

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

TWENTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 3, 2006

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	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

ABSENT

Shepherd
Total - 1

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

Prayer

The prayer was offered by Reverend Bill Moon, 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 Ellington, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 53—
BY SENATOR ROMERO

A RESOLUTION

To express the sincere condolences of the Louisiana Senate, on

behalf of its members, present and past, and on behalf of the citizens of the state to the family of Dr. Larry W. Norbert, Sr., ordained minister, pastor, and long-time educator in Lafayette and Iberia parishes.

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

SENATE RESOLUTION NO. 54—

BY SENATOR BAJOIE

A RESOLUTION

To commend and recognize the Howard University Alternative Spring Break Program for encouraging students to take action and make changes by helping in the Hurricane Katrina relief activities.

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

SENATE RESOLUTION NO. 55—

BY SENATOR BAJOIE

A RESOLUTION

To recognize and declare May 4, 2006 as National Day of Prayer in Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To declare and designate May 4, 2006 as Together Rx Access Awareness Day.

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	Michot
Adley	Ellington	Mount
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Smith
Chaisson	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Jackson	Schedler
Cheek	Marionneaux	Shepherd
Gautreaux B	McPherson	
Total - 8		

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

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend Earl Barbry, Sr., Chairman of the Tunica-Biloxi Tribe of Louisiana, on being selected as a 2006 Louisiana Legend.

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

May 3, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Smith
Chaisson	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Jackson	Schedler
Cheek	Marionneaux	Shepherd
Gautreaux B	McPherson	
Total - 8		

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

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Cathryn Corman Morris to record for posterity the enduring appreciation of the members for her lifetime of contributions to her family and community.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	Marionneaux	Shepherd
Cheek	McPherson	
Gautreaux B	Schedler	
Total - 7		

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

Senator Bajoie in the Chair

Senate Concurrent Resolutions on Second Reading

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

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals open a mental health facility and provide additional mental health treatment opportunities to address the mental health crisis occurring in the wake of the devastation of Hurricane Katrina and Hurricane Rita.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cheek	Jackson	Quinn
Cravins	Malone	Schedler
Gautreaux B	Marionneaux	Shepherd
Total - 9		

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

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to define marriage in the United States as the union between one man and one woman.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Smith
Chaisson	Jones	Theunissen

Dardenne
Duplessis
Total - 32

Kostelka
Lentini

Ullo

NAYS

Total - 0

ABSENT

Cheek
Cravins
Gautreaux B
Total - 7

Marionneaux
Quinn
Schedler

Shepherd

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

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pass legislation to forgive federal student loans of teachers who teach in poor performing school systems or in systems where there is a shortage of highly qualified teachers in an amount up to three thousand dollars for three years of teaching in such distressed systems or up to five years in other systems in the state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cravins
Dardenne
Total - 33

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka

Lentini
Malone
McPherson
Michot
Mount
Murray
Nevers
Romero
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Cheek
Gautreaux B
Total - 6

Marionneaux
Quinn

Schedler
Shepherd

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

Messages from the House

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

Message from the House

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

May 2, 2006

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. 45—
BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

HOUSE BILL NO. 79—
BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:311.9, relative to the licensing and operation of video draw poker devices; to provide for an exemption from processing fees for new video poker license applications when there is a transfer of ownership among subsidiaries and the corporate structure of a licensee changes; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 217—
BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:306(A)(4)(d), relative to the Video Draw Poker Devices Control Law; to provide that the requirements for qualified truck stop facilities are suspended if the property upon which the qualified truck stop facility is located is expropriated by the state or its political subdivisions; and to provide for related matters.

HOUSE BILL NO. 685—
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS, DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To enact R.S. 3:4674, relative to ethanol and bio-diesel standards; to provide a minimum ethanol content requirement for gasoline; to provide a minimum bio-diesel content requirement for diesel; to provide relative to alternate renewable fuels; to provide for definitions; to provide for exemptions; and to provide for related matters.

HOUSE BILL NO. 797—
BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

HOUSE BILL NO. 815—
BY REPRESENTATIVES WHITE AND KENNARD AND SENATORS FONTENOT AND MARIONNEAUX

AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

HOUSE BILL NO. 909—
BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2),

571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

HOUSE BILL NO. 1175—
 BY REPRESENTATIVE SALTER AND SENATOR HINES
 AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

HOUSE BILL NO. 1006—
 BY REPRESENTATIVES DOERGE, DOWNS, AND MONTGOMERY
 AN ACT

To authorize and provide for the transfer of certain property, located in Webster Parish from the University of Louisiana System, acting with and on behalf of Louisiana Tech University, to the Military Department, state of Louisiana; and to provide for related matters.

HOUSE BILL NO. 48—
 BY REPRESENTATIVE WHITE
 A JOINT RESOLUTION

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

HOUSE BILL NO. 178—
 BY REPRESENTATIVE SCHNEIDER
 AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 193—
 BY REPRESENTATIVE LAFONTA
 AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

HOUSE BILL NO. 250—
 BY REPRESENTATIVE K. CARTER
 AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

HOUSE BILL NO. 340—
 BY REPRESENTATIVE K. CARTER
 AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; and to provide for related matters.

HOUSE BILL NO. 374—
 BY REPRESENTATIVE MARTINY
 AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide when a term of probation commences if incarceration and probation are ordered by a court; to provide for the concurrent running of probation and parole supervision in certain cases; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 379—
 BY REPRESENTATIVE MARTINY
 AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

HOUSE BILL NO. 487—
 BY REPRESENTATIVE K. CARTER
 AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

HOUSE BILL NO. 674—
 BY REPRESENTATIVE WADDELL
 AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the

secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; to provide for related matters.

HOUSE BILL NO. 717—
BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 33:2737.79, to authorize the Sabine Parish School Board to levy and collect an additional sales and use tax; to provide for the maximum rate of the tax and for imposition and collection of the tax; to provide for the use of tax proceeds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 763—
BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 11:3714(B)(5)(a) and to repeal R.S. 11:3731(D), relative to the Police Pension Fund of the city of Shreveport; to provide for the composition of the board of trustees; and to provide for related matters.

HOUSE BILL NO. 835—
BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS MALONE AND MCPHERSON

AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

HOUSE BILL NO. 836—
BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN AND SENATORS MALONE AND MCPHERSON

AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

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

HOUSE BILL NO. 45—
BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

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

HOUSE BILL NO. 48—
BY REPRESENTATIVE WHITE

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of

certain funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:311.9, relative to the licensing and operation of video draw poker devices; to provide for an exemption from processing fees for new video poker license applications when there is a transfer of ownership among subsidiaries and the corporate structure of a licensee changes; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 178—
BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 193—
BY REPRESENTATIVE LAFONTA

AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

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

HOUSE BILL NO. 217—
BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:306(A)(4)(d), relative to the Video Draw Poker Devices Control Law; to provide that the requirements for qualified truck stop facilities are suspended if the property upon which the qualified truck stop facility is located is expropriated by the state or its political subdivisions; and to provide for related matters.

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

HOUSE BILL NO. 250—
BY REPRESENTATIVE K. CARTER

AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

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

HOUSE BILL NO. 340—
BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; and to provide for related matters.

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

May 3, 2006

HOUSE BILL NO. 374—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide when a term of probation commences if incarceration and probation are ordered by a court; to provide for the concurrent running of probation and parole supervision in certain cases; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 379—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

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

HOUSE BILL NO. 487—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

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

HOUSE BILL NO. 674—
BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; to provide for related matters.

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

HOUSE BILL NO. 685—
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS,
DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND
STRAIN
AN ACT

To enact R.S. 3:4674, relative to ethanol and bio-diesel standards; to provide a minimum ethanol content requirement for gasoline; to provide a minimum bio-diesel content requirement for diesel; to provide relative to alternate renewable fuels; to provide for definitions; to provide for exemptions; and to provide for related matters.

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

HOUSE BILL NO. 717—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 33:2737.79, to authorize the Sabine Parish School Board to levy and collect an additional sales and use tax; to provide for the maximum rate of the tax and for imposition and

collection of the tax; to provide for the use of tax proceeds; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 763—
BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 11:3714(B)(5)(a) and to repeal R.S. 11:3731(D), relative to the Police Pension Fund of the city of Shreveport; to provide for the composition of the board of trustees; and to provide for related matters.

