

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

**TWENTY-NINTH 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

Tuesday, June 14, 2005

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

**ROLL CALL**

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

**PRESENT**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Letini	Uilo
Duplessis	Malone	
Total - 38		

**ABSENT**

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

**Prayer**

The prayer was offered by Prophet Joshua Dright, 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 Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA**  
Office of the Governor

June 8, 2005

To the Honorable President of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through 5-20-05 to 5-31-05. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I hereby present them for your review.

Appreciatively,  
**KATHLEEN BABINEAUX BLANCO**  
Governor

**Acadia**

Amanda L. Campbell  
10151 Faulk Rd.  
Crowley, La 70526

**Ascension**

Brenda L. Moriarty  
712 N. Burnside Ave.  
Gonzales, La 70737

**Avoyelles**

Derrick G. Earles  
144 W. Tunica Dr.  
Marksville, La 71351

**Bossier**

Janie Coutee  
P.O. Box 430  
Benton, La 71006

Kathryn J. Kenney  
3214 Galaxy Drive  
Bossier City, La 71112

Yvonne M. Norman  
1202 Louisiana Ave., Ste. B  
Shreveport, La 71101

Dianna L. Roark  
1980 Honeytree Trail  
Houghton, La 71037

Esther S. Thompson  
4133 Lakeway Circle  
Benton, La 71006

**Caddo**

Steven Harold Futch  
5807 Youree Dr.  
Shreveport, La 71105

Edward F. Jones  
505 Travis St., Ste. 420  
Shreveport, La 71101

**Calcasieu**

Janet McNeese  
475 N. Perkins Ferry Rd. #14  
Lake Charles, La 70611-5147

Sheree L. Richey  
671 Pine Cone Dr.  
Lake Charles, La 70611

**Desoto**

Sheila R. Jones  
327 Crockett St.  
Shreveport, La 71101

Judy Annette Woods  
1423 Stewart Rd.  
Pelican, La 71063-3022

**East Baton Rouge**

Leticia R. Jackson  
11331 S. Waler Ct., Apt. C  
Baton Rouge, La 70815

Angela M. Leonard  
P.O. Box 66962  
Baton Rouge, La 70896

Anthony D. Winters  
440 Government St.  
Baton Rouge, La 70802

**Iberia**

Lisa Bonin  
P.O. Box 10310  
New Iberia, La 70562-0310

**Iberville**

Elizabeth A. Engolio  
23716 Railroad Ave.  
Plaquemine, La 70764

**Jefferson**

Carey L. Menasco  
50th Fl, One Shell Square  
New Orleans, La 70139

Timothy A. Porteous  
1100 Poydras St., Ste 2000  
New Orleans, La 70163

Brandon Brent Williams  
Two Lakeway Ctr, Ste 900  
Metairie, La 70002

**Lafayette**

Samoa A. PreJean  
119 Pellerin Rd.  
Lafayette, La 70506

**Livingston**

James Galladora  
P.O. Box 174  
Albany, La 70711

Jeannine Alford Sullivan  
1930 Florida Ave., S.W.  
Denham Springs, La 70726

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**Orleans**

Aneel L. Chablani  
636 Baronne St.  
New Orleans, La 70113

Alaraby Johnson  
525 Huey P. Long Ave.  
Gretna, La 70053

**Ouachita**

Donald Ray Givens  
1508 Oaklawn Dr.  
Monroe, La 71202

**St. Bernard**

Elizabeth Calabresi  
3005 Woods Dr.  
Violet, La 70092

**St. Martin**

Layle P. Guilbeaux  
218 Church St.  
St. Martinville, La 70582

**St. Tammany**

Stacie Fontana Brownell  
14131 S. Lakeshore Dr.  
Covington, La 70435

**Tangipahoa**

Jean Courtney  
605 Tobey Dr.  
Amite, La 70422

Jerry A. Horn

22 White Dr.  
Hammond, La 70401

**Terrebonne Vernon**

Jessica Lynn Duet  
162 N. Orleans Blvd.  
Houma, La 70364

**Washington**

Olita Magee  
200 Derbigny St.  
Gretna, La 70053

Lance Sterling Guest  
601 Poydras St., Ste 1725  
New Orleans, La 70130

**Red River**

Teresa K. Sanderson  
P.O. Box 5293  
Bossier City, La 71171

Jamie A. Quebedeaux  
109 Manassa Circle  
Carencro, La 70520

Joseph Raymond Casanova  
312 Mariners Blvd.  
Mandeville, La 70448

Nicole Roberts Dillon  
P.O. Drawer 699  
Hammond, La 70404

Terri Stovall  
1268 Pitkin Rd.  
Leesville, La 71446

**West Baton Rouge**  
Sean M. Newman  
11224 Hwy. 190 West  
Port Allen, La 70767

**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 13, 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. 116—  
BY SENATOR BAJOIE**

**A CONCURRENT RESOLUTION**

To commend Louise Williams-Arnolite for being the first African-American student to graduate after matriculating her entire undergraduate years at Louisiana State University in New Orleans (LSUNO).

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 118—**

BY SENATOR BROOME

**A CONCURRENT RESOLUTION**

To commend and congratulate the Baton Rouge Fire Department upon achieving and maintaining the high honor and distinction of a Class One fire rating.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

June 14, 2005

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. 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.

Reported without amendments.

**HOUSE BILL NO. 120—**

BY REPRESENTATIVES HILL AND BEARD

**AN ACT**

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVE THOMPSON

**AN ACT**

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 238—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 56:650(A)(2) and to enact R.S. 56:650(C), relative to the Lifetime License Endowment Fund; to provide for deposit of revenues to the fund; to provide relative to investment of the monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 244—**

BY REPRESENTATIVES WALSWORTH AND LAMBERT  
AN ACT

To enact R.S. 40:1394.1, relative to state police; to provide for a report of salary schedules for troopers and officers of the division of state police; to require that the report be submitted to the governor, the commissioner of administration, and members of the legislature through the speaker of the House of Representatives and the president of the Senate; to provide for the scope of the annual salary schedule report; to provide for procedures for review of said salary schedule; to provide for the implementation of recommendations concerning such schedule; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 268—**

BY REPRESENTATIVE BURRELL  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(a), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Compulsive and Problem Gaming Fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 295—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Ninth Judicial District Court; to authorize the judges to establish fees per page and copy for reported and transcribed testimony not to exceed a specified amount; and to provide for related matters.

Reported without amendments.

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**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 380—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 11:266.1(B), (D), and (E), relative to investments of state retirement systems; to provide for investments through Louisiana incorporated and domiciled broker-dealers; to specify that ten percent of all commissions of trades of domestic equity and fixed income investments shall be directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana; to require the broker-dealers to enter into commission recapture agreements with the systems; to change the date on which the pilot program ends; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 387—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 38:2325(A)(16), 2327.2, and 2327.3, relative to establishing a law enforcement division for the Sabine River Authority; to authorize the board of commissioners of the Sabine River Authority to employ law enforcement officers; to provide for the qualification, responsibilities, and duties of such law enforcement officers; to require law enforcement officers to execute a bond; to require the purchase of certain equipment and supplies; to provide relative to violation of certain rules and regulations; to provide relative to penalties for violations; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 427—**  
BY REPRESENTATIVE BADON  
AN ACT

To enact R.S. 33:9079, relative to the Kingswood Subdivision Improvement District; to create and provide for such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 432—**  
BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT  
AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact R.S. 39:1593(C)(1)(a), relative to state procurement; to expand the authorized use of a competitive request for proposal process under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 460—**  
BY REPRESENTATIVES ALARIO, SALTER, DORSEY, HAMMETT,  
ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN,  
BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX,  
CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE,  
DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH,  
GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON,  
HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON,  
JOHNS, KENNARD, LAFLEUR, LAFONTA, MARCHAND, MCDONALD,  
MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, T.  
POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD,  
SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST.  
GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WALKER,  
WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS  
HEITMEIER, HINES, BAJOEI, AND MOUNT  
AN ACT

To enact Part VI-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2365, relative to state funds; to establish the Rapid Response Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to require reporting; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 478—**

BY REPRESENTATIVE HEATON  
AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide a two percent cost-of-living adjustment for judges who did not opt to become members of the Louisiana State Employees' Retirement System and for surviving spouses of such judges; to provide an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 505—**

BY REPRESENTATIVES JACK SMITH AND HUTTER  
AN ACT

To amend and reenact R.S. 39:32.1(E) and (F) and to enact R.S. 17:3129(F), relative to higher education; to provide relative to budget requests for higher education agencies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 519—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 11:82(A)(8), relative to ad valorem tax contributions for the Teachers' Retirement System of Louisiana; to provide for allocation of the ad valorem taxes remitted from the parish of East Baton Rouge and dedicated to the system; to provide for the division of the taxes among the school systems located completely within the parish; to require the school boards to file a formula for calculation of this division with the retirement system and the parish assessor; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 560—**

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

To amend and reenact R.S. 39:2(23) and (24) and 36(A), relative to the state budget and budget process; to provide for the executive budget; to modify certain definitions; to provide with respect to the contents and format of the executive budget; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 562—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 36:704(B) and (D) and R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 562 by Representative Hammett

AMENDMENT NO. 1

On page 3, line 25, change "1078aa" to "1087aa"

**HOUSE BILL NO. 586—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and

4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 587—**

BY REPRESENTATIVE ODINET  
AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of devices to protect oysters from predation on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 598—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 598 by Representative LaFonta

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on page 1, line 2, following "746(C)(2)," insert "and on page 1, line 9, following "25:738(A)," insert "746(C)(2),"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on page 1, line 4, following "25:746(I)," insert "and on page 1, line 9, following "reenacted" insert "and R. S. 25:746(I) is hereby enacted"

AMENDMENT NO. 3

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on page 1, line 10 change ""space," and before "prior"" to ""space" and before ". prior""

**HOUSE BILL NO. 628—**

BY REPRESENTATIVES QUEZAIRE, GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCVEA, MORRELL, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WHITE, WOOTON, AND WRIGHT

AN ACT

To enact Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2001 through 2008, and R.S. 51:931, relative to state procurement and public contracts; to

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create the Louisiana Initiative for Small Entrepreneurships (the Hudson Initiative); to provide definitions; to provide for certain source selection criteria, contract requirements, and goals with respect to certain procurements and public contracts; to provide for responsibilities of the commissioner of administration and state agencies with respect to the initiative; to provide for eligibility requirements for participation in the initiative; to provide for certification of certain businesses; to provide for reporting; to provide for rulemaking; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 630—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Iberia Parish.

Reported without amendments.

**HOUSE BILL NO. 640—**  
BY REPRESENTATIVE LAFONTA  
AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 651—**  
BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, AND WRIGHT  
AN ACT

To enact R.S. 17:171, relative to health insurance status; to provide relative to procedures for providing for the release of certain information relative to health insurance eligibility to public health insurance programs that cover children; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 668—**  
BY REPRESENTATIVE KLECKLEY  
AN ACT

To enact Subpart C-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4050.1, relative to Calcasieu Parish; to provide relative to the demolition, removal, replacement, repair, and maintenance of any community or individual sewerage system, or parts thereof, located within the parish which by reason of its nature or condition endangers the public welfare or safety; to provide relative to the levying of fines by the governing authority; to authorize the governing authority to file liens against property owners for failure to pay costs owed to such governing authority; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 668 by Representative Kleckley

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on line 2 change "lines 6 and 7" to "lines 5 and 6"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on line 22 change "line 11" to "line 10"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on line 26 change "line 22" to "line 24"

AMENDMENT NO. 4

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on line 28 change "line 23" to "line 25"

**HOUSE BILL NO. 682—**  
BY REPRESENTATIVE GEYMAN  
AN ACT

To amend and reenact R.S. 11:103(A), (B)(1), and (C), and to enact R.S. 11:103(E) and 108, relative to statewide retirement systems; to provide for contributions; to provide for actuarial soundness and funding of the systems; to provide for a funding review panel; to provide relative to actuarial assumptions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 715—**  
BY REPRESENTATIVES HOPKINS, SALTER, AND JOHNS  
AN ACT

To authorize the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 820—**  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 33:130.252(A)(1) and (2)(e) and (B) and 130.261(C), to enact R.S. 33:130.261(D) and (E), and to repeal R.S. 33:130.255(A)(4), relative to the Terrebonne Economic Development Authority; to provide relative to the appointment and qualifications of members of the board of commissioners and filling board vacancies; to provide relative to the annual budget, financial reports, and expropriation powers of the authority; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 820 by Representative Dove

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005, on line 5 change "page 2" to "page 3"

**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.

Reported without amendments.

**HOUSE BILL NO. 878 — (Substitute for House Bill No. 198 by Representative Thompson)**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Richland Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 879 — (Substitute for House Bill No. 309 by Representative Frith)**  
BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 886 — (Substitute for House Bill No. 591 by Representative Jane Smith)**  
BY REPRESENTATIVE JANE SMITH  
AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; 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. 139—**  
BY SENATOR HINES  
A RESOLUTION

To commend and congratulate Dr. Kenneth Paul Mauterer, Jr., on being named the national 2004 Country Doctor of the Year, an award honoring physicians who meet the rigorous challenges of rural healthcare while demonstrating extraordinary dedication to their patients, the community, and the entire medical profession.

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

**SENATE RESOLUTION NO. 140—**  
BY SENATOR DUPLESSIS  
A RESOLUTION

To continue and revise the Louisiana Prosper Commission established by Senate Resolution 140 of the 2004 Regular Session to continue its study of the public bid law, the procurement code, bid preferences and reciprocal preferences, and service contracts.

On motion of Senator Duplessis, 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**

June 14, 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. 786—**

BY REPRESENTATIVE SALTER  
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 523—**

BY REPRESENTATIVE BURRELL  
AN ACT

To amend and reenact R.S. 14:91.11(A)(2) and to enact R.S. 14:91.11(A)(4), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 602—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:6019(A)(1), (2), and (3)(a) and (b)(i) and (B), relative to the state historic rehabilitation credit; to provide for the administration of the credit by the state historic reservation office and the Department of Revenue; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 631—**

BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND  
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

**HOUSE BILL NO. 634—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 47:715.1(A), relative to gasoline and special fuels taxes; to increase the refund for contract school bus drivers; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 689—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

**HOUSE BILL NO. 747—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

**HOUSE BILL NO. 765—**

BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature as amended and reenacted by Section 2 of Act No. 4 of the 2002 First Extraordinary Session of the Legislature, relative to economic development activities of the state; to provide for certain tax credits available to employers for new jobs created in the state; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 39—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 27:310(B)(1)(introductory paragraph) and (b) and (2), relative to video draw poker devices licenses; to provide for suitability requirements for licensing; to change the requirements for demonstrating suitability for licensing; to remove consideration of arrest records in suitability determinations; and to provide for related matters.

**HOUSE BILL NO. 242—**

BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; and to provide for related matters.

