

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

---

**TWENTY-THIRD 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, June 2, 2005

The Senate was called to order at 9:30 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Jackson	Schedler
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Malone	Ullo
Duplessis	Marionneaux	
Total - 32		

**ABSENT**

Cravins	Dupre	Lentini
Dardenne	Hollis	
Total - 5		

The President of the Senate announced there were 32 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Leslie Alim, 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 Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**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**

June 1, 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. 82—  
BY SENATOR HEITMEIER AND REPRESENTATIVE TOOMY  
A CONCURRENT RESOLUTION**

To commend B. H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

Reported without amendments.

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

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 110—  
BY SENATOR SMITH**

**A RESOLUTION**

To direct the Louisiana Department of Transportation and Development to study and provide a report to the Senate Committee on Transportation, Highways and Public Works on the provision of driveway access to certain property located in Natchitoches.

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

**SENATE RESOLUTION NO. 111—  
BY SENATOR JONES**

**A RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Brian Smith.

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

**SENATE CONCURRENT RESOLUTION NO. 83—  
BY SENATOR BARHAM**

**A CONCURRENT RESOLUTION**

To create and establish a commission to study and make recommendations regarding the effect of tax exemptions relative to the funding of education in Louisiana.

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

**Senate Resolutions  
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

**SENATE RESOLUTION NO. 109—  
BY SENATOR MARIONNEAUX**

**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 Corporal Richard P. Schoener upon his death in Operation Enduring Freedom.

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

**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

June 2, 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. 701—

BY REPRESENTATIVE BAUDOIN AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

HOUSE BILL NO. 816—

BY REPRESENTATIVES JOHNS AND MCDONALD AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

HOUSE BILL NO. 107—

BY REPRESENTATIVE FRITH AN ACT

To enact R.S. 33:447.8, relative to the mayor's court in Erath; to authorize an increase in the amount of court costs for the violation of a municipal ordinance; to provide that any increase is conditioned upon the local governing authority authorizing an increase in court costs by ordinance; and to provide for related matters.

HOUSE BILL NO. 753—

BY REPRESENTATIVES DURAND AND MCDONALD AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 133—

BY REPRESENTATIVE CAZAYOUX AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

HOUSE BILL NO. 762—

BY REPRESENTATIVE STRAIN AN ACT

To amend and reenact R.S. 27:44(introductory paragraph)and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non-certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

HOUSE BILL NO. 135—

BY REPRESENTATIVE CROWE AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (I), relative to the jurisdictional limits of the City Court of

Slidell; to increase the civil jurisdictional amount in dispute; and to provide for related matters.

HOUSE BILL NO. 526—

BY REPRESENTATIVE WINSTON AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

HOUSE BILL NO. 683—

BY REPRESENTATIVE DOVE AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

HOUSE BILL NO. 759—

BY REPRESENTATIVE BURNS AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

HOUSE BILL NO. 731—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10) and 6007(C)(4)(f) and (6), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 7—

BY REPRESENTATIVE M. GUILLORY AN ACT

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

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

**HOUSE BILL NO. 687—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

**HOUSE BILL NO. 76—**

BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

**HOUSE BILL NO. 639—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 152—**

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

**HOUSE BILL NO. 655—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; 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. 7—**

BY REPRESENTATIVE M. GUILLORY  
AN ACT

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

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

**HOUSE BILL NO. 76—**

BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

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

**HOUSE BILL NO. 107—**

BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 33:447.8, relative to the mayor's court in Erath; to authorize an increase in the amount of court costs for the violation of a municipal ordinance; to provide that any increase is conditioned upon the local governing authority authorizing an increase in court costs by ordinance; and to provide for related matters.

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

**HOUSE BILL NO. 133—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

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

**HOUSE BILL NO. 135—**

BY REPRESENTATIVE CROWE  
AN ACT

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

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**HOUSE BILL NO. 152—**

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

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

**HOUSE BILL NO. 526—**

BY REPRESENTATIVE WINSTON  
AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

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

**HOUSE BILL NO. 639—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; 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. 655—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

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

June 2, 2005

**HOUSE BILL NO. 663—**  
BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE,  
BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

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

**HOUSE BILL NO. 683—**  
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

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

**HOUSE BILL NO. 687—**  
BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

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

**HOUSE BILL NO. 701—**  
BY REPRESENTATIVE BAUDOIN

AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

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

**HOUSE BILL NO. 731—**  
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY  
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10) and 6007(C)(4)(f) and (6), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; 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. 753—**  
BY REPRESENTATIVES DURAND AND MCDONALD

AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

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

**HOUSE BILL NO. 759—**  
BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

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

**HOUSE BILL NO. 762—**  
BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 27:44(introductory paragraph)and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non-certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

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

**HOUSE BILL NO. 816—**  
BY REPRESENTATIVES JOHNS AND MCDONALD

AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

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

**HOUSE BILL NO. 877—**  
BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; 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 to be Referred**

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

**HOUSE BILL NO. 88—**  
BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX,  
CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND  
SCALISE

AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 647, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to limitations of liability; to provide with respect to the failure to register; to provide for criminal 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.