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

HOUSE BILL NO. 797—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

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

HOUSE BILL NO. 815—
BY REPRESENTATIVES WHITE AND KENNARD AND SENATORS
FONTENOT AND MARIONNEAUX
AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

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

HOUSE BILL NO. 835—
BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS
MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

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

HOUSE BILL NO. 836—
BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN
AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

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

HOUSE BILL NO. 909—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for

verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

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

HOUSE BILL NO. 1006—
BY REPRESENTATIVES DOERGE, DOWNS, AND MONTGOMERY
AN ACT

To authorize and provide for the transfer of certain property, located in Webster Parish from the University of Louisiana System, acting with and on behalf of Louisiana Tech University, to the Military Department, state of Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 1175—
BY REPRESENTATIVE SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 2, 2006

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. 158—
BY REPRESENTATIVE FANNIN AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to develop and implement a ten-year management plan for Caney Lake.

HOUSE CONCURRENT RESOLUTION NO. 159—
BY REPRESENTATIVES CRAVINS, BURRELL, AND PIERRE AND
SENATORS CRAVINS, JONES, AND SHEPHERD
A CONCURRENT RESOLUTION

To commend Alpha Phi Alpha Fraternity, Incorporated upon the celebration of its one hundredth anniversary as an organization.

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to construct a westbank expressway along Louisiana Highway 3127 between Baton Rouge and New Orleans in order to create an alternate escape route during hurricane evacuations.

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. 158—
BY REPRESENTATIVE FANNIN AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to develop and implement a ten-year management plan for Caney Lake.

The resolution was read by title. Senator Kostelka 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 N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total - 34

NAYS

Total - 0

ABSENT

Cravins	Quinn	Shepherd
Gautreaux B	Schedler	

Total - 5

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

May 3, 2006

HOUSE CONCURRENT RESOLUTION NO. 159—
BY REPRESENTATIVES CRAVINS, BURRELL, AND PIERRE AND
SENATORS CRAVINS, JONES, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Alpha Phi Alpha Fraternity, Incorporated upon the
celebration of its one hundredth anniversary as an organization.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Gautreaux B, Schedler, Quinn, Shepherd

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and
Development to construct a westbank expressway along
Louisiana Highway 3127 between Baton Rouge and New
Orleans in order to create an alternate escape route during
hurricane evacuations.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Gautreaux B, Schedler, Quinn, Shepherd

Total - 4

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

House Bills and Joint Resolutions
on Second Reading to be Referred

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 32:661(C)(1)(introductory paragraph),
661.1(C)(1)(introductory paragraph), 661.2(C)(1)(introductory
paragraph), and 666(A)(1)(a)(i) and to enact Code of Criminal
Procedure Article 163.2, relative to chemical tests for
intoxication; to provide for a search warrant for bodily samples
to test for intoxication; to provide for the time period the
warrant remains in effect; to provide for who can issue the
warrant and under what circumstances the warrant can be
issued; to provide for immunity for health care providers
assisting with the execution of the warrant; to provide that a
person cannot refuse a chemical test when a search warrant for
bodily samples has been issued; to provide with respect to the
duties of law enforcement officers requesting bodily samples
when a search warrant for bodily samples has been issued; and
to provide for related matters.

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

HOUSE BILL NO. 91—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on
waterways; to establish "no-wake" zones around certain boat
launches and docking facilities; and to provide for related
matters.

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

HOUSE BILL NO. 113—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To enact R.S. 9:3584, relative to consumer credit ratings and
extensions of credit; to prohibit refusal of credit or lowering of
credit report scores solely due to any foreclosure or giving in
payment resulting from damage caused by Hurricanes Katrina
and Rita; 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 Commerce, Consumer Protection, and
International Affairs.

HOUSE BILL NO. 400—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 51:938.1, relative to the office of
entertainment industry development; to create the office; to
provide for duties of the office; to provide for promotional
activities; to provide for receipt of funds; and to provide for
related matters.

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

HOUSE BILL NO. 918—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 934—
BY REPRESENTATIVES QUEZAIRES, BOWLER, AND HUTTER
AN ACT

To amend and reenact R.S. 32:863(B)(3), (C), and (D)(1) and to enact R.S. 32:863(E), relative to compulsory motor vehicle liability security; to provide for sanctions; to provide for exceptions due to natural disaster; and to provide for related matters.

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

HOUSE BILL NO. 966—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for exceptions; 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. 971—
BY REPRESENTATIVES QUEZAIRES, DANIEL, DOVE, DOWNS, ERDEY, M. GULLORY, KATZ, KENNARD, SMILEY, AND TUCKER AND SENATOR ELLINGTON
AN ACT

To enact R.S. 32:1504(D), relative to regulation of motor carriers; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain agreements; to provide for certain limitations; and to provide for related matters.

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

HOUSE BILL NO. 1164—
BY REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 19:1.1, relative to expropriation; to provide for limitations on expropriation proceedings; to provide for compensation; to provide for repurchase; to provide for exceptions; 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 A.

HOUSE BILL NO. 1265—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of 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 Commerce, Consumer Protection, and International Affairs.

Mr. President in the Chair

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE QUEZAIRES
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install lighting on the Sunshine Bridge.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	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
Total - 36		

NAYS

Total - 0

ABSENT

Quinn	Schedler	Shepherd
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRES
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 44 and 3223 in St. John the Baptist Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	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

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Dardenne Total - 36	Kostelka NAYS	Ullo
Total - 0	ABSENT	
Quinn Total - 3	Schedler	Shepherd

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

Motion to Make Special Order

Senator Murray asked for a suspension of the rules for the purpose of making Senate Bill No. 416, which is Special Order of the Day No. 2 today, Special Order of the Day No. 1 on Tuesday, May 9, 2006, immediately following the Morning Hour.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

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

May 3, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 6—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 40:1614, relative to fire protection; to require all mattresses and box springs sold in Louisiana to be fire retardant; to provide for open flame resistance standards; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 94—
BY SENATOR MICHOT

AN ACT

To enact R.S. 51:1787(K), relative to economic development; to provide for additional business enterprises eligible for participation in the Louisiana Enterprise Zone Act; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 207—
BY SENATOR MICHOT

AN ACT

To enact R.S. 51:1783(10), relative to the Louisiana Enterprise Zone Act; to define the term "residential type development"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 208—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2453(4), relative to the Louisiana Quality Jobs Program Act; to provide for the definition of "new

direct job"; to allow employee located in certain geographic areas to be deemed "new direct job"; to provide certain criteria for such employee to be deemed "new direct job"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 285—
BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B)(1), (2), (3), (10), (11), and (12), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 383—
BY SENATOR DARDENNE
AN ACT

To amend and reenact Chapter 1 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 2 and consisting of R.S. 10:1-101 through 1-209, to be comprised of Parts 1 through 3 and consisting of R.S. 10:1-101 through 1-310, to amend and reenact R.S. 9:3306(12) and (26), 3353(A)(8), and 4770(B), R.S. 10:3-101 and 3-103(a)(10), R.S. 10:4-101, 4A-101, 4A-105(c)(6) and (7), 4A-106(a), and 4A-204(b), R.S. 10:5-101, 5-102(b), and 5-103(c), R.S. 10:7-101, R.S. 10:8-102(a)(10), and R.S. 10:9-102(a)(43), and to enact R.S. 10:5-102(a)(6.1), all relative to general provisions under the Louisiana Commercial laws; to revise the entirety of Chapter 1 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for when value is given; to provide for usages of trade; to provide for when actions are taken within a reasonable time; to provide for the relation to Electronic Signatures in Global and National Commerce Act; to provide for the territorial applicability of the commercial laws and the parties' power to choose applicable law; to provide for the variation of the commercial laws by agreement; to provide for obligation of good faith; to provide for prima facie evidence by third-party documents; to provide for performance or acceptance under reservation of rights; to provide for the option to accelerate at will; to provide for subordinated obligations; to provide for the correction of cross referenced citations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 690—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 4:1(A) and (B) and to enact R.S. 4:1(E), relative to amusements and sports; to provide for the reselling of certain tickets; to provide for procedures to resell certain tickets; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 698—
BY SENATOR BAJOEIE
AN ACT

To amend and reenact R.S. 37:1794 and to enact R.S. 37:1782(15), 1790(C), 1795(C), 1805(J), and 1861(B)(5), relative to pawnbrokers; to provide for Internet-based pawnbrokers; to provide for definitions; to provide for certain exemptions; to provide for procedures to operate as an Internet-based pawnbroker; to provide for compliance; and to provide for

related matters.