**HOUSE BILL NO. 410—**

BY REPRESENTATIVES FARRAR AND THOMPSON  
AN ACT

To enact R.S. 47:301(10)(y), relative to the state sales and use tax; to provide for a state sales tax exclusion for sales or purchases by churches; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 707—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:304, relative to the amount of money played and value of prizes awarded on video draw poker devices; to change the limitations to apply to hands rather than games; to provide for a maximum payout per game; and to provide for related matters.

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

**House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 39—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 27:310(B)(1)(introductory paragraph) and (b) and (2), relative to video draw poker devices licenses; to provide for suitability requirements for licensing; to change the requirements for demonstrating suitability for licensing; to remove consideration of arrest records in suitability determinations; 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. 242—**

BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; 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. 410—**

BY REPRESENTATIVES FARRAR AND THOMPSON  
AN ACT

To enact R.S. 47:301(10)(y), relative to the state sales and use tax; to provide for a state sales tax exclusion for sales or purchases by churches; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 523—**  
BY REPRESENTATIVE BURRELL  
AN ACT

To amend and reenact R.S. 14:91.11(A)(2) and to enact R.S. 14:91.11(A)(4), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; 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. 602—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:6019(A)(1), (2), and (3)(a) and (b)(i) and (B), relative to the state historic rehabilitation credit; to provide for the administration of the credit by the state historic preservation office and the Department of Revenue; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 631—**  
BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND  
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

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

**HOUSE BILL NO. 634—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 47:715.1(A), relative to gasoline and special fuels taxes; to increase the refund for contract school bus drivers; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 689—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; 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. 707—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:304, relative to the amount of money played and value of prizes awarded on video draw poker devices; to change the limitations to apply to hands rather than games; to provide for a maximum payout per game; 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. 747—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

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

**HOUSE BILL NO. 765—**  
BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature as amended and reenacted by Section 2 of Act No. 4 of the 2002 First Extraordinary Session of the Legislature, relative to economic development activities of the state; to provide for certain tax credits available to employers for new jobs created in the state; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 786—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; 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 Revenue and Fiscal Affairs.

### Senator Fields in the Chair

### 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

June 13, 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. 183—**  
BY REPRESENTATIVE DORSEY  
A CONCURRENT RESOLUTION

To recognize Thursday, June 16, 2005, as Girl Scouts of the USA Day at the Louisiana State Capitol.

**HOUSE CONCURRENT RESOLUTION NO. 186—**  
BY REPRESENTATIVE BURRELL  
A CONCURRENT RESOLUTION

To commend Ms. Daisy Stewart Wilson for her service and dedication to the community and the Combs McIntyre Community Center project.

June 14, 2005

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION

To commend Mr. Bobby R. Cockerham for his service and dedication to the community and to the Oak Grove Recreation and Civic Club, Inc.-Combs McIntyre Community Center project.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION

To recognize June 18, 2005, as Combs McIntyre Day at the Louisiana Legislature and to commend the Oak Grove, Louisiana, community, in West Carroll Parish, on the dedication of the Combs McIntyre Community Center.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVE DANIEL
A CONCURRENT RESOLUTION

To commend The Dunham School football team for defeating four-time state champion Oak Grove to become the Class 1A State Football Champions for the 2004-2005 season.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION

To recognize Thursday, June 16, 2005, as Girl Scouts of the USA Day at the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Malone
Adley Ellington Marionneaux
Amedee Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Hollis Nevers
Broome Jackson Romero
Cain Jones Smith
Chaisson Kostelka Theunissen
Duplessis Lentini Ullo
Total - 30

NAYS

Total - 0

ABSENT

Cheek Gautreaux N Schedler
Cravins Heitmeier Shepherd
Dardenne McPherson
Total - 8

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

HOUSE CONCURRENT RESOLUTION NO. 186—

BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION

To commend Ms. Daisy Stewart Wilson for her service and dedication to the community and the Combs McIntyre Community Center project.

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 Fontenot Mount
Amedee Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Hollis Romero
Broome Jackson Schedler
Cain Kostelka Shepherd
Chaisson Lentini Smith
Dupre Malone Theunissen
Ellington Marionneaux Ullo
Fields Michot
Total - 29

NAYS

Total - 0

ABSENT

Adley Cravins Heitmeier
Bajoie Dardenne Jones
Cheek Duplessis McPherson
Total - 9

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

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION

To commend Mr. Bobby R. Cockerham for his service and dedication to the community and to the Oak Grove Recreation and Civic Club, Inc.-Combs McIntyre Community Center project.

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 Fontenot Michot
Amedee Gautreaux B Mount
Barham Gautreaux N Murray
Boasso Hollis Nevers
Broome Jackson Romero
Cain Jones Schedler
Chaisson Kostelka Smith
Duplessis Lentini Theunissen
Dupre Malone Ullo
Ellington Marionneaux
Fields McPherson
Total - 31

NAYS

Total - 0

ABSENT

Adley	Cravins	Shepherd
Bajoie	Dardenne	
Cheek	Heitmeier	
Total - 7		

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

**Mr. President in the Chair**

**HOUSE CONCURRENT RESOLUTION NO. 188—**

BY REPRESENTATIVE BURRELL

**A CONCURRENT RESOLUTION**

To recognize June 18, 2005, as Combs McIntyre Day at the Louisiana Legislature and to commend the Oak Grove, Louisiana, community, in West Carroll Parish, on the dedication of the Combs McIntyre Community Center.

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	Fields	McPherson
Adley	Fontenot	Michot
Amedee	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Hollis	Nevers
Broome	Jackson	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Shepherd
Cravins	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneau	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Bajoie	Dardenne	Heitmeier
Cheek	Duplessis	
Total - 5		

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

**HOUSE CONCURRENT RESOLUTION NO. 191—**

BY REPRESENTATIVE DANIEL

**A CONCURRENT RESOLUTION**

To commend The Dunham School football team for defeating four-time state champion Oak Grove to become the Class 1A State Football Champions for the 2004-2005 season.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd

Chaisson	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneau	
Ellington	McPherson	
Total - 34		

**NAYS**

Total - 0

**ABSENT**

Adley	Dardenne
Cheek	Jones
Total - 4	

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 14, 2005

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 158—**

BY REPRESENTATIVE GALLOT

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on the duties of notaries public with regard to registry and recordation of their acts and the means by which the identification of notaries and witnesses to their acts may be assured for the public benefit under the Louisiana public records doctrine.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI,  
Chairman

**REPORT OF COMMITTEE ON**

June 14, 2005

REVENUE AND FISCAL AFFAIRS

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 13, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 72— BY SENATOR N. GAUTREUX AN ACT

To amend and reenact the introductory paragraph of R.S. 47:601(A) and 611 and to enact R.S. 47:601(D), relative to corporate franchise tax; to exclude from the taxable base of such tax the first one hundred thousand dollars of capital stock, surplus, undivided profits, and borrowed capital of a corporation; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 183— BY SENATOR BAJOIE AN ACT

To amend and reenact R.S. 47:6019(A)(1), relative to tax credits for historic structures; to increase the credit; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 128— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb), relative to the state sales and use tax; to define manufacturer to include certain exemptions for manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 130— BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 47:287.730, relative to the corporation income tax; to provide for electing out of partnership treatment for corporation income tax purposes; to provide for the treatment of certain items of income and expenses with regard to an unincorporated organization electing out of partnership treatment; to provide for the applicability of such electing out; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 131— BY REPRESENTATIVE HAMMETT AN ACT

To repeal R.S. 47:305.5, relative to the exemption from state and local sales and use tax for materials used in the construction of the Toledo Bend Dam Project; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 132— BY REPRESENTATIVE HAMMETT AN ACT

To repeal R.S. 47:305.22, relative to the exemption from sales tax on certain types of mobile, motorized equipment that retail dealers withdraw from inventory for rental as a method of promoting sales; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 156— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:605.1(A), relative to the corporation franchise tax; to specify the amount of excess related party debt that shall be included in capital stock and surplus and undivided profits; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 301— BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 672— BY REPRESENTATIVES MONTGOMERY AND HOPKINS AN ACT

To amend and reenact R.S. 47:635(A) and 640(A) and (B) and to enact R.S. 47:1520(A)(3), relative to the severance tax on oil and gas; to extend the tax return and payment due dates; to provide for a one-time payment of the oil and gas severance tax; to repeal the electronic funds transfer requirements; to require oil or gas severance tax reports to be filed electronically; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 718— BY REPRESENTATIVE BURNS AN ACT

To amend and reenact R.S. 47:1508(B)(9) and to enact R.S. 47:1508(B)(21) and (22), relative to the furnishing of certain tax information to the State Departments of Natural Resources, Public Safety and Corrections, and Agriculture and Forestry; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 719— BY REPRESENTATIVE HAMMETT AN ACT

To repeal R.S. 47:303(B)(6), relative to the sales tax recovery charge on automobile rental contracts; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 721— BY REPRESENTATIVE BURNS AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest on unpaid taxes; to provide the method of interest computation on notices of assessment for unpaid taxes; to provide for the authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide for an effective date; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

**HOUSE BILL NO. 741—**  
BY REPRESENTATIVES DURAND AND BALDONE  
AN ACT

To amend and reenact R.S. 47:305.10(F), relative to the sales and use tax; to provide for the exemption from taxation for certain repairs to property used in offshore areas; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 887— (Substitute for House Bill No. 802 by Representative Durand)**  
BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER  
AN ACT

To amend and reenact R.S. 17:1519.6© and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
WILLIE MOUNT  
Chairman

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

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 72—**  
BY SENATOR N. GAUTREUX  
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:601(A) and 611 and to enact R.S. 47:601(D), relative to corporate franchise tax; to exclude from the taxable base of such tax the first one hundred thousand dollars of capital stock, surplus, undivided profits, and borrowed capital of a corporation; and to provide for related matters.

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. 183—**  
BY SENATOR BAJOE  
AN ACT

To amend and reenact R.S. 47:6019(A)(1), relative to tax credits for historic structures; to increase the credit; 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. 183 by Senator Bajoe

AMENDMENT NO. 1  
On page 1, line 15, change "**twenty-five**" to "**five**"

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**

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**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.

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. 128—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb), relative to the state sales and use tax; to define manufacturer to include certain exemptions for manufacturing machinery and equipment; to provide for an effective date; 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 Engrossed House Bill No. 128 by Representative Hammett

AMENDMENT NO. 1  
On page 1, line 2, after "(bb)" insert "and to enact R.S. 47:301(3)(i)(ii)(aa)(I)(ddd)" and after "tax;" insert "to provide with respect to eligible facilities;"

AMENDMENT NO. 2  
On page 1, line 6, after "reenacted" insert "and R.S. 47:301(3)(i)(ii)(aa)(I)(ddd) is hereby enacted"

AMENDMENT NO. 3  
On page 1, between lines 17 and 18, insert:  
"(aa) "Machinery and equipment" means tangible personal property or other property that is eligible for depreciation for federal income tax purposes and that is used as an integral part in the manufacturing of tangible personal property for sale. "Machinery and equipment" shall also mean tangible personal property or other property that is eligible for depreciation for federal income tax purposes and that is used as an integral part of the production, processing, and storing of food and fiber or of timber.

(I) Machinery and equipment, for purposes of this Subparagraph, also includes but is not limited to the following:

(ddd) Machinery and equipment used by an industrial manufacturing plant to generate electric power for self consumption or cogeneration.

AMENDMENT NO. 4  
On page 2, line 2, after "after Sector 11" change "or" to a comma "," and after "Sector 31-33" insert ", or facilities in Section 21112"

AMENDMENT NO. 5  
On page 2, line 8, after "after Sector 11" change "or" to a comma "," and after "Sector 31-33" insert ", or facilities in Section 21112"

On motion of Senator Mount, 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. 130—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 47:287.730, relative to the corporation income tax; to provide for electing out of partnership treatment for corporation income tax purposes; to provide for the treatment of certain items of income and expenses with regard to an unincorporated organization electing out of partnership treatment; to provide for the applicability of such electing out; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 131—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To repeal R.S. 47:305.5, relative to the exemption from state and local sales and use tax for materials used in the construction of the Toledo Bend Dam Project; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 132—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To repeal R.S. 47:305.22, relative to the exemption from sales tax on certain types of mobile, motorized equipment that retail dealers withdraw from inventory for rental as a method of promoting sales; to provide for an effective date; 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 Engrossed House Bill No. 132 by Representative Hammett

AMENDMENT NO. 1  
On page 1, line 2, after "R.S. 47:305.22" insert "and 337.9(D)(15)"

AMENDMENT NO. 2  
On page 1, line 7, after "R.S. 47:305.22" change "is" to "and 337.9(D)(15) are"

On motion of Senator Mount, 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. 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.

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. 156—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:605.1(A), relative to the corporation franchise tax; to specify the amount of excess related party debt that shall be included in capital stock and surplus and undivided profits; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 301—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 672—**  
BY REPRESENTATIVES MONTGOMERY AND HOPKINS  
AN ACT

To amend and reenact R.S. 47:635(A) and 640(A) and (B) and to enact R.S. 47:1520(A)(3), relative to the severance tax on oil and gas; to extend the tax return and payment due dates; to provide for a one-time payment of the oil and gas severance tax; to repeal the electronic funds transfer requirements; to require oil or gas severance tax reports to be filed electronically; to provide for an effective date; 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 Engrossed House Bill No. 672 by Representative Montgomery

AMENDMENT NO. 1  
On page 2, line 4, after "reports" change "must" to "shall"

AMENDMENT NO. 2  
On page 2, at the end of line 9, change "must" to "shall"

AMENDMENT NO. 3  
On page 2, line 18, after "reports" change "must" to "shall"

AMENDMENT NO. 4  
On page 2, line 23, after "2005," change "must" to "shall"

AMENDMENT NO. 5  
On page 2, at the beginning of line 27, change "will" to "shall"

AMENDMENT NO. 6  
On page 3, at the end of line 2, insert:  
"The one-time payment required by this Paragraph shall be borne by the parties responsible for remitting severance taxes to the state and not by the responsible parties' royalty and overriding royalty owners."

AMENDMENT NO. 7  
On page 3, line 7, after "amount" change "must" to "shall"

AMENDMENT NO. 8  
On page 3, line 9, after "application" change "will" to "shall"

AMENDMENT NO. 9

On page 3, line 15, after "amount" change "will" to "shall"

AMENDMENT NO. 10

On page 3, line 17, after "payment" change "will" to "shall"

AMENDMENT NO. 11

On page 3, line 18, after "interest" change "will" to "shall"

AMENDMENT NO. 12

On page 5, line 2, after "2005," change "must" to "shall"

AMENDMENT NO. 13

On page 5, line 6, after "payment" change "will" to "shall"

AMENDMENT NO. 14

On page 5, at the end of line 10, insert:

"The one-time payment required by this Subsection shall be borne by the parties responsible for remitting severance taxes to the state and not by the responsible parties' royalty and overriding royalty owners."