**HOUSE BILL NO. 115—**BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

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

**HOUSE BILL NO. 158—**BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact R.S. 17:226, relative to exemptions from compulsory school attendance; to authorize nurse practitioners licensed to practice in Louisiana to substantiate certain illnesses permitting a child to be excused temporarily from attending school; to remove exemptions based on the location of a child's residence and certain other transportation factors; 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 Education.

**HOUSE BILL NO. 178—**BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOIN AND  
SENATOR DUPLESSIS  
AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; 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. 184—**BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 41:727, relative to the transfer of certain sixteenth section land by the Vermilion Parish School Board; to specify the property to be transferred and the persons to whom it shall be transferred; 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. 197—**BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 49:214.9 and 214.10, relative to coastal preservation and restoration; to establish a program for stabilization and restoration of coastal passes; to create the Coastal Passes Stabilization and Restoration Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; 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. 204—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 56:2011(C), relative to payment of royalties for dredging state water bottoms; to exempt from the payment of such royalties the dredging of False River for certain purposes; 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. 290—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to the Office of Group Benefits and pharmacy contracts; 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. 293—**BY REPRESENTATIVES TUCKER AND WALKER  
AN ACT

To enact Part VIII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.61 through 31.68, relative to the creation of the Parkinson's Disease Registry; to provide for a program of epidemiological assessments of the incidence of Parkinson's disease and establishment of a system for the collection of information determining the incidence of Parkinson's disease; to provide for the duties and responsibilities of the office of public health, a public health unit, or their agents; to provide for funding; and to provide for related matters.

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

**HOUSE BILL NO. 314—**BY REPRESENTATIVE WALSWORTH  
AN ACT

To enact R.S. 17:85.11, relative to naming a Reserve Officers' Training Corps building; to authorize the Ouachita Parish School Board to name the Reserve Officers' Training Corps building at West Monroe High School in honor of James Donald Halsell, Jr.; 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. 319—**BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 22:1430.12(A) and to enact R.S. 22:1430.7(B)(3), relative to the calculation of rates by the Louisiana Citizens Property Insurance Corporation; to provide for the formulation of rates; to provide for amending the plan of operation; 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. 330—**BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for the purposes of the habitual offender law; 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. 336—**BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2),

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1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

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

**HOUSE BILL NO. 374—**  
BY REPRESENTATIVE BRUCE  
AN ACT

To enact R.S. 42:1121(H), relative to Code of Governmental Ethics; to provide an exception to the post-service restrictions to allow certain employment by the board of commissioners of DeSoto Parish Waterworks District No. 1; and to provide for related matters.

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

**HOUSE BILL NO. 377—**  
BY REPRESENTATIVE DOWNS  
AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; 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. 385—**  
BY REPRESENTATIVE WOOTON  
AN ACT

To enact R.S. 56:304(F), relative to licensing of commercial fishing vessels; to provide for certain eligibility restrictions for vessel licensing; 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. 397—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; 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. 428—**  
BY REPRESENTATIVES PIERRE AND THOMPSON  
AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; 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. 451—**  
BY REPRESENTATIVES GEYMANN AND DORSEY  
AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; 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. 477—**  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; 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. 581—**  
BY REPRESENTATIVE TRAHAN  
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; 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 Senate and Governmental Affairs.

**HOUSE BILL NO. 822—**  
BY REPRESENTATIVES SHEPHERD AND ALARIO  
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; 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 Concurrent Resolutions  
on Second Reading**

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

**HOUSE CONCURRENT RESOLUTION NO. 1—**  
BY REPRESENTATIVE FARRAR  
A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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

**HOUSE CONCURRENT RESOLUTION NO. 79—**  
BY REPRESENTATIVE BRUCE  
A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no

later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

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

**HOUSE CONCURRENT RESOLUTION NO. 82—**  
BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 83—**  
BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

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

**HOUSE CONCURRENT RESOLUTION NO. 85—**  
BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

**A CONCURRENT RESOLUTION**

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

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

**HOUSE CONCURRENT RESOLUTION NO. 96—**  
BY REPRESENTATIVES DOERGE AND WALKER

**A CONCURRENT RESOLUTION**

To direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations to provide for the licensing of after-school enrichment programs, pursuant to Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950.

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

**HOUSE CONCURRENT RESOLUTION NO. 98—**  
BY REPRESENTATIVE BADON

**A CONCURRENT RESOLUTION**

To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

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

**HOUSE CONCURRENT RESOLUTION NO. 100—**  
BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Waterfowl Study Commission to study the possibility of permitting the taking of pen-raised mallards south of Interstate Highway 10 and Interstate Highway 12.

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

**HOUSE CONCURRENT RESOLUTION NO. 101—**  
BY REPRESENTATIVES THOMPSON AND BALDONE

**A CONCURRENT RESOLUTION**

To authorize and request the Department of Wildlife and Fisheries to sponsor a pilot program to study the breeding and release of waterfowl in Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 105—**  
BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44 and continued in the 2004 Regular Session pursuant to House Concurrent Resolution No. 59.

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

**HOUSE CONCURRENT RESOLUTION NO. 118—**  
BY REPRESENTATIVE CROWE

**A CONCURRENT RESOLUTION**

To urge and request the clerks of court and recorders of mortgages to employ computer software to redact the first five digits of social security numbers appearing on any recorded document which is to be made available to the public over the Internet.

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

**HOUSE CONCURRENT RESOLUTION NO. 121—**  
BY REPRESENTATIVE FRITH

**A CONCURRENT RESOLUTION**

To create and provide for the Cameron Parish Economic Development Task Force for the purpose of studying and making recommendations relative to economic development in Cameron Parish.

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

**HOUSE CONCURRENT RESOLUTION NO. 149—**  
BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To commend Ms. Elinor Craven upon the occasion of her retirement after twenty-nine years of service to the people of Louisiana in the Office of State Parks, Department of Culture, Recreation and Tourism.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Cheek	Marionneaux
Adley	Duplessis	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Gautreaux B	Romero
Boasso	Jackson	Schedler
Broome	Jones	Smith
Cain	Kostelka	Theunissen
Chaisson	Malone	
Total - 26		

**NAYS**

June 2, 2005

Total - 0

ABSENT

Cravins	Gautreaux N	McPherson
Dardenne	Heitmeier	Nevers
Dupre	Hollis	Ullo
Fontenot	Lentini	
Total - 11		

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

HOUSE CONCURRENT RESOLUTION NO. 150— BY REPRESENTATIVE BURRELL A CONCURRENT RESOLUTION

To commend Albert Jojuan "Joey" Belle, a native Louisianian and outstanding baseball player, on being inducted into the Louisiana Sports Hall of Fame.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cheek	Marionneaux
Adley	Duplessis	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Gautreaux B	Romero
Boasso	Jackson	Schedler
Broome	Jones	Smith
Cain	Kostelka	Theunissen
Chaisson	Malone	
Total - 26		

NAYS

Total - 0

ABSENT

Cravins	Gautreaux N	McPherson
Dardenne	Heitmeier	Nevers
Dupre	Hollis	Ullo
Fontenot	Lentini	
Total - 11		

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

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

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the Downtown Development District and in the French Quarter of New Orleans.

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

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

To commend and recognize Alpha Kappa Alpha Sorority, Incorporated as a gallant leader in anti-hazing efforts and to commend the organization for its vigorous position and concern for college and high school students affected by hazing.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cheek	Marionneaux
Adley	Duplessis	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Gautreaux B	Romero
Boasso	Jackson	Schedler
Broome	Jones	Smith
Cain	Kostelka	Theunissen
Chaisson	Malone	
Total - 26		

NAYS

Total - 0

ABSENT

Cravins	Gautreaux N	McPherson
Dardenne	Heitmeier	Nevers
Dupre	Hollis	Ullo
Fontenot	Lentini	
Total - 11		

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

Senator Bajoie in the Chair

HOUSE CONCURRENT RESOLUTION NO. 153— BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER A CONCURRENT RESOLUTION

To commend B.H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

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

HOUSE CONCURRENT RESOLUTION NO. 154— BY REPRESENTATIVES SALTER AND GALLOT A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of John Sidney Garrett and to record for posterity the enduring appreciation of the citizens of Louisiana for the singular contributions and achievements of Mr. Garrett, particularly during his twenty-four-year tenure as a distinguished member of and four-year term as Speaker of the House of Representatives of the Legislature of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cheek	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Gautreaux B	Murray
Barham	Jackson	Romero
Boasso	Jones	Schedler
Broome	Kostelka	Smith
Cain	Malone	Theunissen
Chaisson	Marionneaux	
Total - 26		

NAYS

Total - 0

ABSENT

Cravins	Fontenot	Lentini
Dardenne	Gautreaux N	Nevers
Duplessis	Heitmeier	Uilo
Dupre	Hollis	
Total - 11		

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

**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. 32—**

BY SENATOR ADLEY

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 21(B)(1)(a) of the Constitution of Louisiana, relative to ad valorem property tax exemption; to provide for an exemption for certain leases of certain hospitals; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE BILL NO. 34—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 47:6005, relative to income and franchise tax; to grant a tax credit for the purchase of certain equipment and/or service contracts related to recycling; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 34 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, delete line 7, and insert:

"§6005. "Qualified new recycling manufacturing or process equipment and/or service contracts"

**AMENDMENT NO. 2**

On page 1, between lines 9 and 10, insert:

**"(1) "Beneficial use" means the use of waste material for some profitable purpose (e.g., incorporating sludge into soil to amend the soil). Avoidance of processing or disposal cost alone does not constitute beneficial use.**

**(2) "Conventional disposal" means the disposal as waste in a cell at a landfill. It shall not include any application specifically approved by the department as a beneficial use (e.g., alternate daily cover).**

**(3)(a) "Industrial solid waste" means solid waste generated by a manufacturing, industrial, or mining process, or which is contaminated by solid waste generated by such a process. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products; by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and**

**miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; and transportation equipment.**

**(b) This term shall not include hazardous waste regulated under the Louisiana hazardous waste regulations or under federal law, or waste which is subject to regulation under the Office of Conservation's Statewide Order No. 29-B or by other agencies."**

**AMENDMENT NO. 3**

On page 1, line 10, change "(1)" to "(+) **(4)**"

**AMENDMENT NO. 4**

On page 1, between lines 14 and 15, insert:

**"(5)(a) "Process" means a method or technique, including recycling, recovering, compacting (but not including compacting which occurs solely within a transportation vehicle), composting, incinerating, shredding, baling, recovering resources, pyrolyzing, or any other method or technique designed to change the physical, chemical, or biological character or composition of a solid waste to render it safer for transport; reduced in volume; or amenable for recovery, storage, reshipment, or resale.**

**(b) The definition of process shall not include treatment of wastewaters to meet state or federal wastewater discharge permit limits. Neither shall the definition include activities of an industrial generator to simply separate wastes from the manufacturing process."**

**AMENDMENT NO. 5**

On page 1, line 15, change "(2)(a) "Qualified recycling equipment"" to "(+) **(6)(a) "Qualified new recycling manufacturing or process equipment"**"

**AMENDMENT NO. 6**

On page 1, line 17, after "or both" insert a comma ", "

**AMENDMENT NO. 7**

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

**"(b) For purposes of this Section, "qualified new recycling manufacturing or process equipment" shall not include vehicles, structures, machinery, equipment, or devices used to store or incinerate waste material, or construction equipment or farm equipment used in the process."**

**AMENDMENT NO. 8**

On page 2, delete line 3, and insert:

**"(7) "Qualified service contracts" means any"**

**AMENDMENT NO. 9**

On page 2, at the beginning of the line, delete "**equipment and/or**"

**AMENDMENT NO. 10**

On page 2, line 5, change "**reuser**" to "**user**"

**AMENDMENT NO. 11**

On page 2, line 6, change "**reuse**" to "**use**"

**AMENDMENT NO. 12**

On page 2, line 8, after "**so as to**" delete the remainder of the line, and insert: "**avoid conventional disposal of such waste in a landfill.**"

**AMENDMENT NO. 13**

On page 2, delete lines 9 through 11

**AMENDMENT NO. 14**

On page 2, line 12, change "(3)" to "(+) **(8)**"

**AMENDMENT NO. 15**

On page 2, line 14, change "(4)" to "(+) **(9)**"

**AMENDMENT NO. 16**

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

**"(10)(a) "Solid waste" means any garbage, refuse, or sludge from a wastewater-treatment plant, water-supply treatment**

plant, or air pollution-control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities.

(b) Solid waste shall not include solid or dissolved material in domestic sewage; solid or dissolved materials in irrigation-return flows; industrial discharges that are point sources subject to permits under R.S. 30:2075; source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (68 Stat. 923 et seq.), as amended; or hazardous waste subject to permits under R.S. 39:2171 et seq."

AMENDMENT NO. 17

On page 2, line 18, after "that the" insert "qualified new recycling manufacturing or process"

AMENDMENT NO. 18

On page 2, line 19, change "recycling equipment or" to "new recycling manufacturing or process equipment or qualified"

AMENDMENT NO. 19

On page 2, line 23, change "reuse" to "use"

AMENDMENT NO. 20

On page 2, line 27, change "equipment" to "qualified new recycling manufacturing or process equipment"

AMENDMENT NO. 21

On page 2, line 29, after "date of the" insert "qualified"

AMENDMENT NO. 22

On page 3, line 6, after "recycled" insert "or beneficially used"

AMENDMENT NO. 23

On page 3, line 7, after "solid waste" insert "or nonhazardous industrial solid waste" and after "or regulation" delete the remainder of the line, delete lines 8 and 9, and insert a period "."

AMENDMENT NO. 24

On page 3, line 13, change "qualified recycling" to "qualified new recycling manufacturing or process"

AMENDMENT NO. 25

On page 3, at the beginning of line 14, insert "qualified"

AMENDMENT NO. 26

On page 3, line 17, change "recycling" to "new recycling manufacturing or process"

AMENDMENT NO. 27

On page 3, line 18, after "and/or" insert "qualified service"

AMENDMENT NO. 28

On page 3, line 24, change "recycling" to "new recycling manufacturing or process"

AMENDMENT NO. 29

On page 3, line 25, change "equipment is used, or the" to "equipment is used and/or the"

AMENDMENT NO. 30

On page 3, line 26, after "contracted for" insert "is used or"

AMENDMENT NO. 31

On page 3, line 29, change "reused." to "beneficially used."

AMENDMENT NO. 32

On page 4, line 1, change "recycling" to "new recycling manufacturing or process"

AMENDMENT NO. 33

On page 4, delete line 6, and insert "D.(1) The"

AMENDMENT NO. 34

On page 4, line 16, after "Code" delete the remainder of the line, delete lines 17 and 18, and insert "may claim"

AMENDMENT NO. 35

On page 4, line 26, delete "and/or services"

AMENDMENT NO. 36

On page 4, line 27, after "Chapter" delete the remainder of the line, and delete lines 28 and 29

AMENDMENT NO. 37

On page 5, line 1, delete "Code, credits certified" and after "Any" delete "such" and after "claimed" delete "such" and on line 6, delete "business"

AMENDMENT NO. 38

On page 5, delete lines 5 through 7

AMENDMENT NO. 39

On page 5, line 11, change "recycling equipment and/or services" to "new recycling manufacturing or process equipment and/or service contracts"

AMENDMENT NO. 40

On page 5, line 16, change "recycling" to "new recycling manufacturing or process"

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

**SENATE BILL NO. 89—**

BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (iii) and (2)(a) of the Constitution of Louisiana, relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE BILL NO. 165—**

BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) of the Constitution of Louisiana, relative to ad valorem property tax; to grant a special assessment level to certain disabled people; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 165 by Senator Heitmeier

AMENDMENT NO.1

On page 1, line 15, after "totally disabled" insert: "as determined by a final non-appealable judgment of a court or as certified by a state or federal administrative agency charged with the responsibility for making determinations regarding disability"

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

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

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

**HOUSE BILL NO. 84—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 46:2134(G), relative to domestic abuse assistance; to provide for the payment of costs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 84 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, delete lines 8 and 9 and insert

"G. If the court orders the issuance of a temporary restraining order, the defendant may be cast for all costs."

On motion of Senator Kostelka, 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. 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.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 194 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 2, after "collection" delete the remainder of the line and on line 3, delete "fines, fees, licenses, and" and insert "of"

AMENDMENT NO. 2

On page 2, line 2, after "parishes," delete the remainder of the line and on line 3, delete "parish of Orleans,"

AMENDMENT NO. 3

On page 2, delete line 4 and insert "delinquent ad valorem taxes,"

AMENDMENT NO. 4

On page 2, line 5, delete "bonds,"

AMENDMENT NO. 5

On page 2, line 6, after "collector" delete the remainder of the line and insert in lieu thereof a period "." and delete line 7.

AMENDMENT NO. 6

On page 2, line 16, after "attorney," insert "However, for any proceeding or matter as to which the sheriff is a party in his role as the authorized tax collector and the tax assessor is also a party, the tax assessor shall not be responsible for contributing its pro rata or equitable share of the fees and expenses of the attorney contracted by the sheriff unless the attorney is representing both the sheriff and the tax assessor."

On motion of Senator Marionneaux, 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. 209—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; 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. 226—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact Code of Civil Procedure Articles 592(A)(3)(b), 1917, 2031(A), and 2083, relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure as required by R.S. 24:251; to provide for written reasons for judgment and findings of fact in class action certifications and for appeal therefrom; to provide for the commencement of the time period in which to request the court to give findings of fact and written reasons for judgment in a nonjury trial; to provide for the interruption of prescription with the filing of a motion to revive a judgment; to provide for appeal of interlocutory judgments; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 226 by Representative Gallot

AMENDMENT NO. 1

On page 2, line 2, after "or judgment," change "An appeal" to "A suspensive or devolutive appeal, as provided in Article 2081, et seq. of the Code of Civil Procedure,"

On motion of Senator Kostelka, 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. 255—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To repeal Part VIII of Chapter 2 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:3251 through 3267, to repeal provisions relative to the Firemen's Pension and Relief Fund for the city of Kenner; to provide for disposition of monies remaining to the credit of the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 260—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact Code of Civil Procedure Article 2904, relative to testaments; to provide for the videotaping of the execution and reading of testaments; to provide for the admissibility of a videotape; to provide for the definition of "videotape"; and to provide for related matters.

June 2, 2005

Reported favorably by the Committee on Judiciary A. 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. 261—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact Children's Code Article 1004(H), relative to termination of parental rights; to authorize termination by any interested person under certain circumstances; to provide for procedures; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 318—**  
BY REPRESENTATIVE BADON  
AN ACT

To amend and reenact Code of Civil Procedure Article 2293(B), relative to notice of seizure of property; to provide for giving additional notice of seizure to occupants and tenants; to provide relative to the validity of the sheriff's sale for failure to serve additional notices; to provide for an optional method of giving notice when the property consists of more than ten units; to provide for filing of an affidavit in the foreclosure proceeding records and the effect thereof; to provide for the inapplicability of additional notice provisions to certain property; to provide for the validity of foreclosure proceedings deemed not in compliance with Act No. 877 of the 2004 Regular Session; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 318 by Representative Badon

AMENDMENT NO. 1  
On page 2, line 16, after "upon" delete the remainder of the line

AMENDMENT NO. 2  
On page 2, at the end of line 18, add "or signs"

AMENDMENT NO. 3  
On page 2, line 20, after "posted" change "at the main entrance to the building" to "in such a manner as to notify residents of the building"

On motion of Senator Kostelka, 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. 341—**  
BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, MCDONALD, AND WADDELL  
AN ACT

To enact Chapter 9-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1001 through 1002, relative to foster children; to provide vocational testing and counseling for children in foster care; to provide for the duties of the office of community services; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 351—**  
BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 26:90(A)(1)(b) and 286(A)(1)(b), relative to identification to be accepted to sell alcoholic beverages upon a licensed premise; to delete provisions requiring that if a duplicate driver's license is submitted, additional information must be provided; to provide that a duplicate driver's license

shall be considered as lawful identification; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 363—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 35:191(N), relative to notaries public; to provide for reciprocal notarial authority in the parishes of Iberville, Ascension, East Baton Rouge, East Feliciana, Livingston, Point Coupee, West Baton Rouge, and West Feliciana; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 445—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 46:52.1(C)(1)(introductory paragraph) and (2), relative to "No Wrong Door"; to provide for the implementation of an integrated case management model; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 446—**  
BY REPRESENTATIVE TRAHAN  
AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; 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. 446 by Representative Trahan

AMENDMENT NO. 1  
On page 2, line 13 between "bachelor's" and "degree" insert "or master's"

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. 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.

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 Reengrossed House Bill No. 496 by Representative McDonald

##### AMENDMENT NO. 1

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

"(6) A representative of the Louisiana American Federation of Labor - Congress of Industrial Organizations (AFL-CIO) appointed by the president who shall serve at the pleasure of the president."

##### AMENDMENT NO. 2

On page 2, line 21 change "(6)" to "(7)"

##### AMENDMENT NO. 3

On page 3, line 3 change "Four" to "Five"

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. 528—

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOE AND HINES

##### AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; 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 Reengrossed House Bill No. 528 by Representative Doerge

##### AMENDMENT NO. 1

On page 3, between lines 19 and 20 insert the following:

"(8) "Financial viability" means that the provider seeking licensure is able to provide one of the following:

(a) Verification of sufficient assets equal to one hundred dollars or the cost of three months of operation, whichever is less.

(b) A letter of credit equal to one hundred thousand dollars or the cost of three months of operation, whichever is less."

##### AMENDMENT NO. 2

On page 5, line 5 after "license" insert ", including the requirement of a showing of financial viability"

##### AMENDMENT NO. 3

On page 5, line 11 after "(10)" insert "(a)"

##### AMENDMENT NO. 4

On page 5, line after "services," insert "including provisions relative to civil money penalties,"

##### AMENDMENT NO. 5

On page 5, between lines 13 and 14 insert the following:

"(b) Such standards should include rules that subject providers of home and community-based services to civil money penalties by class of violation.

(c) Such penalties shall be similar to those relative to providers of nursing facility services and to providers of services in an intermediate care facility for the mentally retarded.

(d) Such penalties shall be applied consistently with respect to all providers of home and community-based services."

##### AMENDMENT NO. 6

On page 6, line 16 after "C." insert "(1)"

##### AMENDMENT NO. 7

On page 6, between lines 20 and 21 insert the following:

"(2) The licensing agency shall work to ensure that surveys are coordinated to the greatest extent possible with other state regulatory agencies in order to reduce duplication of effort on the part of the state, as well as the regulated agency. This provision shall not apply to complaint investigations."

On motion of Senator McPherson, 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. 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.

Reported favorably by the Committee on Health and Welfare. 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. 552—

BY REPRESENTATIVE ST. GERMAIN

##### AN ACT

To enact Part IV-C of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.41 through 1730.48, and to repeal Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1730.21 through 1730.32, relative to the state fire marshal; to provide for the Commercial Building Energy Conservation Code; to provide for definitions; to provide for adoption of code; to provide for enforcement and rules; to provide for amendments and revisions to the code; to provide for fees; to provide for training and technical assistance; to repeal existing provisions; 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. 554—

BY REPRESENTATIVE BAYLOR

##### AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint

June 2, 2005

Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**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.

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.

**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.

Reported favorably by the Committee on Judiciary A. 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. 738—**  
BY REPRESENTATIVES M. GUILLORY AND PINAC  
AN ACT

To amend and reenact R.S. 9:3515(A)(1) and to enact R.S. 9:3516(38), relative to the Louisiana Consumer Credit Law; to provide for home protection plans; to provide for a definition; 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. 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.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 750 by Representative Hutter

AMENDMENT NO. 1  
On page 2, delete lines 1 through 3

On motion of Senator Kostelka, 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. 771—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 40:1484.2(8) and to enact R.S. 40:1484.9(E) and 1484.14, relative to air-supported structures; to provide for the definition of operator; to provide that certain provisions of law shall apply to operators of air-supported structures; to require operators of such structures to maintain minimum liability insurance or bond; to require that operators of air-supported structures report such purchases to the assistant secretary; to provide that the assistant secretary maintain a

record of reported purchases; to provide penalties for an operator's failure to report; 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. 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.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 779 by Representative McVea

AMENDMENT NO. 1  
On page 1, line 8 before "The" insert "A."

AMENDMENT NO. 2  
On page 1, after line 9 insert the following:  
"B. The provisions of this Part shall not apply to the operation of a motor vehicle on private land on which activities related to agriculture, as is defined in R.S. 3:263(2), are performed provided that the motor vehicle used in the activity is not operated on a public road or highway of the state of Louisiana."

On motion of Senator Cain, 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. 848—**  
BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 40:1142(F), relative to certification fees assessed operators of water supply and sewerage systems; to provide for fees for examinations and issuance and renewals of certificates; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 848 by Representative Honey

AMENDMENT NO. 1  
On page 1, at the end of line 18, insert: "The fee authorized in this Subsection shall not apply to an individual who owns an on-site individual waste water system of one thousand five hundred gallons per day or smaller."

On motion of Senator Fontenot, 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.

**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. 43 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 43—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, 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 Lance Corporal Jeremiah Kinchen 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. 45 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 45—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, 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 Army Reserve Command Sergeant Major Edward C. Barnhill upon his death in Operation Iraqi Freedom.

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

**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. 44—**

BY SENATOR AMEDEE

**A CONCURRENT RESOLUTION**

To urge and request the office of state parks, Department of Culture, Recreation, and Tourism, in coordination with the Department of Wildlife and Fisheries, to conduct a feasibility study to determine if the area in or around the Maurepas Swamp Wildlife Management Area (WMA) is suitable for a state park.

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Jackson	Romero

Broome	Jones	Schedler
Cain	Kostelka	Smith
Chaisson	Malone	Theunissen
Cheek	Marionneaux	Ullo

Total - 30

**NAYS**

Total - 0

**ABSENT**

Cravins	Gautreaux N	Lentini
Dardenne	Heitmeier	
Dupre	Hollis	

Total - 7

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

**SENATE CONCURRENT RESOLUTION NO. 49—**

BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To approve the Fiscal Year 2005-2006 Coastal Wetlands Conservation and Restoration Plan, as adopted by the Wetlands Conservation and Restoration Authority ("authority").

Reported favorably by the Committee on Natural Resources.

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

**SENATE CONCURRENT RESOLUTION NO. 63—**

BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents to conduct a study and manage a master planning process using research, data analysis, community input and experience to recommend programs, site design, and development plans for the creation of the Northeast Louisiana Delta Learning Center.

Reported favorably by the Committee on Education.

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

**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. 112—**

BY SENATOR BAJOIE

**A RESOLUTION**

To declare Wednesday, June 1, 2005, as Xavier University Day at the Louisiana Senate.

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

**SENATE RESOLUTION NO. 113—**

BY SENATOR MARIONNEAUX

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guardsman Sergeant Bernard L. Sembly upon his death in Operation Iraqi Freedom.

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

**SENATE RESOLUTION NO. 114—**

BY SENATOR BROOME

A RESOLUTION

To commend and congratulate Rachel Deaton on her many outstanding academic accomplishments.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

June 1, 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:

**SENATE RESOLUTION NO. 60—**

BY SENATOR MOUNT

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of a parenting coordination act.

Reported favorably.

**SENATE BILL NO. 52—**

BY SENATOR CHEEK

AN ACT

To enact R.S. 42:1123(36), relative to the Code of Governmental Ethics; to provide for an exception to the code for certain employment by the DeSoto Parish Waterworks District No.1; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 197—**

BY SENATOR BAJOEI

AN ACT

To enact R.S. 18:1363(G), relative to voting, voting machines, and equipment; to provide for the allocation of additional voting machines and commissioners in case of overcrowded precincts; and to provide for related matters.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 62—**

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To direct the clerk of the House of Representatives and the secretary of the Senate, upon the death of a legislator, to notify the office of facility planning and control within the division of administration of the death of the legislator; to direct the office of facility planning and control within the division of administration to expeditiously notify the clerk of the House of Representatives and the secretary of the Senate about any capital outlay requests the deceased legislator had submitted for inclusion in the capital outlay budget or Capital Outlay Bill for the current fiscal year and for the next fiscal year; and to direct the clerk of the House of Representatives and the secretary of the Senate, upon receipt of such information from the office of facility planning, to notify in a timely manner each legislator who represents in whole or in part the area formerly represented by the deceased legislator about any such capital outlay requests submitted by the deceased legislator.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 76—**

BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To authorize and direct the Department of Health and Hospitals to rename the New Orleans Home and Rehabilitation Center as the John J. Hainkel, Jr. Home and Rehabilitation Center.

Reported favorably.

**HOUSE BILL NO. 423—**

BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON, LAFONTA, CAZAYOUX, AND FAUCHEUX

AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 462(B), 493, 533(D), 563(D) and (E), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1311(D)(1), 1314, 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S. 18:502.1, 563(F), 1307(F), 1461(A)(23), and 1485(D), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter changes his residence; to provide relative to the manner of qualifying for certain offices; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to provide relative to payment for use of private property as a polling place; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to prohibit the use of certain electronic communication devices while voting and to exempt certain electronic communication devices used for assisted voting; to provide relative to the use of absentee commissioners or commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative to the untimely submission of voter registration applications; to provide relative to campaign finance filings submitted to the supervisory committee; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 1, 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. 143—**

BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former 4<sup>th</sup> Circuit Court of Appeal Chief Judge William V. Redmann and to recognize his outstanding contributions to the city of New Orleans and the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 144—**

BY REPRESENTATIVE MARCHAND  
A CONCURRENT RESOLUTION

To recognize June 1, 2005, as Alpha Day at the Legislature of Louisiana and to commend the Alpha Kappa Alpha Sorority, Incorporated and the Alpha Phi Alpha Fraternity, Incorporated for their service.

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

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

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

**Message from the House**  
**SIGNED HOUSE BILLS AND**  
**JOINT RESOLUTIONS**

June 1, 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 Bills and Joint Resolutions:

**HOUSE BILL NO. 768—**

BY REPRESENTATIVES PIERRE AND GRAY  
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.

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

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

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

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

**ENROLLMENTS**

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

June 2, 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 Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 79—**

BY SENATOR DUPRE  
A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs to reopen enrollment at the new Veterans Affairs Community Based Outpatient Clinic.

**SENATE CONCURRENT RESOLUTION NO. 80—**

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVE RITCHIE  
A CONCURRENT RESOLUTION

To designate September as "Civic Literacy and Engagement Month" in Louisiana.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Cravins	1 Day	Dardenne	1 Day
Dupre	1 Day	Hollis	1 Day
Lentini	1 Day		

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Monday, June 6, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Monday, June 6, 2005.

GLENN A. KOEPP  
Secretary of the Senate  
GAYE F. HAMILTON  
Journal Clerk