Reported with amendments.

SENATE BILL NO. 739—

BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 39:15.2(A) and to enact R.S. 29:726.1 through 726.7, Chapter 18 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:1151 through 1157, relative to the creation of the office of interoperability; to provide for a communications interoperability director; to establish the Statewide First Responders Interoperability Committee to design, construct, administer, and maintain a statewide shared communications system for first responders; to create the Louisiana Statewide Interoperability Executive Committee to design, construct, administer, and maintain a Statewide Communication Interoperability Plan; to provide for coordination with the chief information officer, and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 887—

BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, RITCHIE, GARY SMITH, STRAIN, THOMPSON, TRAHAN, WHITE, AND WINSTON

AN ACT

To enact R.S. 10:9-109(c)(6) and Part V-B of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1230 through 1240, relative to electric utilities; to provide for legislative intent and definitions; to provide with respect to issuance of financing orders; to provide for appeals of financing orders; to provide relative to a utility's interest in a financing order; to provide with respect to storm recovery property; to provide for the sale of storm recovery property; to provide for the perfection and true sale status of a sale of storm recovery property; to provide with respect to subsidiaries of electric utilities; to provide for conflicts of laws; to provide for the creation, perfection, and priority of security interests in storm recovery property; to provide a state pledge of non-impairment of storm recovery bonds; to provide that storm recovery bonds are not public debt; to provide an exclusion from secured transactions provisions of the uniform commercial laws; to provide that the jurisdiction of the commission is not impaired; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 3, 2006

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to pass the proposed constitutional amendment banning the desecration of the United States flag.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend the Voting Rights Act of 1965 prior to its expiration in 2007.

Reported favorably.

SENATE BILL NO. 404—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 43:31(A)(2), relative to uniform standards for printed matter; to authorize certain state entities to make exceptions to such standards; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 476—

BY SENATOR CAIN

AN ACT

To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1280 through 1283, relative to the religious history of America and of the state of Louisiana as background of American and Louisiana law; to authorize the state archives and records service within the office of the secretary of state to produce certain documents; to distribute certain documents to state offices, judges and clerks of court and local government entities; to authorize court houses and local buildings to post certain documents relative to the history of that heritage; to provide for the production of documents by members of the public, and to provide for related matters.

Reported favorably.

SENATE BILL NO. 479—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 39:1678.1(C), relative to the Louisiana Procurement Code; to correct a citation error with respect to expenses of administrative proceedings in connection with pre-litigation resolution of controversies; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 646—

BY SENATOR MURRAY

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign finance; to prohibit certain campaign contributions made to candidates seeking the office of the commissioner of insurance; to prohibit service providers who contract or subcontract with the Louisiana Citizens Property Insurance Corporation from making campaign contributions to such candidates; to define the term service provider; to provide for applicability to certain campaign contributions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 662—

BY SENATOR MICHOT

AN ACT

To enact Chapter 30 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2101 and 2102, relative to immersive technologies; to create the Louisiana Immersive Technologies Enterprise Commission; to provide for the membership of the commission; to provide for the powers, duties, functions, and responsibilities of the commission; to authorize issuance of bonds; and to provide for related matters.

Reported favorably.

May 3, 2006

HOUSE BILL NO. 440—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 24:173(A)(introductory paragraph), R.S. 25:125(A), and R.S. 43:87, and to enact R.S. 24:173(C) and (D), relative to publication and distribution of certain documents by the secretary of state; to provide procedures for the reduction of the number of documents printed, distributed, or delivered by the secretary of state; to provide for certain notifications regarding the number of documents to be printed, distributed, or delivered; to provide for the printing and distribution of newspaper copies of the acts of the legislature; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 628—

BY REPRESENTATIVES MONTGOMERY, LANCASTER, AND JANE SMITH
AN ACT

To amend and reenact R.S. 33:1236.1, to enact R.S. 42:1121.1, and to repeal R.S. 42:66(E), relative to a parish governing authority member or former member serving as the parish manager; to repeal provisions of law that authorize a member of a parish governing authority to serve as a parish manager or assistant parish manager; to provide for any member or former member of a parish governing authority currently serving as a parish manager to continue to serve as a parish manager; to require such member's recusal from any vote regarding his employment as parish manager; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 671—

BY REPRESENTATIVES DOWNS AND GALLOT
AN ACT

To enact R.S. 42:1121(I) and to repeal R.S. 42:1121(I), relative to the Code of Governmental Ethics; to provide an exception to the post-service restrictions to allow certain employment by the North Louisiana Exhibition Center Commission; to remove such exception; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 688—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 42:6.1(A)(9) and to enact R.S. 42:6.1(A)(10), relative to public meetings; to provide for an exception for the Second Injury Board; to permit executive session discussion of the settlement of a workers' compensation disputed claim; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 833—

BY REPRESENTATIVES BALDONE, BURNS, DARTEZ, DORSEY, FARRAR, FAUCHEUX, GREENE, HEBERT, LABRUZZO, M. POWELL, SMILEY, AND WHITE
AN ACT

To amend and reenact R.S. 49:151(A) and 153(A) and to enact R.S. 49:151(C), relative to the state flag and seal; to provide for the description of the state bird on the state flag; to provide for three drops of blood to be included in the description of the pelican tearing at its breast to feed its young; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

REPORT OF COMMITTEE ON

INSURANCE

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 3, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 620—

BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 22:658(B)(1), relative to insurance claims; to increase the penalties for failure to timely pay a claim; to authorize the assessment of attorney fees and cost against an insurer who fails to timely pay a claim; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 670—

BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 22:844 (C)(1) and (D)(1)(a), relative to domestic life insurers; to provide that domestic life insurers may invest in certain real estate investment trusts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1073—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 22:1464(A)(1), relative to property, casualty, and liability insurance; to provide for either an explanation of any insurance premium increase or a statement asking the insured to contact his insurance company or agent for any questions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

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

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

SENATE BILL NO. 49—

BY SENATOR MARIONNEAUX
AN ACT

To enact Code of Civil Procedure Article 2168, relative to courts, appellate procedure and opinions; to provide that opinions of the supreme court and courts of appeal shall be published; and to provide for related matters.

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

SENATE BILL NO. 77—

BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article V, Section 10(A) and (B) of the Constitution of Louisiana, relative to appellate jurisdiction of a court of appeal; to provide that a court of appeal has appellate

jurisdiction of all civil matters except administrative agency determinations and worker's compensation matters; to provide that appellate review extends only to questions of law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 101—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 26:90(I) and (J) and 286(I) and (J), and to enact R.S. 26:90(K) and 286(K), relative to alcoholic beverages; to increase the penalties for selling alcoholic beverages to a minor; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 101 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 14, change "one thousand" to "five hundred"

AMENDMENT NO. 2

On page 1, delete line 15 and insert "dollars"

AMENDMENT NO. 3

On page 1, at the beginning of line 16, delete "both"

AMENDMENT NO. 5

On page 2, line 13, change "one thousand" to "five hundred"

AMENDMENT NO. 6

On page 2, delete line 14 and insert "dollars"

AMENDMENT NO. 7

On page 2, at the beginning of line 15, delete "both"

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

SENATE BILL NO. 185—

BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:312(5) and 312.1(E), relative to courts; to provide relative to courts of appeal; to provide relative to the number of judges authorized for the Fifth Circuit Court of Appeal; to create and provide for an additional judge and division; to provide for elections and terms of office; to provide terms, conditions, and procedures; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 185 by Senator Shepherd

AMENDMENT NO. 1

On page 2, delete line 9 and insert

"136, 138, 152, 170, 171, 174, 175, 176, 177, 178, 182, 183, 184, 185A, 185B, 189, 190, 191, 192, 193,"

AMENDMENT NO. 2

On page 2, line 16, delete "2-W,"

AMENDMENT NO. 3

On page 2, line 17, delete "152,"

AMENDMENT NO. 4

On page 2, delete line 18 and insert "156, 157A, 157B, 172, 173, 179A, 179B, 180, 181, 187, 188, 200,"

AMENDMENT NO. 5

On page 2, line 19, delete "and 33-K" and insert "33-K, and 2-W"

AMENDMENT NO. 6

On page 3, deletes lines 21 through 23 and insert

"(3) The judge to be elected from election section two of the first district shall initially be elected at the gubernatorial primary election to be held on October 20, 2007. The initial term of his office shall begin immediately thereafter, and expire in 2017."

AMENDMENT NO. 7

On page 4, delete lines 22 through 26 and insert

"Section 4. The Act shall become effective upon the entering by the court of a written consent judgment expressing agreement of the parties and settlement of claims in the matter entitled *Henry Williams, et al v. Fox McKeithen, et al*, No. 05-1180, United States District Court for the Eastern District of Louisiana, in which such consent judgment the parties agree to the implementation of the provisions of this Act."

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

SENATE BILL NO. 196—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3414, relative to the Agricultural Commodity Dealer and Warehouse Law; to require a written contract for the sale, storage, and handling of grain; to provide for the form of the written contract; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 196 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 3 and 4, and insert the following:

"Warehouse Law; to require warehousemen to provide quarterly statements to producers contracting for storage of grain; and to provide for related"

AMENDMENT NO. 2

On page 1, at the end of line 8, add "; quarterly statements on storage contracts"

AMENDMENT NO. 3

On page 1, delete lines 11 through 17, on page 2, delete lines 1 through 3, and insert the following:

"B. In addition to the requirements provided in Subsection A of this Section, the warehouseman shall provide a written statement to the producer who has contracted for storage on a quarterly basis. The statement shall include all charges and the rate of accrual of the charges."

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

SENATE BILL NO. 241—

BY SENATOR SHEPHERD

AN ACT

To enact R.S. 9:2941.1, relative to contracts; to provide relative to bond for deed contracts; to provide relative to recording of such contracts; to prohibit interest for subsequent filings by or against

the bond for deed purchaser

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

SENATE BILL NO. 328—

BY SENATOR MARIONNEAUX

AN ACT

To repeal Code of Evidence Art. 511(F), relative to malpractice; to provide relative to health care provider-patient privilege; to repeal certain limitations on such privilege in medical malpractice claims; to repeal certain limitations on the disclosure of a patient's treatment or condition in medical malpractice claims; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 328 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "Art." change "511(F)" to "510(F)"

AMENDMENT NO. 2

On page 1, line 8, after "Art." change "511(F)" to "510(F)"

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

SENATE BILL NO. 473—

BY SENATOR KOSTELKA

AN ACT

To amend and reenact Section 2 of Act No. 1212 of the 2003 Regular Session of the Legislature; relative to expropriation; to extend the quick-take authority of certain municipalities for certain purposes for three years; and to provide for related matters.

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

SENATE BILL NO. 528—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 27:28(H)(1) and to enact R.S. 27:28(H)(3), relative to the Louisiana Gaming Control Law; to provide with respect to suitability standards; to provide for an appeal process for a person found by the board to exercise significant influence over a licensee, permittee, or casino gaming operator; to provide for procedures for filing such appeal; to provide for a procedure for taking administrative action against a licensee, permittee, or casino gaming operator associated with a person found to be unsuitable; 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 Original Senate Bill No. 528 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 27:28(H)(3)"

AMENDMENT NO. 2

On page 1, line 4, change "an appeal" to "a hearing" and at the end of line 5, delete "to provide for" and delete lines 6 and 7 and 8 and insert "and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 10, delete "and R.S. 27:28(H)(3)" and on line 11 delete "is hereby enacted"

AMENDMENT NO. 4

On page 2, delete lines 7 through 29 and insert in lieu thereof the following:

"(b) Any person who has the ability, in the opinion of the board, to exercise a significant influence over a licensee, a permittee, or the casino gaming operator pursuant to the provisions of this Title shall supply all information requested by the board or division to the board and division. The licensee, permittee, or casino gaming operator may request a hearing on the determination of significant influence. The hearing shall be requested within ten days of the division's request to submit to suitability. The hearing shall be conducted by the hearing officer within thirty days of the request for a hearing, and shall be limited to a determination of significant influence. There shall be no right of appeal from this determination; however all parties reserve their appeal rights should the division initiate any subsequent administrative action against the licensee, permittee or casino gaming operator."

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

SENATE BILL NO. 560—

BY SENATOR SCHEDLER

AN ACT

To enact Part X of Title 19 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 19:351 through 355, relative to expropriation of property; to authorize certain parishes to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 567—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:2418(I), relative to environmental quality; to provide for a phase out of the waste tire subsidy program; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. The bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 617—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 37:223, relative to professions and occupations; to provide for attorneys; to create a Standing Committee on Attorney Advertising; to provide for its members, their appointment, terms, and duties; to authorize such committee to evaluate certain advertising material, make certain recommendations, and issue certain advisory opinions; and to provide for related matters.

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

SENATE BILL NO. 630—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2418(B), (F), (G), (H), (I), (J), (K)(1), (M)(3) and (N) and to enact R.S. 30:2418(P) and R.S. 48:58, relative to environmental quality; to provide relative to the Waste Tire Management Fund; to transfer the Waste Tire

Management Fund from the Department of Environmental Quality to the Department of Transportation and Development; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 630 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 7, after "to" insert "~~the secretary's~~"

AMENDMENT NO. 2

On page 10, line 29, after "~~the~~" delete the remainder of the line and insert "Senate Committee on Transportation, Highways, and Public Works and the House Committee on Transportation, Highways, and Public Works."

AMENDMENT NO. 3

On page 11, delete line 1

AMENDMENT NO. 4

On page 11, line 15, after "and" and before "or" insert "!"

AMENDMENT NO. 5

On page 11, line 17, after "hundred dollars," insert "then such violation or failure to act"

AMENDMENT NO. 6

On page 11, line 27, change "Subsection" to "Section"

AMENDMENT NO. 7

On page 11, line 28, change "Paragraph" to "Subsection" and change "Subsection" to "Section"

AMENDMENT NO. 8

On page 12, line 6, change "Paragraph" to "Subsection"

AMENDMENT NO. 9

On page 12, line 8, change "Subsection" to "Section"

AMENDMENT NO. 10

On page 12, line 23, change "Paragraph (1) of this Subsection" to "Subsection (N) of this Section"

AMENDMENT NO. 11

On page 13, line 2, change "Subsection" to "Section"

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

SENATE BILL NO. 678— BY SENATOR SMITH

AN ACT

To amend and reenact Code of Criminal Procedure Art. 887 (F)(3), relative to court costs; to provide for imposition of court costs in the Tenth Judicial District and the City Court of Natchitoches; and to provide for related matters.

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

SENATE BILL NO. 726— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 30:2418(I)(2) and (3)(a), relative to environmental quality; to provide relative to minimum payments to a permitted waste tire processing facility; and to provide for related matters.

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

SENATE BILL NO. 740— BY SENATOR QUINN

AN ACT

To enact R.S. 22:658.3, relative to insurance claims; to extend the time for filing certain insurance claims for damages arising from hurricane activity; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 740 by Senator Quinn

AMENDMENT NO. 1

On page 1, delete lines 9 and 10, and insert "person or entity having a claim for damages resulting from Hurricane Katrina shall have through September 1, 2007, within which to file a claim with their insurer for damages, unless a greater time period to file such claim is otherwise provided by law."

AMENDMENT NO. 2

On page 1, delete lines 12 and 13, and insert "person or entity having a claim for damages resulting from Hurricane Rita shall have through October 1, 2007, within which to file a claim with their insurer for damages, unless a greater time period to file such claim is otherwise provided by law."

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 51—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 40:971.2(C), relative to controlled dangerous substances; to increase penalties for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 77—

BY REPRESENTATIVE BRUCE
AN ACT

To enact Code of Criminal Procedure Article 814(A)(14.2), relative to responsive verdicts; to provide for responsive verdicts for aggravated second degree battery; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 81—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 14:30(A)(1) and 30.1(A)(2)(a), relative to criminal homicide; to add certain crimes to the list of enumerated felonies which raise a homicide to the grades of first or second degree murder; and to provide for related matters.

May 3, 2006

Reported favorably by the Committee on Judiciary C. 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. 211—

BY REPRESENTATIVE JOHNS AN ACT

To amend and reenact R.S. 40:964, Schedule III(D), to enact R.S. 40:964, Schedule I(D)(3), and to repeal R.S. 40:964, Schedule II(D)(1) and 964, Schedule V(B)(1), relative to the Uniform Controlled Dangerous Substances Law; to change the schedule classification of Methaqualone and Buprenorphine; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 212—

BY REPRESENTATIVE TOOMY AN ACT

To amend and reenact R.S. 16:65, relative to judicial enforcement districts; to provide for a district attorney in a federally declared disaster district to borrow money to finance the daily operations of his office; 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. 216—

BY REPRESENTATIVE JOHNS AN ACT

To amend and reenact R.S. 40:964, Schedule IV, relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedule IV to be consistent with the federal controlled substances designations; to add several substances which are listed in Schedule IV federally but not in Louisiana; to delete Nalbuphine from Schedule IV consistent with federal schedule; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 373—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(i) and (c)(i), relative to intensive incarceration and intensive parole supervision; to provide for which inmates are eligible to participate in the programs; 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. 375—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:829, relative to discipline of inmates; to provide that procedures for discipline of inmates in the custody of the Department of Public Safety and Corrections are prescribed by the secretary of the department regardless of where housed; to provide that the secretary maintains a record of infractions which occur in state prisons; 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. 376—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:711(G) and 1135(A), (B)(introductory paragraph) and (2), and (D), relative to work release programs; to provide for the eligibility of inmates convicted of certain offenses involving controlled dangerous substances to participate in work release programs; 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. 376 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 15:711(G)" and "and" insert ",1111(I),"

AMENDMENT NO. 2

On page 1, line 7, between "R.S. 15:711(G)" and "and" insert ",1111(I),"

AMENDMENT NO. 3

On page 1, delete lines 11 through 20 and on page 2, delete lines 1 through 6 and insert in lieu thereof the following:

"G.(1) Notwithstanding the provisions of Subsection B above or any other law to the contrary, any inmate who has been convicted for first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), attempted aggravated rape (R.S. 14:27; ~~14: and 42~~), forcible rape (R.S. 14:42.1), aggravated kidnapping (R.S. 14:44), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27; ~~14: and 29~~), attempted armed robbery (R.S. 14:27; ~~14: and 64~~), producing, manufacturing, distributing, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964, and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in a work release program except during the last six months of their terms.

(2) Notwithstanding Paragraph (1) of this Subsection, no inmate convicted of distribution or possession with intent to distribute cocaine where the offense of conviction involves less than twenty-eight grams of cocaine or distribution or possession with intent to distribute marijuana where the offense of conviction involves less than one pound of marijuana shall be prohibited from participation in the work release program.

AMENDMENT NO. 4

On page 2, between lines 7 and 8, insert the following:

"§1111. Work release program
* * *

I.(1) Notwithstanding the provisions of Subsection B above or any other law to the contrary, any inmate who has been convicted of first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), attempted aggravated rape (R.S. 14:27; ~~R.S. 14: and 42~~), forcible rape (R.S. 14:42.1), aggravated kidnapping (R.S. 14:44), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27; ~~R.S. 14: and 29~~), attempted armed robbery (R.S. 14:27; ~~R.S. 14: and 64~~), producing, manufacturing, distributing, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964, and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in the work release program except during the last six months of their terms. ~~In addition, no inmate who has been convicted of producing, manufacturing, distributing, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964, except any person~~

(2) Notwithstanding Paragraph (1) of this Subsection, no inmate convicted of distribution or possession with intent to distribute

cocaine where the offense of conviction involves less than twenty-eight grams of cocaine or any person convicted of distribution or possession with intent to distribute marijuana where the offense of conviction involves less than one pound of marijuana shall be prohibited from participation in the work release program except during the last six months of their terms.

AMENDMENT NO. 5

On page 2, delete lines 28 and 29 and on page 3, delete lines 1 through 17 and insert in lieu thereof the following:

"D.(1) Any inmate who has been convicted of first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), attempted aggravated rape (R.S. 14:27-~~14~~ and 42), forcible rape (R.S. 14:42.1), aggravated kidnapping (R.S. 14:44), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27-~~14~~ and 29), attempted armed robbery (R.S. 14:27-~~14~~ and 64), producing, manufacturing, distributing, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964 and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in the work release program except during the last six months of their terms.

(2) Notwithstanding Paragraph (1) of this Subsection, no inmate convicted of distribution or possession with intent to distribute cocaine where the offense of conviction involves less than twenty-eight grams of cocaine or distribution or possession with intent to distribute marijuana where the offense of conviction involves less than one pound of marijuana shall be prohibited from participation in the work release program."

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. 380—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:833 and to enact R.S. 15:833.1, relative to the temporary release of inmates; to provide for eligibility for temporary furlough; to provide for the release of inmates for medical care under certain circumstances; to provide for temporary secured release of inmates; to provide for applicability; 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. 435—

BY REPRESENTATIVES GEYMANN AND SCHNEIDER
AN ACT

To amend and reenact R.S. 14:42(D)(2), relative to aggravated rape; to change the penalty provisions relative to the age of the victim to conform to the definition of the crime; to provide for penalties imposed when the victim is under the age of thirteen years; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 494—

BY REPRESENTATIVE GEYMANN
AN ACT

To enact R.S. 14:2(13)(pp), relative to crimes of violence; to add molestation of a juvenile to the definition of crimes of violence; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 512—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:37.5, relative to assault and battery; to create the crime of aggravated assault upon a utility service person with a firearm; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 563—

BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 14:80(A)(1) and (2), relative to felony carnal knowledge of a juvenile; to change the minimum age of the victim to a person thirteen years of age or older; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 611—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:35, relative to simple battery; to increase the amount of the fine for the offense of simple battery; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 612—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:67(B)(3), relative to theft; to increase the fine for theft when the value of the thing taken is less than three hundred dollars; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 613—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:69(B)(3), relative to illegal possession of stolen things; to increase the fine when the amount of the stolen things is less than three hundred dollars; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 614—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:56(B), relative to simple criminal damage to property; to increase the fine for the crime of simple criminal damage to property when the value of the property damaged is less than five hundred dollars; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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.

May 3, 2006

HOUSE BILL NO. 635—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.4(A)(1), relative to sentencing in capital cases; to add certain crimes to the enumeration of aggravating circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 636—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:832(B), 871, and 873, relative to inmate compensation; to provide for discretionary rather than mandatory compensation for inmate labor; to provide for the adoption of rules for establishing the eligibility to receive compensation; to provide for rules to establish rate of compensation for labor performed by eligible inmates; to provide for applicability; to provide with respect to the sources of funding for inmate compensation; 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. 847—

BY REPRESENTATIVES MARTINY, ALARIO, K. CARTER, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, SALTER, AND JANE SMITH AND SENATORS BAJOIE, HEITMEIER, HINES, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 15:824(B)(1)(b) and (c)(introductory paragraph) and to enact R.S. 15:824(B)(1)(d), relative to persons committed to the Department of Public Safety and Corrections; to provide for the amount paid to parish prisons housing inmates in the custody of the Department of Public Safety and Corrections and who were evacuated due to a disaster or emergency; 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. 1007—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:571.3(C)(1)(r) and (s) and to enact R.S. 15:571.3(C)(1)(t), relative to diminution of sentence; to provide that a person convicted of looting that occurred during a state of emergency not have the benefit of diminution of sentence for good behavior; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1007 by Representative Baldone

AMENDMENT NO. 1

On page 2, at the end of line 2, delete the period "." and insert ", and"

On motion of Senator Chaisson, 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. 1120—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1375(B) and (F)(1), relative to state police training facilities; to provide for fees charged for participation in the training school and courses and for the use of the training facility by local government to train their police officers; 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.

Rules Suspended

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 410 from the Committee on Finance.

SENATE BILL NO. 410—

BY SENATORS FONTENOT AND MARIONNEAUX AND REPRESENTATIVES KENNARD AND WHITE
AN ACT

To enact R.S. 17:58.2(H), 65.1, and 65.2, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

On motion of Senator Fontenot, the bill, which is a duplicate of House Bill No. 815, was read by title and passed to a third reading.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 443 from the Committee on Health and Welfare.

SENATE BILL NO. 443—

BY SENATOR SMITH
AN ACT

To enact R.S. 40:5.6(C) and 5.8(6.1), relative to certification of public rural water systems; to provide a time period within which a response to a proper application for certification must be made; to define public rural water system; and to provide for related matters.

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

Special Order of the Day

The following Senate 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:

SENATE BILL NO. 652—

BY SENATOR LENTINI
AN ACT

To enact R.S. 14:102.21 and to repeal R.S. 14:102.1(D), relative to criminal offenses; to provide relative to the criminal code and to offenses against the state; to provide relative to the prohibition of certain activities and the penalties provided therefor; to provide relative to offenses against animals and affecting the public sensibility; to create the crime of cockfighting; to provide relative to the prosecution of such crime; to provide for definitions; to prohibit transportation of certain animals for certain purposes; to prohibit certain activities related to cockfighting; to provide relative to penalties, conditions, and

requirements; to provide relative to cruelty to animals and penalties therefor; 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 Engrossed Senate Bill No. 652 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 9, after "requirements;" delete "to provide relative to cruelty to animals and"

AMENDMENT NO. 2

On page 1, line 10, delete "penalties therefor;"

On motion of Senator Lentini, the amendments were adopted.

Senator N. Gautreaux moved that the amended bill be recommitted to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Senator Lentini objected.

Senator Cravins moved the previous question on the motion to recommit Senate Bill No. 652 to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fontenot	Quinn
Cravins	Gautreaux N	Romero
Duplessis	Jones	Smith
Ellington	Michot	Theunissen
Fields	Nevers	
Total - 14		

NAYS

Adley	Dupre	McPherson
Amedee	Gautreaux B	Mout
Boasso	Hollis	Murray
Broome	Jackson	Schedler
Chaisson	Kostelka	Ullo
Cheek	Lentini	
Dardenne	Malone	
Total - 19		

ABSENT

Mr. President	Barham	Marionneaux
Bajoie	Heitmeier	Shepherd
Total - 6		

The Chair declared the Senate refused to call the previous question on the motion to recommit Senate Bill No. 652 to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

ROLL CALL

The roll was called on the motion to recommit Senate Bill No. 652 to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development with the following result:

YEAS

Mr. President	Fields	Michot
Amedee	Fontenot	Mout
Barham	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Cheek	Jones	Romero
Cravins	Marionneaux	Smith
Ellington	McPherson	Theunissen
Total - 21		

NAYS

Adley	Dupre	Malone
Boasso	Gautreaux B	Quinn
Broome	Hollis	Schedler
Chaisson	Jackson	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total - 16		

ABSENT

Bajoie	Shepherd
Total - 2	

The Chair declared Senate Bill No. 652 was recommitted to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Senator Ellington in the Chair

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:

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 60 out of its regular order.

SENATE BILL NO. 60—

BY SENATORS LENTINI AND BOASSO
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) and to add Section 29(E)(6) of the Constitution of Louisiana, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 60 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 10, following "shall" and before "by" change "only be altered" to "be altered only"

On motion of Senator Lentini, the amendments were adopted.

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

Mr. President in the Chair

May 3, 2006

SENATE BILL NO. 59—
BY SENATORS LENTINI AND BOASSO
AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, and to enact R.S. 11:293, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of conviction by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of a conviction; to authorize a civil action by a state or statewide retirement system under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 151—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures and to provide for related matters.

The bill was read by title. Senator McPherson 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 Quinn
Cain Hollis Schedler
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Kostelka Ullo
Dardenne Lentini
Duplessis Malone
Total - 37

NAYS

Total - 0

ABSENT

Romero Shepherd
Total - 2

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

SENATE BILL NO. 195—
BY SENATORS MCPHERSON, CHEEK, ELLINGTON, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES AND ULLO
AN ACT

To amend and reenact R.S. 47:1061(B) and to enact R.S. 47:1061(C), relative to the telecommunications tax for the deaf; to provide for the use of monies in the Telecommunications for the Deaf Fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator McPherson 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 Quinn
Cain Hollis Schedler
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Kostelka Ullo
Dardenne Lentini
Duplessis Malone
Total - 37

NAYS

Total - 0

ABSENT

Romero Shepherd
Total - 2

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

SENATE BILL NO. 258—
BY SENATORS BOASSO, BARHAM, DARDENNE, B. GAUTREAUX, HOLLIS, SHEPHERD AND THEUNISSEN
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(4) and (5) of the Constitution of Louisiana, relative to retirement and survivor's benefits; to limit creation of additional unfunded accrued liabilities for state retirement systems; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Ellington Schedler
Romero Shepherd

Total - 4

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

SENATE BILL NO. 669—
BY SENATOR LENTINI

AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950 and to enact R.S. 11:293, relative to retirement benefits; to provide relative to any public retirement or pension system; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of convictions by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of conviction; to authorize a civil action by a public retirement or pension system under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 744— (Substitute of Senate Bill No.24 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1552 (B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to state and local governments and eligible nonprofit organizations during a gubernatorially declared disaster or emergency; to provide for deferment of payments; to provide for the waiver of penalty and interest; to provide for extended payment terms; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 744 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 9, following "With" and before "to" change "regards" to "regard"

AMENDMENT NO. 2

On page 2, delete lines 11 and 12 and insert "- related layoffs, chargeable to the accounts of employers pursuant to this Section and required to be reimbursed under the provisions of Subsection B of this Section."

AMENDMENT NO. 3

On page 2, delete line 19 and insert "Katrina and Rita and the executive orders referred to in Paragraph (6) of the this Subsection."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Nevers moved the final passage of the amended 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
Boasso	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Dupre	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Broome	Romero	Shepherd
Duplessis	Schedler	
Total - 5		

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

SENATE BILL NO. 745— (Substitute of Senate Bill No. 516 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1195(A)(5), relative to group self-insurance funds for workers' compensation; to provide with respect to authorization, trade or professional association and initial financial requirements; to provide for the location of arrangements to pool liabilities to employees on account of personal injury and occupational disease arising out of or incurred during the course and scope of the employment relationship; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 745 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 10, following "**for in**" and before "**of this**" change "**Subsection B**" to "**Subparagraph (b)**"

AMENDMENT NO. 2

On page 2, line 11, change "**Section**" to "**Paragraph**"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
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May 3, 2006

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

Total - 36

NAYS

Total - 0

ABSENT

Romero	Schedler	Shepherd
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Total - 3

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

**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. 267—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 47:463.109(D)(3), relative to motor vehicle prestige license plates; to provide relative to the In God We Trust prestige license plate; to provide relative to the distribution of the annual fee for such plates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Romero	Schedler	Shepherd
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Total - 3

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

HOUSE BILL NO. 434—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To enact R.S. 38:2212(D)(1)(c), relative to public contracts; to except projects for repairs of hurricane damage to state buildings from certain requirements of the Public Bid Law; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Cravins	Michot	Romero
Jones	Quinn	Shepherd

Total - 6

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

HOUSE BILL NO. 680—
BY REPRESENTATIVES BAYLOR, BARROW, BAUDOIN, GLOVER,
GRAY, JEFFERSON, LAMBERT, MARCHAND, RITCHIE, AND WINSTON

AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(d), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism 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.

The bill was read by title. Senator Malone 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	Quinn
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen

Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		
	NAYS	
Total - 0		
	ABSENT	
Romero	Shepherd	
Total - 2		

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

HOUSE BILL NO. 820—
 BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, SCALISE, AND WOOTON AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(f), relative to public works contracts; to authorize political subdivisions to develop their own uniform standards to receive bids electronically; 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 Engrossed House Bill No. 820 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 2, change ", relative to public works" to "and to enact R.S. 38:2212.1(B)(4), relative to public"

AMENDMENT NO. 2

On page 1, at the end of line 3, add "for public works contracts or for acquiring materials, supplies, or equipment"

AMENDMENT NO. 3

On page 1, line 4, between "electronically;" and "and" insert "to provide for the development of uniform standards;"

AMENDMENT NO. 4

On page 1, line 6, between "reenacted" and "to" insert "and R.S. 38:2212.1(B)(4) is hereby enacted"

AMENDMENT NO. 5

On page 1, line 15, change "commission" to "Louisiana Advisory Commission on Intergovernmental Relations"

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert the following:
 "§2212.1. Advertisement and letting to lowest responsible bidder; materials and supplies

* * *
 B. * * *

(4)(a) Bids may be submitted to political subdivisions through a uniform and secure electronic interactive environment as provided in this Paragraph. If a political subdivision elects to accept bids by this electronic medium, and the Louisiana Advisory Commission on Intergovernmental Relations has failed to develop standards to be utilized for the receipt of bids electronically, as provided for in Subparagraph (b) of this Paragraph, the political subdivision may develop uniform standards to be utilized for the receipt of bids electronically and for a secure electronic interactive environment. Once developed by the political subdivision, the standard shall be promulgated. Any special condition or requirement for the submission shall be specified in the advertisement for bids required by this Section. If bids are to be accepted electronically, the advertisement required in this Section shall contain the electronic

address of the public entity and shall establish the specific times for public access to the electronic interactive environment for purposes of submission of bids.

(b) The Louisiana Advisory Commission on Intergovernmental Relations, with the advice and assistance of the chief information officer, in the office of information technology, shall develop uniform standards to be utilized by political subdivisions for the receipt of bids electronically and for a secure electronic interactive environment. In developing these standards, the commission shall receive recommendations and information from contractors and interest groups. Once developed by the commission, the standards shall be promulgated by the chief information officer. However, if the commission fails to develop standards by January 30, 2007, a political subdivision may develop the standards in accordance with Subparagraph (a) of this Paragraph.

(c) Any uniform standards developed by a political subdivision to electronically receive bids shall be preempted by standards developed by the Louisiana Advisory Commission on Intergovernmental Relations and promulgated in accordance with Subparagraph (b) of this Paragraph.

* * *

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

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

NAYS

Total - 0

ABSENT

Romero	Shepherd
Total - 2	

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. 856—

BY REPRESENTATIVES KATZ, WALSWORTH, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, GREENE, M. GUILLORY, HUTTER, LAMBERT, QUEZAIRE, SMILEY, AND ST. GERMAIN AND SENATOR KOSTELKA

AN ACT

To name the bridge along Interstate 20 which crosses the Ouachita River the World War II Memorial Bridge; and to provide for related matters.

The bill was read by title. Senator Kostelka 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. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total - 37.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Includes Romero, Shepherd, Total - 2.

The Chair declared the 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. 921— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 48:381(E)(1)(a) and (F), relative to utility operators permitted to use and occupy highway rights-of-way; to add natural gas distribution systems to the definition of utility operators; to provide relative to the fee for certain utility operators to use and occupy highway rights-of-way; 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

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Bajoie, Barham, Boasso, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total - 32.

NAYS

Table with 3 columns: Name, Yeas, Nays. Includes Amedee, Fontenot, Marionneaux, Total - 3.

ABSENT

Table with 2 columns: Name, Absent. Includes Broome, Gautreaux N, Shepherd, Total - 4.

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. 1094— BY REPRESENTATIVE M. POWELL AN ACT

To amend and reenact R.S. 48:250.3(D)(2), relative to design-build contracts let by the Department of Transportation and Development; provides relative to invitations for detailed proposals; and to provide for related matters.

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

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

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 3, 2006

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. 60— BY SENATOR MOUNT A CONCURRENT RESOLUTION

To urge and request the Louisiana Cemetery Board and the Louisiana State Board of Embalmers and Funeral Directors to review their rules and regulations and develop and implement necessary changes within their respective jurisdictions, and make recommendations for legislation, to prevent and respond to the problems that arose during hurricanes Katrina and Rita with the displacement of human remains and subsequent identification of those remains.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 62— BY SENATOR FIELDS A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the availability of need-based aid in the state of Louisiana for students attending postsecondary institutions and to make recommendations to the legislature regarding the adequacy of that aid, the type of program required to accommodate the demand of such aid, and the cost of implementing a program that would make need-based aid available to qualified students beginning in the 2007-2008 school year.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 67— BY SENATORS CRAVINS, N. GAUTREAU, HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MURRAY, NEVERS, SCHEDLER, SHEPHERD, SMITH AND ULLO AND REPRESENTATIVES BAUDOIN, CRAVINS, M. GUILLORY AND LAFLEUR

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Sheriff Howard Zerangue.

Reported without amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 56—
BY SENATOR FIELDS

A RESOLUTION

To urge and request the governor's office of homeland security and emergency preparedness to establish a statewide planning and mapping system of public buildings for use as shelters to accommodate persons in need of being placed in a safe environment whenever a state of emergency has been declared due to a natural disaster.

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

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to immediately authorize the Morganza to the Gulf Hurricane Protection Project, and to urge and request the U.S. Army Corps of Engineers to include such recommendation in its pending interim report to Congress.

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

SENATE CONCURRENT RESOLUTION NO. 73—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the governor's office of homeland security and emergency preparedness to establish a statewide planning and mapping system of public buildings for use as shelters to accommodate persons in need of being placed in a safe environment whenever a state of emergency has been declared due to a natural disaster.

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

Messages from the House

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

Message from the House

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

May 3, 2006

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. 1036—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

HOUSE BILL NO. 1119—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3141.3(A)(4), 3141.5(C)(4), and 3141.18(A), (B), (C), and (D), to enact R.S. 17:3141.3(G) and R.S. 36:651(L) and 801.5, and to repeal R.S. 36:651(G)(1), relative to proprietary schools; to provide relative to the membership and duties of the Advisory Commission on Proprietary Schools; to provide relative to the revocation of licenses in the event of a change of ownership of a proprietary school; to provide relative to certain authority of the Board of Regents and the Advisory Commission on Proprietary Schools with regard to the investigation of complaints and hearings relative thereto; to provide relative to the placement of the Advisory Commission on Proprietary Schools in the executive branch of state government and for the exercise of its powers, duties, functions, and responsibilities; and to provide for related matters.

HOUSE BILL NO. 1162—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 32:661(C)(1), 661.1(C)(1), 661.2(C)(1), and 667(A)(1), relative to tests for suspected drunken drivers; to provide with respect to the standardized form given to a person who has submitted to a chemical test; to provide with respect to the manner in which the name of law enforcement officials involved in the stop, detention, investigation, or arrest of a person for operating a vehicle or watercraft while intoxicated must be provided to the person who has submitted to a chemical test; and to provide for related matters.

HOUSE BILL NO. 1193—
BY REPRESENTATIVES BALDONE AND MCDONALD
AN ACT

To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

HOUSE BILL NO. 1229—
BY REPRESENTATIVE BAUDOIN
AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

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

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

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

HOUSE BILL NO. 1036—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain

May 3, 2006

mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

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

HOUSE BILL NO. 1119—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3141.3(A)(4), 3141.5(C)(4), and 3141.18(A), (B), (C), and (D), to enact R.S. 17:3141.3(G) and R.S. 36:651(L) and 801.5, and to repeal R.S. 36:651(G)(1), relative to proprietary schools; to provide relative to the membership and duties of the Advisory Commission on Proprietary Schools; to provide relative to the revocation of licenses in the event of a change of ownership of a proprietary school; to provide relative to certain authority of the Board of Regents and the Advisory Commission on Proprietary Schools with regard to the investigation of complaints and hearings relative thereto; to provide relative to the placement of the Advisory Commission on Proprietary Schools in the executive branch of state government and for the exercise of its powers, duties, functions, and responsibilities; and to provide for related matters.

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

HOUSE BILL NO. 1162—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 32:661(C)(1), 661.1(C)(1), 661.2(C)(1), and 667(A)(1), relative to tests for suspected drunken drivers; to provide with respect to the standardized form given to a person who has submitted to a chemical test; to provide with respect to the manner in which the name of law enforcement officials involved in the stop, detention, investigation, or arrest of a person for operating a vehicle or watercraft while intoxicated must be provided to the person who has submitted to a chemical test; and to provide for related matters.

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

HOUSE BILL NO. 1193—

BY REPRESENTATIVES BALDONE AND MCDONALD

AN ACT

To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

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

HOUSE BILL NO. 1229—

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 3, 2006

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. 1—

BY REPRESENTATIVE WADDELL

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on Medicaid reimbursement, relative to Vagus Nerve Stimulators, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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. 1—

BY REPRESENTATIVE WADDELL

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on Medicaid reimbursement, relative to Vagus Nerve Stimulators, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

May 3, 2006

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATORS HINES, BAJOIE AND HEITMEIER AND REPRESENTATIVES SALTER, DORSEY AND ALARIO

A CONCURRENT RESOLUTION

To approve The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor, the Joint Legislative Committee on the Budget, the House Committee on Appropriations, and the Senate Committee on Finance; and to provide for other matters pertaining thereto.

Reported with amendments.

Respectfully submitted,

FRANCIS C. HEITMEIER

Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator McPherson, Chairman on behalf of the Committee on

Health and Welfare, submitted the following report:

May 3, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 125—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 28:382.2(C) and R.S. 39:1533(A) and to enact R.S. 28:771(G), and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to create the South Central Louisiana Human Services Authority; to provide for the powers, duties and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to enact Chapter 61 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2771; relative to common payment methodology for hospitals; to provide for the adoption by the Department of Health and Hospitals of a Medicaid common payment methodology; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 414—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3389(D), (E), (F) and (G), relative to the Addictive Disorders Practice Act; to provide for changes in the composition of the transition advisory committee; to provide for changes in the composition of the board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 451—
BY SENATOR BROOME

AN ACT

To amend and reenact Part VI-B of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742.1, relative to providing information and making recommendation of lifestyle modifications, food, dietary supplements, or homeopathic remedies; to provide with respect to disclosure by certain individuals who provide such information recommendations; to provide for information to be disclosed in the disclosure; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 520—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings; to provide with respect to joint bargaining and contracting, including immunity from certain antitrust provisions; to provide for applicability; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 596—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:185 relative to mental health; to provide for penalties for performing mental health or substance abuse counseling without a license, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 666—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2198.11(4) and 2198.12(A) and (D)(1), relative to pain management clinics; to provide for definitions; to provide for licensure; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 679—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:1164(37), relative to pharmacy practice; to provide for definitions; to provide for pharmacy collaborative drug therapy management; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 681—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2116(A), (B)(1) and the introductory paragraph of (D)(2), relative to the moratorium on beds in nursing facilities; to provide for facility need review; to extend the moratorium on beds in nursing facilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 682—
BY SENATOR MCPHERSON

AN ACT

To enact Part I-A of Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1025.1 through 1025.8, relative to licensed nursing facilities; to authorize certified medication attendants in licensed nursing facilities; to provide for definitions, certification, authorized and prohibited functions, and qualifications; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 697—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 17:1519.3(H), relative to Louisiana State University health care services; to require the re-opening of University Hospital at New Orleans; to provide a re-opening date; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

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

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

May 3, 2006

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATORS HINES, BAJOE AND HEITMEIER AND
REPRESENTATIVES SALTER, DORSEY AND ALARIO
A CONCURRENT RESOLUTION

To approve The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor, the Joint Legislative Committee on the Budget, the House Committee on Appropriations, and the Senate Committee on Finance; and to provide for other matters pertaining thereto.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 63 by Senator Hines

AMENDMENT NO. 1

On page 1, line 3, after "Funds" and before "proposed" insert "and certain other administrative, planning, and technical assistance costs"

AMENDMENT NO. 2

On page 2, line 26, after "legislature" insert the following:

", provided that the instrument used to submit the plan to the legislature shall be read by title on three separate days in each house when the legislature is in session"

AMENDMENT NO. 3

On page 3, delete lines 5 through 8 in their entirety, and insert the following:

"WHEREAS, the Housing Action Plan Amendment includes a budget for assistance to owner-occupants of \$3,551,600,000 (\$6,347,400,000 if fully funded); homeless supports and housing of \$25,900,000 (\$25,900,000 if fully funded); workforce and affordable rental housing of \$892,700,000 (\$1,535,700,000 if fully funded); developer incentives and code enforcement of \$32,100,000 (\$32,100,000 if fully funded); state administrative costs of \$79,700,000 (\$120,900,000 if fully funded); and other administrative, planning, and technical assistance costs approved by the Joint Legislative Committee on the Budget at its meeting of March 17, 2006, but not included in the Action Plan approved by the Legislature in Senate Concurrent Resolution No. 19 of the Regular Session of 2006, hereinafter "SCR No. 19"; and"

AMENDMENT NO. 4

On page 3, line 24, after "Appropriations" and before "and the" insert "on May 2, 2006,"

AMENDMENT NO. 5

On page 3, line 25, after "Finance" and before "approve" delete the comma "," and "did on May 2, 2006," and insert "on May 3, 2006, did"

AMENDMENT NO. 6

On page 3, between lines 26 and 27, insert the following:
"WHEREAS, while the Housing Action Plan Amendment provides that the lack of certain insurance is reason for a reduction in an Incentive Grant, there is currently no provision in the Housing Action Plan Amendment allowing a homeowner to appeal a decision based on such coverage, which may lead to an incorrect calculation; and"

AMENDMENT NO. 7

On page 3, line 29, after "legislature" change the period "." to a semicolon ";" and insert "and"

AMENDMENT NO. 8

On page 3, between lines 29 and 30, insert the following:
"WHEREAS, the Joint Legislative Committee on the Budget at its meeting of March 17, 2006, approved administrative costs of \$60,170,000, planning costs of \$9,500,000 and technical assistance costs of \$11,920,000, which costs are part of the Housing Action Plan Amendment but which were not included in the Action Plan approved

by the Legislature in SCR No. 19."

AMENDMENT NO. 9

On page 4, delete lines 4 through 7 in their entirety, and insert the following:

"Committee on Finance, which Housing Action Plan Amendment includes a budget for assistance to owner-occupants of \$3,551,600,000 (\$6,347,400,000 if fully funded); homeless supports and housing of \$25,900,000 (\$25,900,000 if fully funded); workforce and affordable rental housing of \$892,700,000 (\$1,535,700,000 if fully funded); developer incentives and code enforcement of \$32,100,000 (\$32,100,000 if fully funded); state administrative costs of \$79,700,000 (\$120,900,000 if fully funded); and other administrative costs of \$60,170,000, planning costs of \$9,500,000, and technical assistance costs of \$11,920,000, approved by the Joint Legislative Committee on the Budget at its meeting of March 17, 2006, but not included in the Action Plan approved by the Legislature in SCR No. 19, which"

AMENDMENT NO. 10

On page 4, after line 19, insert the following:

"BE IT FURTHER RESOLVED that the implementation of the program shall include provisions for a homeowner to appeal a reduction in an Incentive Grant that is based on flood insurance coverage."

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

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 192 from the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 192—

BY SENATOR MICHOT

AN ACT

To enact R.S. 45:844.57, relative to the Local Government Fair Competition Act"; to provide for standards applicable to private providers who receive government funding and provide covered services; and to provide for related matters.

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

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 243 from the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 243—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 45:844.42 and to enact R.S. 45:844.45(C), relative to the Local Government Fair Competition Act; to provide for legislative findings and declaration of intent; to provide for certain exemptions from the requirements of the Local Government Fair Competition Act; and to provide for related matters.

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

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 495 from the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 495—
BY SENATOR MICHOT

AN ACT

To repeal Chapter 8-K of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.41 through 844.56, relative to telecommunications, cable television and advanced services; and to provide for related matters.

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

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

ENROLLMENTS

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

May 3, 2006

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATORS DARDENNE, AMEDEE, CHEEK, DUPRE, MCPHERSON
AND NEVERS AND REPRESENTATIVES BRUCE, CRANE, CURTIS,
LAMBERT, PITRE, M. POWELL AND RITCHIE

A CONCURRENT RESOLUTION

To commend the recipients of the 2006 Louisiana Young Heroes awards.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Message to the Governor

SIGNED SENATE BILLS

May 3, 2006

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 337—
BY SENATOR CRAVINS

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(ii) and to enact R.S. 27:308(B)(4) and (5), relative to the impact of force majeure on the operation of video draw poker devices and the license of such operation; to provide for an exception to the restaurant requirements of a qualified truck stop facility in cases where the restaurant cannot be operated because of force majeure; to provide for the turning in of a license as a result of force majeure; to provide for an exemption from certain fees due to force majeure; to provide with respect to restoration of a license turned in as a result of force majeure; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Shepherd 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, May 4, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 4, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