AMENDMENT NO. 15

On page 5, line 15, after "amount" change "must" to "shall"

AMENDMENT NO. 16

On page 5, line 17, after "application" change "will" to "shall"

AMENDMENT NO. 17

On page 5, line 20, after "tax" change "will" to "shall"

AMENDMENT NO. 18

On page 5, line 23, after "amount" change "will" to "shall"

AMENDMENT NO. 19

On page 5, line 26, after "payment" change "will" to "shall" and after "interest" change "will" to "shall"

On motion of Senator Mount, 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. 718—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 47:1508(B)(9) and to enact R.S. 47:1508(B)(21) and (22), relative to the furnishing of certain tax information to the State Departments of Natural Resources, Public Safety and Corrections, and Agriculture and Forestry; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 719—**

BY REPRESENTATIVE HAMMETT

AN ACT

To repeal R.S. 47:303(B)(6), relative to the sales tax recovery charge on automobile rental contracts; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 721—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest on unpaid taxes; to provide the method of interest computation on notices of assessment for unpaid taxes; to provide for the

authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 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.

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 Reengrossed House Bill No. 731 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 15, delete "Until" and insert "Until July 1, 2006 For state certified productions that have received an effective certification date prior to"

AMENDMENT NO. 2

On page 5, line 23, after "other" insert "commercial"

AMENDMENT NO. 3

On page 6, line 5, after "expenditures" insert: "are made by a motion picture production company in a state certified production. However, credits cannot be applied against a tax or transferred until the expenditures"

AMENDMENT NO. 4

On page 6, line 8, after "production" delete the period "." and insert: "unless the motion picture production company agrees to reimburse the Governor's Office of Film and Television Development and the Department of Economic Development for the costs of any additional certifications."

AMENDMENT NO. 5

On page 9, line 29, after "two percent" change "per year" to "until the percentage reaches eighty percent"

AMENDMENT NO. 6

On page 13, line 8, after "2005." insert: "For state certified infrastructure projects, this Act shall become effective on or after July 1, 2005."

On motion of Senator Mount, 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. 741—**

BY REPRESENTATIVES DURAND AND BALDONE

AN ACT

To amend and reenact R.S. 47:305.10(F), relative to the sales and use tax; to provide for the exemption from taxation for certain repairs to property used in offshore areas; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal 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. 887— (Substitute for House Bill No. 802 by Representative Durand)**

BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

**AN ACT**

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; 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 Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 7, line 4, after "G." insert "(1)"

AMENDMENT NO. 2

On page 7, line 10, change "may" to "shall"

AMENDMENT NO. 3

On page 7, between lines 14 and 15, insert: "(2) Any bill or statement sent to a patient, responsible party, insurer, or self-insured employer program after the initial effective date of this Subsection shall contain a statement that "This bill does not contain any cost of the fee imposed by the Healthcare Affordability Act provided in Act \_\_\_\_\_ of the 2005 Regular Session." The act number shall be the number of the act which originated as House Bill No. 887 of the 2005 Regular Session."

AMENDMENT NO. 4

On page 7, line 27, after "Any hospital" insert "which has not filed previously or is"

AMENDMENT NO. 5

On page 7, line 28, after "care filing" delete the remainder of the line and insert: "or which is without a full year cost report, may file an estimate of its uncompensated costs within forty-"

AMENDMENT NO. 6

On page 8, line 7, after "care" delete "hospital" and change "levels" to "for care rendered by all hospitals as defined in this Chapter"

On motion of Senator Mount, 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.

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

**SENATE RESOLUTION NO. 52—**

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 Guard Sergeant Floyd G. Knighten, Jr., 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**

**Reconsideration**

On motion of Senator Dupre, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 13, 2005, was reconsidered.

**HOUSE BILL NO. 245—**

BY REPRESENTATIVE T. POWELL

**AN ACT**

To amend and reenact R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1) and to enact R.S. 56:10(B)(1)(e) and (13), relative to providing additional funds for the enhancement of the crab fishery in Louisiana; to increase the fee for the purchase of crab gear licenses; to dedicate the revenues from such fee increase; to create the Crab Promotion and Marketing Account in the Seafood Promotion and Marketing Fund; to create the Derelict Crab Trap Removal Program Account in the Conservation Fund; and to provide for related matters.

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

**YEAS**

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total - 35		

**NAYS**

Total - 0

**ABSENT**

Bajoie	Schedler	Shepherd
Total - 3		

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

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

HOUSE BILL NO. 763—  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 51:422.1, relative to unfair sales; to provide for the application of unfair sales provisions to the sale of motor fuel; to provide for exemptions; to provide for maintenance of records; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 763 by Representative Townsend

AMENDMENT NO. 1

On page 1, lines 3 and 4, after "exemptions;" delete "to provide for maintenance of records"

AMENDMENT NO. 2

On page 1, delete lines 7 through 19 in their entirety and insert the following:

"§422.1. Unfair sales; motor fuel exemption

The provisions of this Subpart shall not apply to retail or wholesale sales of any petroleum product, including the sale of motor fuel."

AMENDMENT NO. 3

On page 2, delete lines 1 through 29 in their entirety.

Senator Cain moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fontenot Nevers  
Broome Gautreaux N Romero  
Cain Lentini Ullo  
Cravins Mount  
Duplessis Murray  
Total - 13

NAYS

Mr. President Dupre Malone  
Adley Ellington Marionneaux  
Amedee Gautreaux B McPherson  
Barham Heitmeier Michot  
Boasso Hollis Schedler  
Chaisson Jackson Shepherd  
Cheek Jones Smith  
Dardenne Kostelka Theunissen  
Total - 24

ABSENT

Fields  
Total - 1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 763 by Representative Townsend

AMENDMENT NO. 1

On page 2, line 20, after "sold" delete "in a good faith effort" and after "the" delete "legal"

AMENDMENT NO. 2

On page 2, line 21, after "competitor." delete the remainder of the line and lines 22 and 23.

Senator Duplessis moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields Lentini  
Barham Fontenot McPherson  
Broome Gautreaux N Mount  
Cain Heitmeier Murray  
Dardenne Jackson Shepherd  
Duplessis Jones Ullo  
Total - 18

NAYS

Mr. President Dupre Michot  
Adley Ellington Nevers  
Amedee Gautreaux B Romero  
Boasso Hollis Schedler  
Chaisson Kostelka Smith  
Cheek Malone Theunissen  
Cravins Marionneaux  
Total - 20

ABSENT

Total - 0

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Marionneaux  
Adley Fontenot McPherson  
Amedee Gautreaux B Michot  
Barham Gautreaux N Mount  
Broome Heitmeier Murray  
Chaisson Hollis Nevers  
Cheek Jackson Schedler  
Cravins Jones Shepherd  
Dardenne Kostelka Smith  
Dupre Lentini Theunissen  
Ellington Malone Ullo  
Total - 33

NAYS

Bajoie Cain Romero  
Boasso Duplessis  
Total - 5

ABSENT

Total - 0

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

HOUSE BILL NO. 775—

BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, WRIGHT, BRUCE, AND THOMPSON AND SENATORS BAJOIE AND HINES

AN ACT

To amend and reenact R.S. 29:36.1(A) and (B) and to enact R.S. 29:36.1(E), to provide exemptions from tuition charges imposed by Louisiana public colleges and universities for certain students serving in the Louisiana National Guard, including but not limited to students serving pursuant to re-enlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemptions; to provide for effectiveness, to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 775 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 29:36.1 (E)" and before the comma ",", insert "and (F)"

AMENDMENT NO. 2

On page 1, line 3, after "from" insert "all or a portion of" and at the end of the line, change "and" to a comma ",,"

AMENDMENT NO. 3

On page 1, line 4, after "universities" insert ",and institutions which confer professional degrees"

AMENDMENT NO. 4

On page 1, line 11, after "29:36.1(E)" delete "is" and insert n lieu thereof "and (F) are"

AMENDMENT NO. 5

On page 1, line 14, after "A." insert "(1)"

AMENDMENT NO. 6

On page 1, line 16, after "all" insert "or a portion of"

AMENDMENT NO. 7

On page 2, at the end of line 1, delete "or"

AMENDMENT NO. 8

On page 2, line 2, change "master degree" to "masters, or professional" and after "first." insert:

"Such student shall be exempt from all tuition charges, except that in the case of tuition at an institution which confers a professional degree, a qualified student shall be allowed a credit or exemption against such tuition each term equal to the average undergraduate tuition charged to full time students carrying a full time academic load attending public colleges and universities which offer baccalaureate degrees as determined by the Louisiana Office of Student Financial Assistance.

(2)"

AMENDMENT NO. 9

On page 3, line 6, change "or master degree" to "masters, or professional"

AMENDMENT NO. 10

On page 3, line 7, after "first." insert:

"Such student shall be exempt from all tuition charges, except that in the case of tuition at an institution which confers a professional degree, a qualified student shall be allowed a credit or exemption against such tuition each term equal to the average undergraduate tuition charged to full time students carrying a full time academic load attending public colleges and universities which offer baccalaureate degrees as determined by the Louisiana Office of Student Financial Assistance."

AMENDMENT NO. 11

On page 3, between lines 10 and 11, insert the following

"F. The provisions of this Section authorizing a partial tuition exemption at institutions which confer a professional degree shall not apply to new professional degree participants in the State Tuition Benefit Program on and after July 1, 2009."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yea, Nay. Lists names like Mr. President, Dupre, Marionneaux, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

MOTION

Senator Lentini moved to direct the Committee on Judiciary B to hold a meeting on Wednesday, June 15, 2005, at 10:00 a.m. and report House Bill No. 492.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yea, Nay. Lists names like Amedee, Dupre, Mount.

Boasso	Fontenot	Nevers
Broome	Gautreaux N	Romero
Cain	Kostelka	Schedler
Chaisson	Lentini	Theunissen
Cravins	Malone	
Duplessis	Michot	

Total - 19

NAYS

Mr. President	Ellington	Jones
Adley	Fields	Marionneaux
Bajoie	Gautreaux B	McPherson
Barham	Heitmeier	Murray
Cheek	Hollis	Smith
Dardenne	Jackson	Ullo

Total - 18

ABSENT

Shepherd

Total - 1

The Chair declared that the Committee on Judiciary B was not directed to hear and report House Bill No. 492.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 6—**  
BY SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 6 by Senator Adley

AMENDMENT NO. 1  
On page 1, line 14, change "nine" to "ten"

AMENDMENT NO. 2  
On page 1, line 16, change "one" to "two"

Senator Adley moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mout
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero

Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total - 37

NAYS

Total - 0

ABSENT

Schedler  
Total - 1

The Chair declared the amendments proposed by the House were rejected. Senator Adley moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 119—**  
BY SENATORS JACKSON, CHEEK AND MALONE  
AN ACT

To amend and reenact R.S. 17:1516(A), 1517(A) and (B) and the introductory paragraph of (D), 3215(6), (7), and (8) and to enact R.S. 17:3215(9), relative to the Louisiana State University and Agricultural and Mechanical College Medical School at Shreveport, to provide for the components and organization of this facility; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 119 by Senator Jackson

AMENDMENT NO. 1  
On page 1, line 2, after "1517(A)" delete the remainder of the line and at the beginning of line 3, delete "(D)," and insert a comma "," and insert "(B), and (D)(introductory paragraph)."

AMENDMENT NO. 2  
On page 1, line 8, after "1517(A)" delete the remainder of the line and insert a comma "," and insert "(B), and (D)(introductory paragraph)."

AMENDMENT NO. 3  
On page 1, line 11, after "SUBPART C-1," and before "HEALTH" change "LSU" to "LOUISIANA STATE UNIVERSITY"

AMENDMENT NO. 4  
On page 1, line 15, after "State" and before "Health" insert "University"

AMENDMENT NO. 5  
On page 2, line 4, after "Shreveport" and before "composition" change the comma "," to a semicolon ";"

AMENDMENT NO. 6  
On page 2, line 5, after "A." and before "Hospital" change "LSU" to "Louisiana State University"

AMENDMENT NO. 7  
On page 2, line 12, after "obligations" and before "and" insert a comma ","

AMENDMENT NO. 8  
On page 2, line 13, delete "the"

AMENDMENT NO. 9  
On page 2, line 14, after "the" and before "Hospital" change "LSU" to "Louisiana State University"

AMENDMENT NO. 10

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On page 2, at the beginning of line 22, change "LSU" to "Louisiana State University"

AMENDMENT NO. 11

On page 2, line 24, after "State" and before "system" insert "University"

AMENDMENT NO. 12

On page 3, at the beginning of line 9, change "LSU" to "Louisiana State University"

AMENDMENT NO. 13

On page 3, at the beginning of line 15, after "(7)" and before "Health" change "LSU" to "Louisiana State University"

AMENDMENT NO. 14

On page 3, line 16, after "Shreveport," and before "Hospital" change "LSU" to "Louisiana State University"

AMENDMENT NO. 15

On page 3, at the end of line 16, insert a comma ",."

Senator Jackson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Schedler
Total - 2	

The Chair declared the amendments proposed by the House were concurred in. Senator Jackson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 149—

BY SENATORS BAJOIE, BROOME, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, N. GAUTREAU, HINES, JACKSON, MURRAY AND SCHEDLER AND REPRESENTATIVES FARRAR, GALLOT, JEFFERSON, MARCHAND, MONTGOMERY AND TOWNSEND

AN ACT

To enact R.S. 46:450.5, relative to public assistance; to provide evaluation services to certain persons for chronic kidney disease; to provide early intervention and treatment to certain persons with chronic kidney disease; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 149 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 8, delete "Medicaid eligible persons;" and change "chronic" to "Chronic"

AMENDMENT NO. 2

On page 1, line 10, change "Medicaid eligible individual" to "enrollee in Medicaid who is eligible for services and"

AMENDMENT NO. 3

On page 1, line 11, after "hypertension" and before "or" delete the comma ",."

AMENDMENT NO. 4

On page 1, line 14, change "Medicaid eligible individual" to "enrollee in Medicaid who is eligible for services and"

AMENDMENT NO. 5

On page 1, line 15, after "hypertension" and before "or" delete the comma ",."

AMENDMENT NO. 6

On page 1, line 15, after "and" and before "has" insert "who"

Senator Bajoie moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Jackson	Schedler
Total - 2	

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 153—

BY SENATOR MICHOT

AN ACT

To enact Code of Civil Procedure Art. 258 and to repeal Act No. 543 of the 1980 Regular Session of the Legislature as amended by Act No. 927 of the 1985 Regular Session of the Legislature and as amended by Act No. 706 of the 1993 Regular Session of the Legislature, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and

content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; to repeal the authority of the Lafayette Parish Clerk of Court to employ an attorney at law; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 153 by Senator Michot

AMENDMENT NO. 1

On page 2, at the beginning of line 3, delete "at such recorder's option and discretion may accept" and insert "may adopt and implement a published plan which provides for the acceptance of"

AMENDMENT NO. 2

On page 2, line 10, after "Corporation" and before the period "." insert "or the National Credit Union Administration"

AMENDMENT NO. 3

On page 2, at the end of line 23, change the period "." to a comma "," and insert "provided the written instrument from which the electronic record is taken, except for instruments releasing mortgages and privileges and those instruments filed after July 1, 2006, is filed within ten days of the electronic filing."

Senator Michot moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajote	Fontenot	Mout
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total - 37

NAYS

Total - 0

ABSENT

Schedler

Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 173—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional

method by which such dealers calculate and pay such taxes; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Robideaux to Engrossed Senate Bill No. 173 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "To" and before the comma "," delete "amend and reenact R.S. 47:306.1 and 337.20" and insert "enact R.S. 47:306.2 and 337.20.1"

AMENDMENT NO. 2

On page 1, line 3, after "taxes by" and before "interstate" insert "certain"

AMENDMENT NO. 3

On page 1, delete line 7, and insert the following:  
"Section 1. R.S. 47:306.2 and 337.20.1 are hereby enacted to read as"

AMENDMENT NO. 4

On page 1, delete lines 9 through 17, and on page 2, delete lines 1 through 15, and insert the following:

"§306.2. Collection from certain interstate and foreign transportation dealers

A.(1) Persons, as defined in this Chapter, engaged in the business of transporting passengers or property for hire in interstate or foreign commerce, whether by railroad, railway, automobile, motor truck, boat, ship, aircraft or other means, and who, as part of such business, transport passengers or property between points in Louisiana and points offshore outside the territorial limits of any state, may, at their option under rules and regulations prescribed by the secretary, register as dealers and pay the taxes imposed by R.S. 47:302(A), 321(A), and 331(A) on the basis of the formula hereinafter provided.

(2) Such persons, when properly registered as dealers, may make purchases in this state or import property into this state without payment of the sales or use taxes imposed by R.S. 47:302(A), 321(A), and 331(A) at the time of purchase or importation, provided such purchases or importations are made in strict compliance with the rules and regulations of the secretary. Thereafter, on or before the twentieth day of the month following the purchase or importation, the dealer shall transmit to the secretary, on forms secured by him, returns showing gross taxable purchases and importations of tangible personal property, the cost price of which has not previously been included in a return to the state. The amount of such purchases and importations shall be multiplied by a fraction, the numerator of which is Louisiana mileage operated by the taxpayer and the denominator of which is the total mileage operated by the taxpayer, to obtain the taxable amount of tax basis. This taxable amount of tax basis shall be multiplied by the tax rate to disclose the tax due.

(3) Each such dealer, at the time of making the return required hereunder, shall remit to the secretary the tax due for the preceding calendar month as shown on the return."

AMENDMENT NO. 5

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

"(2) Notwithstanding anything to the contrary, "Louisiana mileage" shall not include mileage"

AMENDMENT NO. 6

On page 2, delete lines 26 through 29, and on page 3, delete lines 1 through 21, and insert the following:

"§337.20.1. Collection from certain interstate and foreign transportation dealers

A.(1) Persons, as defined in this Chapter, engaged in the business of transporting passengers or property for hire in interstate or foreign commerce, whether by railroad, railway, automobile, motor truck, boat, ship, aircraft, or other means, and who, as a part

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of such business, transport passengers or property between points in Louisiana and points offshore outside the territorial limits of any state, may, at their option under rules and regulations prescribed by the secretary of revenue, register as dealers and pay the taxes on the sale or use of tangible personal property imposed by the local ordinances on the basis of the formula hereinafter provided.

(2) Such persons, when properly registered as dealers, may make purchases in this state or import property into this state without payment of the sales or use taxes imposed at the time of purchase or importation, provided such purchases or importations are made in strict compliance with the rules and regulations of the secretary of revenue. Thereafter, on or before the twentieth day of the month following the purchase or importation, the dealer shall transmit to the collector, on forms secured by him, returns showing gross taxable purchases and importations of tangible personal property, the cost price of which has not previously been included in a return to the taxing authority. The amount of such purchases and importations shall be multiplied by a fraction the numerator of which is the taxing jurisdiction's mileage operated by the taxpayer and the denominator of which is the total mileage operated by the taxpayer, to obtain the taxable amount of tax basis. This taxable amount of tax basis shall be multiplied by the tax rate to disclose the tax due.

(3) Each such dealer, at the time of making the return required hereunder, shall remit to the collector the tax due for the preceding calendar month as shown on the return."

AMENDMENT NO. 7

On page 3, delete lines 26 and 27, and insert the following:

"(2) Notwithstanding anything to the contrary, "taxing jurisdiction's mileage" shall not include"

AMENDMENT NO. 8

On page 3, at the beginning of line 28, delete "excluding only"

AMENDMENT NO. 9

On page 4, between lines 8 and 9, insert the following:

"Section 3. Transportation dealers registered under R.S. 47:306.1 on the effective date of this Act and engaged in providing transportation between points in Louisiana and points offshore outside the territorial limits of any state during the sales and use tax period immediately preceding the effective date of this Act shall be deemed to have elected to report under this new R.S. 47:306.2 and shall begin filing under R.S. 47:306.2 and R.S. 47:337.20.1 in lieu of R.S. 47:306.1 and R.S. 47:337.20 beginning on the effective date of this Act, unless the taxpayer notifies the secretary to the contrary."

AMENDMENT NO. 10

On page 4, at the beginning of line 9, change "Section 3." to "Section 4."

Senator Michot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Dupre, Marionneaux, Adley, Ellington, McPherson, Amedee, Fields, Michot, Bajolie, Fontenot, Mount, Barham, Gautreaux B, Murray, Boasso, Gautreaux N, Nevers, Broome, Heitmeier, Romero, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo, Duplessis, Malone

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senator Amedee in the Chair

SENATE BILL NO. 190—

BY SENATORS BROOME, BAJOLIE, HINES, MCPHERSON, MOUNT, JACKSON AND SCHEDLER AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 40:1299.53 (A)(6) and 1299.58 (A)(introductory paragraph) and (A)(1), to enact R.S. 40:1299.53 (A)(10) and (11), (C) and (D), 1299.58 (G), Chapter 4-A of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:445.1 through 445.32, and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180 through 2180.5, and to repeal R.S. 28:380 through 382 and 383 through 444 and R.S. 28:421 through 427, relative to citizens with developmental disabilities; to provide for definitions; to provide for system components, operations, and principles; to provide for the rights of persons with developmental disabilities; to provide for appeal and grievance procedures; to provide for consent by a person with a developmental disability; to provide for judicial commitment; to provide for the administration of the state developmental centers; to provide for the ombudsman program and quality assurance of facilities and services for persons with developmental disabilities; to provide for licensure of intermediate care facilities for the mentally retarded; to provide for licensing fees for such services; to provide for definitions; to provide for an effective date; and to provide for related matters.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 190 by Senator Broome

AMENDMENT NO. 1

On page 1, at the end of line 15, delete "to provide for" and at the beginning of line 16, delete "licensing fees for such services;"

AMENDMENT NO. 2

On page 2, line 19, after "28:445.2," and before "of" insert "to make recommendations on behalf"

AMENDMENT NO. 3

On page 5, at the beginning of line 3, delete "which"

AMENDMENT NO. 4

On page 5, line 16, change "Services Authorities and Districts" to "services authorities and districts"

AMENDMENT NO. 5

On page 8, line 8, after "condition" and before "in" delete the comma " , "

AMENDMENT NO. 6

On page 11, line 8, delete "human services"

AMENDMENT NO. 7

On page 12, line 3, delete "shall" and after "offices" and before "human" delete the comma " , " and insert in lieu thereof "and", and after "services" and before "authorities" delete the comma " , "

AMENDMENT NO. 8

On page 12, line 5, after "offices" and before "human" delete the comma " , " and insert in lieu thereof "and" and on line 8, after

"offices" and before "human" delete the comma "," and insert in lieu thereof "and"

AMENDMENT NO. 9

On page 12, delete lines 20 through 29 in their entirety

AMENDMENT NO. 10

On page 13, delete lines 1 through 6 in their entirety

AMENDMENT NO. 11

On page 13, at the end of line 7, delete the comma "," and at the beginning of line 8, before "human" insert "and"

AMENDMENT NO. 12

On page 14, line 8, delete "These representatives may" and delete lines 9 through 18 in their entirety

AMENDMENT NO. 13

On page 14, at the end of line 19, delete the comma "," and in lieu thereof insert "and"

AMENDMENT NO. 14

On page 20, at the end of line 14, delete "governing"

AMENDMENT NO. 15

On page 20, line 18, after "(2)" insert "The" and change "Required" to "required"

AMENDMENT NO. 16

On page 23, delete line 16, and insert in lieu thereof "(4) A needs-based assessment shall be completed for anyone who enters the developmental disabilities services system and he"

AMENDMENT NO. 17

On page 25, line 25, after "family" and before "direct" delete the comma "," and insert in lieu thereof "and"

AMENDMENT NO. 18

On page 33, line 27, delete "of" and insert in lieu thereof "the"

AMENDMENT NO. 19

On page 33, line 28, after "services" and before "or" insert a comma "," and after "both" and before "under" insert a comma ","

AMENDMENT NO. 20

On page 34, at the end of line 9, delete "and"

AMENDMENT NO. 21

On page 34, line 10, after "options" and before "or" insert a comma "," and after "both" and before "in" insert a comma ","

AMENDMENT NO. 22

On page 37, line 20, after "that" and before "public" insert "a"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 190 by Senator Broome

AMENDMENT NO. 1

On page 14, line 28, at the beginning of the line, change "I." to "G."

AMENDMENT NO. 2

On page 15, line 6, at the beginning of the line, change "K." to "H."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 190 by Senator Broome

AMENDMENT NO. 1

On page 23, line 17, change "which address his needs" to "for which he is criteria eligible"

AMENDMENT NO. 2

On page 23, line 19, after "option" change the period "." to a comma "," and add "but rather, within fifteen days of completion of the standardized determination, shall supply to the person a list of all options for which he is criteria eligible."

Senator Broome moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 38

**NAYS**

Total - 0

**ABSENT**

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Broome moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 200—**

BY SENATORS BAJOIE, MURRAY, JACKSON, NEVERS AND SCHEDLER

**A JOINT RESOLUTION**

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 200 by Senator Bajoie(Duplicate of H.B. No. 419)

AMENDMENT NO. 1

On page 1, at the beginning of line 4, delete "and" and at the end of line 5, delete the period "." and insert a semicolon ";" and "to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 16, after "artwork" delete the remainder of the line

AMENDMENT NO. 3

On page 2, at the end of line 2, delete the period "." and insert "which is listed as a consignment article by an art dealer."

AMENDMENT NO. 4

On page 2, line 16, after "endeavor." insert "(Effective January 1, 2007)"

Senator Bajoie moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Marionneaux
Adley Ellington McPherson
Amedee Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Romero
Cain Hollis Shepherd
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Kostelka Ullo
Dardenne Lentini
Duplessis Malone
Total - 37

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 210— BY SENATOR HEITMEIER

AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain judgements rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 210 by Senator Heitmeier

AMENDMENT NO.1

On page 7, line 7, delete "After the end of the time period for filing claims, there" and insert "There"

AMENDMENT NO. 2

On page 7, line 12, delete "After the end of the time period for filing claims, if" and insert "If"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Adley Ellington Michot
Amedee Fields Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Romero
Broome Heitmeier Schedler
Cain Hollis Shepherd
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Kostelka Ullo
Dardenne Lentini
Duplessis Marionneaux
Total - 37

NAYS

Malone
Total - 1

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 224— BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 224 by Senator Hollis

AMENDMENT NO.1

On page 5, line 7, following "hours" insert "." and change "and may" to "The license"

Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Malone
Adley Ellington Marionneaux
Amedee Fields McPherson
Barham Fontenot Michot
Boasso Gautreaux B Mount

Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

NAYS

Bajoie  
Total - 1

ABSENT

Schedler  
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 232—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 26:85.2, relative to alcohol beverage control; to establish and authorize the issuance of a museum permit to authorize the limited sale of certain commemorative bottles of alcohol and to authorize the limited service of product samples in a historically-based museum facility that is operated in a historic preservation district; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 232 by Senator Murray

AMENDMENT NO.1

On page 2, after line 12, add the following:

"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."

Senator Murray moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Cain	Fontenot	Nevers
Total - 3		

ABSENT

Schedler  
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Murray moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

**SENATE BILL NO. 318—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 14:403.3(D) and R.S. 15:538(D)(2), (3), (4), and (5), 541(14.1) and 542.1(L)(2), and to enact R.S. 14:403(E) and R.S. 15:538(D)(6) and (E), (F), and (G), 542(G) and (H), 542.1(N) and 549(H) and Chapter 24-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2525, relative to criminal offenses against persons; to provide for false reports or communications concerning the Amber Alert System; to require the Department of Public Safety and Corrections or the Louisiana Bureau of Criminal Identification and Information to approve the residence location and living arrangements of the sexual offender; to provide for the definition of sex offense; to provide for additional conditions of probation and parole in certain cases; to provide for verification of sexual offender registration; to provide that it is a criminal offense to hide or harbor a sex offender, child predator, or sexually violent predator, or to fail to notify or to provide false information about such offender or predator to law enforcement officials; to provide for penalties; to provide for notification requirements for child predators or sexually violent predators; to provide for a pre-Amber Alert action plan; to provide for the use of certain technology; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Fields  
Total - 1

June 14, 2005

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

Mr. President in the Chair

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Duplessis asked that Senate Bill No. 59 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 59— BY SENATOR DUPLESSIS AN ACT

To amend and reenact R.S. 47:297.4 and to repeal R.S. 47:297.2, relative to state income tax credits; to provide for the child care and dependent care expense credits and their calculation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Duplessis, Marionneaux, Adley, Dupre, McPherson, Amedee, Ellington, Michot, Bajois, Gautreaux B, Mount, Barham, Gautreaux N, Murray, Boasso, Heitmeier, Nevers, Broome, Hollis, Romero, Cain, Jackson, Schedler, Chaisson, Jones, Shepherd, Cheek, Kostelka, Smith, Cravins, Lentini, Theunissen, Dardenne, Malone, Ullo. Total - 36

NAYS

Total - 0

ABSENT

Table with 2 columns: Fields, Fontenot. Total - 2

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

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 18— BY REPRESENTATIVE JOHN SMITH AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Sixth Judicial District Court; to provide for determination of fees in all cases by the court; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, McPherson, Adley, Fontenot, Michot, Amedee, Gautreaux B, Mount, Bajois, Gautreaux N, Murray, Barham, Heitmeier, Nevers, Boasso, Hollis, Romero, Broome, Jackson, Shepherd, Chaisson, Jones, Smith, Cheek, Kostelka, Theunissen, Dardenne, Lentini, Ullo, Dupre, Malone, Ellington, Marionneaux. Total - 34

NAYS

Table with 2 columns: Cain, Cravins. Total - 2

ABSENT

Table with 2 columns: Duplessis, Schedler. Total - 2

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Marionneaux, Adley, Ellington, McPherson, Amedee, Fields, Michot, Bajois, Fontenot, Mount, Barham, Gautreaux B, Murray, Boasso, Gautreaux N, Nevers, Broome, Heitmeier, Romero, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo, Duplessis, Malone. Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

**Senator Ullo in the Chair**

**HOUSE BILL NO. 56—**

BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, WINSTON, AND SCALISE AND SENATOR BROOME  
AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

**HOUSE BILL NO. 78—**

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

To amend and reenact R.S. 47:305.50(B), relative to the state sales and use tax; to exempt fabrication, modification, or repairs of rail rolling stock; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

McPherson  
Total - 1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd  
Total - 1

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

Mr. President in the Chair

HOUSE BILL NO. 90— BY REPRESENTATIVES BRUNEAU, ARNOLD, AND RICHMOND AN ACT

To amend and reenact R.S. 47:305.40(A) and to enact R.S. 47:301(8)(f), relative to state and local sales and use taxes; to provide that certain carnival and nonprofit organizations participating in certain parades and purchases or sales of certain specialty items by such organizations are not subject to such taxes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Romero, Schedler, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Shepherd Total - 1

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

HOUSE BILL NO. 91— BY REPRESENTATIVE ANSARDI AN ACT

To amend and reenact Chapters 1, 2, and 3 of Title VII of Book I of the Civil Code, presently comprised of Articles 178 through 211, to be comprised of Chapters 1 and 2 of Title VII of Book I of the Civil Code, consisting of Articles 184 through 198, relative to the filiation of parents and children; to provide for the proof of maternity and paternity; to provide for the presumptions of paternity; to provide for disavowal of paternity; to provide for the contestation of paternity; to provide for an acknowledgment of paternity; to provide for the avowal action; to provide for the exceptional action of paternity; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 91 by Representative Ansardi

AMENDMENT NO. 1

On page 12, delete lines 29 through 34 and insert the following: "For purposes of succession only, this action is subject to a peremptive period of one year. This peremptive period commences to run from the day of the death of the alleged father."

AMENDMENT NO. 2

On page 14, line 2, after "child" insert "at any time" and delete line 3

AMENDMENT NO. 3

On page 14, at the beginning of line 4, delete "first occurs,"

AMENDMENT NO. 4

On page 14, after line 10, insert the following: "In all cases, the action shall be instituted no later than one year from the day of the death of the child."

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 91 by Representative Ansardi

AMENDMENT NO. 1

On page 15, line 32, after "Section 2." delete the remainder of the line and insert in lieu thereof the following: "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."

AMENDMENT NO. 2

On page 15, after line 32, insert the following: "Section 3. The provisions of this Act shall be applicable to all claims existing or actions pending on its effective date and all claims arising or actions filed on and after its effective date."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Malone, McPherson, Michot, Mount, Murray, Nevers, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

Duplessis Marionneaux  
 Total - 37  
 NAYS  
 Total - 0  
 ABSENT  
 Lentini  
 Total - 1

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

**HOUSE BILL NO. 101—**  
 BY REPRESENTATIVE T. POWELL  
 AN ACT

To amend and reenact R.S. 14:93.13(B) and to enact R.S. 14:93.12(B)(3) and R.S. 32:414(S), relative to offenses involving unlawful purchase or possession of alcoholic beverages; to provide with respect to criminal penalties for unlawful purchase or possession of alcoholic beverages; to authorize driver's license suspensions as additional criminal penalties; to provide relative to the issuance of a restricted driver's license; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Boasso  
 Total - 1  
 ABSENT

Duplessis  
 Total - 1

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

**HOUSE BILL NO. 138—**  
 BY REPRESENTATIVES HUTTER AND MCDONALD  
 AN ACT

To enact R.S. 9:2801(C), relative to the award of attorney fees in a community property partition; to provide that the court may award attorney fees when a party fails to comply with the time limits in a community property partition; and to provide for related matters.

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

**HOUSE BILL NO. 166—**  
 BY REPRESENTATIVES MCDONALD AND THOMPSON AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of the justice of the peace districts; to provide for election of justices of the peace from the new districts; to provide for the territorial jurisdiction of the justice of the peace courts if the police jury district lines are changed; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 38

**NAYS**

Total - 0

**ABSENT**

Total - 0

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

**HOUSE BILL NO. 239—**  
 BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 47:2181.1, relative to sales of immovable property for delinquent taxes; to specify the location of the sale; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

June 14, 2005

Total - 37

NAYS

Total - 0

ABSENT

Shepherd  
Total - 1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Adley  
Total - 2

Barham

ABSENT

Kostelka  
Total - 1

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

**HOUSE BILL NO. 451—**  
BY REPRESENTATIVES GEYMAN 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins  
Total - 1

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

**HOUSE BILL NO. 473—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for exceptions from the fee on certain tire sales; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 473 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:2418(H)(introductory paragraph)" insert ",(I)(2) and (N),"

AMENDMENT NO. 2

On page 1, line 4, after "sales;" insert "to provide for the disbursement of funds from the waste tire fund;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 30:2418(H)(introductory paragraph)" delete "is" and insert in lieu thereof ",(I)(2) and (N) are"

AMENDMENT NO. 4

On page 2, delete line 3 in its entirety and insert in lieu thereof the following:

"I.(1) \* \* \*

(2) A permitted waste tire processing facility shall be eligible to receive a minimum of one dollar and fifty cents per twenty pounds of waste tire material that is recycled or that reaches end-market uses or per twenty pounds of whole waste tires marketed and shipped to a qualified recycler. This payment shall be conditioned on the facility providing to the department any documentation, including but not limited to manifests, statements, or certified scale-weight tickets, required by law or by rules and regulations promulgated by the department. The secretary shall not make payments from the fund or obligate the department to make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, in an amount greater than fifty percent of the amount otherwise eligible to receive pursuant to this Paragraph until one of the following occurs: (a) Payments have been made from the

fund to waste tire processors, as provided for in Subparagraph (4)(3)(b), for a period of three consecutive months. (b) All until all undisputed obligations owed to waste tire processors have been paid in full and any disputed unpaid funds for the processing of tires shall be placed in escrow until such time as a final determination on such disputed funds is rendered.

\* \* \*

N. The secretary shall promulgate rules to make payments to processors on the basis of weight or tire count at the option of the processor and shall promulgate rules to allow a processor to account for incoming tires on the basis of weight or tire count at the option of the processor, in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. Payments to a waste processor, or any portion thereof, shall not be temporarily or permanently withheld or terminated prior to an adjudication and issuance of a decision, after adequate notice and an opportunity for a hearing, as provided in the Administrative Procedure Act.

\* \* \*

Section 2.(A) Any funds collected, deposited, and available for distribution in the Waste Tire Management Fund for the sole purpose of research and development pursuant to and in accordance with Act No. 789 of the 2003 Regular Session of the Legislature shall be distributed in a pro rata share to those waste tire processors having a standard permit to whom there are fund obligations remaining unpaid. The first distribution shall occur within thirty days of the effective date of this Act.

(B) After all unpaid obligations to permitted waste tire processors have been satisfied in full, all remaining and future funds collected for the sole purpose of research and development pursuant to the provisions of Act No. 789 of the 2003 Regular Session of the Legislature shall be deposited into the Waste Tire Management Fund.

Section 3. This Act shall become effective on July 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2005, or on the day following such approval by the legislature, whichever is later."

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Kostelka
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux B	Murray
Chaisson	Gautreaux N	Nevers
Cheek	Heitmeier	Schedler
Cravins	Hollis	Shepherd
Duplessis	Jackson	Ullo
Dupre	Jones	
Total - 26		

**NAYS**

Barham	Malone	Smith
Boasso	Michot	Theunissen
Dardenne	Mount	
Lentini	Romero	
Total - 10		

**ABSENT**

Broome	Cain
Total - 2	

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

**NAYS**

Total - 0

**ABSENT**

Cain	Kostelka
Total - 2	

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

**HOUSE BILL NO. 513—**

BY REPRESENTATIVES HAMMETT, BOWLER, DANIEL, DEWITT, ERDEY, FAUCHEUX, GEYMANN, HEATON, HEBERT, JOHNS, KENNEY, LANCASTER, MARTINY, MCDONALD, ODINET, JACK SMITH, TOWNSEND, WOOTON, JANE SMITH, AND KLECKLEY AND SENATORS CHEEK, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HINES, MICHOT, MOUNT, AND SCHEDLER

**AN ACT**

To repeal R.S. 47:301(16)(i)(iv), relative to state sales and use tax; to remove restrictions on exclusion from state and local sales and use taxes for digital television and digital radio conversion equipment; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

**NAYS**

Total - 0

**ABSENT**

Total - 0

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

HOUSE BILL NO. 576—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 6:332 and 333(F)(16), relative to financial records; to provide relative to the disclosure of such records; to provide relative to attorney trust or escrow accounts; to authorize overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for limitation of liability; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 576 by Representative Lambert

AMENDMENT NO. 1
On page 1, line 5, between "liability;" and "and to" insert the following: "to provide for an effective date;"

AMENDMENT NO. 2
On page 1, line 11, change "bank" to "federally insured financial institution"

AMENDMENT NO. 3
On page 1, line 14, change "notification" to "written or electronic notification"

AMENDMENT NO. 4
On page 1, line 15, change "Notification" to "Written or electronic notification"

AMENDMENT NO. 5
On page 1, line 16, change "bank or" to "federally insured financial institution or its"

AMENDMENT NO. 6
On page 1, line 19, change "bank or" to "federally insured financial institution or its"

AMENDMENT NO. 7
On page 1, line 20, change "notification" to "notification service"

AMENDMENT NO. 8
On page 1, line 20, change "bank" to "federally insured financial institution"

AMENDMENT NO. 9
On page 2, line 2, change "bank or" to "federally insured financial institution or its" and change "failure" to "unintentional failure"

AMENDMENT NO. 10
On page 2, line 3, between "counsel" and "nor" insert the following: ", nor for the unintentional failure to otherwise comply with the provisions of this Section."

AMENDMENT NO. 11
On page 2, line 4, change "bank" to "federally insured financial institution"

AMENDMENT NO. 12
On page 2, line 6, change "disclosure" to "disclosure or non-disclosure"

AMENDMENT NO. 13
On page 2, delete line 9 in its entirety and insert in lieu thereof the following: "caused by charges applicable to the account that are

imposed by a federally insured financial institution or are imposed through error by such institution."

AMENDMENT NO. 14
On page 2, line 16, change "bank or any affiliate" to "federally insured financial institution or any of its affiliates"

AMENDMENT NO. 15
On page 2, below line 18, add the following:
"Section 2. The provisions of this Act shall become effective six months following adoption of a final rule by the Louisiana Supreme Court requiring attorneys to utilize, in whole or in part, the overdraft notification services provided in R.S. 6:332 as enacted by this Act."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dupre, Ellington, etc.

NAYS

Shepherd
Total - 1

ABSENT

Total - 0

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

HOUSE BILL NO. 599—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, AND FAUCHEUX AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 3:4684 and R.S. 47:820.1 and 1508(B)(6) and to enact Part V-A of Chapter 7 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:818.1 through 818.104, relative to the taxes on gasoline, motor fuel, and special fuels; to provide for the disclosure of licensee information; to conform the terminology as it relates to the tax dedicated to the Transportation Infrastructure Model of Economic Development Account; to provide for the collection of the tax on gasoline, motor fuels, and special fuels at the point of leaving the terminal rack or upon importation into the state; to provide definitions; to provide for licensing and bond requirements and filing requirements; to provide for civil and criminal penalties; to define certain crimes; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Reengrossed House Bill No. 599 by Representative Hammett

AMENDMENT NO. 1

On page 46, line 8, after "transporting in a" insert "rail car or"

AMENDMENT NO. 2

On page 46, line 9, change "driver" to "operator" and after "every" insert "rail car or"

AMENDMENT NO. 3

On page 47, at the beginning of line 4, before "highway" insert "rail car or"

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Cain  
Total - 1

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

**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.

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

**HOUSE BILL NO. 805—**

BY REPRESENTATIVE MONTGOMERY AND SENATOR ELLINGTON  
AN ACT

To amend and reenact R.S. 47:6014(E)(1), relative to the taxation and for tax relief for certain telephone companies; to provide for the apportionment and dedication of certain taxes for deposit into the Telephone Company Property Assessment Relief Fund; to provide for certain restrictions on the fund; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cain  
Total - 3

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

**HOUSE BILL NO. 817—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 47:1675 and to repeal R.S. 47:287.34, relative to income and corporation franchise tax credits; to provide for eligibility and application of the tax credits; to provide general administrative provisions for tax credits; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Mount sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Mount to Engrossed House Bill No. 817 by Representative Hammett

AMENDMENT NO.1

On page 4, line 18, after "(A)(3)" insert "and (5)"

On motion of Senator Mount, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Chaisson	Hollis	Shepherd

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Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Cain	Lentini	Schedler
Total - 3		

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

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 14, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 208—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 32:304, relative to motor vehicles; to clarify certain requirements with respect to tail lamps on vehicles; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 219—**  
BY SENATOR FONTENOT  
AN ACT

To repeal R.S. 45:1206, relative to the Energy Efficiency Fund; to repeal the authority of the Public Service Commission to adopt rules and regulations to establish the Energy Efficiency Fund; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 102—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 49:191(3) and to repeal R.S. 191(1)(e), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 110—**  
BY SENATOR SMITH  
AN ACT

To amend and reenact R.S. 9:3530(C)(4), relative to consumer loan transactions; to provide for a documentation fee for certain consumer loan transactions; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 184—**  
BY SENATOR LENTINI  
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1)(e), (2)(a), (3)(a), and the introductory paragraph of (4), and the introductory paragraph of (G) and R.S. 40:1299.47 (A)(1)(e), (2)(a), (3)(a) and (c) and the introductory paragraph of (4), the introductory paragraph of (G), (L) and (M), to enact R.S. 40:1299.39.1(A)(5) and 1299.47(A)(5) and to repeal R.S. 40:1299.47(K); relative to medical liability; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 237—**  
BY SENATOR ULLO  
AN ACT

To enact R.S. 46:333(E), relative to blind vendors; to authorize the Department of Social Services to enter into certain contracts; to provide for the assignment of income from vending machines; to provide for compliance with the Randolph-Sheppard Act; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 48—**  
BY SENATOR THEUNISSEN  
AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 63—**  
BY SENATOR DUPLESSIS  
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 without amendments.

**SENATE BILL NO. 222—**  
BY SENATOR HOLLIS  
AN ACT

To amend and reenact R.S. 9:3529, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

Reported without amendments.

**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 without amendments.

**SENATE BILL NO. 268—**  
BY SENATORS SMITH AND ELLINGTON  
AN ACT

To amend and reenact R.S. 48:274.1(A)(2)(a), relative to outdoor logo signing program on interstate highways; to provide relative to contracts with third parties; to provide for payment to the Department of Transportation and Development for use of rights-of-way; to provide for selection of the third party or parties to be a competitive process in accordance with the procurement code; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 247—**  
BY SENATOR MOUNT  
AN ACT

To enact Civil Code Art. 2807.5 and R.S.12:1310.5, relative to partnerships and limited liability companies; to provide for the retroactive effect of a partnership's or a limited liability company's existence when immovable property is acquired by such entities which have not been duly constituted; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 278—**  
BY SENATOR NEVERS  
AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B) and (C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2) and (8), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and 3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 188—**  
BY SENATORS FONTENOT, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES ALARIO, HAMMETT AND SALTER  
AN ACT

To amend and reenact R.S. 30:2076.2(A)(3), (B)(3), (C)(1), and (D), relative to violations of the Louisiana Pollutant Discharge Elimination System; to authorize the costs of investigation and prosecution be included in the criminal penalties; to change such violations from a misdemeanor offense to a felony offense; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 196—**  
BY SENATORS BARHAM, KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH  
AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 205—**  
BY SENATOR DUPLESSIS  
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3071 through 3076, relative to database security; to provide for legislative findings; to provide definitions; to provide for disclosure upon breach in the security of personal information by agencies and persons; to provide for delayed notification in the event of certain criminal investigations; to provide for means of notification; to provide for the recovery of damages; to provide for financial institution compliance in certain cases; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 212—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a), relative to judicial procedure; to provide relative to civil jury trials; to require certain filing fees for such trials; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 107—**  
BY SENATOR DUPLESSIS  
AN ACT

To enact R.S. 6:319, relative to financial institutions; to authorize banks to use additional FDIC insurance coverage to insure excess public funds on deposit; to provide that such funds are considered fully collateralized; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 151—**  
BY SENATORS N. GAUTREAUX, DUPRE, LENTINI, MURRAY AND ROMERO  
AN ACT

To enact Part III-A of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of congress, or state law; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 239—**  
BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 17:24.10 and 3995(C), relative to charter schools; to authorize all types of charter schools to apply directly to the state Department of Education to participate in the LA 4 program; to provide with regard to the compliance of a charter school with the terms of a grant; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 271—**  
BY SENATORS MCPHERSON, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES DORSEY, HAMMETT AND SALTER  
AN ACT

To amend and reenact R.S. 14:403.2(E)(9)(a), and to enact R.S. 40:1300.51(2)(l) and (m), and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2179 through 2179.1, and to repeal R.S. 37:2504(D) and (E), relative to direct service workers; to provide relative to the adult protection agency; to provide with respect to the confidentiality of case records; to provide for criminal history checks of direct service workers; to define direct service

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workers; to authorize the Department of Health and Hospitals to promulgate rules to maintain a registry of direct service workers; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 70—**  
BY SENATORS KOSTELKA AND ELLINGTON  
AN ACT

To amend and reenact R.S. 32:387.17(A)(5), relative to special permits; to extend authorization for issuance of special permits for trucks hauling containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 292—**  
BY SENATORS HINES, CRAVINS, CAIN AND MURRAY  
AN ACT

To amend and reenact Part IV of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:251 and 252, and to enact R.S. 4:143(16), relative to racing; to provide for a horsemen's workers' compensation insurance program; to authorize the Horsemen's Benevolent and Protective Association to secure and provide coverage for the benefit of trainers and others licensed by the Louisiana State Racing Commission; to authorize the use of association assets and revenues as security for a reserve fund; to require each licensed trainer to have a certificate of workers' compensation insurance coverage; to prohibit admittance of a licensed trainer into any racing facility without a certificate of workers' compensation insurance coverage; and to provide for related matters.

Reported with amendments.

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

**Introduction of  
Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 119—**  
BY SENATOR HINES  
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to conduct a study of the effect of investor-owned healthcare facilities located in the primary service areas of Louisiana's rural hospitals, on such rural hospitals.

The resolution was read by title. Senator Hines moved to adopt the 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
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen

Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Lentini  
Total - 1

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

**SENATE CONCURRENT RESOLUTION NO. 120—**  
BY SENATOR MALONE AND REPRESENTATIVE PIERRE  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to establish a domestic energy policy that will ensure an adequate supply of energy and the necessary infrastructure.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Boasso  
Lentini  
Total - 2

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 14, 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. 114—**  
BY REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute review and make recommendations for revisions to the Gaming Control Law contained in Title 27 of the Louisiana Revised Statutes of 1950 to incorporate changes made by Act No. 7 of the 1996 First Extraordinary Session.

**HOUSE CONCURRENT RESOLUTION NO. 134—**  
BY REPRESENTATIVE LAFONTA  
A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to accept amended income tax returns for certain taxpayers and make refunds to reflect the appropriate amount of exemption for retirement income for certain persons sixty-five years or older.

**HOUSE CONCURRENT RESOLUTION NO. 142—**  
BY REPRESENTATIVE LAFONTA  
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 feasibility of a single-payer health insurance system for the citizens of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 108—**  
BY REPRESENTATIVE DURAND  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop and implement a process to ensure that the state is provided the best price and value in the event that there are multiple generic drugs of the same chemical compound stocked and sold at local pharmacies and report its findings to the House and Senate Committees on Health and Welfare prior to April 1, 2006.

**HOUSE CONCURRENT RESOLUTION NO. 155—**  
BY REPRESENTATIVE CROWE  
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Public Safety and Corrections to study the feasibility of requiring sex offenders to comply with state-mandated registration and notification requirements immediately prior to release from incarceration.

**HOUSE CONCURRENT RESOLUTION NO. 157—**  
BY REPRESENTATIVE BRUCE  
A CONCURRENT RESOLUTION

To urge and request state agencies to participate in the Early Childhood Comprehensive Systems initiative to coordinate services that support early childhood development.

**HOUSE CONCURRENT RESOLUTION NO. 184—**  
BY REPRESENTATIVE ERDEY  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the design and engineering phase of a certain highway construction project in Livingston Parish.

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
BY REPRESENTATIVE DANIEL  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs at Interstate 10 at the Dalrymple Drive exit in Baton Rouge indicating the location of City Park Golf Course.

**HOUSE CONCURRENT RESOLUTION NO. 130—**  
BY REPRESENTATIVE BEARD  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to explore all avenues to assure that new parents are made aware of their option to donate the blood collected from their newborn's umbilical cord for the purposes of extracting stem cells.

**HOUSE CONCURRENT RESOLUTION NO. 133—**  
BY REPRESENTATIVE DURAND  
A CONCURRENT RESOLUTION

To direct the Louisiana Emergency Response Network to establish up to nine regional commissions and begin working on the regional patient care protocols and data collection.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 108—**  
BY REPRESENTATIVE DURAND  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop and implement a process to ensure that the state is provided the best price and value in the event that there are multiple generic drugs of the same chemical compound stocked and sold at local pharmacies and report its findings to the House and Senate Committees on Health and Welfare prior to April 1, 2006.

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

**HOUSE CONCURRENT RESOLUTION NO. 114—**  
BY REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute review and make recommendations for revisions to the Gaming Control Law contained in Title 27 of the Louisiana Revised Statutes of 1950 to incorporate changes made by Act No. 7 of the 1996 First Extraordinary Session.

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

**HOUSE CONCURRENT RESOLUTION NO. 130—**  
BY REPRESENTATIVE BEARD  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to explore all avenues to assure that new parents are made aware of their option to donate the blood collected from their newborn's umbilical cord for the purposes of extracting stem cells.

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

**HOUSE CONCURRENT RESOLUTION NO. 133—**  
BY REPRESENTATIVE DURAND  
A CONCURRENT RESOLUTION

To direct the Louisiana Emergency Response Network to establish up to nine regional commissions and begin working on the regional patient care protocols and data collection.

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	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot

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Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE LAFONTA  
A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to accept amended income tax returns for certain taxpayers and make refunds to reflect the appropriate amount of exemption for retirement income for certain persons sixty-five years or older.

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

**Senator Murray in the Chair**

**HOUSE CONCURRENT RESOLUTION NO. 142—**

BY REPRESENTATIVE LAFONTA  
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 feasibility of a single-payer health insurance system for the citizens of Louisiana.

The resolution was read by title. Senator Shepard moved to concur in the House 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
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Kostelka  
Total - 1

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

**HOUSE CONCURRENT RESOLUTION NO. 155—**

BY REPRESENTATIVE CROWE  
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Public Safety and Corrections to study the feasibility of requiring sex offenders to comply with state-mandated registration and notification requirements immediately prior to release from incarceration.

The resolution was read by title. Senator Schedler moved to concur in the House 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
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Kostelka  
Total - 1

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

**Mr. President in the Chair**

**HOUSE CONCURRENT RESOLUTION NO. 157—**

BY REPRESENTATIVE BRUCE  
A CONCURRENT RESOLUTION

To urge and request state agencies to participate in the Early Childhood Comprehensive Systems initiative to coordinate services that support early childhood development.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Kostelka	Theunissen

Dardenne Duplessis Total - 35	Lentini Malone	Ullo
NAYS		
Total - 0		
ABSENT		
Boasso Total - 3	Jones	Romero

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

**HOUSE CONCURRENT RESOLUTION NO. 184—**  
BY REPRESENTATIVE ERDEY  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the design and engineering phase of a certain highway construction project in Livingston Parish.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
BY REPRESENTATIVE DANIEL  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs at Interstate 10 at the Dalrymple Drive exit in Baton Rouge indicating the location of City Park Golf Course.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot

Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

**Privilege Report of the  
Legislative Bureau**

June 14, 2005

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. 887 — (Substitute for House Bill No. 802 by Representative Durand)**

BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Motion to Make Special Order**

Senator Heitmeier asked for a suspension of the rules for the purpose of making House Bill No. 887, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 1 on Wednesday, June 15, 2005, immediately following the Morning Hour.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 14, 2005

To the President and Members of the Senate:

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

**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.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 162—**

BY REPRESENTATIVE CRAVINS

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of youth services, together with the local courts exercising juvenile jurisdiction and local children and youth planning boards, to study jointly the needs of and resources available to youth requiring out-of-home placement in Region 5, consisting of the Fifteenth, Sixteenth, and Twenty-Seventh Judicial Districts and to make recommendations for changes in the laws, rules, programs, and procedures to achieve more effective and cost efficient delivery of juvenile justice services.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 114—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 338—**

BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact R.S. 26:81(C) and 281(C)(1), relative to prohibitions on the location of premises licensed to deal in alcoholic beverages; to authorize a municipality to adopt an ordinance to provide for the measurement of distances from a public playground, church or synagogue, public library, school, or full-time day care center that a licensed premises in certain areas cannot be situated; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 371—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 564—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 4:732(A)(2), (B), (E)(2) and (5), and (G), to enact R.S. 4:706(D) and 724(I), and to repeal R.S. 4:732(F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo; to provide that the term bingo includes electronic video bingo for purposes of decisions to permit charitable raffles, bingo, and keno by local governing authorities; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 642—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program within six months of funding of the program after evaluation of a pilot test of the program; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 755—**

BY REPRESENTATIVES DARTEZ AND JACK SMITH  
AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 799—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 14:90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, relative to slot machine gaming at the eligible airport facility; to enact the New Orleans Airport Facility and Operation Economic Redevelopment and Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming at the eligible airport facility; to provide suitability criteria and conditions for licensing; to provide conditions with respect to licensing; to provide criteria for the slot machine gaming facility in the eligible airport facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for eligible airport facility gaming; to authorize an airport authority tax; to provide for the allocation of funds from that tax; to provide with respect to the power of the airport authority; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ROBERT MARIONNEAUX, JR.,  
Chairman

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

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**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.

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. 114—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; 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. 338—**

BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact R.S. 26:81(C) and 281(C)(1), relative to prohibitions on the location of premises licensed to deal in alcoholic beverages; to authorize a municipality to adopt an ordinance to provide for the measurement of distances from a public playground, church or synagogue, public library, school, or full-time day care center that a licensed premises in certain areas cannot be situated; 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. 338 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 2, after "26:81(C)" delete "and 281(C)(1)" and insert in lieu thereof ", 142, 281(C)(1), 326, and 359(A)"

AMENDMENT NO. 2

On page 1, line 6, after "situated;" insert "to provide for exceptions to the prohibition against selling or offering for sale alcoholic

beverages produced or manufactured inside or outside of the state except to the holder of a wholesaler's permit;"

AMENDMENT NO. 3

On page 1, line 9, after "26:81(C)" delete "and 281(C)(1)" and insert in lieu thereof ",142, 281(C)(1), 326, and 359(A)"

AMENDMENT NO. 4

On page 2, between lines 10 and 11 insert the following:
"§142. ~~Importation by~~ Distribution through wholesalers only
~~No~~ Except as provided for in R.S. 26:271.1, 326, and 359, no alcoholic beverage produced or manufactured inside or outside of this state shall be sold or offered for sale in Louisiana or shipped or transported into or within the state except to the holder of a wholesaler's permit and for delivery at the place of business of the wholesaler as shown in his permit.
\* \* \*

AMENDMENT NO. 5

On page 3, after line 3, insert the following:
"§326. Native winery; ~~wholesale and~~ retail sales; intrastate shipment
Any person who has properly obtained a producer's permit, as provided for in R.S. 26:325, may engage in the production of native wines and may also sell the manufactured beverage at ~~wholesale and~~ at retail for consumption on or off the licensed premises, including by direct sale and shipment by common carrier to any consumer domiciled in the state of Louisiana. Sales of the manufactured beverage completed by delivery to the consumer through shipment by common carrier shall not be subject to the taxes levied by R.S. 26:341(B).
\* \* \*

§359. ~~Importation~~ Distribution of alcoholic beverages by through wholesalers only
A. Except as provided in Subsection B of this Section and R.S. 26:271.1 and 326, no alcoholic beverages as defined in R.S. 26:241(1) produced or manufactured inside or outside of this state shall be sold or offered for sale in Louisiana, or shipped or transported into or within the state, except to the holder of a wholesaler's permit. Delivery of alcoholic beverages produced or manufactured inside or outside of this state shall be made at the place of business of the wholesaler shown on the wholesaler's permit, and must be received and warehoused by the wholesaler at that place of business, where such alcoholic beverages shall come to rest before delivery is made to any retailer.
\* \* \*

On motion of Senator Marionneau, 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. 371—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; 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 Reengrossed House Bill No. 371 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 27:302(A)(5)(o)," and insert in lieu thereof "R.S. 27:302(A)(5)(j) and (o)," and after "311.1(B)(3)" insert ", and to enact R.S. 27:311.8,"

AMENDMENT NO. 2

On page 1, line 8, after "menu;" insert "to provide relative to the requirements for retention of printed ticket vouchers;"

AMENDMENT NO. 3

On page 1, line 11, after "establishments;" insert "to provide for the operation of video draw poker devices in certain parishes not affected by change of parish boundaries;"

AMENDMENT NO. 4

On page 1, line 14, after "Section 1." delete "R.S. 27:302(A)(5)(o)," and insert in lieu thereof "R.S. 27:302(A)(5)(j) and (o),"

AMENDMENT NO. 5

On page 1, line 15, after "reenacted" insert "and R.S. 27:311.8 is hereby enacted"

AMENDMENT NO. 6

On page 2, between lines 3 and 4 insert the following:
"(j) An exact copy of each printed ticket voucher must be printed and retained within the device, or other means of capturing and retaining an electronic copy of the ticket data as approved by the division for at least two years after the ticket is printed for a minimum of five thousand tickets. If a thermal printer is used and the duplicate information is stored electronically in the device, any duplicate voucher printed by the device must have the prominent word "DUPLICATE" printed on the face of the voucher.
\* \* \*

AMENDMENT NO. 7

On page 3, between lines 28 and 29 insert the following:
"§311.8. Operation of video draw poker devices in certain parishes not affected by change of parish boundaries
A. In any parish in which a majority of the electors of the parish voted to permit the operation of video draw poker devices in the election authorized in R.S. 18:1300.21, and conducted at the 1996 congressional general election, the operation of video draw poker devices may be conducted within the parish boundaries as the parish boundaries were recognized and taxed by the local governing authority of the parish at the time of that election. The operation of video draw poker devices shall not be affected if the parish boundaries are changed, established, or taxed subsequent to the election provided for in R.S. 18:1300.21 via the statutory process provided for in R.S. 50:221 et seq., R.S. 33:141 et seq., annexation or in any other manner for any reason.
B. In any parish in which a majority of the electors voted against the continuance of the operation of video draw poker devices in the election authorized in R.S. 18:1300.21, and conducted at the 1996 congressional general election, then no license or permit shall be issued to conduct the operation of video draw poker devices within the parish boundaries as the parish boundaries were recognized and taxed by the local governing authority of the parish at the time of that election. The prohibition on the operation of video draw poker devices shall not be affected if the parish boundaries are changed, established, or taxed subsequent to the election provided for in R.S. 18:1300.21 via the statutory process provided for in R.S. 50:221 et seq., R.S. 33:141 et seq., annexation or in any other manner for any reason.
C. The Louisiana Gaming Control Board shall not issue a license to operate video draw poker devices in any parish in which a majority of the electors voted against the continuance of the operation of video draw poker devices in the election authorized in R.S. 18:1300.21, and conducted at the 1996 congressional general election. The prohibition on the issuance of a video draw poker license in such a parish shall not be affected if the parish boundaries are changed, established, or taxed subsequent to the election provided for in R.S. 18:1300.21 via the statutory process provided for in R.S. 50:221 et

seq., R.S 33:141 et seq., annexation or in any other manner for any reason."

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. 564—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 4:732(A)(2), (B), (E)(2) and (5), and (G), to enact R.S. 4:706(D) and 724(I), and to repeal R.S. 4:732(F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo; to provide that the term bingo includes electronic video bingo for purposes of decisions to permit charitable raffles, bingo, and keno by local governing authorities; 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. 642—**

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program within six months of funding of the program after evaluation of a pilot test of the program; 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. 642 by Representative Jefferson

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 15:1229.2" to "R.S. 40:2404.1"

AMENDMENT NO. 2

On page 1, at the end of line 3 and the beginning of line 4, change "Louisiana Commission on Law Enforcement and Administration of Criminal Justice" to "Council of Peace Officer Standards and Training"

AMENDMENT NO. 3

On page 1, line 11, change "R.S. 15:1229.2" to "R.S. 40:2404.1"

AMENDMENT NO. 4

On page 1, delete lines 12 through 20 and insert in lieu thereof the following:

"§2404.1. Additional powers of the council, school resource officers, School Violence Prevention Training Program

A. In accordance with the provisions of R.S. 40:2404(11) and R.S. 17:416.19, the Council on Peace Officer Standards and Training shall develop and implement a School Violence Prevention Training

Program under their jurisdiction and within the existing school resource officer program in conjunction with the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the office of state police, local law enforcement agencies, and the State Board of Elementary and Secondary Education.

B. The Council on Peace Officer Standards and Training shall have the power to establish and appoint a committee with members representing the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the"

AMENDMENT NO. 5

On page 2, delete lines 9 through 12

AMENDMENT NO. 6

On page 2, line 13, change "(5)" to "(3)"

AMENDMENT NO. 7

On page 2, delete lines 23 and 24

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. 755—**

BY REPRESENTATIVES DARTEZ AND JACK SMITH

AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; 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 Reengrossed House Bill No. 755 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 26:934(3), and to"

AMENDMENT NO. 2

On page 1, line 10, after "Fund;" insert "to provide for certification requirements for a responsible vendor;"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." and before "Part" insert "R.S. 26:934(3) is hereby amended and reenacted and"

AMENDMENT NO. 4

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

"\* \* \*

§934. Requirements for certification

In order to qualify for and maintain certification as a responsible vendor, the vendor shall comply with all of the following:

\* \* \*

(3) ~~Attendance at a refresher~~ Successful completion of a server training course by each server at least once every ~~two~~ four years as scheduled by any approved provider, which course shall include the dissemination of new information relating to the program subject areas as set forth in R.S. 26:933.

\* \* \*

On motion of Senator Marionneaux, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules

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of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**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.

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. 799—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 14:90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, relative to slot machine gaming at the eligible airport facility; to enact the New Orleans Airport Facility and Operation Economic Redevelopment and Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming at the eligible airport facility; to provide suitability criteria and conditions for licensing; to provide conditions with respect to licensing; to provide criteria for the slot machine gaming facility in the eligible airport facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for eligible airport facility gaming; to authorize an airport authority tax; to provide for the allocation of funds from that tax; to provide with respect to the power of the airport authority; 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 Reengrossed House Bill No. 799 by Representative Richmond

AMENDMENT NO. 1  
On page 2, line 10, after "Title 27," delete the remainder of the line

AMENDMENT NO. 2  
On page 2, line 11, delete "Title 33"

AMENDMENT NO. 3  
On page 7, delete lines 16 through 22 in their entirety

AMENDMENT NO. 4  
On page 7, line 23, change "(8)" to "(7)"

AMENDMENT NO. 5  
On page 7, line 24, after "conducting of" delete "any game or gaming device" and insert "slot machine gaming"

AMENDMENT NO. 6  
On page 7, line 28, change "(9)" to "(8)"

AMENDMENT NO. 7  
On page 8, line 3, change "(10)" to "(9)"

AMENDMENT NO. 8  
On page 8, line 9, change "(11)" to "(10)"

AMENDMENT NO. 9  
On page 8, line 11, change "(12)" to "(11)"

AMENDMENT NO. 10  
On page 8, line 15, change "(13)" to "(12)"

AMENDMENT NO. 11  
On page 8, line 17, change "(14)" to "(13)"

AMENDMENT NO. 12  
On page 8, line 25, change "(15)" to "(14)"

AMENDMENT NO. 13  
On page 12, at the end of line 3, delete the period "." and insert "and R.S. 27:30.6."

AMENDMENT NO. 14  
On page 18, line 16, after "for" delete the remainder of the line and insert "slot machines"

AMENDMENT NO. 15  
On page 18, line 17, delete "Electronic gaming devices" and insert "Slot machines"

AMENDMENT NO. 16  
On page 18, line 23, after "27:523" and before "and" insert "and R.S. 27:30.6."

AMENDMENT NO. 17  
On page 18, line 26, after "§523." and before "central" delete "Electronic gaming devices;" and insert "Slot machines;"

AMENDMENT NO. 18  
On page 18, delete lines 27 through 29 in their entirety

AMENDMENT NO. 19  
On page 19, delete lines 1 through 3 in their entirety and insert the following:

A. Any electronic gaming device which is included in the definition of "slot machine" in R.S. 27:503(14), or which is included in the definitions in the rules adopted or enforced by the Louisiana Gaming Control Board, or which is otherwise regulated by this Chapter shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities as provided for in R.S. 27:30.6.

AMENDMENT NO. 20  
On page 21, delete lines 18 and 19 and insert in lieu thereof the following: "(d) One-third to be shared equally between the New Orleans Police Department and the New Orleans Fire Department. This sharing of monies shall be used to increase the salaries of the members of each department or to satisfy previously adjudicated matters."

AMENDMENT NO. 21  
On page 23, line 4, after "for not" and before "more" delete "less than one year nor"

AMENDMENT NO. 22  
On page 24, line 9, after "minutes," delete the remainder of the line

AMENDMENT NO. 23  
On page 24, at the beginning of line 10, delete "person be detained longer."

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.

**Rules Suspended**

Senator Cain asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 689 in the Committee on Insurance without the required 24 hour notice.

**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 14, 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 Bills have been properly enrolled:

**SENATE BILL NO. 19—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xiii) and to enact R.S. 17:3048.1(A)(1)(e)(xiv), relative to the Louisiana Tuition Opportunity Program for Students curriculum; to specify the subjects in the core curriculum available as an elective in the subjects of math and science for receipt of a program award for students graduating during or after a specified school year; and to provide for related matters.

**SENATE BILL NO. 21—**  
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 56:799.4(B)(8), relative to the White Lake Property Advisory Board; to provide relative to board composition and membership; to add a member at large to the board who shall be a resident of Ward 8 of Vermilion Parish and appointed by the governor; and to provide for related matters.

**SENATE BILL NO. 39—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 24:971(B)(1), 972(A)(18), (B) and (C), and 973(A)(1)(introductory paragraph), and to enact R.S. 24:972(A)(23) and 973(B), relative to the Louisiana Commission on Civic Education; to increase membership; to provide for purposes, powers and duties; and to provide for related matters.

**SENATE BILL NO. 62—**  
BY SENATORS DUPLESSIS, BAJOE AND MURRAY

AN ACT

To enact R.S. 17:1601.6, relative to naming state buildings in honor of a living person; to name the building which houses the school of social work at Southern University at New Orleans; and to provide for related matters.

**SENATE BILL NO. 75—**  
BY SENATOR ADLEY

AN ACT

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

**SENATE BILL NO. 92—**  
BY SENATOR NEVERS AND REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the Department of Social Services; to provide with respect to the office of community services and its role in providing for the public child welfare functions of the state; to provide with respect to preventive services to prevent child abuse and neglect and family strengthening and support services; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 95—**  
BY SENATOR KOSTELKA AND REPRESENTATIVES T. POWELL AND SCALISE

AN ACT

To enact R.S. 23:1601(11), relative to unemployment compensation; to provide with respect to the exclusion of inmates in custodial or penal institutions from the receipt of unemployment benefits during periods of incarceration; and to provide for related matters.

**SENATE BILL NO. 115—**  
BY SENATOR MARIONNEAUX AND REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 15:146(B)(1)(a), relative to the indigent defender fund for the Eighteenth Judicial District; to increase criminal costs in the City Court of Port Allen to fund indigent defense; and to provide for related matters.

**SENATE BILL NO. 139—**  
BY SENATOR JONES AND REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 40:2405.5, relative to Peace Officer Standards and Training; to provide a training course for law enforcement interaction with mentally ill and developmentally disabled persons; to provide for course requirements; to provide for implementation and reporting requirements; and to provide for related matters.

**SENATE BILL NO. 143—**  
BY SENATORS CAIN, ADLEY, MOUNT, BAJOE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES BADON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, FRITH, GALLOT, GEYMANN, GREENE, E. GULLORY, HILL, JEFFERSON, JOHNS, KENNEY, KLECKLEY, LANCASTER, MCDONALD, MONTGOMERY, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, RICHMOND, SALTER, SCHNEIDER, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, WADDELL AND WALKER

AN ACT

To designate a portion of Louisiana Highway 12 located in the city of DeQuincy as the "Buddy Henagan Memorial Parkway."

**SENATE BILL NO. 144—**  
BY SENATOR NEVERS AND REPRESENTATIVES CRANE AND THOMPSON

AN ACT

To amend and reenact R.S. 17:427.3(A), (B), (C), (H) and (I)(1), relative to the Teach Louisiana First Program; to provide relative to reducing the shortage of certified teachers in low-performing schools and districts; to provide relative to program purposes, incentive payments, eligibility and selection criteria, reports, and administration; and to provide for related matters.

**SENATE BILL NO. 235—**  
BY SENATOR ULLO AND REPRESENTATIVES TOOMY AND WOOTON

AN ACT

To enact R.S. 34:851.27(B)(9), relative to regulation of vessels and motorboats; to authorize the regulation of air boats by the governing authority of Jefferson Parish and its municipalities; to provide for terms and conditions; to provide for the enforcement of such regulation; and to provide for related matters.

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**SENATE BILL NO. 236—**  
BY SENATOR ULLO AND REPRESENTATIVE CRANE  
AN ACT

To enact R.S. 17:7.1(B)(3) and (4), relative to certification of principals; to provide for experience requirements; to provide for exceptions and recommendation requirements; and to provide for related matters.

**SENATE BILL NO. 249—**  
BY SENATORS MOUNT AND THEUNISSEN  
AN ACT

To authorize and provide for the transfer of certain immovable property located in Calcasieu Parish from the Chennault International Airport Authority to the Board of Supervisors of Community and Technical Colleges, for the use and benefit of its Sowela Campus, in exchange for forgiveness of a certain debt owed by the authority to the state of Louisiana; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills 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 14, 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. 36—**  
BY SENATORS ADLEY, CAIN, CRAVINS, DUPRE, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HINES, MARIONNEAUX, MOUNT, NEVERS, ROMERO AND SMITH  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt a minimum foundation program formula that provides for the reallocation of the amount of state funds attributable to a secondary school student who is enrolled in a technical college from the city, parish, or other local public school system where the student attends to the technical college in which he is enrolled.

**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.

**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.

**SENATE CONCURRENT RESOLUTION NO. 65—**  
BY SENATOR SCHEDLER AND REPRESENTATIVE DURAND  
A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 14, 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. 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.

**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.

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

**HOUSE CONCURRENT RESOLUTION NO. 103—**  
BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 122—**  
BY REPRESENTATIVES KLECKLEY, GEYMAN, E. GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the re-routing of West Prien Lake Road, also known as Louisiana Highway 1138-2, to intersect with the port road extension near or at the main entrance to the L'Auberge du Lac Hotel and Casino in Lake Charles, Louisiana,

as a design-build demonstration project in order to expedite construction and alleviate extreme traffic congestion in the area.

**HOUSE CONCURRENT RESOLUTION NO. 131—**

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

**HOUSE CONCURRENT RESOLUTION NO. 141—**

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

**HOUSE CONCURRENT RESOLUTION NO. 145—**

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

**HOUSE CONCURRENT RESOLUTION NO. 146—**

BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, and office of state police to petition the Federal Motor Carrier Safety Administration for an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

**HOUSE CONCURRENT RESOLUTION NO. 148—**

BY REPRESENTATIVES QUEZAIRE, LAMBERT, SMILEY, FAUCHEUX, AND GARY SMITH AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and publicly support the Louisiana Transportation Center as proposed by the Louisiana Airport Authority.

**HOUSE CONCURRENT RESOLUTION NO. 180—**

BY REPRESENTATIVE DORSEY AND SENATOR BAOJIE

A CONCURRENT RESOLUTION

To declare Wednesday, June 15, 2005, as the First Annual Beacon of Hope for Cancer Day in the Louisiana Legislature and to declare the support of the legislature for this cancer research fundraising and cancer awareness project of the American Cancer Society.

**HOUSE CONCURRENT RESOLUTION NO. 181—**

BY REPRESENTATIVES SALTER AND CROWE AND SENATORS HINES AND THEUNISSEN

A CONCURRENT RESOLUTION

To declare Tuesday, June 14, 2005, as Civic Education Day in the Louisiana Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 19—**

BY REPRESENTATIVES FAUCHEUX AND KATZ AND SENATOR ULLO

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States of America to take such actions as are necessary to enact legislation establishing English as the official language of the United States.

**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 and control, 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.

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 87—**

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

**HOUSE CONCURRENT RESOLUTION NO. 92—**

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct any necessary pilot project relative to determining the true functionality and affordability of current and future broadband delivery technologies relative to broadband deployment.

**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.

**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 after August 15, 2005, which is to be made available to the public over the Internet.

June 14, 2005

**HOUSE CONCURRENT RESOLUTION NO. 135—**  
BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC  
A CONCURRENT RESOLUTION

To create and provide with respect to a Uniform Building Code Task Force, under the commissioner of insurance, to study current laws and regulations related to the construction of buildings and structures throughout the state and to make recommendations regarding legislation.

**HOUSE CONCURRENT RESOLUTION NO. 136—**  
BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER  
A CONCURRENT RESOLUTION

To memorialize the Base Closure and Realignment Act Commission to favorably consider the "federal city concept" for expanding the Naval Support Activity military installation on the west bank of the Mississippi River in New Orleans by consolidating the Navy, Marine, and Army flag/general commands in the New Orleans area, moving in the 8<sup>th</sup> Coast Guard District headquarters, and possibly housing a new regional Homeland Security headquarters at the renovated military installation.

**HOUSE CONCURRENT RESOLUTION NO. 159—**  
BY REPRESENTATIVE PITRE AND SENATOR DUPRE  
A CONCURRENT RESOLUTION

To commend Reggie Galjour of South Lafourche High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

**HOUSE CONCURRENT RESOLUTION NO. 163—**  
BY REPRESENTATIVE CRAVINS  
A CONCURRENT RESOLUTION

To designate and proclaim the town of Opelousas as the Spice Capital of the State of Louisiana.

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 14, 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. 205—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 33:9091.9, relative to the Twinbrook Security District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

**HOUSE BILL NO. 206—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 33:9091.9, relative to the Touro Bouligny Security District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and

responsibilities; to provide for the imposition and collection of taxes and for the use thereof; and to provide for related matters.

**HOUSE BILL NO. 209—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1435(A)(5) and 1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to provide for authority to acquire immovable property; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

**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.

**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.

**HOUSE BILL NO. 280—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 38:2869, 2870(A)(7), and 2872, relative to the Claiborne Parish Watershed District; to provide relative to the powers and duties of the board of commissioners; to provide relative to contracts of the district; and to provide for related matters.

**HOUSE BILL NO. 341—**  
BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, McDONALD, AND WADDELL AND SENATORS NEVERS AND SCHEDLER  
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.

**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.

**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.

**HOUSE BILL NO. 376—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 33:7702, relative to waterworks districts; to provide relative to the procedures for consolidating certain waterworks districts in the parish of Sabine; and to provide for related matters.

**HOUSE BILL NO. 379—**

BY REPRESENTATIVE HUTTER  
AN ACT

To enact Chapter 17-D of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:850.1, relative to St. Bernard Parish; to create the St. Bernard Parish Arts, Culture, and Entertainment District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to district plans; and to provide for related matters.

**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.

**HOUSE BILL NO. 445—**

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER  
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.

**HOUSE BILL NO. 515—**

BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 30:136.1(D), relative to fees on state mineral leases; to increase the fee levied on mineral leases on state lands which is dedicated to the Conservation Fund; and to provide for related matters.

**HOUSE BILL NO. 538—**

BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON AND SENATORS DARDENNE AND SCHEDLER  
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. 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.

**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.

**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.

**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.

**HOUSE BILL NO. 733—**

BY REPRESENTATIVE DANIEL AND SENATOR FIELDS  
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.

**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.

**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.

**HOUSE BILL NO. 853—**

BY REPRESENTATIVES HUTTER AND ODINET  
AN ACT

To enact Chapter 13-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91, relative to St. Bernard Parish; to create the St. Bernard Parish Housing, Redevelopment and Quality of Life Commission; to provide for the formation of a program by St. Bernard Parish for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas in accordance with redevelopment plans or projects approved by the local governing body; to define the duties, liabilities, authority, and functions of such redevelopment commission, including the acquisition of property by purchase, gift, expropriation, or otherwise; to authorize the commission to levy and collect ad valorem and sales and use taxes, subject to voter approval; to dispose of property by sale or lease; to issue bonds, borrow money, and give security therefor; to provide for notice and hearing; to enter into agreements to secure federal aid; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; to provide for tax exemptions; and to provide for related matters.

June 14, 2005

**HOUSE BILL NO. 10— (DUPLICATE OF SENATE BILL NO. 11)**  
BY REPRESENTATIVE FRITH AND SENATOR THEUNISSEN  
AN ACT

To enact R.S. 33:7574.1, relative to beachfront development districts in Cameron Parish; to provide for the membership of the board of commissioners of Beachfront Development District No. Two of Cameron Parish; and to provide for related matters.

**HOUSE BILL NO. 20—**  
BY REPRESENTATIVES STRAIN, SCHNEIDER, ARNOLD, BADON, BAUDOIN, CRAVINS, DANIEL, DARTEZ, DORSEY, DOVE, ERDEY, FANNIN, FAUCHEUX, FRITH, GREENE, HAMMETT, HEBERT, JACKSON, JOHNS, KLECKLEY, MCDONALD, ODINET, T. POWELL, QUEZAIRE, RITCHIE, SCALISE, SMILEY, JACK SMITH, ST. GERMAIN, THOMPSON, WADDELL, AND WHITE AND SENATOR SCHEDLER  
AN ACT

To enact R.S. 40:989.1, relative to controlled dangerous substances; to create the crime of the unlawful production, manufacture, distribution, or possession of a material, compound, mixture, or preparation intended for human consumption which contains a hallucinogenic plant; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

**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.

**HOUSE BILL NO. 67—**  
BY REPRESENTATIVE WALKER  
AN ACT

To amend and reenact R.S. 37:793(A)(1)(d) and (2)(a), (B)(1), (2), and (3), (C), (D)(1), (2) (introductory paragraph) and (c), (E), (F), (G)(1), and (H), to enact R.S. 37:793(B)(4) and (5), and to repeal R.S. 37:793(A)(1)(i), relative to enteral conscious sedation; to provide for changes in definitions; to provide for enteral conscious sedation to be performed on patients of all ages; to clarify the circumstances in which a permit is necessary; to require written reporting; and to provide for related matters.

**HOUSE BILL NO. 100—**  
BY REPRESENTATIVE FANNIN  
AN ACT

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

**HOUSE BILL NO. 164—**  
BY REPRESENTATIVE JACKSON  
AN ACT

To amend and reenact R.S. 22:1262.1(G) and to repeal R.S. 22:1262.1(F)(2), relative to surplus lines insurance; to provide for notice of removal from approved list; and to provide for related matters.

**HOUSE BILL NO. 214—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To enact Title XXII-A of Book III of the Civil Code, consisting of Civil Code Articles 3338 through 3368; and R.S. 44:77 through 80, 111 through 119, and 171; to amend and reenact Civil Code Articles 517, 1554, 2021, 2035, 2442, and 3337; Code of Civil Procedure Articles 3752 and 4362; R.S. 9:4833 and 4834; R.S. 13:901; and R.S. 44:71, 72, 73, 75, and 131; to repeal Civil Code Articles 3308, 3309, 3310, 3314, 3320(A) and (B), 3321 through 3324, and 3327 through 3336; R.S. 9:2371(A) and (B), 2721(A), 2721.1, 2722, 2728, 2733, 2742 through 2744, 2746 through 2757, 5141, 5161, 5162, 5165, 5166, 5167(A) through (D), 5168 through 5207, 5214 through 5216, 5502, and 5556; R.S. 13:752 through 755, 913, and 3727; R.S. 35:17; and R.S. 44:76, 102 and 103, 132 through 136, 138, 162, 163, 202, 203,

232, 232.1, 233, and 268; and to redesignate R.S. 9:2731 as R.S. 31:216 and R.S. 9:2732 as R.S. 31:217, all relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to provide for the rules relative to the recordation of documents affecting immovable property; to provide for the duties and liability of the recorders; to provide for the effect of recordation as to third persons; to provide the limits to the effect of recordation and for matters not of record; to provide for the recordation of duplicate documents; to provide for the place of recordation; to provide for the stamping of documents by the recorder, the failure to endorse, and the presumption as to time of filing; to provide for the effect of ancient documents; to provide for information required to be in recorded acts and the effect of omissions; to provide for the cancellation of mortgages and liability for incorrect or false requests for cancellation; to provide for the recordation of transfers, amendments, and releases; to provide for the method and duration of the recordation of mortgages and the method of reinscription; to provide for the vendor's privilege and mortgage protecting the interest of a minor; to provide for the reinscription of notices of contract; to provide for the requirements for indexing names by the recorders; to provide for the office of mortgages and conveyances and for the establishment of branch offices; to provide for limitations of liability of the clerk and for insurance against liability; to provide for certified copies of records and their effect, recordation of notice of lease, certificate of encumbrances, and recordation of military discharge papers; to provide for the effect of an order of discharge in bankruptcy on recorded acts; to provide for the method of establishing the authenticity of documents; to provide for actions against the recorder; and to provide for related matters.

**HOUSE BILL NO. 241—**  
BY REPRESENTATIVE DOWNS  
AN ACT

To amend and reenact R.S. 33:4574(B)(18) and 4574.1.1(A)(18), relative to Lincoln Parish; to change the name of the parish tourist commission; to authorize the parish tourist commission to increase the hotel occupancy tax; and to provide for related matters.

**HOUSE BILL NO. 253—**  
BY REPRESENTATIVES BURNS, SCHNEIDER, AND STRAIN AND SENATOR SCHEDLER  
AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

**HOUSE BILL NO. 258—**  
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY  
AN ACT

To enact R.S. 13:1336(C) 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.

**HOUSE BILL NO. 276—**  
BY REPRESENTATIVE BALDONE AND SENATOR SCHEDLER  
AN ACT

To enact R.S. 14:72.4, relative to disposal of property with fraudulent or malicious intent; to create and define the crime of disposal of property with fraudulent or malicious intent; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 297—**

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 308—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact Civil Code Article 3549, relative to conflict of laws; to provide for the applicability of law governing prescription and peremption; and to provide for related matters.

**HOUSE BILL NO. 313—**

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.297, relative to Lake St. John in Concordia Parish; to create the Lake St. John Recreation and Water Conservation District as a political subdivision of the state; to create and to provide for a board of commissioners to manage the district; to provide for powers and duties of the district and the board; to authorize the board to levy taxes and parcels fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district; to provide for penalties; to provide relative to the duties and powers of the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; to provide with respect to mineral leases; to provide for creation and construction of playgrounds and recreational facilities; to provide for the regulation of commercial establishments; and to provide for related matters.

**HOUSE BILL NO. 331—**

BY REPRESENTATIVES HILL, FRITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

**HOUSE BILL NO. 344—**

BY REPRESENTATIVE MCVEA

AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

**HOUSE BILL NO. 388—**

BY REPRESENTATIVES FANNIN, MCDONALD, THOMPSON, AND WALSWORTH AND SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 38:3097.2(1) through (4), 3097.3(C)(5), and 3097.6, relative to ground water management; to provide for definitions; to provide for powers and duties of the commissioner of conservation; to provide for determination of areas of ground water concern and critical areas of ground water concern; to provide for applications under current consideration and declared critical ground water areas; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 402—**

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1136(B)(1), relative to business entities as insurance producers; to provide for notices; to provide for change of status; to provide for branch locations; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 403—**

BY REPRESENTATIVES WADDELL AND PINAC

AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 408—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:289, relative to executive officers and employees; to provide for loan restrictions; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 434—**

BY REPRESENTATIVES CRANE, SALTER, ALARIO, DORSEY, HAMMETT, BRUCE, AND TOOMY AND SENATORS HINES, BAJOIE, HEITMEIER, MOUNT, BOASSO, BROOME, CAIN, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HOLLIS, JACKSON, JONES, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

AN ACT

To enact Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3951, and R.S. 36:651(G)(2), relative to the creation of the High School Redesign Commission; to provide for the purpose of the commission; to provide for commission duties and responsibilities, membership, vacancies, compensation, and reporting requirements; to provide for an effective date; and to provide for related matters.

**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.

**HOUSE BILL NO. 448—**

BY REPRESENTATIVES HOPKINS, SALTER, AND BRUCE

AN ACT

To amend and reenact R.S. 40:1149, relative to certified operators of water systems; to exempt certain systems from operation and on-site premises requirements; and to provide for related matters.

**HOUSE BILL NO. 475—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

**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.

June 14, 2005

HOUSE BILL NO. 498—
BY REPRESENTATIVES KLECKLEY, GEYMAN, JOHNS, AND MORRISH AND SENATORS THEUNISSEN AND MOUNT
AN ACT

To name a portion of Nelson Road Extension in Calcasieu Parish the L'Auberge Boulevard and to provide for related matters.

HOUSE BILL NO. 547—
BY REPRESENTATIVES GREENE, ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BEARD, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LAFONTA, MARCHAND, McDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON AND SENATORS MOUNT AND SCHEDLER
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.

HOUSE BILL NO. 572—
BY REPRESENTATIVE TRICHE
AN ACT

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

HOUSE BILL NO. 595—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to clarify the powers of the Sabine River Authority to enter into certain contracts and agreements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 596—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Jackson Parish Dugdemona Watershed Reservoir Authority; to create the Jackson Parish Dugdemona Watershed Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

HOUSE BILL NO. 601— (DUPLICATE OF SENATE BILL NO. 127)

BY REPRESENTATIVE SALTER AND SENATOR HINES AND COAUTHORED BY REPRESENTATIVES MONTGOMERY, ST. GERMAIN, ARNOLD, BALDONE, CURTIS, FAUCHEUX, HILL, HONEY, KENNEY, ODINET, JANE SMITH, AND TOWNSEND
AN ACT

To enact R.S. 47:359(K), relative to the occupational license tax; to provide by which the occupational license tax is assessed on pharmacies; to provide for the amount of the tax; to provide for an effective date; and to provide for related matters.

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) and (B)(1), 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.

HOUSE BILL NO. 645—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 6:255 and R.S. 12:57 and to enact R.S. 6:257 and R.S. 12:59, relative to shares of stock; to provide for shares without stock certificates; to provide for transfer of shares; and to provide for related matters.

HOUSE BILL NO. 669— (DUPLICATE OF SENATE BILL NO. 241)
BY REPRESENTATIVE MCVEA AND SENATOR ELLINGTON
AN ACT

To enact Chapter 44 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3281 through 3286, to create the West Feliciana Parish Port Commission; to provide for the powers and duties of the commission including the authority to levy taxes and issue bonds; and to provide for related matters.

HOUSE BILL NO. 696—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 9:3578.6(A)(8), relative to the Louisiana Deferred Presentment and Small Loan Act; to provide for prohibited acts; and to provide for related matters.

HOUSE BILL NO. 777—
BY REPRESENTATIVES CAZAYOUX AND JOHNS
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.

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.

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, June 15, 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 Wednesday, June 15, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk