after "from" insert "urban or"

AMENDMENT NO. 2

On page 1, delete line 16

AMENDMENT NO. 3

On page 2, line 7 after "from" insert "urban or"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 351—

BY SENATORS SMITH AND MCPHERSON AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 24:513(A)(2) and (I)(1)(a) and R.S. 38:322, relative to audit reports of state agencies, departments, boards and commissions included in the Comprehensive Annual Financial Report; to prescribe the audit requirements of certain state entities; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 351 by Senator Smith

AMENDMENT NO. 1

On page 1, line 8 after "(a)" delete "and R.S. 38:322"

AMENDMENT NO. 2

On page 1, line 16, after "and" insert "that" and change "receives" to "receive"

AMENDMENT NO. 3

On page 2, line 9, change "receives" to "receive"

AMENDMENT NO. 4

On page 2, line 15, change "agency" to "agencies" change "department" to "departments" change "board" to "boards" change "commission" to "commissions"

AMENDMENT NO. 5

On page 2, line 16, change "is" to "are" and after "Report and" insert "which"

AMENDMENT NO. 6

On page 2, line 17, change "receives" to "receive"

AMENDMENT NO. 7

On page 2, line 18, after "but" change "must" to "shall"

AMENDMENT NO. 8

On page 3, line 4, after "and" insert "which"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 366—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(c) and (e), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 366 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2 between "(4)" and "(c)" insert "(a),(b),"

AMENDMENT NO. 2

On page 1, line 5 between "(4)" and "(c)" insert "(a),(b),"

AMENDMENT NO. 3

On page 1, delete line 10 and insert the following:

"(4)(a) The provisions of this Subsection and R.S. 40:1484.5(B) shall not apply to air-supported structures except when air-supported structures meet any of the following provisions:

(i) Are open to public access at an event at which the state fire marshal would otherwise be required to be present pursuant to this Subsection.

(ii) Are ~~not~~ located on the grounds of a one- or two-family dwelling.

(iii) Are co-located with other amusements, attractions, or rides governed by this Subsection.

(b) The assistant secretary or his designee shall have free access to any premises in the state where an air-supported structure is located, for operation, when the air-supported structures are either (i)

open to public access at an event at which the state fire marshal would otherwise be required to be present; or (ii) ~~not~~ located on the grounds of a one-or-two family dwelling; or (iii) co-located with other amusement attractions or rides governed by this Subsection. The assistant secretary or his designee shall ascertain whether such air-supported structure has a valid certificate of inspection."

On motion of Senator Hollis, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 388—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 388 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "(AA)" to "(B)(17)"

AMENDMENT NO. 2

On page 1, line 7, change "(AA)" to "(B)(17)"

AMENDMENT NO. 3

On page 1, after line 10 insert "B. * * *"

AMENDMENT NO. 4

On page 1, line 11, change "AA." to "(17)"

AMENDMENT NO. 5

On page 2, delete lines 5 through 7 and insert: "liaison for faith-based organizations to coordinate opportunities for the state to access federal programs and to identify areas of potential benefit that result from coordinating efforts among the state and federal government and faith-based organizations. The office of the governor may"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 458—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), (C)(introductory paragraph), (F)(2) and (G), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A)(1) and (B), 436, 453, 467(introductory paragraph) and (2), 468(A), 552(A)(introductory paragraph), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2),

1307(A)(8) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.23, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 458 by Senator Jones

AMENDMENT NO. 1

On page 12, lines 26 and 28, after "first" insert "party"

AMENDMENT NO. 2

On page 16, line 8, after "first" insert "party"

AMENDMENT NO. 3

On page 19, line 28, after "second" insert "party"

AMENDMENT NO. 4

On page 20, line 1, after "first" insert "party"

AMENDMENT NO. 5

On page 20, line 17, after " in the" and before "primary" insert "first party"

AMENDMENT NO. 6

On page 28, lines 6, 9, 13, 16 and 27, before "second" insert "general election or the"

AMENDMENT NO. 7

On page 29, lines 5 and 6, before "second" insert "general election or the"

AMENDMENT NO. 8

On page 32, lines 15 and 17, before "second" insert "general election or the"

AMENDMENT NO. 9

On page 32, line 25, after "primary," insert "and general election or a"

AMENDMENT NO. 10

On page 32, line 29, before "second" insert "general election or the"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 471—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to elections; to provide for the imposition of a penalty on a person who makes a campaign contribution through or in the name of another person; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 471 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 15, after "(2)" insert "(a)" and after "Subsection" insert "unknowingly"

AMENDMENT NO. 2

On page 1, line 16, change "of not more than five thousand dollars or" to "equal to"

AMENDMENT NO. 3

On page 1, delete line 17, and insert "contribution plus ten percent."

AMENDMENT NO. 4

On page 2, delete line 1 and insert:

"(b) Any person who violates the provisions of this Subsection knowingly and willfully shall be assessed a penalty equal to twice the amount of the contribution."

AMENDMENT NO. 5

On page 2, line 2, delete "of the violation, whichever is greater."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 561—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 18:424(E) and 18:425(E), and to enact R.S. 18:425.2, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board

of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 561 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "424(E) and" delete "18:" and after "425.2" insert "and 426.1"

AMENDMENT NO. 2

On page 1, line 13, after "424(E) and" delete "18:"

AMENDMENT NO. 3

On page 1, line 14, after "425.2" insert "and 426.1" and change "is" to "are"

AMENDMENT NO. 4

On page 1, delete line 17 and insert "E. Compensation Notice of service. A commissioner in charge shall receive one hundred"

AMENDMENT NO. 5

On page 2, delete line 1 and insert "~~fifty dollar for each election in which he serves.~~The clerk of court of each parish"

AMENDMENT NO. 6

On page 2, line 6, after "compensated" insert "the amount provided for in R.S. 18:426.1"

AMENDMENT NO. 7

On page 2, delete lines 10 through 16 and insert:
 "E. Compensation Notice. A commissioner Commissioners who ~~serve~~ serve at the polling place on election day ~~and who has received a certificate of instruction as provided in R.S. 18:431(A) shall receive fifty dollars. A commissioner who serves at the polling place on election day and who has received a certificate of instruction as provided in R.S. 18:431(B) shall receive one hundred dollars. An uncertified commissioner who serves at the polling place on election day shall receive thirty-five dollars~~ the compensation provided for in R.S. 18:426.1. The clerk of court of each parish shall transmit to the"

AMENDMENT NO. 8

On page 2, delete lines 19 through 21 and insert: "no later than seven days after the election. ~~Any commissioner who has served at a polling place on an election day shall be compensated within thirty-seven days after the election."~~

AMENDMENT NO. 9

On page 3, line 3, after "be" and before "half" delete "the" and between lines 8 and 9, insert the following:

"§426.1. Election commissioners; compensation

R.S. 18:426.1 is all proposed new law.

Each commissioner who serves at the polling place on election day shall be paid according to the following:

- (1) A commissioner-in-charge shall receive two hundred dollars.
- (2) A commissioner who has received a certificate of instruction, as provided in R.S. 18:431(A) shall receive fifty dollars.
- (3) A commissioner who has received a certificate of instruction, as provided in R.S. 18:431(B) shall receive one hundred and fifty dollars.
- (4) An uncertified commissioner shall receive thirty-five dollars."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 631—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1127(C)(1) and (3) and (D) and to enact R.S. 23:1021(14), relative to medical case managers; to provide for clarification of the availability of medical records for medical case managers; to provide a definition of medical case managers; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 631 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, delete "medical" and insert "nurse"

AMENDMENT NO. 2

On page 1, line 14, delete "Medical" and insert "Nurse"

AMENDMENT NO. 3

On page 2, line 7, delete "medical" and insert "nurse"

AMENDMENT NO. 4

On page 2, line 14, delete "medical" and insert "nurse"

AMENDMENT NO. 5

On page 2, line 27, delete "medical" and insert "nurse"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 655—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:1352(3) and (5), 1353(A)(1), (3), (4) and (B), 1355, 1356, 1357, 1359(A), (B), (D), and (E), and 1360; and to repeal R.S. 33:1352(6) relative to self insurance programs for local housing authorities; relative to administration of self insurance funds; and to provide for related matters.

Reported favorably by the Committee on Insurance. On motion of Senator Cain, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 693—
BY SENATOR DUPRE

AN ACT

To amend R.S. 18:1280.21 and 18:1280.25; to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 701—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 46:1441.14, relative to family child care providers; to provide for required participation in orientation sessions; to provide that orientation programs shall be approved by the Department of Social Services or the Department of Education; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 701 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 13, after "participate in" delete the remainder of the line and insert the following: "a four hour orientation approved by the department(s) from which payment is received. The orientation curriculum shall include, but not be limited to, the following subjects: record-keeping; immunization schedules and requirements; recognizing signs of child abuse; child abuse prevention; communicating with parents; age appropriate activities for young children; child development; child safety; and nutritional needs of children. The orientation will be offered by approved training providers and will count toward the required twelve hours of professional development training currently mandated by DSS and offered by approved training providers."

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 16, change "2005" to "2006" and after "participation" delete the remainder of the line and insert the following: "within twelve months after beginning operation. New providers, at the time of application, are required to sign an agreement committing to attend the required orientation within twelve months."

AMENDMENT NO. 4

On page 1, delete line 17 in its entirety

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 770—
BY SENATOR FIELDS

AN ACT

To enact R.S. 17:1519.2(B)(1)(i), relative to University Medical Center in Baton Rouge; to provide for the establishment of such an entity; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 815—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 36:259(II) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the certification of employee assistance professionals; to provide for definitions; to create the Board of Certified Employee Assistance Professionals; to provide for authority of the board; to provide for professional certification requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 815 by Senator Schedler

AMENDMENT NO. 1

On page 8, line 10, after "as" insert "certified"

AMENDMENT NO. 2

On page 8, lines 27 and 28 delete ""employee assistance professional,""

AMENDMENT NO. 3

On page 9, delete lines 12 and 13

AMENDMENT NO. 4

On page 9, line 14, delete "(3)" and insert "(2)"

AMENDMENT NO. 5

On page 9, line 19, delete "(4)" and insert "(3)"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 822—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:661(A)(2)(b), relative to toxicology screens on victims of all traffic fatalities; to provide for the use of the most current scientific testing available to determine content of alcohol at the time of death; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 826—

BY SENATOR JACKSON

AN ACT

To enact R.S. 40:5.12, relative to public health; to provide for the creation of an advisory board to establish a standard school health form; to provide for members of the advisory board; to provide for duties of the advisory board; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 826 by Senator Jackson

AMENDMENT NO. 1

On page 2, line 4, after "Health" insert "Care"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 840—

BY SENATOR JACKSON

AN ACT

To enact R.S. 40:1300.163(F), relative to hepatitis C education; to encourage educational initiatives regarding veterans; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 711—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 22:669(A)(4) and (B), relative to certain mandated insurance benefits for mental illness; to provide relative to payable benefits and reimbursement for certain

services provided by a social worker; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Hollis asked for and obtained a suspension of the rules and recommitted House Bill No. 360 from the Committee on Senate and Governmental Affairs to the Committee on Commerce, Consumer Protection and International Affairs.

Motion to Recommit

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 331 from the Committee on Finance to the Committee on Judiciary B.

Motion to Recommit

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 657 from the Committee on Judiciary C to the Committee on Judiciary B.

Motion to Recommit

Senator Boisiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 796 from the Committee on Judiciary A to the Committee on Judiciary B.

Motion to Recommit

Senator Lentini asked for and obtained a suspension of the rules and recommitted Senate Bill No. 782 from the Committee on Health and Welfare to the Committee on Judiciary A.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 7 from the Committee on Natural Resources.

SENATE BILL NO. 7—

BY SENATOR SMITH

AN ACT

To amend and reenact Section 4(A) of Act No. 105 of the 1976 Regular Session, relative to the Saline Lake Game and Fish Preserve Commission; to provide for appointment of commission members subject to Senate confirmation; to provide for staggered terms of commissioners; to abolish the current membership on the commission and provide for appointment of new members; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 20 from the Committee on Natural Resources.

**SENATE BILL NO. 20—
BY SENATOR SMITH**

AN ACT

To enact R.S. 56:410.10, relative to wildlife and fisheries; to regulate the use of yo-yos and trigger devices on Saline Lake within the Saline Lake Game and Fish Preserve; to provide certain restrictions and conditions; to provide penalties for violation; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and withdrawn from the files of the Senate.

Motion to Recommit

Senator Fields asked for and obtained a suspension of the rules and recommitted Senate Bill No. 773 from the Committee on Senate and Governmental Affairs to the Committee on Local and Municipal Affairs.

Reconsideration

On motion of Senator Hollis, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, April 28, 2004 was reconsidered.

**SENATE BILL NO. 768—
BY SENATOR HOLLIS**

AN ACT

To enact R.S. 6:966.1, relative to additional default remedies; to provide for a notice of repossession; to provide for contents; to provide for fees; and to provide for related matters.

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

**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. 8—
BY SENATOR ELLINGTON**

A CONCURRENT RESOLUTION

To establish the Commission on Men's Health to study and make recommendations relative to improving the health of men living in Louisiana and to require the commission to report such recommendations.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 8 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "Health" insert "and Wellness"

AMENDMENT NO. 2

On page 2, line 12, after "Health" insert "and Wellness"

AMENDMENT NO. 3

On page 2, line 14, after "Health" insert "and Wellness"

AMENDMENT NO. 4

On page 3, between lines 4 and 5, insert the following:

"BE IT FURTHER RESOLVED that the commission shall:

(1) Develop strategies and programs, including community outreach and public-private partnerships, designed to:

(a) Raise public awareness of critical men's health and wellness issues, including those health problems which disproportionately affect men and boys, and the role of paternal influence in the family.

(b) Encourage the participation of men and boys in healthy behaviors, academic achievement, and family involvement.

(c) Educate Louisiana's men and boys on the benefits of regular physician check-ups, early detection and preventive screening tests, and healthy lifestyle practices.

(2) Organize community workshops to identify issues affecting men's health and family involvement.

(3) Monitor state and federal policy and legislation that may affect the areas of men's health and family involvement.

(4) Recommend assistance, services, and policy changes that will further the goals of the commission."

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator Ellington moved to adopt the amended 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	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Bajoie Holden
 Hainkel Smith
 Total—4

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

SENATE CONCURRENT RESOLUTION NO. 28—
 BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To encourage the private sector to increase the number of options for long-term care and to urge Louisiana insurance companies to increase the options available for coverage of long-term care.

Reported favorably by the Committee on Health and Welfare.

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

NAYS

Total—0

ABSENT

Bajoie Holden
 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. 36—
 BY SENATOR N. GAUTREUX

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility and the fiscal impact of raising the Medicaid eligibility income level to one hundred percent of the federal poverty level for those with disabilities.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator N. Gautreaux 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	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Bajoie Holden
 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. 41—
 BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the feasibility of passing on to the uninsured the reduced prices the state pays for prescription drugs for Medicaid beneficiaries.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Fields 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	Heitmeier	Nevers

Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Holden
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. 43—
BY SENATOR N. GAUTREAU

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to adopt by rule a procedure for an expedited Medicaid application process.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator N. Gautreaux moved to adopt the Senate 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
Total—3		

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. 90—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:3363(G), relative to local retirement; to provide with respect to the Firefighters' Pension and Relief Fund for the city of New Orleans; to authorize the New Orleans Firefighters Association, Local 632 and the Firefighters' Pension and Relief Fund for the city of New Orleans to negotiate a cooperative endeavor agreement with the city of New Orleans pursuant to the Supreme Court of Louisiana decision in "NEW ORLEANS FIREFIGHTERS LOCAL 632 ET AL. versus THE CITY OF NEW ORLEANS ET AL.," bearing number 00-C-1921 c/w number 00-C-2041; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
Total—3		

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

SENATE BILL NO. 187—
BY SENATORS ULLO, MCPHERSON AND DUPRE
AN ACT

To enact R.S. 56:805, relative to wildlife and fisheries; to provide relative to Elmer's Island; to provide certain terms, conditions and procedures; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed Senate Bill No. 187 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 10, after "Fisheries," insert "or the Department of Culture, Recreation and Tourism, office of state parks,"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
Total—3		

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

SENATE BILL NO. 205—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:3682(13), (16), and (26), 3683(1), (2), and (3)(a), 3684(D) and (E), 3685(B)(8), and 3689(A) and (C), relative to the Harbor Police Retirement System; to provide with respect to definitions; to correct references to citations; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
Total—3		

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

SENATE BILL NO. 290—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:1938(C) and (F)(2) and to enact R.S. 11:107, 723(C), 1925(G), relative to Parochial Employees' Retirement System; to provide with respect to deferred retirement option plan; to provide with respect to additional employer contributions; to provide with respect to members employed in other state employment; to provide for direct rollovers in certain circumstances for purchase of creditable service; to provide for an effective date; 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. 290 by Senator Boissiere

AMENDMENT NO. 1

On page 2, delete lines 19 through 21

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Dupre, Kostelka, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names like Bajojie, Holden, Smith.

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

SENATE BILL NO. 322— BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20 of the Constitution of Louisiana, relative to homestead exemption; to provide for an exemption for newly constructed residences owned and occupied by certain persons; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 322 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 6, after "residence" delete the remainder of the line and at the beginning of line 7, delete "the territorial jurisdiction of the governing authority"

AMENDMENT NO. 2

On page 2, line 9, between "occupation" and the period "." insert the following: "as provided for by ordinance"

On motion of Senator Nevers, the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 322 by Senator Nevers

AMENDMENT NO. 1

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

"(dd) However, the provisions of Subsubparagraph (ii) of Section 20 of Article VII of the Constitution of Louisiana shall not apply to a parish with a population in excess of four-hundred eighty thousand as determined by the latest federal decennial census."

On motion of Senator Irons, 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

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Fields, Malone, etc.

NAYS

Table with 3 columns: Name, NAYS, and Name. Lists names like Amedee, Dardenne, Romero, etc.

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names like Bajojie, Holden, Smith.

Total—3

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Nevers, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 486—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1)and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph)and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3), and to enact R.S. 15:1202(A)(27), 1228.2(10) and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to create the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; 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. 486 by Senator Cravins

AMENDMENT NO. 1

On page 14, line 12, following "Paragraph" and before "of" change "(2)" to "(3)"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo

Total—36

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
--------	--------	-------

Total—3

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

SENATE BILL NO. 560—

BY SENATOR FONTENOT

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:2194(B), (4), (9), and (11) through (15) and the introductory paragraph of (C), 2195(A) and (E), the introductory paragraph of 2195.2(A)(1), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii), 2195.6, 2195.7, 2195.8(A), the introductory paragraph of 2195.8(B) and (1) and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; 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. 560 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 1, following "2195.7," and before "2195.9 (A)" delete "2195.8 (A),"

AMENDMENT NO. 2

On page 14, line 9, change "R.S. 30:2195.8 (B)" to "R. S. 30:2195.8 (A)"

On motion of Senator Lentini, the amendments were adopted.

Senator Fields in the Chair

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 560 by Senator Fontenot

AMENDMENT NO. 1

On page 16, line 9, delete "2,"

AMENDMENT NO. 2

On page 16, line 13, delete "2,"

On motion of Senator Fontenot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden
Cravins	Smith
Total—4	

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

SENATE BILL NO. 654—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D), 231.7, 231.8, 231.11 and 460.5, relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards;

to provide for initial transitional assessments; 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. 696—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:292, relative to state and statewide public retirement systems; to provide with respect to benefits and contributions paid to any member, former member or retiree, spouse or former spouse; to provide that any retirement allowance, benefit or refund of accumulated contributions paid to any member, former member, retiree, spouse or former spouse shall be subject to garnishment or court-ordered assignment to pay child support; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne 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	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Holden
Bajoie	Smith
Total—4	

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

SENATE BILL NO. 790—
BY SENATORS THEUNISSEN, BARHAM, BOASSO, BOISSIERE,
DARDENNE, HOLLIS AND SCHEDLER

AN ACT

To amend and reenact R.S. 11:403(5) and 444(C)(10)(a); and to repeal R.S. 11:231 (A)(1), relative to the Louisiana State Employees' Retirement System; to provide with respect to the

definition of average final compensation and to provide limitations on increases related thereto; to provide for an effective date; 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. 790 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 22, following "system" and before "wide" insert "-"

AMENDMENT NO. 2

On page 3, line 12, following "an" and before "check" change "employees" to "employee's"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Smith
Total—3		

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

SENATE BILL NO. 810—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 33:2721.14, relative to sales and use taxes; to authorize certain parishes to increase sales and use taxes; to provide for voter approval; to provide for an effective date; 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. 810 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 5, following "in" change "Subsection (A)(1) of this Section" to "Paragraph (1) of this Subsection"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden
Cain	Smith
Total—4	

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

SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364 (B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753 (A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C), 9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to racial and gender diversity; to provide with regard to geographic distribution; to provide with regard to expertise, experience and other qualifications; and to provide for related matters.

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

SENATE BILL NO. 94—
BY SENATOR LENTINI

AN ACT

To amend and reenact the Louisiana Code of Civil Procedure Arts. 1038 and 3601, relative to civil law and procedure; relative to suits against the state; to provide relative to a finding that the expenditure of such state funds would create a deficit; to require an affidavit certifying such finding; to authorize any party in the suit to traverse any such affidavit; to require a summary proceeding for such action to traverse; 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. 94 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 14, following "**designees**" and before "**by**" change "shall certify" to "certifies"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Bajoie	Holden
Fields	Smith
Total—4	

The Chair declared the amended 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. 125—
BY SENATOR ULLO AND REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 15:587.1(E), relative to Louisiana Child Protection Act; to provide that a nonpublic entity shall comply with the provisions of the Louisiana Child Protection Act; to provide that the head of any nonpublic entity who fails to comply with the provision of the Louisiana Child Protection Act shall be fined; 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. 125 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, following "relative to" and before "Louisiana" insert "the"

AMENDMENT NO. 2

On page 1, line 5, following "with the" and before "of the" change "provision" to "provisions"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Lentini
Amedee	Ellington	Malone
Barham	Fields	Marionneaux
Boasso	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Chaisson	Heitmeier	Nevers
Cheek	Hollis	Romero
Cravins	Jackson	Schedler
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Hainkel	Irons
Bajoie	Holden	Smith
Total—6		

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

SENATE BILL NO. 139—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 15:574.2(B)(1), relative to the vote required to grant parole; to provide for a vote of the full board in certain cases; and to provide for related matters.

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

SENATE BILL NO. 150—
BY SENATOR JONES
AN ACT

To enact R.S. 18:1300.24, relative to gaming elections; to authorize the municipality of Richwood in Ouachita Parish to call and conduct a referendum election on a proposition to allow the operation of video draw poker devices in the municipality; to provide for the procedures for the calling and conducting of such election; to provide for the effectiveness of the results of the election; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 177—
BY SENATOR HAINKEL
AN ACT

To amend and reenact Chapters 8 and 9 of Title II of Book III of the Civil Code, to be comprised of Articles 1734 through 1743, and 1744 through 1751, relative to donations; to provide relative to donation made inter vivos in contemplation of marriage by third persons; to provide relative to interspousal donation; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 177 by Senator Hainkel

AMENDMENT NO. 1

On page 4, at the beginning of line 26, change "Such a" to "The"

AMENDMENT NO. 2

On page 9, at the end of line 15, add "not presumed"

AMENDMENT NO. 3

On page 9, delete lines 20 and 21

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Nevers, Romero, Schedler, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Absent. Lists Bajoie, Holden, Smith.

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

SENATE BILL NO. 228— BY SENATOR FIELDS AN ACT

To enact R.S. 9:4210(E), relative to arbitration; to provide relative to grounds for appeal; to include certain circumstances as such grounds; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 228 by Fields

AMENDMENT NO. 1

On page 1, line 11, change "opinion" to "award"

On motion of Senator Fields, the amendments were adopted.

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

SENATE BILL NO. 274— BY SENATORS LENTINI AND HOLDEN AN ACT

To amend and reenact Ch.C. Arts. 615(E)(2) and (3), relative to the disposition of child abuse investigatory reports; provides that reports determined not to be justified are handled similarly to those found to be inconclusive; to provide for an effective date; 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. 274 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "," change "Ch.C. Arts. 615(E)(2) and (3)" to "Children's Code Arts. 615(E) (introductory paragraph), (2) and (3), and to repeal Children's Code Art. 615(F)"

AMENDMENT NO. 2

On page 1, line 7, following "Section 1." and before "are" change "Ch.C. Arts. 615(E)(2) and (3)" to "Children's Code Arts. 615(E) (introductory paragraph), (2) and (3)"

AMENDMENT NO. 3

On page 2, line 3, following "shall" and before "for" change "only be maintained" to "be maintained only"

AMENDMENT NO. 4

On page 2, between lines 26 and 27, insert "Section 2. Children's Code Art. 615(F) is hereby repealed."

AMENDMENT NO. 5

On page 2, line 27, change "Section 2" to "Section 3"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Dupre, Ellington, Fields, Fontenot, Gautreaux, B, Gautreaux, N, Hainkel, Heitmeier, Hollis, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Nevers, Romero.

Cravins
Dardenne
Duplessis
Total—35

Irons
Jackson
Jones

Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie
Holden
Total—4

Schedler
Smith

The Chair declared the amended 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. 282—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1201(C) and 1672(C), relative to service of citation; to provide relative to the manner in which service of citation shall be requested; to require the payment of fees for such service; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—34

Ellington
Fields
Fontenot
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Hollis
Irons
Jackson
Jones
Kostelka

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Nevers
Romero
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie
Boissiere
Total—5

Holden
Schedler
Smith

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

SENATE BILL NO. 345—
BY SENATOR CHAISSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(ii) and to enact R.S. 27:306(A)(4)(c)(ii)(ee), relative to the Video Draw Poker Devices Control Law; to provide for requirements for qualified truck stop facilities; to provide for necessary restaurant criteria; 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. 345 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "R. S." delete "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 2, at the end of the line, delete "and to enact"

AMENDMENT NO. 3

On page 1, line 2, at the beginning of the line, delete "R. S. 27:306(A)(4)(c)(ii)(ee)"

AMENDMENT NO. 4

On page 1, line 7, following "Section 1" and before "R. S." delete "The introductory paragraph of"

AMENDMENT NO. 5

On page 1, line 8, delete "and R. S. 27:306(A)(4)(c)(ii)(ee) is hereby enacted"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Boissiere
Chaisson
Cheek
Cravins
Dardenne

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux, B
Gautreaux, N
Heitmeier
Hollis
Irons
Jackson
Jones
Lentini
Marionneaux
Mount
Romero
Theunissen
Ullo

Total—28

NAYS

Cain	Malone	Nevers
Hainkel	McPherson	
Kostelka	Michot	
Total—7		

ABSENT

Bajoie	Schedler
Holden	Smith
Total—4	

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

Personal Privilege

Senator Barham asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 345. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the 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. 50— BY SENATORS BOASSO, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, KOSTELKA, LENTINI, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER AND ULLO

A RESOLUTION

To urge and request the governor of the state of Louisiana and the commissioner of administration to give notice to the Port of New Orleans that the state will honor the port's request for funds to build a temporary cruise terminal located at Poland Avenue Wharf.

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 29, 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 concurred in the following Senate Concurrent Resolutions:

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 without amendments.

SENATE CONCURRENT RESOLUTION NO. 33— BY SENATOR HINES A CONCURRENT RESOLUTION

To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

Reported with amendments.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 29, 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. 73— BY REPRESENTATIVE PITRE A JOINT RESOLUTION

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

HOUSE BILL NO. 189—
 BY REPRESENTATIVES WINSTON, KATZ, LABRUZZO, WADDELL
 AND BRUCE AND SENATOR BAJOIE
 AN ACT

To enact R.S. 45:844.12(4)(i) and (j), relative to telephone solicitation; to exempt calls from optometrists, dentists, and chiropractic physicians to their patients from definition of solicitation; to exempt calls from veterinarians to their clients from definition of solicitation; and to provide for related matters.

HOUSE BILL NO. 261—
 BY REPRESENTATIVES FUTRELL, ARNOLD, BRUNEAU, GALLOT,
 JEFFERSON, LANCASTER, MONTGOMERY, MURRAY, PITRE,
 AND SMILEY
 A JOINT RESOLUTION

Proposing to amend Article X, Sections 10(A)(2) and 48(A)(2) of the Constitution of Louisiana, relative to the eligibility for preference points for veterans for civil service and state police service; to provide eligibility for veterans who served for a certain period of continuous service on active duty after a certain date and have served honorably in the armed forces of the United States; to provide for eligibility for preference points in the state police service for service during wars declared by congress; to provide that certain war periods and armed conflicts for eligibility for preference points for veterans for state police service shall be as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 277—
 BY REPRESENTATIVE ALARIO
 AN ACT

To amend and reenact R.S. 39:100.1(C), relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for monies in the fund to be appropriated to the FORE Kids Foundation, Inc.; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 319—
 BY REPRESENTATIVE PINAC
 AN ACT

To repeal R.S. 51:1422, relative to franchise agreements; to repeal provisions which do not require certain franchises to honor or accept reciprocal agreements.

HOUSE BILL NO. 466—
 BY REPRESENTATIVE ALARIO
 AN ACT

To amend and reenact R.S. 49:327(B)(1)(d), relative to the investment of state funds; to provide for competitive bidding for time certificate of deposit and share accounts; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 467—
 BY REPRESENTATIVES ALARIO AND HEATON
 AN ACT

To amend and reenact R.S. 39:1366(4), relative to the duties of the state treasurer; to authorize the state treasurer to make certain payments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 485—
 BY REPRESENTATIVE BRUNEAU
 AN ACT

To amend and reenact R.S. 33:2621, relative to taxes on motor vehicles; to authorize the governing authority of a municipality or of a district created by it; to exempt motor vehicles owned by persons sixty-five years of age or older from general or special ad valorem taxes levied by the municipality or by a district created by it; and to provide for related matters.

HOUSE BILL NO. 531—
 BY REPRESENTATIVE JOHNS
 AN ACT

To amend and reenact R.S. 9:315.11, relative to the calculation of child support; to provide for the determination of a party's income earning potential; to provide for the imputation of income; and to provide for related matters.

HOUSE BILL NO. 593—
 BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
 HEITMEIER AND HINES
 AN ACT

To amend and reenact R.S. 39:1537(6), relative to the risk management program; to eliminate the requirement for submission of a yearly cost comparison between commercial and self-insurance lines of coverage; to provide for inclusion of certain data comparisons in the annual report; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 635—
 BY REPRESENTATIVE QUEZAIRE
 AN ACT

To amend and reenact R.S. 48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

HOUSE BILL NO. 696—
 BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
 HEITMEIER AND HINES
 AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; and to provide for related matters.

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

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

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

HOUSE BILL NO. 73—

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

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

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

HOUSE BILL NO. 189—

BY REPRESENTATIVES WINSTON, KATZ, LABRUZZO, WADDELL AND BRUCE AND SENATOR BAJOIE

AN ACT

To enact R.S. 45:844.12(4)(i) and (j), relative to telephone solicitation; to exempt calls from optometrists, dentists, and chiropractic physicians to their patients from definition of solicitation; to exempt calls from veterinarians to their clients from definition of solicitation; and to provide for related matters.

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

HOUSE BILL NO. 261—

BY REPRESENTATIVES FUTRELL, ARNOLD, BRUNEAU, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, MURRAY, PITRE, AND SMILEY

A JOINT RESOLUTION

Proposing to amend Article X, Sections 10(A)(2) and 48(A)(2) of the Constitution of Louisiana, relative to the eligibility for preference points for veterans for civil service and state police service; to provide eligibility for veterans who served for a certain period of continuous service on active duty after a certain date and have served honorably in the armed forces of the United States; to provide for eligibility for preference points in the state police service for service during wars declared by congress; to provide that certain war periods and armed conflicts for eligibility for preference points for veterans for state police service shall be as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 277—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:100.1(C), relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for monies in the fund to be appropriated to the FORE Kids Foundation, Inc.; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 319—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 51:1422, relative to franchise agreements; to repeal provisions which do not require certain franchises to honor or accept reciprocal agreements.

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

HOUSE BILL NO. 466—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 49:327(B)(1)(d), relative to the investment of state funds; to provide for competitive bidding for time certificate of deposit and share accounts; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 467—

BY REPRESENTATIVES ALARIO AND HEATON

AN ACT

To amend and reenact R.S. 39:1366(4), relative to the duties of the state treasurer; to authorize the state treasurer to make certain payments; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 485—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 33:2621, relative to taxes on motor vehicles; to authorize the governing authority of a municipality or of a district created by it; to exempt motor vehicles owned by persons sixty-five years of age or older from general or special ad valorem taxes levied by the municipality or by a district created by it; and to provide for related matters.

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

HOUSE BILL NO. 531—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:315.11, relative to the calculation of child support; to provide for the determination of a party's income earning potential; to provide for the imputation of income; and to provide for related matters.

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

HOUSE BILL NO. 593—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1537(6), relative to the risk management program; to eliminate the requirement for submission of a yearly cost comparison between commercial and self-insurance lines of coverage; to provide for inclusion of certain data comparisons in the annual report; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 635—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor

advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

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

HOUSE BILL NO. 696—
BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; 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 29, 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. 35—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and direct that the United States Army Corps of Engineers close the Mississippi River Gulf Outlet, which has resulted in adverse environmental impacts to the Louisiana coast.

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVES TUCKER, BEARD, BURNS, DOWNS, FANNIN, FUTRELL, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, QUEZAIRE, AND SMILEY

A CONCURRENT RESOLUTION

To direct the House and Senate Transportation, Highways and Public Works Committees to meet and to function as a joint committee to study and make recommendations regarding the re-creation of the Department of Transportation and Development, including but not limited to recommendations regarding the elimination or consolidation of programs or activities which are inactive, unnecessary, or which duplicate other governmental entities, or the elimination of inefficient or ineffective programs, or programs which are inconsistent with the intent of re-creating the department, and to report the findings of the joint committee to the legislature and the Department of Transportation and Development no later than February 1, 2005.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

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

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and direct that the United States Army Corps of Engineers close the Mississippi River Gulf Outlet, which has resulted in adverse environmental impacts to the Louisiana coast.

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

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

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

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

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

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVES TUCKER, BEARD, BURNS, DOWNS,
FANNIN, FUTRELL, M. GUILLORY, HUTTER, KATZ, LAMBERT,
PITRE, M. POWELL, QUEZAIRE, AND SMILEY

A CONCURRENT RESOLUTION

To direct the House and Senate Transportation, Highways and Public Works Committees to meet and to function as a joint committee to study and make recommendations regarding the re-creation of the Department of Transportation and Development, including but not limited to recommendations regarding the elimination or consolidation of programs or activities which are inactive, unnecessary, or which duplicate other governmental entities, or the elimination of inefficient or ineffective programs, or programs which are inconsistent with the intent of re-creating the department, and to report the findings of the joint committee to the legislature and the Department of Transportation and Development no later than February 1, 2005.

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

Motion to Recommit

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 818 from the Committee on Judiciary A to the Committee on Judiciary B.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 29, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVES FUTRELL, BEARD, DOVE, DOWNS,
ERDEY, FANNIN, M. GUILLORY, KATZ, LAMBERT, PITRE,
QUEZAIRE, AND SMILEY AND SENATOR DARDENNE

A CONCURRENT RESOLUTION

To express the Legislature of Louisiana's support for Baton Rouge's request for the maximum extension of the deadline by which the nonattainment area must switch to use of reformulated gasoline.

and asked that the President of the Senate affix his signature to the same.

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

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

**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 29, 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 Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 83—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2004, as Adrenoleukodystrophy Awareness Month.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR ADLEY AND REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana to the parents of Jason Kavanaugh Willis and the parents of Sarah Margaret Madden Willis on the death of their children.

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATORS IRONS AND MARIONNEAUX

A CONCURRENT RESOLUTION

To proclaim the month of May as "National Foster Care Month".

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie	1 Day	Holden	1 Day
Smith	½ Day		

Adjournment

Senator Ullo moved that the Senate adjourn until Monday, May 3, 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 Monday, May 3, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk