

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

SIXTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 19, 2005

The Senate was called to order at 9:30 o'clock A.M., by Hon. Diana Bajoie, President Pro Tempore of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

ABSENT

Barham	Heitmeier	Hollis
Total - 3		

The President Pro Tempore of the Senate announced there were 34 Senators present and a quorum.

Prayer

The prayer was offered by Father Jason Mangalath, 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 Fields, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Senator Fields in the Chair

**Petitions, Memorials and
Communications**

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

STATE OF LOUISIANA
Office of the Legislative Auditor

March 1, 2005

The Honorable Donald Hines, President
Louisiana State Senate
Post Office Box 44183
Baton Rouge, Louisiana 70804

Dear President Hines:

In accordance with Louisiana Revised Statute 24:511.E, the Louisiana State Senate must confirm my appointment of a First Assistant Legislative Auditor. As Legislative Auditor, I have appointed Mr. Albert J. "Robbie" Robinson to this position. Therefore, I am asking that you provide my recommendation to the Senate and Governmental Affairs Committee. If I need to address this directly with the chairman, Senate C.D. Jones, please let me know.

Mr. Robinson has served as the First Assistant Legislative Auditor since the retirement of Mr. Grover Austin in August of 2004. Mr. Robinson is a certified public accountant, has been employed by this office since 1978, and has served this office in various capacities throughout his career. In my opinion, he is well-qualified to hold this position.

Please let me know if you need any additional information. Mr. Robinson can be contacted directly at 339-3880 to provide necessary information relative to the confirmation process.

Sincerely,
STEVE J. THERIOT, CPA
Legislative Auditor

LOUISIANA STATE DEPARTMENT OF EDUCATION
State Superintendent of Education

April 22, 2005

The Honorable Don Hines, President
Louisiana State Senate
Post Office Box 44183
Baton Rouge, LA 70804

Dear Mr. President:

RE: Senate Confirmation of Appropriate Unclassified Personnel
Louisiana Department of Education

In accordance with mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the name of the individual below who was appointed to the following unclassified position in the Department of Education.

ASSISTANT SUPERINTENDENT
(Effective October 25, 2004)
Office of Student and School Performance
Robin G. Jarvis, Ph.D.
11245 Landfair Avenue
Baton Rouge, LA 70818

I respectfully request Senate confirmation of this appointment.

Sincerely,
CECIL J. PICARD
State Superintendent of Education

LSU HEALTH SCIENCES CENTER
Health Care Services Division

July 12, 2004

The Honorable Don Hines
President of the Senate
P. O. Box 94183
Capitol Station
Baton Rouge, LA 70804

RE: Appointment to the Louisiana State University Health Sciences
Center-Health Care Services Division Community Advisory
Committee

Dear Senator Hines:

Attached is a completed Confirmation Questionnaire on an individual recently appointed to the Bogalusa Medical Center Community Advisory Committee:

Johnnie Hudson Miles - Replacing Rev. Keith Hall

In accordance with R. S. 17:1519.7.B, "Such appointments shall be submitted to the Senate for confirmation."

If you have any questions regarding the questionnaire, please contact Marcia Daigle of my staff. Ms. Daigle may be reached at 922-0493.

Sincerely,
ROBERT PLAISANCE
Vice Chancellor/CEO (Interim)
Health Care Services Division
LSU Health Sciences Center

LOUISIANA DEPARTMENT OF INSURANCE

August 12, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

Please accept the appointment of Ms. Coletta C. Barrett for new membership to the Louisiana Health Care Commission. Ms. Barrett will represent the Louisiana Hospital Association, replacing Lynn Nicholas.

Attached is a complete questionnaire and a list of the current members with their proper seat information..

If you have any questions, please do not hesitate to call me at 225-342-4311 or Vanessa Vince, in my office at 225-342-5075.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

February 25, 2005

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitted the attached appointment for Aaron W. Brace for membership to the Louisiana Health Care Commission, effective February 24, 2005. The current study period ends June 30, 2005. Mr. Brace represents Louisiana Association of Health Plans and replaces Ed Michael Reggie on the LHCC.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are

still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

April 12, 2005

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for Julie T. Cherry for membership to the Louisiana Health Care Commission, effective April 8, 2005. The current study period ends June 30, 2005. Ms. Cherry represents Louisiana AFL-CIO and replaces Fran Bussie on the LHCC.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

September 1, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

Please accept the appointment of Mr. A.J. Hebert III for new membership to the Louisiana Health Care Commission. Mr. Hebert is an At Large member, appointed by Commissioner J. Robert Wooley and is replacing Ronnie Duncan.

Attached is a complete questionnaire and a list of the current members with their proper seat information.

If you have any questions, please do not hesitate to call me at 225-342-4311 or Vanessa Vince, in my office at 225-342-5075.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

November 10, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

Please accept the appointment of Dr. Romell James Madison for new membership to the Louisiana Health Care Commission for the current term that expires June 30, 2005. Dr. Madison represents the National Dental Association.

Attached is a complete questionnaire and a list of the current members with their proper seat information..

If you have any questions, please do not hesitate to call me at 225-342-4311 or Vanessa Vince, in my office at 225-342-5075.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

February 22, 2005

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for Richard O'Shee for membership to the Louisiana Health Care Commission, effective February 21, 2005. The current study period ends June 30, 2005. Mr. O'Shee represents AARP Louisiana and replaces Carolyn Maggio on the LHCC.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

June 25, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for membership to the Louisiana Health Care Commission, effective June 25, 2004. The current study period ends June 30, 2005.

Christine Arbo Peck

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you at a later date.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

June 23, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for membership to the Louisiana Health Care Commission, effective June 23, 2004. The current study period ends June 30, 2005.

Robert M. Plaisance

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you at a later date.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

September 9, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

Attached is a copy of House Bill 334 from the 2004 Regular Legislative Session. R.S. 22:9 was amended adding six new organization to the Louisiana Health Care Commission, in addition to amending the names of five existing organizations.

Please accept the appointment of Ms. Donna L. Swanson for new membership to the Louisiana Health Care Commission. Ms. Swanson represents the National Independent Insurance Agents.

Attached is a complete questionnaire and a list of the current members with their proper seat information.

If you have any questions, please do not hesitate to call me at 225-342-4311 or Vanessa Vince, in my office at 225-342-5075.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

November 19, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Attn: Ms. Marie Lively

Dear Senator Hines:

Please accept the appointment of Mr. Alvin R. Washington for new membership to the Louisiana Health Care Commission. Mr. Washington represents the National Association for the Advancement of Colored People.

Attached is a complete questionnaire and a list of the current members with their proper seat information.

If you have any questions, please do not hesitate to call me at 225-342-4311 or Vanessa Vince, in my office at 225-342-5075.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE

January 27, 2005

Senator Don Hines
Louisiana State Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804

Re: Senate Confirmation

Dear Senator Hines:

Pursuant to R.S. 22:1192, I hereby appoint Dr. William Ferguson representing the Professional Insurance Agents of Louisiana, Inc. to the Insurance Education Advisory Council (IEAC) which comes under my jurisdiction.

His address is:

Dr. William Ferguson, CLU, CPCU, ARM
University of Louisiana at Lafayette
P.O. Box 44570
Lafayette, Louisiana 70504
(337) 482-6664

Should you have any questions, please do not hesitate to contact me or Teri Taylor, Assistant Commissioner of Licensing and compliance at (225)342-0800

Sincerely,
J. ROBERT WOOLEY

Commissioner of Insurance

LOUISIANA DEPARTMENT OF INSURANCE

February 21, 2005

Senator Donald E. "Don" Hines
Louisiana State Senate
State Capital
Post Office Box 94183
Baton Rouge, Louisiana 70804

Re: Senate Confirmation

Dear Senator Hines:

Pursuant to R.S. 22:1192, I hereby appoint Mr. Edward Francis O'Brien to the Insurance Education Advisory Council (IEAC) which comes under my jurisdiction.

Mr. O'Brien's address is:

Edward F. O'Brien
Independent Insurance Agents of Louisiana
9818 Bluebonnet Blvd.
Baton Rouge, Louisiana 70810

Should you have any questions, please do not hesitate to contact me or Teri Taylor, Assistant Commissioner of Licensing and compliance at (225)342-0800

Sincerely,
J. ROBERT WOOLEY
Commissioner of Insurance

LOUISIANA DEPARTMENT OF INSURANCE

October 14, 2004

Senator Don Hines
Louisiana State Senate
State Capital
Post Office Box 94183
Baton Rouge, Louisiana 70804
Re: Senate Confirmation

Dear Senator Hines:

Pursuant to R.S. 22:1192, I hereby appoint Ms. Cynthia H. Osborne representing the Louisiana Association of Health Underwriters to the Insurance Education Advisory Council (IEAC) which comes under my jurisdiction.

Ms. Cynthia H. Osborne address is:

Cynthia H. Osborne
Louisiana Association of Health Underwriters
2659 Hudson Pl
New Orleans, Louisiana 70131

Should you have any questions, please do not hesitate to contact me or Teri Taylor, Assistant Commissioner of Licensing and Compliance at (225)342-0800

Sincerely,
J. ROBERT WOOLEY
Commissioner of Insurance

LOUISIANA DEPARTMENT OF INSURANCE

November 3, 2004

Senator Donald E. "Don" Hines
Louisiana State Senate
State Capital
Post Office Box 94183

May 19, 2005

Baton Rouge, Louisiana 70804
Re: Senate Confirmation

Dear Senator Hines:

Pursuant to R.S. 22:1192, I hereby appoint Mr. Michael Joseph St. Germain to the Insurance Education Advisory Council (IEAC) which comes under my jurisdiction.

Mr. St. Germain's address is:
Mike St. Germain
Rodco Worldwild
31 Piper Lane
Mandeville, Louisiana 70448

Should you have any questions, please do not hesitate to contact me or Teri Taylor, Assistant Commissioner of Licensing at (225)342-0800

Sincerely,
J. ROBERT WOOLEY
Commissioner of Insurance

LOUISIANA DEPARTMENT OF INSURANCE

August 2, 2004

Senator Donald E. "Don" Hines
President of the Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804
Re: Senate Confirmation

Dear Senator Hines:

Pursuant to R.S. 22:1192, I hereby appoint Mrs. Mary Lou Tindall, CIC, CPIW to the Insurance Education Advisory Council (IEAC) which comes under my jurisdiction.

Mrs. Tindall's address is:
Mary Lou Tindall
Louisiana Workers Compensation Corporation
920 Pierremont Road, Suite #505
Shreveport, Louisiana 71106

Should you have any questions, please do not hesitate to contact me or Teri Taylor, Assistant Commissioner of Licensing at (225)342-0800

Sincerely,
J. ROBERT WOOLEY
Commissioner of Insurance

SENATE
State of Louisiana
December 6, 2004

Honorable Kathleen B. Blanco
Governor
State of Louisiana
State Capitol
Baton Rouge, Louisiana 70804

RE: Governor's Military Advisory Board (Executive Order KBB 04-41)

Dear Governor Blanco:

Executive Order KBB 04-41 reestablishes the Governor's Military Advisory Board and provides that the Senate President or his designee serve as part of the 25-member board.

In accordance with the Executive Order, I have appointed Colonel Charles B. Jones (Retired) (vice William Detweiler) to serve as my designee.

Sincerely,
DONALD E. HINES
President

STATE OF LOUISIANA
Secretary of State

November 2, 2004

The Honorable Donald E. Hines, M.D., President
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

RE: Senate Confirmation of Commissioner of Elections, Department of State

Dear Mr. President and Members of the Senate:

Pursuant to the La. R.S. 18:18, I have appointed Ms. Angie Rogers LeBlanc as the Commissioner of Election. I respectfully request Senate confirmation of this appointment.

Sincerely,
FOX MCKEITHEN
Secretary of State

STATE OF LOUISIANA
Secretary of State

March 3, 2005

The Honorable Donald E. Hines, M.D., President
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

RE: Senate Confirmation of First Assistant to the Secretary of State, Department of State

Dear Mr. President and Members of the Senate:

Pursuant to the Louisiana Constitution, Article IV, Section 13, I have appointed Mr. Alan Ray Ater as my First Assistant to the Secretary of State. I respectfully request Senate confirmation of this appointment.

Sincerely,
FOX MCKEITHEN
Secretary of State

SENATE
State of Louisiana

July 6, 2004

Mr. Andrew Lee Guinn, Sr.
One Lakeshore Drive, Suite 1200
Lake Charles, LA 70629

RE: Louisiana Small Business Compliance Advisory Panel

Dear Mr. Guinn:

In accordance with the provisions of R. S. 30:2062 which establishes and creates a statewide advisory panel to monitor the activity of the Small Business Assistance Program (SBAP), Compliance Advisory Panel (CAP), it is my pleasure to appoint you to serve as a member.

May 19, 2005

Thank you for your interest and service in this important undertaking.

Sincerely,
DONALD E. HINES
President

SENATE
State of Louisiana

July 6, 2004

Mr. Frank Kean
1614 La Salle Parc
Baton Rouge, LA 70806

RE: Louisiana Small Business Compliance Advisory Panel

Dear Mr. Kean:

In accordance with the provisions of R. S. 30:2062 which establishes and creates a statewide advisory panel to monitor the activity of the Small Business Assistance Program (SBAP), Compliance Advisory Panel (CAP), it is my pleasure to appoint you to serve as a member.

Thank you for your interest and service in this important undertaking.

Sincerely,
DONALD E. HINES
President

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**

May 18, 2005

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. 68—
BY SENATORS DARDENNE AND BROOME AND REPRESENTATIVE DORSEY**

A CONCURRENT RESOLUTION

To commend and congratulate WBRZ-TV Channel 2 for fifty years of broadcast service in Baton Rouge, Louisiana and the surrounding areas.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 17, 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. 5—
BY REPRESENTATIVE BAUDOIN
AN ACT**

To amend and reenact R.S. 32:295.3(D), relative to leaving children unattended and unsupervised in motor vehicles; to provide for increased penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 9—
BY REPRESENTATIVE DANIEL
AN ACT**

To enact R.S. 14:223.9, relative to crimes against property; to create the crime of unlawful operation of an audiovisual recording device; to provide for penalties; to provide for definitions; to provide for immunity from civil actions under certain circumstances; to provide for exceptions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 12—
BY REPRESENTATIVES JANE SMITH AND M. POWELL
AN ACT**

To enact R.S. 39:1214(C) and (D), relative to invitations to bid for a fiscal agency; to provide that the term of contracts for a fiscal agency with the clerk of court of Bossier Parish may not exceed the term of the clerk; to provide that the term of contracts for a fiscal agency with the clerk of court of Caddo Parish may not exceed the term of the clerk; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 13—
BY REPRESENTATIVE MARTINY
AN ACT**

To amend and reenact R.S. 14:223.3(1) and (3), relative to penalties for unauthorized sound reproductions; to reduce the threshold number of phonorecords or counterfeit labels involved for imposition of penalties for violations of the crimes of sound reproductions without consent, recording performances without consent, rental or sale of improperly labeled articles, and counterfeiting or possessing counterfeit labels; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 55—
BY REPRESENTATIVE KLECKLEY
AN ACT**

To amend and reenact R.S. 40:969(C), relative to violations of possession of Schedule IV controlled dangerous substances; to provide that a violation requires a person to knowingly and intentionally possess the controlled substance; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 83—
BY REPRESENTATIVE KLECKLEY
AN ACT**

To enact R.S. 13:2079.1, relative to the office of the Ward Three marshal of the city court of Lake Charles; to provide for the uses of fees and costs collected in civil matters; to authorize the deposit of these fees and costs into a separate account; to authorize payment of a supplemental salary for deputy marshals from the salary of the marshal; to authorize payment for office expenses and other expenses useful to the conduct of the office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 106—

BY REPRESENTATIVES JANE SMITH AND LAFLEUR
AN ACT

To amend and reenact Code of Criminal Procedure Articles 161(A)(introductory paragraph) and 163 and to enact Code of Criminal Procedure Article 163.1, relative to search warrants; to authorize the issuance of a search warrant to search a person for deoxyribonucleic acid (DNA) or other bodily samples; to provide for procedures for the execution of such warrants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 127—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 14:67.5, relative to theft; to create the crime of theft of crawfish; to define the offense; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 174—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iii), relative to public contracts; to provide relative to certain contracts advertised and let by the Bossier Parish Police Jury; to increase the contract limit for certain contracts; to provide relative to certain restrictions; to authorize the contract limit to be adjusted annually to reflect inflation; to require the Bossier Parish Police Jury to publish the contract limit under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 189—

BY REPRESENTATIVES E. GUILLORY AND MORRISH AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 27:93(A)(6), relative to fees levied on riverboats in Calcasieu Parish; to provide relative to the levying of admission fees; to authorize the local governing authority in Calcasieu Parish where riverboats are berthed to levy a fee based on monthly net gaming proceeds in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the local governing authority; to authorize contracts for payment of a minimum annual fee and payments of additional amounts; to provide for cooperative endeavor agreements; to provide for legislative intent; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 219—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 32:429(A), relative to service and transaction fees levied by local governments to fund office of motor vehicles field offices; to increase the maximum fee allowed per service or transaction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 311—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:231(C), 403(introductory paragraph) and (5), 429, 441(A), 444(A)(1)(a), and 461(B), relative to benefits of the Louisiana State Employees' Retirement System; to provide for definitions; to provide for calculation of average compensation; to provide for calculation of benefits; to provide for eligibility to receive benefits; to provide relative to purchase of service credit to be used for benefit calculation; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 334—

BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 35:407, relative to ex officio notaries public; to provide that municipal police departments are exempt from giving bond for certain ex officio notaries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 340—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2011(C)(1)(b), (c), and (d) and 2019(D)(1)(b) and (4) and R.S. 36:236(B) and 238(C), (D), and (E), relative to the authority of the offices of environmental compliance, environmental services, and environmental assessment in the Department of Environmental Quality; to provide relative to licenses, registrations, exemptions, and certifications of radiation sources; to provide relative to laboratory services; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 425—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N), 53.2(G), and 54(E) and 63(O), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 425 by Representative Trahan

AMENDMENT NO. 1

In Senate Committee Amendment Nos. 2, 4, and 6, proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 18, 2005, on lines 9, 19, and 29, respectively, change "**40:2133.6**" to "**40:2113.6**"

AMENDMENT NO. 2

On page 1, line 2 after "53.2(G)," and before "54(E)," insert "and"

AMENDMENT NO. 3

On page 1, line 3 delete "and 63(O),"

AMENDMENT NO. 4

On page 1, line 8 change "54(E), and 63(O)" to "and 54(E)"

AMENDMENT NO. 5

On page 4, delete lines 5 through 7

HOUSE BILL NO. 506—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 35:392.1(B), relative to ex officio notaries public; to provide for the authority of a clerk of court and deputy clerk of court as ex officio notaries public; to remove provisions relative to the validity of documents notarized within the course and scope of employment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 544—

BY REPRESENTATIVES SCHNEIDER, STRAIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT
AN ACT

To enact R.S. 40:971.2, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 570—

BY REPRESENTATIVES LAFONTA AND JEFFERSON
AN ACT

To enact R.S. 29:41, relative to exposure to depleted uranium; to provide for definitions; to provide for screening of certain members of the armed forces of the United States; to provide for reports on training; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 618—

BY REPRESENTATIVE FANNIN
AN ACT

To enact 40:1846(H), relative to liquified petroleum gas; to provide for limitations on liability for certain activities related to liquified petroleum gas; to provide for the liability of retailers, suppliers, handlers, transports, and consumers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 686—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact Code of Civil Procedure Article 1734(A) and R.S. 13:3044(B)(5)(b)(ii), relative to the bond for costs related to a civil jury trial; to change the time for filing the bond; to provide for the date of mailing the jury summons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 767—

BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 14:103.1(D) and (E), relative to the emanation of excessive sound or noise; to provide for the surrender of license plates upon conviction and court order; to authorize local governing authorities to adopt ordinances to provide for the regulation of the emanation of excessive sound or noise; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 768—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 14:327(A), (B), and (C), relative to obstructing a fireman; to provide for the definition of a fireman; to increase penalties for obstructing a fireman; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Introduction of Senate Resolutions

Senator Bajoie 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. 91—

BY SENATOR MURRAY
A RESOLUTION

To proclaim Thursday, May 19, 2005, as Willie Mae Seaton Day in the state of Louisiana.

On motion of Senator Murray, 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

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 19, 2005

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. 121—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

HOUSE BILL NO. 538—

BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON
AN ACT

To enact R.S. 28:382.2 and to repeal R.S. 28:382.1, relative to the local governance of human services delivery; to provide a statewide human services and accountability framework for the system delivery of mental health, developmental disabilities, and addictive disorders services; to establish the Human Services Interagency Council; to provide for the planning, monitoring, and coordination of the statewide framework; to ensure accountability, policy setting, coordination, and monitoring of human services delivery at the state and local level; and to provide for related matters.

HOUSE BILL NO. 654—

BY REPRESENTATIVES MONTGOMERY, ALARIO, GLOVER, HOPKINS, HUNTER, SCALISE, JANE SMITH, THOMPSON, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, HEBERT, HILL, JACKSON, JEFFERSON, JOHNS, KATZ, MCDONALD, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, WADDELL, AND WALKER

AN ACT

To amend and reenact R.S. 48:2072(B), 2073(7) through (19), 2077(17), (18), and (23), and 2082(B) through (O) and to enact R.S. 9:165(C) and R.S. 48:2073(20), 2077(24), and 2082(P), relative to authorizing the Louisiana Transportation Authority to issue revenue bonds secured by unclaimed property receipts; to create the Unclaimed Property Fund; to provide for the deposit of monies into the Unclaimed Property Fund and the use of those monies; to create the Unclaimed Property Leverage Fund; to provide for the deposit of monies into the Unclaimed Property Leverage Fund and the use of those monies; to authorize the state treasurer to transfer the monies in the Unclaimed Property Leverage Fund to the Louisiana Transportation Authority; to provide relative to unclaimed property bonds; and to provide for related matters.

HOUSE BILL NO. 680—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1101(B), 1102(A)(2), 1208(D) and (G), 1226(A) and (B)(3)(a), 1272(D), 1291(C)(3), (4), and (5), 1310.3(E), 1310.7(B) and (C), 1377(B)(1), and 1378(A)(5) and (8)(a) and (b) and to enact R.S. 23:1032.1 and 1034.2(C)(4), and to repeal R.S. 23:1101(D) and 1168(A)(2)(b), relative to workers' compensation; to provide for definitions; to provide for penalties for failure to secure workers' compensation insurance; to provide for reimbursement of dental services; to provide relative to third-party suits; to provide for nurse case managers; to eliminate methods of securing workers' compensation insurance; to provide for the payment of penalties imposed for misrepresentations; to provide for reporting of earnings; to provide for vocational rehabilitation counseling; to provide relative to lump sum settlements; to provide relative to the records management, fraud, and workplace safety sections of the office workers' compensation administration; to provide for the jurisdiction of the workers' compensation judges; to provide for penalties and requirements for findings of contempt of court; to provide for the necessary allegations in a workers' compensation petition; to provide relative to the Second Injury Fund budget, assessments, and liabilities; and to provide for related matters.

HOUSE BILL NO. 746—

BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATOR DUPLESSIS

AN ACT

To enact Part XII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; to provide for the use of fee proceeds; and to provide for related matters.

HOUSE BILL NO. 750—

BY REPRESENTATIVE HUTTER

AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts, to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

HOUSE BILL NO. 769—

BY REPRESENTATIVE CRAVINS

AN ACT

To enact R.S. 15:574.11(C) and (D), relative to judicial review of parole revocation decisions; to provide for appellate jurisdiction and procedure in district court for pleadings alleging a denial of a revocation hearing; to provide for a preemptive period; to provide for service of process; and to provide for related matters.

HOUSE BILL NO. 224—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 49:259(B) and (C), relative to state funds; to increase the balance in the Department of Justice Legal Support Fund dedicated to support certain expenses of the Department of Justice; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 393—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 840—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 858—

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOIE, JONES, AND HEITMEIER

AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana State University Health Sciences Center; to authorize establishment of unclassified health care professional employee

pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

HOUSE BILL NO. 125—
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; 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. 121—
BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

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

HOUSE BILL NO. 125—
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; and to provide for related matters.

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

HOUSE BILL NO. 224—
BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 49:259(B) and (C), relative to state funds; to increase the balance in the Department of Justice Legal Support Fund dedicated to support certain expenses of the Department of Justice; 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. 365—
BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana State University Health Sciences Center; to authorize establishment of unclassified health care professional employee pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

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

HOUSE BILL NO. 369—
BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOLE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

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

HOUSE BILL NO. 393—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; 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. 538—
BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON

AN ACT

To enact R.S. 28:382.2 and to repeal R.S. 28:382.1, relative to the local governance of human services delivery; to provide a statewide human services and accountability framework for the system delivery of mental health, developmental disabilities, and addictive disorders services; to establish the Human Services Interagency Council; to provide for the planning, monitoring, and coordination of the statewide framework; to ensure accountability, policy setting, coordination, and monitoring of human services delivery at the state and local level; and to provide for related matters.

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

HOUSE BILL NO. 654—

BY REPRESENTATIVES MONTGOMERY, ALARIO, GLOVER, HOPKINS, HUNTER, SCALISE, JANE SMITH, THOMPSON, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, HEBERT, HILL, JACKSON, JEFFERSON, JOHNS, KATZ, MCDONALD, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, WADDELL, AND WALKER

AN ACT

To amend and reenact R.S. 48:2072(B), 2073(7) through (19), 2077(17), (18), and (23), and 2082(B) through (O) and to enact R.S. 9:165(C) and R.S. 48:2073(20), 2077(24), and 2082(P), relative to authorizing the Louisiana Transportation Authority to issue revenue bonds secured by unclaimed property receipts; to create the Unclaimed Property Fund; to provide for the deposit of monies into the Unclaimed Property Fund and the use of those monies; to create the Unclaimed Property Leverage Fund; to provide for the deposit of monies into the Unclaimed Property Leverage Fund and the use of those monies; to authorize the state treasurer to transfer the monies in the Unclaimed Property Leverage Fund to the Louisiana Transportation Authority; to provide relative to unclaimed property bonds; and to provide for related matters.

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

HOUSE BILL NO. 680—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1101(B), 1102(A)(2), 1208(D) and (G), 1226(A) and (B)(3)(a), 1272(D), 1291(C)(3), (4), and (5), 1310.3(E), 1310.7(B) and (C), 1377(B)(1), and 1378(A)(5) and (8)(a) and (b) and to enact R.S. 23:1032.1 and 1034.2(C)(4), and to repeal R.S. 23:1101(D) and 1168(A)(2)(b), relative to workers' compensation; to provide for definitions; to provide for penalties for failure to secure workers' compensation insurance; to provide for reimbursement of dental services; to provide relative to third-party suits; to provide for nurse case managers; to eliminate methods of securing workers' compensation insurance; to provide for the payment of penalties imposed for misrepresentations; to provide for reporting of earnings; to provide for vocational rehabilitation counseling; to provide relative to lump sum settlements; to provide relative to the records management, fraud, and workplace safety sections of the office workers' compensation administration; to provide for the jurisdiction of the workers' compensation judges; to provide for penalties and requirements for findings of contempt of court; to provide for the necessary allegations in a workers' compensation petition; to provide relative to the Second Injury Fund budget, assessments, and liabilities; and to provide for related matters.

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

HOUSE BILL NO. 746—

BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

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

HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATOR DUPLESSIS
AN ACT

To enact Part XII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; to provide for the use of fee proceeds; and to provide for related matters.

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

HOUSE BILL NO. 750—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts, to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

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

HOUSE BILL NO. 769—

BY REPRESENTATIVE CRAVINS
AN ACT

To enact R.S. 15:574.11(C) and (D), relative to judicial review of parole revocation decisions; to provide for appellate jurisdiction and procedure in district court for pleadings alleging a denial of a revocation hearing; to provide for a preemptive period; to provide for service of process; and to provide for related matters.

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

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

HOUSE BILL NO. 840—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; 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. 841—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

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

HOUSE BILL NO. 858—

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAOJIE, JONES, AND HEITMEIER
AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

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**

May 19, 2005

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. 95—

BY REPRESENTATIVES ST. GERMAIN, JACK SMITH, LAMBERT, AND WOOTON AND SENATORS B. GAUTREAU AND MARIONNEAU
A CONCURRENT RESOLUTION

To direct the Louisiana Wildlife and Fisheries Commission to return the regulations for hunting deer with dogs in Area 6 to the same provisions as implemented in the 2004-2005 deer hunting season.

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend the Evangel Christian Academy football team upon winning the 2004 Class 5A Louisiana State Football Championship and to recognize the outstanding performance and dedication exhibited by the players, coaches, and staff.

HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE DOERGE
A CONCURRENT RESOLUTION

To commend Specialist Russell "Kyle" Burseson upon his receipt of the Purple Heart and express appreciation for his service and sacrifice for his country.

HOUSE CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the United States Code to authorize state governors to proclaim that the United States flag shall be flown at half-staff upon the death of a member of the United States armed forces from their respective states who died on active duty.

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE LAFLEUR
A CONCURRENT RESOLUTION

To commend the Pine Prairie High School softball team upon winning the Class 2A State Softball Championship.

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. 95—

BY REPRESENTATIVES ST. GERMAIN, JACK SMITH, LAMBERT, AND WOOTON AND SENATORS B. GAUTREAUX AND MARIONNEAUX
A CONCURRENT RESOLUTION

To direct the Louisiana Wildlife and Fisheries Commission to return the regulations for hunting deer with dogs in Area 6 to the same provisions as implemented in the 2004-2005 deer hunting season.

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

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend the Evangel Christian Academy football team upon winning the 2004 Class 5A Louisiana State Football Championship and to recognize the outstanding performance and dedication exhibited by the players, coaches, and staff.

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

HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE DOERGE
A CONCURRENT RESOLUTION

To commend Specialist Russell "Kyle" Burseson upon his receipt of the Purple Heart and express appreciation for his service and sacrifice for his country.

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

HOUSE CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the United States Code to authorize state governors to proclaim that the United States flag shall be flown at half-staff upon the death of a member of the United States armed forces from their respective states who died on active duty.

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

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE LAFLEUR
A CONCURRENT RESOLUTION

To commend the Pine Prairie High School softball team upon winning the Class 2A State Softball Championship.

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

**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. 8—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Bogalusa; to increase the jurisdictional amount in dispute in the City Court of Bogalusa; and to provide for related matters.

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

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, McDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

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

HOUSE BILL NO. 32—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2), relative to hearing officers; to provide for the acceptance of agreements reached in court-ordered mediation; and to provide for related matters.

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

HOUSE BILL NO. 44—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 13:3886(B)(1), relative to fees charged by the sheriff for issuance of notice of seizure on specific immovable property or fixtures located thereon; to increase the

fees for notice given by mail; to increase the fees for service of the notice; and to provide for related matters.

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

HOUSE BILL NO. 51—

BY REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 14:40.2(A) and to enact R.S. 14:40.2(F), (G), and (H), relative to the crime of stalking; to require that the acts constituting the crime of stalking be intentional; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 75—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 33:423.15, relative to the city of Broussard; to provide for the chief of police of that city to take certain personnel actions; to provide for appeal of those actions by police department employees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 151—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters in the Thirty-Second Judicial District Court; to increase the fees court reporters may charge per page for civil and criminal transcripts; to decrease the fees court reporters may charge per page copy for civil and criminal transcripts; and to provide for related matters.

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

HOUSE BILL NO. 161—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Eleventh Judicial District Court; to authorize the judges en banc to set the fees for each page and copy of transcribed testimony; and to provide for related matters.

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

HOUSE BILL NO. 172—

BY REPRESENTATIVES ROMERO AND FAUCHEUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 4911(A) and 4912(A)(1) and (B), relative to jurisdiction of justice of the peace courts; to increase the jurisdictional amount in dispute in civil matters; to increase the jurisdictional amount in dispute in possession or ownership of movable property; to increase the jurisdictional amount in dispute in eviction proceedings of occupants or tenants of leased commercial premises and leased farmlands; and to provide for related matters.

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

HOUSE BILL NO. 194—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 33:1423.1, relative to the collection and disposition of bonds, fines, fees, licenses, and taxes; to provide that the sheriff may retain private attorney and assess attorney fees and expenses to affected tax recipient bodies; and to provide for related matters.

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

HOUSE BILL NO. 251—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 11:447(C), relative to the Deferred Retirement Option Plan of the Louisiana State Employees' Retirement System; to provide for judges' participation in the plan; to allow certain judges to participate for a period not to exceed five years; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 258—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 13:1336(D) and 1338, relative to the jurisdiction of the Criminal District Court for the Parish of Orleans; to provide for commitment jurisdiction of the court when the criminal court determines a mentally defective defendant is incapable of standing trial, is a danger to himself or others, and is unlikely in the foreseeable future to be capable of standing trial; to provide for the transfer of all pending cases filed in the Civil District Court for the Parish of Orleans; to provide for an order of transfer; to provide for delivery of the records; to grant the criminal sheriff for the Criminal District Court for the Parish of Orleans the authority to make service and return of court processes; and to provide for related matters.

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

HOUSE BILL NO. 398—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 401—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2711.3 and 2711.7(C), relative to certain taxes in the city of New Orleans and in certain parishes; to delete the exemption of certain rooms from the hotel occupancy tax in New Orleans and in certain parishes; to define certain terms; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 422—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:35.1 and to enact R.S. 14:38.3, relative to crimes committed against child welfare workers; to change the crime of simple battery of a child welfare worker to battery of a child welfare worker; to provide for increased penalties for battery of a child welfare worker; to provide for definitions; to enact the crime of assault on a child welfare worker; to provide for penalties; and to provide for related matters.

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

May 19, 2005

HOUSE BILL NO. 426—
BY REPRESENTATIVE WALKER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 33:130.581(A), 130.582(A)(introductory paragraph), 130.583(introductory paragraph), (4), and (5), and 130.584(A) and (B)(introductory paragraph) and to enact R.S. 33:130.582(A)(9), (B)(3), and (D) and 130.585, relative to economic development in Avoyelles Parish; to create and provide for the Avoyelles Parish Economic Development District; to provide relative to the powers, duties, governing authority, and advisory board of the district; to provide relative to the Economic Development Board for the Parish of Avoyelles and its advisory board; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 443—
BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To enact R.S. 23:1539.1, relative to unemployment insurance; to provide for authority to prohibit employing units from avoiding the payment of state unemployment taxes, commonly referred to as "SUTA Dumping"; to provide meaningful penalties for avoiding the payment of state unemployment taxes; to provide for rules; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 482—
BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact R.S. 23:1474(B), (C), (D), (F)(1), (G)(3), and (I), 1535, 1536(D)(3), and 1553(B)(6), (7)(b), (8), (9)(b), (10), and (11)(b), relative to unemployment compensation; to provide for fluctuation of the benefit amount based upon the applied balance of the state unemployment trust fund; to provide for fluctuation of wages upon which contributions are paid based upon the applied balance of the state unemployment trust fund; to provide for the tax rate table; to provide for an appropriation for customized training and administrative costs in the social charge recoupment account based in the applied balance of the state unemployment trust fund; to delete the provision relative to the new employer tax rate table; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 492—
BY REPRESENTATIVES MORRISH AND BEARD AND SENATORS BROOME AND MICHOT AND REPRESENTATIVES ALEXANDER, BARROW, BAUDOIN, CROWE, GEYMAN, GREENE, JOHNS, LABRUZZO, MCVEA, PIERRE, M. POWELL, SCALISE, SHEPHERD, JANE SMITH, STRAIN, TRAHAN, AND WALSWORTH AND SENATORS N. GAUTREAUX, HAINKEL, AND SCHEDLER
AN ACT

To enact R.S. 14:101.3, relative to cloning; to prohibit human cloning; to provide for penalties; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 496—
BY REPRESENTATIVES MCDONALD, WALSWORTH, SCALISE, AND THOMPSON
AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.56, relative to the creation of the Northeast Louisiana Film Commission; to create the Northeast Louisiana Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to provide for an executive director; to provide relative to employees, funding,

and cooperation with state agencies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 525—
BY REPRESENTATIVES HEATON, MARTINY, AND LAFLEUR
AN ACT

To amend and reenact R.S. 15:574.22(G)(2)(d), relative to eligibility for evaluation by the Louisiana Risk Review Panel; to provide with respect to the number of years a person convicted of a Schedule I narcotic violation must serve in actual custody to be eligible for review by the Louisiana Risk Review Panel; and to provide for related matters.

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

HOUSE BILL NO. 535—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:305.6, relative to the moratorium on the issuance of commercial crab trap gear licenses; to authorize issuance of such licenses to certain persons; and to provide for related matters.

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

HOUSE BILL NO. 547—
BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 14:81.3, relative to sexual offenses affecting minors; to create the crime of computer-aided solicitation of a minor; to define the crime of computer-aided solicitation of a minor; to provide for criminal penalties; to provide for definitions; to provide with respect to defenses; to provide for an exception; to provide for the disposition of material seized in connection to this crime; to provide with respect to sex offender registration and notification requirements; and to provide for related matters.

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

HOUSE BILL NO. 561—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 22:1193(E) and 2092.3, relative to title insurance agents; to require continuing education for renewal of licensure; to provide for domicile of agents; and to provide for related matters.

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

HOUSE BILL NO. 572—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 3:2364(B)(1) and (E), relative to the Louisiana Animal Welfare Fund; to provide relative to state funding; to provide relative to transfer and distribution of funds; to provide for maintenance of financial records; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 617—
BY REPRESENTATIVES KENNARD AND THOMPSON
AN ACT

To enact R.S. 56:410.10, relative to fishing; to prohibit the use of certain fishing gear on Poverty Point Reservoir; and to provide for related matters.

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

HOUSE BILL NO. 625—
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 13:2591(A) and R.S. 15:254.1(A), 254.2, 254.3, 254.4, 254.5(D), 254.6(A), 254.7, 254.8(A), and 255(A)(1) and (4), (E)(1), (4), and (5), and (G), and to enact R.S. 15:255(K), relative to witness fees paid to off-duty law enforcement officers and relative to extra compensation for certain law enforcement officers and firemen; to require local governing authorities to transmit witness fees to the employer of certain law enforcement officers; to require the Department of Public Safety and Corrections to remit the extra compensation paid by the state to the local governing authorities for payment to individual eligible employees; to require local governing authorities to be responsible for calculating and withholding certain deductions for taxes on behalf of the employee; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 653—
BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 22:1193(L), relative to continuing education for licensed insurance producers; to provide for title insurance agents; and to provide for related matters.

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

HOUSE BILL NO. 700—
BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 22:1800(5), relative to vehicle mechanical breakdown insurance; to provide for coverage; to provide for customer assistance and services; and to provide for related matters.

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

HOUSE BILL NO. 724—
BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 11:701(33)(a)(ii) and (b)(ii) and to enact R.S. 11:411(6), relative to membership in the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for membership eligibility; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 733—
BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 13:992.1(C)(1) and to enact R.S. 13:992.1(C)(6), relative to the dedication of judicial building funds of certain district courts; to provide relative to financing the construction of a new courthouse in the Nineteenth Judicial District; and to provide for related matters.

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

HOUSE BILL NO. 752—
BY REPRESENTATIVES DARTEZ AND ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:34(A)(1) and (2) and 495.1(E) and to enact R.S. 56:495.1(G) and 497.1, relative to shrimping; to provide for criminal penalties for class four violations; to

provide for managing the shrimp fishery; to provide for issuance and restriction of certain gear licenses; to provide for operating vessel monitoring systems; and to provide for related matters.

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

HOUSE BILL NO. 777—
BY REPRESENTATIVE CAZAYOUX

AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the development of certain curricular elements; to provide relative to inclusion of certain topics; to require the inclusion of the topic of adoption awareness in certain course material; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 779—
BY REPRESENTATIVES MCVEA AND MCDONALD

AN ACT

To enact R.S. 32:867, relative to compulsory motor vehicle liability insurance; to provide for applicability; to provide for privately owned parking lots; and to provide for related matters.

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

HOUSE BILL NO. 784—
BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Children's Code Article 811.1(G)(1) and R.S. 46:1844(W)(1)(a), relative to juvenile crime victims; to provide for an exception to the provisions requiring confidentiality of the identity of juvenile crimes victims; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to grant permission to the Lafourche Parish governing authority to install and maintain, at the parish's expense, flashing red lights above stop signs at certain intersections along Louisiana Highway 3235 in Ward 10 of Lafourche Parish..

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways and Public Works.

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. 4—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 12:204.2, relative to nonprofit corporations; to provide with respect to the naming of certain nonprofit corporations; to authorize the use of "parish" in the name of a nonprofit corporation under certain circumstances; to provide limitations; to provide for an effective date; 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. 4 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, between lines 3 and 4 insert the following:

"(4) The provisions of this Section shall become null and void and have no effect on and after July 1, 2006."

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

SENATE BILL NO. 63—

BY SENATOR DUPLISSIS

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(k)(i)(bb), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. On motion of Senator Michot, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 77—

BY SENATORS CRAVINS AND CAIN

AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to require each policy to specify dollar values and specific benefits to be furnished; 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. 78—

BY SENATOR ADLEY

AN ACT

To enact R.S. 40:1300.143(3)(a)(xii), relative to the rural hospital preservation act; to provide an additional definition of a rural hospital; 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. 78 by Senator Adley

AMENDMENT NO. 1

On page 1, line 13, change "(a)" to "(aa)"

AMENDMENT NO. 2

On page 1, line 15, change "(b)" to "(bb)"

AMENDMENT NO. 3

On page 1, after line 16, insert the following:

"(cc) No monies appropriated in accordance with the Rural Hospital Preservation Act shall be used to fund the facility defined in Item (xii) of Paragraph 3(a) of this Section, which would result in the current members of the Rural Hospital Coalition receiving an appropriation less than that received in the fiscal year 2005-2006, subject to the facility becoming enrolled in the Medicaid program and to any necessary approval by the Centers for Medicare and Medicaid Services and the facility becoming a member of the Rural Hospital Coalition."

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. 84—

BY SENATORS SMITH AND ADLEY AND REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 17:1871(A)(2), relative to membership of the Board of Supervisors of Community and Technical Colleges; to provide relative to terms and qualifications of appointees to the board; to provide with regard to experience as a condition of appointment; 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. 84 by Senator Smith

AMENDMENT NO. 1

On page 1, line 4, after "board; to" delete the remainder of the line and insert "provide with regard to"

AMENDMENT NO. 2

On page 2, line 1, change "Each member" to "At least three members"

AMENDMENT NO. 3

On page 2, delete line 3 and on line 4, delete "college." and insert "significant experience in vocational education."

AMENDMENT NO. 4

On page 2, line 6, change "a minimum of fifteen years of" to "significant" and delete "administration"

AMENDMENT NO. 5

On page 4, line 7, change "at a technical college." to "vocational education."

AMENDMENT NO. 6

On page 2, delete lines 9 and 10 and insert "one of their successors shall have significant experience in vocational education."

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. 155—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 46:1408(A) and (B), 1409(A) and (B)(introductory paragraph), 1411, 1412(B), 1413(A) and (J), 1417, and 1419, relative to multi-year licenses for child care facilities and child placing agencies; to provide for advice and consultation from the child care committees; to provide for the promulgation of applicable rules; 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. 155 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 1, after "department." delete the remainder of the line and delete lines 2 through 4

AMENDMENT NO. 2

On page 2, line 19, after "to" insert the following:

"The department shall submit the proposed rules and regulations to the Louisiana Advisory Committee on Licensing of Child Day Care Facilities for review and comment prior to giving notice of its intended action in accordance with the Administrative Procedure Act."

AMENDMENT NO. 3

On page 3, line 14, after "**shall**" delete "consult with" and insert "**seek the consent of**"

AMENDMENT NO. 4

On page 3, line 25, after "**department.**" delete the remainder of the line and delete line 26

AMENDMENT NO. 5

On page 3, at the beginning of line 27, delete "**two years.**"

AMENDMENT NO. 6

On page 4, line 7, after "Act." insert the following:

"The department shall submit the proposed rules and regulations to the Louisiana Committee on Private Child Care for review and comment prior to giving notice of its intended action in accordance with the Administrative Procedure Act."

AMENDMENT NO. 7

On page 4, line 15, after "intervals" insert "not to exceed one year"

AMENDMENT NO. 8

On page 5, line 2, delete "**after consultation**" and after "with" insert "the advice and consent of"

AMENDMENT NO. 9

On page 5, line 4, after "Class B facilities." delete the remainder of the line and delete lines 5 and 6

AMENDMENT NO. 10

On page 5, between lines 6 and 7 insert the following:

"If either committee fails or refuses, within thirty days after receipt of the recommendation, to reach a decision on a recommendation of the department to revoke or deny a license, then the recommendation of the department shall become the official action of the committee and the department shall be authorized to take such action."

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. 162—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 29:732(A), relative to price gouging; to prohibit price gouging during a named tropical storm or hurricane; 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. 162 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3 after "during a" insert "named tropical"

AMENDMENT NO. 2

On page 1, line 8 after "**during a**" insert "**named tropical**"

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

SENATE BILL NO. 185—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; 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. 225—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 32:1254(A)(2) and 1255(7) and to enact R.S. 32:1253.1 and 1255(8), relative to the Louisiana Motor Vehicle Commission; to provide for the jurisdiction of the Louisiana Motor Vehicle Commission; to provide for requirements for applications for license; to provide for the denial, revocation, or suspension of license; 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. 225 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 16 after "**B. Unless otherwise**" delete "**provided for**" and insert the following:

"specifically provided for by Louisiana law not in conflict with the provisions of this Chapter"

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

SENATE BILL NO. 238—

BY SENATORS ELLINGTON, AMEDEE, FONTENOT, HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 47:318(B)(2), relative to the Department of Economic Development; to provide relative to the disposition of certain tax collections; to provide relative to the marketing fund; 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. 238 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 14 change "**seventy-three**" to "**seventy-five**"

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

SENATE BILL NO. 255—

BY SENATOR MICHOT

AN ACT

To amend and reenact Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:1251 through 1269, relative to the distribution and sale of motor vehicles; to provide for a comprehensive reorganization of the law relative to the distribution and sale of motor vehicles; 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. 255 by Senator Michot

AMENDMENT NO. 1

On page 3, line 5 delete "natural"

AMENDMENT NO. 2

On page 3, line 19 delete "contract or"

AMENDMENT NO. 3

On page 6, line 8 delete "a dealer-operator,"

AMENDMENT NO. 4

On page 6, line 11 delete "dealer-operator,"

AMENDMENT NO. 5

On page 8, line 22 delete ", corporations, or associations"

AMENDMENT NO. 6

On page 9, line 7 delete "Paragraph" and insert "Subparagraph" and change "23(b)(i) of this Section" to "(b)(i) of this Paragraph"

AMENDMENT NO. 7

On page 9, line 27 after "lease," insert "financing or insuring"

AMENDMENT NO. 8

On page 13, line 14 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 9

On page 14, at the end of line 24 and at the beginning of line 25 delete "attending the meetings" and insert "conducting the business"

AMENDMENT NO. 10

On page 15, at the end of line 26 and at the beginning of line 27 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 11

On page 16, line 9 after "Louisiana," insert "regardless of whether or not said person maintains or has a place or places of business in this state,"

AMENDMENT NO. 12

On page 19, line 1 after "sought" insert "and" and after "on," delete "and"

AMENDMENT NO. 13

On page 19, line 6 after "coverage" insert "on vehicles"

AMENDMENT NO. 14

On page 19, line 16 delete "upon request by the commission"

AMENDMENT NO. 15

On page 19, between lines 17 and 18 insert the following:

"(12) At least sixty days prior to the receipt by the commission of an application by a licensee for the establishment of new location required to be licensed under the provisions of this Chapter, for a change of location, change in corporate ownership or majority ownership, change in the name of licensee, change in the makes, models, or classifications of vehicles designated in the franchise or any addendum thereto and manufactured, distributed, or sold, the addition of makes, models, or classifications of vehicles designated in the franchise or any addendum thereto and manufactured, converted, distributed, or sold, or a change in the identity of the designated dealer-operator of a licensee the commission must receive a written notice from the person seeking to effect such change. This sixty day notice shall provide such information as the commission in its discretion may require. The sixty day notice may be waived by the commission, when, in its discretion, the commission feels that such waiver would be in the best interest of the public welfare."

AMENDMENT NO. 16

On page 20, delete lines 21 through 29

AMENDMENT NO. 17

On page 21, delete lines 1 through 13

AMENDMENT NO. 18

On page 21, line 14 delete "(7)" and insert "(5)"

AMENDMENT NO. 19

On page 21, line 19 delete "(8)" and insert "(6)"

AMENDMENT NO. 20

On page 21, line 23 after "(a)" delete "Before" and insert "For the first five years of application for a license, before"

AMENDMENT NO. 21

On page 21, line 28 after "commission." insert "After the initial five years of licensing, this bond may be waived at the direction of the commission."

AMENDMENT NO. 22

On page 21, line 29 after "commission" insert a period "." and delete "and"

AMENDMENT NO. 23

On page 22, delete lines 1 through 3

AMENDMENT NO. 24

On page 22, line 4 delete "business for which he is licensed."

AMENDMENT NO. 25

On page 22, line 6 after "office" insert a period "." and delete the remainder of the line

AMENDMENT NO. 26

On page 22, delete lines 7 through 9

AMENDMENT NO. 27

On page 22, line 10, delete "beginning of each license period."

AMENDMENT NO. 28

On page 22, at the end of line 11 delete "Failure to"

AMENDMENT NO. 29

On page 22, delete lines 12 through 16

AMENDMENT NO. 30

On page 22, line 17 delete "(9)" and insert "(7)"

AMENDMENT NO. 31

On page 22, line 25, delete "whether the applicant has an"

AMENDMENT NO. 32

On page 24, line 10 after "vehicle" insert "sale or"

AMENDMENT NO. 33

On page 24, between lines 22 and 23, insert the following:

"(c) Notwithstanding the provisions of Subparagraph (b) of this Paragraph, a licensed motor vehicle dealer shall not be required to submit and application for and obtain a new license if ownership interests in the dealership changes among existing family member owners, as long as the identity of the majority owner does not change, no additional persons are added as owners, and all changes in ownership interest are declared in the renewal application. For the purposes of this Subparagraph, "family member owners" shall include the majority owner's children, the spouses of his children, his brothers and their spouses, his sister's and their spouses, parents, his spouse, the parents of his spouse, and his grandchildren."

AMENDMENT NO. 34

On page 24, line 23 delete "(c)" and insert "(d)"

AMENDMENT NO. 35

On page 24, delete line 29

AMENDMENT NO. 36

On page 25, delete lines 1 through 9

AMENDMENT NO. 37

On page 25, delete lines 26 through 29

AMENDMENT NO. 38

On page 26, delete lines 4 through 9

AMENDMENT NO. 39

On page 28, line 18 delete "(11)" and insert "(10)"

AMENDMENT NO. 40

On page 28, line 25 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 41

On page 29, line 6 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 42

On page 29, line 14 delete "(12)" and insert "(11)"

AMENDMENT NO. 43

On page 30, line 20 after "sought" delete the period "." and insert "the effect on the used motor vehicle sales business and the consuming public in the State of Louisiana."

AMENDMENT NO. 44

On page 30, delete lines 27 through 29

AMENDMENT NO. 45

On page 31, delete lines 1 through 5

AMENDMENT NO. 46

On page 31, line 6 delete "(8)" and insert "(7)"

AMENDMENT NO. 47

On page 31, line 24 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 48

On page 33, delete lines 3 through 10

AMENDMENT NO. 49

On page 33, line 11 delete "(7)" and insert "(6)"

AMENDMENT NO. 50

On page 33, line 15 delete "(8)" and insert "(7)"

AMENDMENT NO. 51

On page 33, line 22 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 52

On page 34, line 3 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 53

On page 34, delete lines 26 through 29

AMENDMENT NO. 54

On page 35, delete lines 1 through 4

AMENDMENT NO. 55

On page 35, line 5 delete "(6)" and insert "(5)"

AMENDMENT NO. 56

On page 35, line 8 after "sought" delete the period "." and insert "the effect on the motor vehicle brokerage business and the consuming public in the State of Louisiana."

AMENDMENT NO. 57

On page 35, line 9 delete "(7)" and insert "(6)"

AMENDMENT NO. 58

On page 35, line 15 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 59

On page 35, line 25 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 60

On page 36, line 4 delete "(8)" and insert "(7)"

AMENDMENT NO. 61

On page 36, delete lines 26 through 29

AMENDMENT NO. 62

On page 37, delete lines 1 through 4

AMENDMENT NO. 63

On page 37, line 5 delete "(6)" and insert "(5)"

AMENDMENT NO. 64

On page 37, line 10 delete "(7)" and insert "(6)"

AMENDMENT NO. 65

On page 38, delete lines 23 through 29

AMENDMENT NO. 66

On page 39, delete line 1

AMENDMENT NO. 67

On page 39, line 2 delete "(8)" and insert "(7)"

AMENDMENT NO. 68

On page 40, delete lines 2 through 9

AMENDMENT NO. 69

On page 41, delete lines 23 through 29

AMENDMENT NO. 70

On page 42, delete line 1

AMENDMENT NO. 71

On page 42, line 2 delete "(8)" and insert "(7)"

AMENDMENT NO. 72

On page 42, line 6 delete "(9)" and insert "(8)"

AMENDMENT NO. 73

On page 42, line 12 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 74

On page 42, line 22 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 75

On page 43, line 29 after "motor vehicle" and insert "lessor"

AMENDMENT NO. 76

On page 47, line 3 delete "Motor Vehicle Dealer" and insert "manufacturer or distributor"

AMENDMENT NO. 77

On page 47, line 10 after "A." insert "(1)"

AMENDMENT NO. 78

On page 47, between lines 21 and 22 insert the following:

"(2) The reopening or replacement of a dealership in a location where the same line makes, models, or classifications has been sold by a licensed motor vehicle dealer within the previous two years shall not be considered an additional motor vehicle dealer under Paragraph (1) of this Subsection."

AMENDMENT NO. 79

On page 47, line 22 after "B." insert "(1)"

AMENDMENT NO. 80

On page 48, between lines 6 and 7 insert the following:

"(2) Whenever the commission receives a protest pursuant to the provisions of Paragraph (1) of this Subsection, the applicant and the manufacturer or distributor shall show, by a preponderance of the evidence, that the existing same line makes, models, or classifications motor vehicle dealership or dealerships will not be substantially harmed by locating the dealership within the five-mile area. Notwithstanding the provisions of R.S. 32:1251 to the contrary, the commission shall consider the financial impact on both the applicant and the existing dealership or dealerships."

AMENDMENT NO. 81

On page 49, delete lines 13 through 24

AMENDMENT NO. 82

On page 50, between lines 13 and 14 insert the following:

"(7) Should the applicant have been convicted of a felony or entered a plea of guilty or nolo contendere to a felony charge under the law of the United States or of this or any other state."

AMENDMENT NO. 83

On page 50, line 14 delete "(7)" and insert "(8)"

AMENDMENT NO. 84

On page 50, line 18 delete "(8)" and insert "(9)"

AMENDMENT NO. 85

On page 51, at the end of line 21 and at the beginning of line 22 delete "Louisiana Motor Vehicle Commission" and insert "commission"

AMENDMENT NO. 86

On page 54, line 20 after "act" insert "relating to the"

AMENDMENT NO. 87

On page 58, line 25 after "vehicle dealer" delete the comma "," and insert "or" and after "specialty vehicle dealer" delete "or dealer-operator"

AMENDMENT NO. 88

On page 59, at the end of line 16 and at the beginning of line 17 after "motor vehicle dealer" delete "or dealer-operator"

AMENDMENT NO. 89

On page 59, delete lines 22 and 23

AMENDMENT NO. 90

On page 59, line 24 change "(viii)" to "(vii)"

AMENDMENT NO. 91

On page 59, line 28 change "(ix)" to "(viii)"

AMENDMENT NO. 92

On page 60, line 18 change "(x)" to "(ix)"

AMENDMENT NO. 93

On page 60, line 25 change "(xi)" to "(x)"

AMENDMENT NO. 94

On page 61, delete line 23

AMENDMENT NO. 95

On page 61, line 24 change "(f)" to "(e)"

AMENDMENT NO. 96

On page 61, line 28 change "(g)" to "(f)"

AMENDMENT NO. 97

On page 62, line 3 change "(h)" to "(g)"

AMENDMENT NO. 98

On page 62, line 8 change "(i)" to "(h)"

AMENDMENT NO. 99

On page 62, line 11 change "(j)" to "(i)"

AMENDMENT NO. 100

On page 62, line 17 change "(k)" to "(j)"

AMENDMENT NO. 101

On page 62, line 22 change "(l)(i)" to "(k)(i)"

AMENDMENT NO. 102

On page 63, line 15 change "(m)" to "(l)"

AMENDMENT NO. 103

On page 64, line 1 change "(n)" to "(m)"

AMENDMENT NO. 104

On page 64, line 7 change "(o)" to "(n)"

AMENDMENT NO. 105

On page 64, line 9 change "(p)" to "(o)"

AMENDMENT NO. 106

On page 64, line 20 change "(q)" to "(p)"

AMENDMENT NO. 107

On page 64, line 24 change "(r)" to "(q)"

AMENDMENT NO. 108

On page 64, line 25 after "dealer" delete "or dealer-operator"

AMENDMENT NO. 109

On page 65, line 2 change "(s)" to "(r)"

AMENDMENT NO. 110

On page 65, line 11 change "(t)" to "(s)"

AMENDMENT NO. 111

On page 65, line 15 change "(u)" to "(t)"

AMENDMENT NO. 112

On page 65, line 20 change "(v)" to "(u)"

AMENDMENT NO. 113

On page 65, between lines 23 and 24 insert the following:

"(v) To attempt to induce or coerce, or to induce or coerce, any motor vehicle dealer to enter into any agreement with such manufacturer, distributor, wholesaler, distributor branch or factory branch or representative thereof, or to do any other act unfair to said dealer."

AMENDMENT NO. 114

On page 68, line 23 delete "**1261**" and insert "**1266(B)(1)**"

AMENDMENT NO. 115

On page 68, line 29 after "prior to the" delete "purchase"

AMENDMENT NO. 116

On page 69, line 1 delete "or"

AMENDMENT NO. 117

On page 69, line 2 after "When" delete "selling or"

AMENDMENT NO. 118

On page 69, line 5 after "by the" delete "dealer" and insert "**motor vehicle lessor**"

AMENDMENT NO. 119

On page 69, line 7 delete "dealer" and insert "**motor vehicle lessor**"

AMENDMENT NO. 120

On page 91, line 23 delete "**1261(A)(1)(m)**" and insert "**1261(A)(1)(l)**"

AMENDMENT NO. 121

On page 95, line 4 delete "**determinated**" and insert "determined"

AMENDMENT NO. 122

On page 95, line 19 delete "**or that motor vehicle dealer waives his**"

AMENDMENT NO. 123

On page 95, line 20 delete "**right to a jury trial.**"

AMENDMENT NO. 124

On page 95, delete lines 23 and 28 and insert the following:
"Section 2. The provisions of this Act are interpretive, procedural, and remedial and shall be applied retroactively.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 266—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 51:1037 and to enact R.S. 51:1032(A)(8) and Part IV of Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1045.1 through 1045.3, relative to poverty; to provide legislative findings; to provide for annual reports on the Strategic Plan to Combat Poverty; to provide for the coordination and implementation of the recommendations of the Governor's Summit on Solutions to Poverty; 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. 266 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 51:1032(A)(8)" and before the comma "," insert "and Part IV of Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1045.1 through 1045.3"

AMENDMENT NO. 2

On page 1, line 4, after "Poverty;" and before "and to" insert "to provide for the coordination and implementation of the recommendations of the Governor's Summit on Solutions to Poverty;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 51:1032(A)(8)" insert "and Part IV of Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1045.1 through 1045.3"

AMENDMENT NO. 4

On page 1, line 7, change "is" to "are"

AMENDMENT NO. 5

On page 2, after line 23, insert the following:

* * *

PART IV. PLAN; COORDINATION AND IMPLEMENTATION

§1045.1. Legislative findings

The legislature finds that poverty is one of the greatest enemies of human dignity and undermines the general welfare of the people of Louisiana. It destroys the liberty our ancestors fought so hard to preserve, a fight that continues today. The legislature continues to promote the health, safety, education, and welfare of the people of Louisiana by enacting this Part to combat poverty.

§1045.2. Solutions to poverty initiative; coordination

A. In order to begin implementing the solutions to poverty recommended through the Governor's Summit on Solutions to Poverty, the head of each of the following departments, offices and commissions shall select a coordinator from within the administration of each department, office or commission to work together to formulate plans and propose legislation to implement the recommended solutions:

(1) Department of Insurance.

(2) Department of Labor.

(3) Department of Revenue.

(4) Louisiana Student Financial Assistance Commission and the office of student financial assistance.

(5) Louisiana Workforce Commission.

B. The coordinators selected in accordance with Subsection A of this Section shall, beginning September 1, 2005, coordinate the efforts of the departments, offices and commissions they represent in planning to implement the solutions recommended by the Governor's Summit on Solutions to Poverty and listed in R.S. 51:1045.3.

§1045.3. Solutions to poverty initiative; implementation

A. The departments, offices and commissions listed in R.S. 51:1045.2 shall plan to implement through feasibility studies, in those parishes listed in R.S. 51:1035(A), the solutions recommended by the Governor's Summit on Solutions to Poverty as provided in this Section.

B. (1) The Louisiana Student Financial Assistance Commission and the office of student financial assistance shall conduct a feasibility study on the following:

(a) A plan to allow the exchange of community service for college tuition.

(b) A plan for income-based student loan repayment.

(2) The commission shall report the results of its study and any proposed legislation required to implement proposals to the Senate Committee on Education and the House Committee on Education, separately or meeting jointly, not later than February 1, 2006.

C. The Department of Labor and the Louisiana Workforce Commission shall conduct a feasibility study on expanding the application of Incumbent Worker Training Funds to cover non-incumbents and students. The department and commission shall report the results of its study and any proposed legislation required to implement proposals to the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations, separately or meeting jointly, not later than February 1, 2006.

D. The Department of Revenue shall conduct a feasibility study on requiring businesses that receive state corporate tax credits and benefits to provide health insurance and other employee benefits. The department shall report the results of its study and any proposed legislation required to implement proposals to the Joint Legislative Committee on the Budget and the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means, separately or meeting jointly, not later than February 1, 2006.

E. The Department of Insurance shall conduct a feasibility study on prohibiting new forms of insurance red-lining. The department shall report the results of its study and any proposed legislation required to implement proposals to the Senate Committee on Insurance and the House Committee on Insurance, separately or meeting jointly, not later than February 1, 2006."

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. 270—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 46:978 and 979(A), relative to health care for the uninsured; to provide for authorization for a Section 1115 of the Social Security Act waiver demonstration initiative; to provide for a Section 1115 demonstration program; to provide for expansion of coverage for families below two hundred percent of the federal poverty level; 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. 270 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 1, after "A." insert "(1)"

AMENDMENT NO. 2

On page 2, line 8, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 2, line 10, change "(2)" to "(b)"

AMENDMENT NO. 4

On page 2, line 12, change "(3)" to "(c)"

AMENDMENT NO. 5

On page 2, line 13, change "Medicare" to "Medicaid"

AMENDMENT NO. 6

On page 2, line 15, change "(4)" to "(d)"

AMENDMENT NO. 7

On page 2, between lines 15 and 16 insert the following:

"(2) The priority for use of the funding pool shall be, subject to appropriation by the legislature, to provide for the annual federal disproportionate share hospital payments to state hospitals which are referred to as public state-operated hospitals in rules promulgated by the department of health and hospitals, and to provide for the annual federal disproportionate share hospital payments to rural hospitals as defined by the Rural Hospital Preservation Act. Such payments shall be made utilizing current disproportionate share hospital payment methodologies. Notwithstanding the foregoing, public state-operated hospitals and rural hospitals shall be permitted to participate in such waivers and to receive additional reimbursement from this funding pool for services and costs that are eligible for reimbursement under waivers implemented pursuant to this Section."

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. 314—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 40:1300.46(A), relative to smoking in public places; to authorize a state agency, parish, municipality, or other political subdivision to impose restrictive ordinances or regulations under certain conditions; and to provide for related matters.

Reported by substitute by the Committee on Senate and Governmental Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute of Senate Bill No. 314 by Senator Marionneaux)

AN ACT

To enact Part XLII-A of Chapter 5 of Title 40 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 40:1300.30, relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Clean Indoor Air Act; to provide relative to purposes, definitions, restrictions, exceptions and penalties; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part XLII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.30, is hereby enacted to read as follows:

PART XLII-A. LOUISIANA CLEAN INDOOR AIR ACT
§1300.30. Louisiana Clean Indoor Air Act; short title; purpose; definitions; smoking restrictions; exceptions; penalties
A. Short title. This Part shall be known and may be cited as the "Louisiana Clean Indoor Air Act."

B. Purpose. The legislature finds and determines that it is in the best interest of the people of this state to protect nonsmokers from involuntary exposure to environmental tobacco smoke in most indoor areas open to the public, public meetings, food service establishments, and places of employment. The legislature further finds and determines that a balance should be struck between the health concerns of nonconsumers of tobacco products and the need to minimize unwarranted governmental intrusion into and regulation of private spheres of conduct and choice with respect to the use or nonuse of tobacco products in certain designated public areas and in private places. Therefore, the legislature hereby declares that the purpose of this part is to preserve and improve the health, comfort, and environment of the people of this state by limiting exposure to tobacco smoke.

C. Definitions. For the purpose of this Part, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) "Airport smoking concession" means a bar or restaurant, or both, in a public airport with regularly scheduled domestic and international commercial passenger flights, in which bar or restaurant smoking is allowed in a fully enclosed and independently ventilated area by the terms of the concession.

(2) "Auditorium" means the part of a public building where an audience sits, and includes any corridors, hallways, or lobbies adjacent thereto.

(3) "Bar" means any indoor area that is operated and licensed under Chapter 1, Title 26 of the Louisiana Revised Statutes of 1950, primarily for the sale and service of alcohol beverages for on-premises consumption of such beverages.

(4) "Department" means the Department of Health and Hospitals.

(5) "Employer" means any person, partnership, association, corporation, or nonprofit entity that employs four or more persons. "Employer" includes, without limitation, the legislative, executive, and judicial branches of state government; any parish, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission, or

agency; or any other separate corporate instrumentality or unit of state or local government.

(6) "Environmental tobacco smoke" also known as "ETS" or "Secondhand Smoke" means the complex mixture formed from the escaping smoke of a burning tobacco product (also known as "sidestream smoke") and smoke exhaled by the smoker.

(7) "Food service establishment" means any indoor area or portion thereof in which the principal business is the sale of food for on-premises consumption. The term includes, without limitation, restaurants, cafeterias, coffee shops, diners, sandwich shops, and short-order cafes.

(8) "Indoor area" means any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.

(9) "Local authority" means a municipal or parish governing authority.

(10) "Place of employment" means any indoor area or portion thereof under the control of an employer in which employees of the employer perform services for, or on behalf of, the employer.

(11) "Public building" means any building owned or operated by any of the following:

(a) The state, including the legislative, executive, and judicial branches of state government.

(b) Any parish, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission, or agency.

(c) Any other separate corporate instrumentality or unity of state or local government.

(12) "Secretary" means the secretary of the Department of Health and Hospitals.

(13) "Smoke-free work area" means an indoor area in a place of employment where no smoking occurs.

(14) "Smoking" means the burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco.

(15) "Tobacco" means cigarettes, cigars, cheroots, stogies, and periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff and snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or for smoking in a cigarette, pipe, or otherwise, or both for chewing and smoking. "Tobacco" also includes cloves and any other plant matter or product that is packaged for smoking.

(16) "Tobacco business" means a sole proprietorship, corporation, partnership, limited liability company, or other enterprise engaged primarily in the sale, manufacture, or promotion of tobacco, tobacco products, or smoking devices or accessories, either at wholesale or retail, and in which the sale, manufacture, or promotion of other products is merely incidental.

(17) "Work area" means an area in a place of employment where one or more employees are routinely assigned and perform services for or on behalf of their employer.

D. General smoking restrictions. Except as otherwise provided in Subsection E of this Section, and in order to reduce the levels of exposure to environmental tobacco smoke, smoking shall not be permitted and no person shall smoke in any indoor area, including but not limited to any of the following:

(1) Public meetings.

(2) Elevators.

(3) Government-owned or operated means of mass transportation, including, but not limited to, buses, vans, and trains.

(4) Taxicabs and limousines.

(5) Grocery stores.

(6) Gymnasiums.

(7) Jury waiting and deliberation rooms.

(8) Courtrooms.

(9) Child day care facilities.

(10) Health care facilities, including hospitals, health care clinics, doctor's offices, and other health-care related facilities.

(11) Any place of employment that is not exempted.

(12) Restrooms, lobbies, reception areas, hallways, and other common-use area.

(13) Restaurants.

(14) Bars.

(15) Indoor sports arenas.

(16) Lobbies, hallways, and other common areas in apartment buildings, condominiums, and other multi-unit residential facilities.

(17) Lobbies, hallways, and other common areas in hotels and motels, and, in no less than seventy-five percent of the sleeping quarters within a hotel or motel that are rented to guests.

(18) Bowling alleys.

(19) Billiard or pool halls.

(20) Retirement facilities, assisted living facilities, and nursing homes, except for specially designated smoking areas not located near residential quarters.

(21) Public buildings.

(22) Auditoria.

(23) Theaters.

(24) Libraries.

(25) Museums.

(26) Public and non-public schools; and other educational and vocational institutions.

E. Exceptions. (1) Notwithstanding any other provision of law to the contrary, no municipal or parish governing authority, or political subdivision of this state shall adopt ordinances, rules, or regulations which further restrict the provisions of this Part relating to smoking in any of the following places:

(a) Private homes, private residences, and private automobiles; except that this Section shall apply if any such home, residence, or vehicles is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation.

(b) Limousines under private hire.

(c) A hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed twenty-five percent.

(d) Any retail tobacco business.

(e) Any tobacco bar.

(f) Any airport smoking concession.

(g) The room of a hospice patient in a hospice facility, so long as such room is appropriately segregated from the rooms and common facilities of other hospice patients.

(h) The outdoor area of any business; except that the owner or manager of such business may post signs prohibiting smoking in any such outdoor area, which shall have the effect of making that outdoor area an area in which smoking is prohibited under the provisions of this Part.

(2)(a) In the case of employers otherwise exempted from this Part, each such employer shall provide a smoke-free work area for every employee requesting not to have to breathe environmental tobacco smoke.

(b) Every employee has a right to work in an area free of environmental tobacco smoke.

F. Penalty. (a) It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to this Part to violate any provision of this Part.

(b) Whoever violates the provisions of this Paragraph shall be guilty of a misdemeanor and upon conviction, shall be fined not more than five hundred dollars, imprisoned for not more than six months or both. For each subsequent offense, the violator shall be fined not more than one thousand dollars, imprisoned not more than one year, or both.

(2) It shall be unlawful for any person to smoke in any area where smoking is prohibited pursuant to this Part.

(a) Any person who smokes in any area designated as a nonsmoking area pursuant to this Part shall be advised by the person in charge of the facility of the prohibition against smoking. If such person continues to smoke, the person in charge

of the facility may ask him to leave the premises. If the person refuses to leave and continues the violation, the person in charge of the facility shall summon a law enforcement officer who shall advise the violator of the prohibition and ask him to leave the premises. If the person fails to leave, the officer may issue him a summons. The summons shall be returned to the court having jurisdiction over misdemeanors in the parish or municipality of the domicile of the facility.

(b) Any person who violates this Paragraph is guilty of a misdemeanor offense and, upon conviction thereof, shall be punished by a fine not to exceed fifty dollars for a first violation within a calendar year, a fine not to exceed one hundred fifty dollars for a second violation within a calendar year, and a fine not to exceed two hundred fifty dollars for each additional violation within a calendar year. Each day of a continuing violation shall be deemed a separate violation.

G. Rules and regulations. The secretary of the department shall adopt and promulgate rules and regulations necessary to carry out the provisions of this Part in accordance with the Administrative Procedure Act.

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

On motion of Senator Jones, the committee substitute bill was adopted and becomes Senate Bill No. 354 by Senator Marionneau, substitute for Senate Bill No. 314 by Senator Marionneau.

SENATE BILL NO. 354 (Substitute of Senate Bill No. 314 by Senator Marionneau)—

BY SENATOR MARIONNEAUX
AN ACT

To enact Part XLII-A of Chapter 5 of Title 40 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 40:1300.30, relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Clean Indoor Air Act; to provide relative to purposes, definitions, restrictions, exceptions and penalties; to provide for an effective date; and to provide for related matters.

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

**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. 332—

BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMANN, JACKSON, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 51:1286(C)(1)(b) and (c), relative to tourism; to provide for restrictions on in-state advertising by the office of tourism; and to provide for related matters.

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

HOUSE BILL NO. 462—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, BRUCE, CROWE, DOERGE, FRITH, GEYMANN, KLECKLEY, LAFONTA, PINAC, RITCHIE, GARY SMITH, WALSWORTH, WHITE, AND WINSTON AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 51:3053(5)(a) and to enact R.S. 51:3054(B)(4), relative to the Louisiana Major Project Development Authority; to provide for certain project thresholds; to authorize the creation of an executive committee of the board of directors; 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 Engrossed House Bill No. 462 by Representative Hammett

AMENDMENT NO.1

On page 2, between lines 23 and 24 insert the following:

" * * *"

On motion of Senator Michot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 638—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:6(1) and 71.1(C)(1), relative to life insurance; to provide for the classification of life insurance; to provide for domestic stock insurers; to provide for the authority to transact combinations of kinds of insurance; 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.

Reconsideration

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 18, 2005, was reconsidered.

SENATE BILL NO. 282—

BY SENATOR JONES
AN ACT

To amend and reenact R.S. 42:1414 and to enact R.S. 15:308, relative to penalties for conviction of certain offenses; to provide for the removal of a state, district, parish, ward, or municipal employee; to provide for the discretion of the state, district, parish, ward, or municipality to maintain or terminate an employee convicted of a nonviolent felony; to provide for retroactive application of certain penalty provisions as applied to defendants who were convicted or who were sentenced prior to June 15, 2001; to provide for period within which to file a motion for amendment, modification, or reconsideration of sentence; to provide for amendment of sentences in accordance with more lenient penalty provisions; and to provide for related matters.

Motion

On motion of Senator Jones, Senate Bill No. 282 was made Special Order of the Day No. 1 on Monday, May 23, 2005, immediately following the Morning Hour.

**Senate Resolutions
on Second Reading
Reported by Committees**

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

SENATE RESOLUTION NO. 79—

BY SENATORS JACKSON AND CHEEK
A RESOLUTION

To proclaim November, 2005 as "Prematurity Awareness Month."

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. On motion of Senator Jackson, the resolution was adopted.

Mr. President in the Chair

Rules Suspended

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

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 35 be called from the Calendar at this time.

SENATE RESOLUTION NO. 35—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United State Army Private First Class Wilfred D. Bellard upon his death in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 36 be called from the Calendar at this time.

SENATE RESOLUTION NO. 36—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class David P. Burrige upon his death in Operation Iraqi Freedom.

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

Regular Order of the Day Resumed

**Senate and Concurrent Resolutions
on Second Reading
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR JONES
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to assist in developing a plan to establish the Louisiana Cancer Patient's Residential Facility and support for all families of adult cancer patients receiving medical treatment at LSU Medical Center at E.A. Conway in Monroe, Louisiana and the Cancer Treatment Center in Monroe, Louisiana.

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. 15 by Senator Jones

AMENDMENT NO. 1

On page 1, line 4, after "treatment" insert "at LSU Medical Center"

AMENDMENT NO. 2

On page 1, delete line 5 and insert "in Monroe, Louisiana and the Cancer Treatment Center in Monroe, Louisiana."

AMENDMENT NO. 3

On page 1, line 12, after "treatment" insert "at LSU Medical Center"

AMENDMENT NO. 4

On page 1, line 13 after "Conway" delete "Medical Center" and insert "or the Cancer Treatment Center in Monroe, Louisiana"

AMENDMENT NO. 5

On page 1, delete line 14 and insert "either center and for any pregnant woman who needs to be near LSU Medical at E. A. Conway in Monroe, Louisiana or the Cancer Treatment Center in Monroe, Louisiana"

AMENDMENT NO. 6

On page 2, delete lines 1 and 2 and insert "cancer patients receiving medical treatment at LSU Medical Center at E. A. Conway in Monroe, Louisiana or the Cancer Treatment Center in Monroe, Louisiana."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

May 19, 2005

Barham Heitmeier Hollis
Total - 3

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. 25—

BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to propose a constitutional amendment to abolish the electoral college and provide for the election of the president by popular vote.

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 Concurrent Resolution No. 25 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 20, after "Representatives," insert "and"

AMENDMENT NO. 2

On page 2, line 21, after "Congress" insert a period "." and delete the remainder of the line and delete line 22

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Adley Dupre McPherson
Amedee Ellington Mount
Boasso Fields Murray
Broome Fontenot Nevers
Cain Gautreaux B Romero
Chaisson Gautreaux N Schedler
Cheek Jackson Smith
Cravins Jones Theunissen
Dardenne Lentini Ullo
Total - 30

NAYS

Kostelka
Total - 1

ABSENT

Bajoie Heitmeier Marionneaux
Barham Hollis Michot
Total - 6

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

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Boasso asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Cheek asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Concurrent Resolution No. 25. She voted yea on the resolution and had intended to vote nay. She asked that the Official Journal so state.

Personal Privilege

Senator Schedler asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Adley asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Duplessis asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Concurrent Resolution No. 25. She voted yea on the resolution and had intended to vote nay. She asked that the Official Journal so state.

Personal Privilege

Senator Amedee asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 25. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Broome asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Concurrent Resolution No. 25. She voted yea on the resolution and had intended to vote nay. She asked that the Official Journal so state.

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the process of assigning persons with developmental disabilities statewide.

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. 48 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, delete "in Region 8" and insert "statewide"

AMENDMENT NO. 2

On page 1, line 15, delete " within Region 8" and insert "statewide"

AMENDMENT NO. 3

On page 2, line 5, delete "in Region 8" and insert "statewide"

AMENDMENT NO. 4

On page 2, line 7, delete ", Dr. Fred Cerise"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson

Amedee	Ellington	Michot
Bajoie	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Barham	Heitmeier
Gautreaux B	Hollis
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. 64—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study and make recommendations with respect to the feasibility of Louisiana joining the Nurse Licensure Compact.

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. 64 by Senator Schedler

AMENDMENT NO. 1

On page 2, between lines 22 and 23, insert the following:

- "(11) A representative of the Health Works Commission.
- (12) A representative of the LSU-Health Sciences Center-Shreveport.
- (13) Louisiana Federation of Licensed Practical Nurses, Inc.
- (14) Louisiana Association of Practical Nurses in Educational Service."

AMENDMENT NO. 2

On page 2, line 23, change "(11)" to (15)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

May 19, 2005

NAYS

Total - 0

ABSENT

Barham Heitmeier Hollis
Total - 3

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. 65— BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To re-authorize and provide with respect to the Louisiana Public Mental Health Review Commission.

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. 65 by Senator Schedler

AMENDMENT NO.1

On page 4, line 9, after "Louisiana" delete "Alliance" and insert "Partnership"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Adley Ellington Michot
Amedee Fields Mount
Bajoie Fontenot Murray
Boasso Gautreaux B Nevers
Broome Gautreaux N Romero
Cain Jackson Schedler
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Dardenne Malone
Duplessis Marionneaux

Total - 34

NAYS

Total - 0

ABSENT

Barham Heitmeier Hollis
Total - 3

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

Rules Suspended

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

Introduction of Senate Resolutions

Senator Bajoie 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. 92— BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corporal Kyle J. Grimes upon his death in Operation Iraqi Freedom.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 18, 2005

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. 99—

BY REPRESENTATIVE DAMICO AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend the National Environmental Health Association and the Louisiana Environmental Health Association for their achievements in protecting public health and to recognize the fourth Monday in April, annually, as National Sanitarian and Environmental Health Specialist Day.

HOUSE CONCURRENT RESOLUTION NO. 102—

BY REPRESENTATIVES WINSTON, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BOWLER, BRUCE, CRANE, CRAVINS, CURTIS, DAMICO, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GREENE, E. GUILLORY, HAMMETT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFONTA, MARTINY, MCDONALD, MONTGOMERY, ODINET, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, SALTER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WRIGHT AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Donna Contois, former member of the State Board of Elementary and Secondary Education.

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVES ODINET, BALDONE, HUTTER, AND FRITH AND SENATORS ULLO AND BOASSO

A CONCURRENT RESOLUTION

To express the support of the Louisiana Legislature for the shrimp industry and for the "Bonne Crevette" marketing campaign in support of Louisiana wild-caught shrimp.

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVES HONEY, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To commend Southern University upon the celebration of its one hundred twenty-fifth anniversary.

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

Respectfully submitted,
CHARLES D. JONES
Chairman

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

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

Message to the Governor

Leaves of Absence

SIGNED SENATE BILLS

The following leaves of absence were asked for and granted:

May 19, 2005

Barham	1 Day	Heitmeier	1 Day
Hollis	1 Day		

To the Honorable Governor of the State of Louisiana:

Adjournment

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

Senator Bajoie moved that the Senate adjourn until Monday, May 23, 2005, at 5:00 o'clock P.M.

SENATE BILL NO. 74 (Duplicate of House Bill No. 65)—
BY SENATOR ADLEY AND REPRESENTATIVE MONTGOMERY
AN ACT

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 23, 2005.

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; and to provide for related matters.

GLENN A. KOEPP
Secretary of the Senate

SENATE BILL NO. 265 (Duplicate of House Bill No. 609)—
BY SENATOR HINES AND REPRESENTATIVE DURAND AND
COAUTHORED BY REPRESENTATIVES R. CARTER, SALTER AND
THOMPSON
AN ACT

GAYE F. HAMILTON
Journal Clerk

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for modifications in current definitions; to provide for a definition of ophthalmic surgery; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary 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:

May 19, 2005

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATORS BOASSO AND SCHEDLER AND REPRESENTATIVES
CROWE AND SCHNEIDER
A CONCURRENT RESOLUTION

To commend the community of Slidell, St. Tammany Parish, East St. Tammany Events Center Commission, Greater Slidell Area Events Center Committee, Friends of the Northshore Harbor Center, local and state officials, and businesses upon their completion of the Northshore Harbor Center.