

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 27, 2008

The Senate was called to order at 3:20 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Erdey	Michot
Adley	Gray	Morrish
Amedee	Hebert	Nevers
Broome	Heitmeier	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Smith
Dorsey	Long	Thompson
Duplessis	Marionneau	
Total - 23		

ABSENT

Alario	Gautreaux B	Mount
Cassidy	Gautreaux N	Murray
Crowe	LaFleur	Quinn
Donahue	Martiny	Shepherd
Dupre	McPherson	Walsworth
Total - 15		

The President of the Senate announced there were 23 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Keith Zachary, 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 Erdey, the reading of the Journal was dispensed with and the Journal of May 22, 2008, was adopted.

**Privilege Report of the
Legislative Bureau**

May 27, 2008

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 91—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:2(16) and 4 and to enact R.S. 6:2(17), relative to financial institution employment references; to provide that trust companies may release certain information to other financial institutions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 140—
BY REPRESENTATIVES KLECKLEY AND MONICA
AN ACT

To amend and reenact R.S. 22:680(1)(a)(iv) and (4), relative to uninsured motorist coverage; to delete reference to repealed statute; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 141—
BY REPRESENTATIVES KLECKLEY AND MONICA
AN ACT

To amend and reenact R.S. 22:667.1(A), relative to residential property insurance policies; to correct statutory reference to homeowner's insurance; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 155—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (C), relative to the facility need review process; to provide for facility need review approval for nursing facilities; to change reference to community and group home beds for the mentally retarded to community and group home beds for the developmentally disabled; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 155 by Representative Katz

AMENDMENT NO. 1

On page 2, line 1, following "in" delete the remainder of the line and on line 2, delete "(2)" and insert "Paragraphs (B)(1) and (B)(2) of this Section"

HOUSE BILL NO. 156—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 37:3395.1, relative to the Louisiana Real Estate Appraisers Board; to create the Peer Review Committee within the Louisiana Real Estate Appraisers Board; to provide for powers and duties of the committee; to provide for reimbursement of expenses and mileage; to provide for exclusion from liability or damages; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 180—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m), relative to the termination and re-creation of statutory entities; to provide relative to the termination of the Department of Veterans Affairs and statutory entities made a part of the department; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 192—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 37:1437(C)(2)(a) and (c), (5)(b), and (6)(a), relative to licensing by the Louisiana Real Estate Commission; to provide for changes to the initial licensing requirements of a real estate broker; to provide for changes to

post-license educational requirements of real estate brokers and salespersons; to remove free courses offered by the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 194—
BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 40:2116.36(E), relative to home health care providers; to provide for the denial, revocation, or nonrenewal of a home health agency license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 196—
BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(c), relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 219—
BY REPRESENTATIVE ARNOLD
AN ACT

To repeal R.S. 13:3737, relative to the quality review privilege of accountants.

Reported without amendments.

HOUSE BILL NO. 222—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1907.1, relative to property residual value insurance policies; to require filing with and approval of such policies or forms by the commissioner of insurance; to provide for fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 223—
BY REPRESENTATIVES KLECKLEY AND MONICA
AN ACT

To amend and reenact R.S. 22:1479, relative to insurers and other entities regulated by the commissioner of insurance; to require life or health and accident insurers, health maintenance organizations, managing general agents, and third-party administrators to maintain written catastrophe response plans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 237—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1807.1, relative to vehicle mechanical breakdown insurance and fees of the Department of Insurance; to provide for commissioner of insurance review and approval of forms; to provide for fees for the review of vehicle mechanical breakdown policies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 320—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 56:1948.6(C), relative to the Louisiana Byways Program; to provide relative to the official logo; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 340—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 42:1124.2(A), relative to financial disclosure; to require certain public employees in the Department of Public Safety and Corrections to file financial disclosure reports; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 363—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 37:1479(A) and (B), relative to the licensing of home inspectors; to provide for the expiration of licenses; to provide for the renewal of licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 370—
BY REPRESENTATIVES HENRY, AUSTIN BADON, BOBBY BADON, BARRAS, BARROW, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, EDWARDS, ELLINGTON, FANNIN, GEYMANN, GREENE, GUINN, HARRISON, HAZEL, HINES, HOFFMANN, HOWARD, HUTTER, JOHNSON, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS DONAHUE, MARTINY, MICHOT, MORRISH, NEVERS, AND SCALISE
AN ACT

To enact R.S. 40:1299.36, relative to human cloning; to prohibit the expenditure of public funding for the purpose of human cloning; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 503—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 25:2(A) and R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), (F), and (G), 1257(E), 1284(A)(introductory paragraph) and (B), and 1318(C) and (I), relative to certain boards and commissions; to change the appointing authority for certain boards and commissions; to provide for terms of service; to provide for appointment of chairmen; to provide for implementation; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 503 by Representative Gallot

AMENDMENT NO. 1
On page 3, line 1, following "as" delete "is"

HOUSE BILL NO. 508—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 37:77(H), 83(A), (B), and (C), and 86(C) and to enact R.S. 37:73(18), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for changes to the acceptance of peer reviews by the board; to provide that peer reviews are privileged; to provide for changes to unlawful acts by certified public accountants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 606—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 22:1404(E) and (F) and to enact R.S. 22:1404(G), relative to automobile insurance rate reductions; to provide with respect to a rate reduction for automobiles that have technology that aids in the recovery of stolen vehicles; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 635—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 42:1124.2(A), relative to financial disclosure; to require certain persons to file financial disclosure reports; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 670—

BY REPRESENTATIVES WILLIAMS, BARROW, DOERGE, HINES,
SIMON, AND WILLMOTT
AN ACT

To amend and reenact R.S. 46:1301(A)(introductory paragraph) and (1) and (B), relative to autism services provided by the Department of Health and Hospitals; to transfer the center of excellence for autism to the office of citizens with developmental disabilities; to rename the center; to provide for formal agreements with the center; to establish the location of the center and any facilities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 678—

BY REPRESENTATIVES GREENE, ABRAMSON, FOIL, ROSALIND
JONES, AND LEGER
AN ACT

To amend and reenact R.S. 42:1125(B) and (C), relative to gubernatorial transition and inauguration; to provide for reporting of contributions and expenditures; to provide relative to applicability and effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 728—

BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 37:146(B), (C), and (D) and to enact R.S. 37:146.1, relative to qualifications for examination of architects; to provide for additional qualifications for examinations for applicants; to provide for the ability for the board to adopt rules; to provide for licensing for architects; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 790—

BY REPRESENTATIVES FOIL, GREENE, AND RICHARDSON
AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the July election date for bond, tax, and other proposition elections; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 842—

BY REPRESENTATIVES GALLOT AND TUCKER
AN ACT

To amend and reenact R.S. 18:1495.7(A), R.S. 42:1124(A)(1), (C)(8), and (D)(2), 1124.2(A) and (C)(5)(b), (c), and (d) and (8), 1124.3(A), and 1124.4(D)(1)(a), and Section 6 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature and to enact R.S. 42:1124.3(D)(3) and Section 7 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature, relative to financial disclosure; to provide relative to certain disclosures by certain public servants; to provide relative to certain disclosures by candidates for certain offices; to provide relative to deadlines for filing certain such disclosures; to provide relative to the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to provide for definitions; to provide for penalties; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 854—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 13:312(1)(b) and 312.1(A), relative to court of appeal judges; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purposes of qualification and election; to provide relative to the term of office for such judges; to provide for effective dates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 858—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 37:2503(C) and (D) and 2504(D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide meeting attendance requirements; to provide for the creation of vacancies; to establish what constitutes a quorum; to authorize the board to maintain the Direct Service Worker Registry; to authorize the board to determine and document direct service worker registration status; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 861—

BY REPRESENTATIVES HINES, ABRAMSON, BARROW, BURFORD,
DOERGE, HILL, KATZ, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE,
SIMON, AND WILLMOTT
AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2881 and 2882, relative to the Umbilical Cord Blood Banking Program; to provide for a short title; to establish the program within the Department of Health and Hospitals; to provide for the duties of the department; to provide for funding; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 911—

BY REPRESENTATIVES GALLOT, ARNOLD, BOBBY BADON,
BALDONE, BILLIOT, BURRELL, DIXON, DOWNS, GISCLAIR, HARDY,
HINES, HUTTER, LEGER, NORTON, RICHARD, ST. GERMAIN, TUCKER,
AND WOOTON
AN ACT

To amend and reenact R.S. 42:1123(13), relative to the acceptance of certain things of economic value; to provide relative to the

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acceptance of complimentary admission to certain events by public servants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 930—

BY REPRESENTATIVES MILLS, ABRAMSON, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CHAMPAGNE, CORTEZ, DANAHAY, DOERGE, ELLINGTON, GALLOT, GISCLAIR, MICKEY GUILLORY, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, MICHAEL JACKSON, JOHNSON, SAM JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, MCVEA, MORRELL, NORTON, NOWLIN, PETERSON, POPE, RICHARD, RICHARDSON, SCHRODER, SIMON, JANE SMITH, PATRICIA SMITH, TEMPLET, TRAHAN, WHITE, AND WILLIAMS

AN ACT

To amend and reenact R.S. 36:258(G) through (L), to enact Chapter 20 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:901 through 906, and Chapter 21 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:911 through 920, and to repeal R.S. 28:382.2 and R.S. 46:2661 through 2666, relative to human services districts; to provide relative to the Capital Area Human Services District, including the powers, duties, and functions of the district, its governing board and nomination procedures, reporting duties, and the transfer of powers, duties, functions, and employees from the Department of Health and Hospitals to the district; to provide for the reversion of the functions of human services districts to the Department of Health and Hospitals in the event of the termination of a contract; to create statewide human services delivery systems; to establish the jurisdiction of human services districts; to create governing boards and provide for the appointment of board members, their terms, and compensation; to establish requirements for existing and newly created boards; to provide for the powers, duties, and functions of the districts; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the districts; to provide for transfer of employees; to provide relative to the membership, responsibilities, and duties of the Human Services Interagency Council; to establish the duties and responsibilities of the Department of Health and Hospitals; to provide for the event of a conflict with other laws; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 930 by Representative Mills

AMENDMENT NO. 1

On page 6, line 6, following "all" and before "and" change "real" to "immovable"

AMENDMENT NO. 2

On page 6, line 7, before "property" change "personal" to "movable"

AMENDMENT NO. 3

On page 9, line 23, following "Human" change "Service," to "Services"

AMENDMENT NO. 4

On page 11, line 3, following "management," delete "for the"

AMENDMENT NO. 5

On page 11, line 4, before "behavioral health" change "provision of" to "to provide"

AMENDMENT NO. 6

On page 15, line 11, following "all" and before "and" change "real" to "immovable"

AMENDMENT NO. 7

On page 15, line 12, before "property" change "personal" to "movable"

HOUSE BILL NO. 960—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:1309.2, relative to a program for early voting; to authorize the secretary of state to develop and implement a program for the conduct of early voting in additional locations; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the program; to require the approval of the program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the program to the House and Senate governmental affairs committees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1002—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3), and (4) and 1114.3(A)(1) and (2), to enact R.S. 42:1113(D)(5), and to repeal R.S. 42:1113(E), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide relative to restrictions of such contracts; to provide for disclosure relative to such contracts; to provide for enforcement and penalties; to provide relative to applicability; to provide exceptions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1017—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:18(A)(8)(b), 51(C), 108(B), 110(B)(2)(b), 115(A)(3), 154(C), 171, 172, 193(E) and (F), 196(D), 425(B)(4), 443.2(7), 503, 532(B)(5), 532.1(B)(2)(b) and (D), 535(B), 563(C)(2), 564(A), 566.2(B) and (G), 571, 1259(A) and (B)(1), (2)(introductory paragraph), and (5), 1275.14(B), 1284(F)(1), 1299.1(A), 1306(B)(2), 1307(C), 1309(B), 1313(D), 1402(A)(introductory paragraph) and (B)(1)(introductory paragraph), and 1903, to enact R.S. 18:2(12), 552(A)(4), 1300.7(C), (D), and (E), 1306(B)(3), 1309(J), and 1332(C), and to repeal R.S. 18:532.1(G) and (H), relative to the Louisiana Election Code; to provide relative to the powers and duties of the secretary of state; to provide relative to the duties of clerks of court; to provide relative to the duties of registrars of voters; to provide relative to the duties of the secretary of the Department of Public Safety and Corrections; to provide definitions; to provide relative to filling a vacancy in the office of registrar of voters; to provide relative to transfer and cancellation of duplicate registrations; to provide relative to the effectiveness of certain changes in registration; to provide relative to disclosure of voter information; to provide relative to reporting of felony convictions; to provide relative to procedures for challenge and cancellation of registration; to provide relative to reporting of judgments of interdiction; to provide relative to the qualifications of commissioners; to provide relative to the submission of apportionment plans of the state central committees of certain recognized political parties; to provide relative to notice of withdrawal or disqualification of a candidate; to provide relative to notice of location of precincts and polling places; to provide relative to assistance in voting; to provide relative to procedures for voting; to provide relative to the counting and tabulation of provisional ballots for federal office; to provide relative to procedures for counting and tabulating votes; to provide relative to arrangement of the voting machine ballot; to provide relative to selection of nominees in congressional elections; to provide relative to requirements for statements of propositions or questions to be submitted to the voters; to provide relative to recall elections; to provide relative to election paraphernalia accompanying absentee by mail and early voting ballots; to provide relative to the validity of certain

applications to vote absentee by mail by certain persons; to provide relative to information required to be posted at an early voting polling place; to provide relative to persons present during the counting and tabulation of absentee and early voting ballots; to provide relative to registration of persons approved for participation in the special program for handicapped voters; to provide relative to parties to an action objecting to candidacy; to provide relative to precincts; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1051—
BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 40:2120.33(3), relative to adult brain injury facilities; to remove restrictions against related patients within the same adult brain injury facility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1058—
BY REPRESENTATIVES GALLOT, TUCKER, AND WADDELL

AN ACT

To amend and reenact R.S. 6:103(B)(14), (E)(1)(e), and (I), R.S. 9:2798.5(A), R.S. 10:9-526(a)(2) as amended by Act No. 319 of the 2007 Regular Session of the Legislature, R.S. 11:315(A)(introductory paragraph) and (B)(2)(introductory paragraph), 316(A)(introductory paragraph), 542.1(B), 1942.1(A), 2178(D), (E)(5), and (J)(1) and (2), and 2260(A)(9)(b)(iv), R.S. 13:961(B), (C), (D)(2), (E), and (I), R.S. 15:141, 142(F), 143(introductory paragraph), 147(B)(2), 148(A), 149, 160(E), 161(J), 162(C), 165(B)(1)(b), 170(D)(5)(introductory paragraph), 173(A), 181, 182, 185.3(D), 571.11(B), 572.8(G) and (H), and 574.9(A), R.S. 17:416(B)(2) and (3)(d)(iv), (C)(1) and (2)(a)(i), and (E), 525(A)(1) and (C), 1518.1(I)(3) and (J), 1990(B)(1)(c) and (d), 3048.1(A)(1)(a)(iii)(dd)(I) and (V)(3)(a), 3394.1, 3394.2(6) and 3394.3(B)(introductory paragraph) and (1)(b), R.S. 23:101, 107(C) and (D), 111(A), (B)(3)(e), and (F), 897(K) and (M), 1191, 1195(A)(1) and (5)(a), (B)(introductory paragraph), (1)(a), (2)(b), and (3)(a), and (C)(5)(a) and (b)(vi), 1196(A)(2)(c)(i), (3)(b), and (5), 1209(A), (B), and (D), 1211, 1378(A)(6)(b), (B), (C), (D), and (F)(1) through (29) and (30)(a)(iii), 1392(introductory paragraph), (5), and (8)(a), 1532.1(B)(1)(a) and (b) and (2), (C)(1)(a) and (b), (2), and (3), and (E), 1541, 1552, 1553(A), (B)(3), (4), (5) and (10)(a) and (b), and (D)(4), and 1775(D)(2), R.S. 28:854(B)(1) and (C) and 894(A)(2) and (4), (B)(1), and (C), R.S. 32:784(B), R.S. 38:330.8(B)(4), 334.3, and 2212(C)(1), R.S. 56:320(A)(3) and 327(D) and to repeal R.S. 14:50.1, 54, 85.1, and 91.14, relative to the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain Revised Statutes; to provide for the Louisiana State Law Institute to redesignate certain provisions of Title 40 of the Louisiana Revised Statutes of 1950; to remove certain unconstitutional provisions of Title 14 of the Louisiana Revised Statutes of 1950.

Reported without amendments.

HOUSE BILL NO. 1062—
BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:1058.3(C), relative to methadone maintenance programs; to extend the moratorium on methadone maintenance programs; to provide that the Department of Health and Hospitals may license a new or additional methadone maintenance program if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide for a special effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1113—
BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 22:1021, 1024, and 1027 and to repeal R.S. 22:1023, 1025, and 1026, relative to statutory deposits of insurers; to provide for the amount of the deposit; to provide for delivery of home state certifications; to eliminate surety bonds in lieu of deposits; to eliminate additional deposits of surety insurers; to eliminate conditions of additional deposits; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1130— (Substitute for House Bill No. 1095
by Representative Robideaux)**

BY REPRESENTATIVES ROBIDEAUX AND CORTEZ

AN ACT

To amend and reenact R.S. 22:1474(B)(5) and (D)(3) and to enact R.S. 22:1474(D)(4), relative to life insurance, disability income, long-term care and annuity policies; to provide relative to exclusive use of certain records and information for individual life insurance, disability income, long-term care and annuity policies; to provide relative to ownership of life insurance, disability income, long-term care and annuity files; to provide relative to the right to retain files upon termination of affiliation between insurance company and producer; to provide relative to all written or electronic records gathered and maintained by the producer; to provide relative to exclusion of real-time policy data and updates maintained on the insurance company computer system or any data protected by the Gramm-Leach-Bliley Act or the security laws; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1332—
BY REPRESENTATIVE PETERSON

AN ACT

To enact R.S. 22:1135(I), relative to life insurance agent examinations; to require the commissioner of insurance to publish a report regarding life insurance agent examinations; to provide for the commissioner of insurance to publish a report regarding life insurance test forms administered; to provide for the commissioner of insurance to supply testing service providers with demographic information of an insurance producer applicant; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1360— (Substitute for House Bill No. 412 by
Representative Mills)**

BY REPRESENTATIVES MILLS AND ELLINGTON

AN ACT

To enact R.S. 22:170.2, relative to life insurance policies and annuities; to provide with respect to any such policy or annuity issued to fund a pre-need funeral contract; to provide for the relationship of a funeral establishment to such a policy or contract; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1361— (Substitute for House Bill No. 1080
by Representative Patricia Smith)**

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 40:2120.42(1), relative to adult day health care providers; to change certain operational requirements; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills were read by title and passed to a third reading.

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 22, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 176— BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:401(A), relative to the State Market Commission; to remove the commissioner of financial institutions from the membership; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 326— BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2074(B)(3)(e), R.S. 36:231(B) and 258(B), and R.S. 40:4(A)(6), 31.31(1) and 31.32(C) and to enact R.S. 30:2074(B)(3)(f) and (11), relative to transporters of certain waste; to provide for the issuance of licenses and collection of fees for transporting or hauling sewage sludge or biosolids; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the authority of the state health officer; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 133—

BY SENATOR DONAHUE AND REPRESENTATIVES ANDERS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANEY, CROMER, DANAHAY, DOWNS, EDWARDS, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HENRY, HOFFMANN, HOWARD, HUTTER, KATZ, LAFONTA, LAMBERT, LEGER, LIGI, LITTLE, LOPINTO, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WHITE, WILLMOTT AND WOOTON

AN ACT

To amend and reenact R.S. 3:266(14) and R.S. 38:2212(B), relative to the Louisiana Agricultural Finance Authority; to require the Louisiana Agricultural Finance Authority to comply with public bid laws; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 175— BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 2:135.3(B) and R.S. 36:621(C)(1), relative to the office of agricultural and environmental sciences; to make a technical correction to the name of the office of agricultural and environmental sciences; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 550— BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:1311(2) and (3), 1312(A), (C), the introductory paragraph of (F), and (F)(2), 1313(B)(7), 1314, 1316, and the introductory paragraph of 1317 and to enact R.S. 3:1316.1 through 1316.3 and 1319 and to repeal R.S. 3:1312(G), relative to fertilizer regulation; to provide relative to violations; to provide for adjudicatory proceedings; to provide for penalties; to provide relative to deficiency assessments; to prohibit municipalities, parishes, local governmental entities or governing authorities of any group or association, private or public, having jurisdiction over a specific geographic area from enacting ordinances, laws, subdivision restrictions or regulations regarding fertilizers; to provide for rulemaking authority; to provide for technical corrections; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 619— BY SENATOR THOMPSON

AN ACT

To repeal Part I-C of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:445.1 through 445.10, R.S. 36:629(D)(4) and (5), R.S. 39:1482(D) and (G) and 1572(A)(3) and (4), relative to the marketing of crawfish; to repeal the Louisiana Crawfish Market Development Authority; to remove statutory references; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 635— BY SENATORS THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:3801(A), (B), and (C), 3803(14), 3804(A), 3807(B)(4), 3808(D) and 3815 and to repeal R.S. 3:3807(B)(6) and 3808(F), relative to the Horticulture Commission; to consolidate the professions of horticulturist and landscape contractor into one licensed profession known as "landscape horticulturist"; to provide relative to license powers; to provide for transition provisions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 641— BY SENATOR THOMPSON

AN ACT

To enact R.S. 3:1604(J) and 1604.1, relative to the Boll Weevil Eradication Commission; to provide relative to travel reimbursement; to provide for the powers and duties of the commissioner and the commission; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 321— BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and (c), relative to the administration of state government; to provide the Department of Environmental Quality with authority to accept credit cards for payment of obligations owed to the state through use of a third-party processor to collect a convenience fee to adequately cover transaction fees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 47— BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state property in

Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 48— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:1847(63), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 67— BY SENATORS DUPRE AND WALSWORTH AND REPRESENTATIVES ST. GERMAIN AND DOVE

AN ACT

To enact R.S. 49:191(4)(a) and to repeal R.S. 49:191(2)(a), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 68— BY SENATOR DUPRE AND REPRESENTATIVES ST. GERMAIN, BOBBY BADON, HENRY BURNS, CHAMPAGNE, FOIL, GISCLAIR, HARRISON, LITTLE, MONTOUCET AND PERRY

AN ACT

To amend and reenact R.S. 56:699.6, relative to firearm and hunter education exemption; to allow certain military personnel and POST-certified law enforcement officers to file for firearm and hunter education exemption at certain offices; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 124— BY SENATOR DUPRE AND REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(b) relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 22, 2008

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. 81— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate Rosalie Marie "Poddy" Leveque Champeaux upon the occasion her retirement.

Reported without amendments.

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

Introduction of Resolutions, Senate and Concurrent

Senator Thompson 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. 87— BY SENATOR THOMPSON

A RESOLUTION

To commend and congratulate the Wossman Wildcats on winning the Class 3A state basketball championship.

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

SENATE RESOLUTION NO. 88— BY SENATOR GRAY

A RESOLUTION

To recognize and commend Jane Meneray, a teacher at Isidore Newman School in New Orleans, upon her selection as the 2008 Siemens Awards for Advanced Placement (AP) winner.

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

SENATE CONCURRENT RESOLUTION NO. 83— BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To urge and request the state agencies which participate in BrightStart, formerly known as the Early Childhood Comprehensive Systems initiative, to coordinate policy, budget planning, and services that support early childhood development.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEA, NAY. Includes Mr. President, Duplessis, McPherson, Adley, Erdey, Michot, Alario, Gautreaux B, Morrish, Amedee, Gray, Nevers, Broome, Hebert, Riser, Cheek, Jackson, Shaw, Cravins, Kostelka, Shepherd, Crowe, Long, Smith, Dorsey, Marionneaux, Thompson.

Total - 27

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEA, NAY. Includes Cassidy, Heitmeier, Murray, Donahue, LaFleur, Quinn.

May 27, 2008

Dupre Martiny Walsworth
Gautreaux N Mount
Total - 11

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

Senate Bills and Joint Resolutions on Second Reading

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

SENATE BILL NO. 812— (Substitute of Senate Bill No. 438 by Senator Jackson)

BY SENATOR JACKSON AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A)(3) through (6), 2605(A) and (B)(3), (5), (28), and (39) and (E), and 2607, to enact R.S. 46:2602(B)(13), and to repeal R.S. 46:2602(D), (E), and (F), 2603(A) (7) through (13), 2605(B)(22), and 2605.1 through 2605.3, relative to the Children's Cabinet; to provide with respect to the powers and duties of the cabinet; to provide with respect to the advisory board; to extend the sunset date for the Cabinet; to repeal the Children's Cabinet Research Council and the Louisiana Juvenile Justice Planning and Coordinating Board; and to provide for related matters.

On motion of Senator Kostelka, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 813— (Substitute of Senate Bill No. 587 by Senator Broome)

BY SENATOR BROOME AN ACT

To amend and reenact R.S. 6:1081, 1082, 1084, 1086(A), 1088(C)(1)(introductory paragraph), (D), (E)(1) and (3), and (F)(1), 1089(A), 1090(B)(1), 1091(A), (B)(1) and (C), and 1092(A)(introductory paragraph), and to enact R.S. 6:1083(13) and (14), relative to residential mortgages; to provide for licensure and certification of residential mortgage servicers; to provide for purposes; to provide for prohibitions; to provide for requirements; to provide for application and issuance of licenses; to provide for changes; to provide for recordkeeping; to provide for suspension and revocation of licenses; to provide for an effective date; and to provide for related matters.

On motion of Senator Duplessis, the bill was read by title and ordered engrossed and passed to a third reading.

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 22, 2008

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. 10— BY REPRESENTATIVE RICHARDSON AN ACT

To enact R.S. 33:452, relative to mayors' courts; to establish a mayor's court in the city of Central, East Baton Rouge Parish; to provide for the territorial jurisdiction of the court; to provide for

the powers and authority of the mayor as magistrate of the court and other officers of the court; to provide relative to subject matter jurisdiction of the court; and to provide for related matters.

HOUSE BILL NO. 12— BY REPRESENTATIVE RICHARDSON AN ACT

To enact R.S. 33:441.31, relative to municipal courts; to provide that the mayor of the city of Central may appoint a court magistrate to preside over the mayor's court; to provide for the magistrate's duties and salary; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 996— BY REPRESENTATIVE ARMES AN ACT

To amend and reenact R.S. 11:1007(A)(1) and to repeal R.S. 11:1007(G), relative to reemployed school bus drivers in the Louisiana School Employees' Retirement System; to eliminate certain restrictions on the full-time reemployment of such persons; to repeal the sunset date relative to when employers may reemploy such bus drivers; and to provide for related matters.

HOUSE BILL NO. 382— BY REPRESENTATIVE HUTTER AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; provides for the collection of fees; and to provide for related matters.

HOUSE BILL NO. 798— BY REPRESENTATIVES HUTTER AND BALDONE AN ACT

To repeal Louisiana Administrative Code 76.V.501(B)(1) and (3)(b), relative to oyster leases and to provide for a process for lifting of the moratorium on new oyster leases.

HOUSE BILL NO. 1295— BY REPRESENTATIVE SMILEY AN ACT

To amend and reenact R.S. 32:190(A) and 408(C)(1) and to enact R.S. 32:408(C)(3), relative to motorcycles; to repeal the requirement that motorcycle operators eighteen and over wear a helmet; to require all applicants for the "M" endorsement to successfully complete the Motorcycle Safety, Awareness, and Operator Training Program; and to provide for related matters.

HOUSE BILL NO. 1164— BY REPRESENTATIVE MORRIS AN ACT

To amend and reenact R.S. 17:85 and to repeal R.S. 17:85.1, 85.2, 85.3, 85.5, 85.8, 85.11, and 85.12, relative to the naming of facilities; to authorize school boards to name athletic facilities after living persons; to repeal prior grants of similar authority and to provide relative to actions taken by school boards under such grants of authority; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 10—
BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 33:452, relative to mayors' courts; to establish a mayor's court in the city of Central, East Baton Rouge Parish; to provide for the territorial jurisdiction of the court; to provide for the powers and authority of the mayor as magistrate of the court and other officers of the court; to provide relative to subject matter jurisdiction of the court; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 12—
BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 33:441.31, relative to municipal courts; to provide that the mayor of the city of Central may appoint a court magistrate to preside over the mayor's court; to provide for the magistrate's duties and salary; to provide an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 382—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; provides for the collection of fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Environmental Quality.

HOUSE BILL NO. 798—
BY REPRESENTATIVES HUTTER AND BALDONE
AN ACT

To repeal Louisiana Administrative Code 76.V.501(B)(1) and (3)(b), relative to oyster leases and to provide for a process for lifting of the moratorium on new oyster leases.

The bill was read by title and referred by the President to the Committee on Natural Resources.

HOUSE BILL NO. 996—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 11:1007(A)(1) and to repeal R.S. 11:1007(G), relative to reemployed school bus drivers in the Louisiana School Employees' Retirement System; to eliminate certain restrictions on the full-time reemployment of such persons; to repeal the sunset date relative to when employers may reemploy such bus drivers; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 1164—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 17:85 and to repeal R.S. 17:85.1, 85.2, 85.3, 85.5, 85.8, 85.11, and 85.12, relative to the naming of facilities; to authorize school boards to name athletic facilities after living persons; to repeal prior grants of similar authority and to provide relative to actions taken by school boards under such grants of authority; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Education.

HOUSE BILL NO. 1295—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 32:190(A) and 408(C)(1) and to enact R.S. 32:408(C)(3), relative to motorcycles; to repeal the requirement that motorcycle operators eighteen and over wear a helmet; to require all applicants for the "M" endorsement to successfully complete the Motorcycle Safety, Awareness, and Operator Training Program; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Neil Riser, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 22, 2008

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

To urge and request the United States Congress to increase penalties for any person who knowingly hires, or recruits or refers for a fee, for employment within this state, an individual who is not authorized to work in the United States, or who knowingly continues to employ an unauthorized alien.

Reported favorably.

HOUSE BILL NO. 514—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 49:1002(H), relative to the applicability provisions for drug testing; to allow certain people involved in construction, maintenance, or manufacturing at any refining or chemical manufacturing facility to reduce or modify the initial cut-off level for marijuana testing; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 738—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 23:162, relative to the employment of minors; to provide for the employment, under certain conditions, of minors twelve and thirteen years of age; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NEIL RISER
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 27, 2008

May 22, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 38—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessors' employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 86—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 39:551.10, relative to Jackson Parish; to create the Jackson Parish Industrial District; to provide relative to the boundaries, governance, and powers and duties of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 87—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 33:9080, relative to Orleans Parish; to create the Lake Bullard Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 88—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 33:9080, relative to Orleans Parish; to create the McKendall Estates Neighborhood Improvement District within the parish; to provide relative to the governance, purpose, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 104—
BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 47:322.47 and 332.53, relative to the disposition of certain sales tax collections on hotel occupancy in Webster Parish; to provide for deposit of proceeds from such taxes into the Webster Parish Convention and Visitors Bureau Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 212—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 33:2866.1(B) and to enact R.S. 33:4712.12, relative to the sale of property by parishes and municipalities; to provide with respect to a real estate broker's commission or fee; to remove provisions authorizing certain parishes to negotiate such commission or fee; to provide relative to the maximum amount of the commission or fee that is authorized to be paid; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 235—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 25:902(F), relative to meetings conducted by the Louisiana National Register Review Committee; to provide for a reduction in the number of mandatory meetings conducted annually; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 273—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 33:2496(A)(1) and 2556(1)(a), relative to municipal fire and police civil service; to provide relative to the termination of provisional appointments; to change the time limitation for the termination of any such appointment to a position in the competitive classes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 299—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 33:2740.69, relative to Orleans Parish; to create the Gentilly Development District within the parish; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to district funding, including the authority to levy taxes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 300—
BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 47:322.33(B), relative to the state sales and use tax; to provide relative to the disposition of the monies deposited into the Lincoln Parish Municipalities Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 352—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 33:9080, relative to Orleans Parish; to create the Tameron Subdivision Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 387—
BY REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LOPINTO,
TALBOT, WILLMOTT, AND WOOTON
AN ACT

To amend and reenact R.S. 33:2536.2, relative to fire and police civil service boards; to provide for the qualifications of members of the Jefferson Parish Fire Civil Service Board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 465—
BY REPRESENTATIVES LABRUZZO, BILLIOT, CONNICK, LIGI,
LOPINTO, TALBOT, WILLMOTT, AND WOOTON AND SENATOR
MARTINY
AN ACT

To enact R.S. 33:1420.19, relative to economic development in Jefferson Parish; to provide for the creation of a special district in the parish for the purpose of promoting, encouraging, and participating in infrastructure improvements to stimulate the economy; to provide for the boundaries, governance, and duties and powers of the district, including the power to provide for tax

increment financing and to incur debt and issue evidences of indebtedness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 594—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 48:1309(A) and (B) and to enact R.S. 48:1309(D), relative to Ouachita Parish; to provide relative to road lighting districts within the parish; to provide relative to the method of assessment of service charges or rates of service charges within such districts; to provide relative to the collection of such charges; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 595—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1503(K)(2), relative to West Baton Rouge Parish; to provide relative to the West Baton Rouge Fire Protection District No. 1; to provide relative to the officers of Fire Subdistrict No. 2 of such district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 597—
BY REPRESENTATIVE MONTOU CET
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(1), relative to Acadia Parish; to increase the maximum rate of the hotel occupancy tax that the Acadia Parish Convention and Visitors Bureau is authorized to levy; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 772—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 33:9097.4, relative to East Baton Rouge Parish; to create the Melrose Place Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 773—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 33:9097.4, relative to East Baton Rouge Parish; to create the Capital Heights Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE MONTOU CET
AN ACT

To amend and reenact R.S. 47:302.22(B), relative to the disposition of collections in the Acadia Parish Visitor Enterprise Fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHERYL ARTISE GRAY
Chairman

**REPORT OF COMMITTEE ON
EDUCATION**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

May 22, 2008

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION

To approve the establishment of a learning center in St. Tammany Parish, pursuant to the provisions of R.S. 17:3228, by the Louisiana Board of Regents in cooperation with the parish of St. Tammany and existing institutions of postsecondary education.

Reported with amendments.

HOUSE BILL NO. 200—
BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 17:226(A)(2)(e), relative to exemptions from compulsory school attendance; to provide that certain children shall be temporarily excused from school under specified circumstances; to provide conditions and limitations; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 359—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 17:170.3, relative to immunizations; to require certain school boards to provide information relative to human papillomavirus to certain students; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 361—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:416(B)(3)(d)(i), relative to student discipline; to provide relative to certain documentation required for certain expelled students to be admitted or readmitted to public school; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 671—
BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 17:1964(D)(17), relative to the Louisiana School of Math, Science, and the Arts; to require the board of directors of the school to develop and adopt a policy for sabbatical leave for certain employees; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 721—
BY REPRESENTATIVE SMILEY
AN ACT

To enact R.S. 17:3951(B)(21), relative to the High School Redesign Commission; to add a member to the commission; and to provide for related matters.

Reported favorably.

May 27, 2008

HOUSE BILL NO. 1069—
BY REPRESENTATIVE WILLIAMS
AN ACT

To enact R.S. 17:1970.24(E)(1)(o), relative to the New Orleans Center for the Creative Arts/Riverfront; to require its board of directors to develop a plan with respect to providing educational services to students in public school systems throughout the state; to require the board to report to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session of the Legislature; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1091—
BY REPRESENTATIVES PETERSON, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, DANAHAY, DIXON, EDWARDS, GALLOT, HARDY, HARRISON, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, KATZ, LAFONTA, LEBAS, MARCHAND, PEARSON, RICHMOND, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TRAHAN, TUCKER, WADDELL, AND WILLIAMS AND SENATOR GRAY
AN ACT

To amend and reenact R.S. 17:221(E) and to enact R.S. 17:221.4, relative to withdrawal from school; to authorize certain students to withdraw from school under certain circumstances; to provide for guidelines and procedures with respect to withdrawal from school; to create a dropout prevention and recovery program; to provide for the collection and reporting of related data; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1347—
BY REPRESENTATIVES AUSTIN BADON, TIM BURNS, CARTER, CONNICK, CROMER, GREENE, HAZEL, HENRY, LIGI, LORUSSO, MONICA, PEARSON, PERRY, PUGH, ROBIDEAUX, SCHRODER, SMILEY, TALBOT, AND TUCKER
AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011 through 4025, relative to educational options for parents and other legal guardians; to establish and provide for the implementation of the Student Scholarships for Educational Excellence Program; to provide for legislative findings; to provide for definitions; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education and the state Department of Education; to provide relative to eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and payments to eligible schools including eligible nonpublic schools; to provide relative to testing; to provide for reports; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BEN W. NEVERS
Chairman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS
AND PUBLIC WORKS**

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 22, 2008

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 521—
BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 32:667(D) and to repeal R.S. 32:667(E), relative to driver's licenses; to provide for an administrative hearing; to provide for the administrative suspension, revocation, or cancellation proceedings; to provide for responsibilities of the Department of Public Safety and Corrections; to repeal requirement to hold an administrative hearing within a certain time period; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE HILL
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to designate the portion of Louisiana Highway 165 North from Oakdale city limits to the Rapides Parish line as the "Staff Sergeant Timothy B. Cole, Jr. Memorial Highway" and to erect signage along this route reflecting this designation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of constructing center turn lanes on certain portions of Louisiana Highway 48 in St. Charles Parish.

Reported favorably.

HOUSE BILL NO. 174—
BY REPRESENTATIVES ROY AND ARMES
AN ACT

To amend and reenact R.S. 47:490.18(C), (D), and (E) and to enact R.S. 47:490.18(F), relative to military honor license plates; to provide for the change in design of the "Purple Heart" medal on the military honor license plates for "Purple Heart" recipients; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 301—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 38:291(Z)(2)(introductory paragraph), relative to the St. Mary Levee District board of commissioners; to delete the requirement for board members to own property within the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 600—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 34:328(A) and (B), relative to the Morgan City Harbor and Terminal District; to provide relative to procurement of materials and supplies by the Morgan City Harbor and Terminal District; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 616—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 47:532.1(A)(7)(c) and (C) and to enact R.S. 47:532.1(D), relative to public license tag agents; to provide for the maximum amount of convenience fees authorized to be collected for certain transactions; to require public license tag agents to disclose information to the consumer

that license tags shall be purchased at the office of motor vehicles without payment of the convenience fee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 805—
BY REPRESENTATIVES HENRY BURNS, JANE SMITH, AND ST. GERMAIN

AN ACT

To enact R.S. 47:463.136, relative to motor vehicle special prestige license plates; to provide for the creation of the St. Jude Children's Research Hospital special prestige license plate; to provide for the issuance of such 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; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 809—
BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(ii) and 707(B) and to enact R.S. 47:501(C), relative to requirements for driver's licenses, motor vehicle registrations, and certificates of title; to provide for the definition of full legal name; to provide relative to application requirements for motor vehicle registrations and certificates of title; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 841—
BY REPRESENTATIVES CHAMPAGNE AND BARRAS

AN ACT

To enact R.S. 34:242.1, relative to the Port of Iberia District; to provide for ordinances adopted by the Port of Iberia District; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1112—
BY REPRESENTATIVES GARY SMITH, BILLIOT, DIXON, AND GISCLAIR

AN ACT

To amend and reenact R.S. 38:100(introductory paragraph), 101, and 103(B), relative to the Westwego to Harvey Canal hurricane protection project; to provide for the extension of the West Bank and vicinity hurricane protection project; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1115—
BY REPRESENTATIVES ARMES, AUBERT, BILLIOT, HENRY BURNS, DIXON, FRANKLIN, HOWARD, NORTON, POPE, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 38:2322(C), relative to the Sabine River Authority; to increase the per diem of the board of commissioners; to provide for the number of meeting days of the board; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1151—
BY REPRESENTATIVE GISCLAIR

AN ACT

To amend and reenact R.S. 32:57(H), relative to penalties for exceeding speed limits in highway construction zones; to double the standard fine imposed for motorists who speed in highway construction zones where construction workers are present; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1216—
BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:820.5.5, relative to state tolls; to require the interoperability of public toll facilities for toll collection and toll violation enforcement; to provide authorization for the secretary of the Department of Transportation and Development to set policies and procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1293—
BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 38:291(M)(2) and to enact R.S. 38:291(M)(3), relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Beouf Levee District; to provide for the termination of the current board of commissioners for the district; to provide for the appointment of commissioners for the district; to provide for the officers of the board of commissioners and their terms of office; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

May 22, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 286—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:24.10(B)(2), (D), (H)(2), and (I)(1)(a)(i) and (5) and to enact R.S. 17:24.10(I)(1)(a)(iii), relative to early childhood education; to provide relative to universal access to the Cecil J. Picard LA 4 Early Childhood Education Program; to provide for timelines and eligibility requirements; to provide for participation by non-school system providers; to provide for local school system duties and responsibilities; to provide for reporting requirements; to provide relative to funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 615—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2602(A), 2603(A)(3) through (6), 2604(A) through (D), 2605(A) and (B)(3), (5), (28), and (39) and (E), and 2607, to enact R.S. 46:2602(B)(13) and 2604(G), and to repeal R.S. 46:2603(A) (7) through (13), 2605(B)(22), and 2605.1 through 2605.3, relative to the Children's Cabinet; to provide with respect to the powers and duties of the cabinet; to provide with respect to the preparation and submission of the budget; to provide with respect to legislative advisory board; to extend the sunset date for the Cabinet; to repeal the Children's Cabinet Research Council; and to provide for related matters.

Reported with amendments.

May 27, 2008

SENATE BILL NO. 726—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:1517.1, relative to Louisiana State University Health Sciences Center at Shreveport ; to provide for utilization of hospital revenues; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

Senate Bills and Joint Resolutions on
Third Reading
and Final Passage

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

SENATE BILL NO. 399—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:25(B)(1) and (E), 26, 88, 310(E) and 363(D), relative to the Louisiana Gaming Control Law; to provide with respect to the Louisiana Gaming Control Board; to provide with respect to the duties of hearing officers; to provide for a procedure to appeal decisions of the hearing officers; to provide for a procedure to appeal decisions of the Louisiana Gaming Control Board; to provide for a procedure to appeal decisions of the division in the office of state police, Department of Public Safety and Corrections; and to provide for related matters.

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

SENATE BILL NO. 729—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 27:93(A)(11), relative to gaming; to authorize the governing authority of East Baton Rouge Parish to levy a fee not to exceed six percent of the monthly net gaming proceeds from each riverboat located within its jurisdiction; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Long
Alario	Erdey	McPherson
Amedee	Gautreaux B	Michot
Broome	Gautreaux N	Morrish
Cassidy	Gray	Nevers
Cheek	Hebert	Shaw
Cravins	Heitmeier	Smith
Crowe	Jackson	Thompson
Dorsey	Kostelka	
Total - 26		

NAYS

Adley	Marionneaux	Riser
Total - 3		

ABSENT

Donahue	Martiny	Quinn
Dupre	Mount	Shepherd
LaFleur	Murray	Walsworth
Total - 9		

The Chair declared the bill was passed and sent to the House. Senator Dorsey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Notice Regarding Vote

Senator Riser stated he had voted in error on Senate Bill No. 729. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 742—
BY SENATOR CHEEK

AN ACT

To enact R.S. 33:1981(C)(4) and 2201(C)(3), relative to survivor benefits for firefighters and law enforcement officers; to provide relative to financial security of surviving children of such persons; to provide for the designation of trustees for the children of such persons in certain circumstances; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 742 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 16, following "Section." and before "payment" change "such" to "the"

AMENDMENT NO. 2

On page 2, line 9, following "Section." and before "payment" change "such" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gray	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Shepherd
Cravins	Kostelka	Smith
Crowe	Long	Thompson
Dorsey	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Donahue	LaFleur	Murray
Dupre	Martiny	Quinn
Gautreaux N	Mount	Walsworth
Total - 9		

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVES MORRELL, LEGER, AND PETERSON
A CONCURRENT RESOLUTION**

To direct the Ernest N. Morial-New Orleans Exhibition Hall Authority, the New Orleans Metropolitan Convention and Visitors Bureau, and other public bodies to recognize the official name of the Ernest N. Morial Convention Center-New Orleans though an alternative form may be used for marketing purposes.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Smith
Cravins	Kostelka	Thompson
Crowe	Long	
Dorsey	Marionneau	
Total - 28		

NAYS

Total - 0

ABSENT

Donahue	Martiny	Shepherd
Dupre	Mount	Walsworth
Gray	Murray	
LaFleur	Quinn	
Total - 10		

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

**House Concurrent Resolutions on
Third Reading
and Final Passage**

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

**HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:852.1 through 852.22, relative to titling of vessels in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gray	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Smith
Cravins	Kostelka	Thompson
Crowe	Long	
Dorsey	Marionneau	
Total - 28		

NAYS

Total - 0

ABSENT

Donahue	Martiny	Shepherd
Dupre	Mount	Walsworth
Gautreaux N	Murray	
LaFleur	Quinn	
Total - 10		

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
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. 318—
BY REPRESENTATIVES KLECKLEY, ARNOLD, AUSTIN BADON,
BOBBY BADON, BARROW, BILLIOT, BURRELL, CARMODY,
DANAHAY, EDWARDS, FRANKLIN, GALLOT, GEYMAN, HAZEL,
HENDERSON, HINES, HONEY, MICHAEL JACKSON, JOHNSON, SAM
JONES, LAFONTA, LEBAS, LEGER, MARCHAND, MONTOUCET,
MORRELL, MORRIS, NORTON, PERRY, PETERSON, RICHARDSON,
ROY, SIMON, PATRICIA SMITH, ST. GERMAIN, TALBOT, WILLIAMS,
AND WILLMOTT**

AN ACT

To enact R.S. 22:215.26, relative to health insurance; to require health insurance policies, contracts, and plans, including health maintenance contracts and agreements, to provide coverage of prosthetic devices and prosthetic services; and to provide for related matters.

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

May 27, 2008

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Murray
Alario	Gautreaux N	Nevers
Broome	Gray	Riser
Cassidy	Hebert	Shaw
Cheek	Heitmeier	Smith
Crowe	Jackson	Thompson
Dorsey	Marionneaux	Walsworth
Dupre	Martiny	
Total - 26		

NAYS

Amedee	Kostelka	Morrish
Cravins	Long	
Donahue	McPherson	
Total - 7		

ABSENT

Duplessis	Mount	Shepherd
LaFleur	Quinn	
Total - 5		

The Chair declared the bill was passed and returned to the House. Senator Erdey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Michot in the Chair

HOUSE BILL NO. 49—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 46:1053(C)(2)(f), relative to hospital service districts in St. Charles Parish; to provide relative to the per diem that members of hospital service district commissions receive; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Nevers
Broome	Gray	Riser
Cassidy	Hebert	Shaw
Cheek	Heitmeier	Shepherd
Cravins	Jackson	Smith
Crowe	Kostelka	Thompson
Dorsey	Long	
Total - 29		

NAYS

Total - 0

ABSENT

Donahue	Marionneaux	Murray
Dupre	Martiny	Quinn
LaFleur	Mount	Walsworth
Total - 9		

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

HOUSE BILL NO. 252—
BY REPRESENTATIVE PUGH
AN ACT

To enact R.S. 33:423.19, relative to the city of Ponchatoula; to provide with respect to the powers of the chief of police; to authorize the chief of police to take certain personnel actions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator Donahue moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 311—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 33:103(C)(1)(a), relative to the zoning commission in St. Charles Parish; to authorize an increase in the per diem paid to commission members for attending meetings; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gray	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Shepherd
Cravins	Kostelka	Smith
Crowe	Long	Thompson
Dorsey	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Donahue	LaFleur	Murray
Dupre	Martiny	Quinn
Gautreaux N	Mount	Walsworth
Total - 9		

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

Mr. President in the Chair

HOUSE BILL NO. 378—
BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 17:436(A)(2) and to enact R.S. 17:436(E), relative to school employees performing noncomplex health procedures; to remove certain procedures from the definition of noncomplex health procedure; to prohibit school employees, except certain health professionals, from being required to perform certain procedures; and to provide for related matters.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed House Bill No. 378 by Representative Armes

AMENDMENT NO. 1

On page 2, after line 5, insert the following:

"F. For purposes of this Section, the term "appropriate licensed health professional" shall be construed to specifically include a licensed professional nurse."

On motion of Senator Nevers, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed House Bill No. 378 by Representative Armes

AMENDMENT NO. 1

On page 1, line 2, between "(E)" and the comma "," insert "and (F)"

AMENDMENT NO. 2

On page 1, line 3, between "procedures;" and "to remove" inset "to provide for policies governing the performance of such procedures;"

AMENDMENT NO. 3

On page 1, at the end of line 8, insert "and (F) are"

AMENDMENT NO. 4

On page 1, at the beginning of line 9, delete "is"

AMENDMENT NO. 5

On page 2, after line 5, insert the following:

"F. The Louisiana State Board of Nursing shall set a policy which establishes the level of care needed for students for whom oral pharyngeal suctioning has been specified as a needed health maintenance procedure pursuant to this Section."

On motion of Senator Cassidy, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Walsworth
Dorsey	Marionneaux	
Duplessis	Martiny	
Total - 34		

NAYS

Total - 0

ABSENT

LaFleur	Quinn
Mount	Thompson
Total - 4	

The Chair declared the amended bill was passed and returned to the House. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 402—
BY REPRESENTATIVES FOIL AND HARDY
AN ACT

To enact R.S. 32:289, relative to driving school buses; to prohibit the use of a cellular radio telecommunication device while driving a school bus; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Reengrossed House Bill No. 402 by Representative Foil

AMENDMENT NO. 1

On page 1, delete lines 19 and 20 and insert "(1) An emergency system response operator, 911 public safety communications dispatcher, or school administrator."

On motion of Senator Shepherd, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Marionneaux
Adley	Duplessis	McPherson
Alario	Erdey	Michot
Amedee	Gautreaux B	Morrish
Broome	Gray	Nevers
Cassidy	Hebert	Riser

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Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson

Total - 30

NAYS

Total - 0

ABSENT

Dupre	Martiny	Quinn
Gautreaux N	Mount	Walsworth
LaFleur	Murray	

Total - 8

The Chair declared the amended bill was passed and returned to the House. Senator Erdey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 566—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 48:205(A), relative to general administrative functions of the Department of Transportation and Development; to authorize a notice when the purchase exceeds twenty-five thousand dollars to persons who furnish commodities by notice sent through an electronic interactive environment; to provide for an effective date; and to provide for related matters.

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

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Erdey	McPherson
Alario	Gautreaux B	Michot
Amedee	Gautreaux N	Morrish
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Donahue	Kostelka	Smith
Dorsey	Long	Thompson

Total - 30

NAYS

Total - 0

ABSENT

Crowe	Martiny	Quinn
Dupre	Mount	Walsworth
LaFleur	Murray	

Total - 8

The Chair declared the bill was passed and returned to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Notice Regarding Vote

Senator Crowe stated he appeared as absent on the vote on House Bill No. 566. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 791—
BY REPRESENTATIVE HUTTER
AN ACT

To repeal R.S. 48:221(C), relative to expropriation, to repeal provisions requiring the Department of Transportation and Development to offer to sell excess expropriated property.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 791 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 48:221(A)(2) and to"

AMENDMENT NO. 2

On page 1, line 2, after "expropriation" delete the comma "," and insert "and excess property, to provide relative to the sale of excess property;"

AMENDMENT NO. 3

On page 1, line 4, after "property" insert "; and to provide for related matters"

AMENDMENT NO. 4

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 48:221(A)(2) is hereby amended and reenacted to read as follows:

§221. Acquisition of balance of land in certain cases; disposition; exchange; excess property

A.(1) * * *

(2) When the department has acquired property in excess of the width or area required for departmental purposes or determines that certain property is no longer needed for its purposes, such property may be sold to the highest bidder after advertisement for bids twice within a thirty-day period provided the final advertisement appears at least fifteen days prior to sale in the official journal of the parish in which the property is located. However, the secretary ~~may, within his discretion, shall offer to sell such property at a private sale to the vendor or said vendor's successors in title who sold to the such property to the department upon payment of the original cost to the department or its present appraised market value, whichever is greater, or~~ However, the secretary shall first offer to sell such property to the said vendor's successors in title, or to the owner of the land whose property or any portion thereof is separated from a highway by such excess area, upon payment of the present appraised market value."

AMENDMENT NO. 5

On page 1, line 6, change "Section 1." to "Section 2."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Duplessis	McPherson
Alario	Erdey	Michot
Amedee	Gautreaux N	Morrish
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	

Total - 29

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Murray
Dupre	Martiny	Quinn
Gautreaux B	Mount	Walsworth
Total - 9		

The Chair declared the amended bill was passed and returned to the House. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1117—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 30:22, 23, 148.1, 148.2, 148.3, 148.4, 148.5, 148.6, 148.8, and 148.9(A) and (B)(introductory paragraph) and to repeal R.S. 30:148.9(B)(1), (2), and (3), relative to mineral leases; to provide for leases for storage; to provide for application, advertising, bids, public hearings, and selection for certain leases; to provide for the authority of the State Mineral Board and the commissioner of conservation; and to provide for related matters.

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

HOUSE BILL NO. 23—

BY REPRESENTATIVES GREENE AND NORTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 271(A)(1), relative to bail in extradition cases; to provide for the court's authority to admit a person arrested for extradition to another state; and to provide for related matters.

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

HOUSE BILL NO. 28—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for a crime of violence shall not be released on his own recognizance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	McPherson
Adley	Duplessis	Michot
Alario	Erdey	Morrish
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Shepherd
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Total - 30		

NAYS

Total - 0

ABSENT

Dupre	LaFleur	Quinn
Gautreaux B	Martiny	Walsworth
Gautreaux N	Mount	
Total - 8		

The Chair declared the bill was passed and returned to the House. Senator Shepherd moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 46—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:964(Schedule I)(A), (B)(14), (C), (D)(1) and (2), and (E), (Schedule II)(A)(1)(introductory paragraph) and (i) through (q), (B), (C)(introductory paragraph) and (1) and (2), (D)(introductory paragraph) and (2) through (4), and (E), and (Schedule III)(A)(introductory paragraph), (B), (D)(2), and (E), and to enact R.S. 40:964(Schedule II)(A)(1)(r) and (6), (C)(3), (D)(5) and (6), and (F) and (Schedule V)(A)(6), (C), and (D), and to repeal R.S. 40:964(Schedule III)(A)(5), relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedules I, II, III, and V to be consistent with the federal controlled substances designations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	McPherson
Adley	Duplessis	Michot
Alario	Erdey	Morrish
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Shepherd
Crowe	Long	Thompson
Donahue	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Dupre	LaFleur	Quinn
Gautreaux B	Martiny	Smith
Gautreaux N	Mount	Walsworth
Total - 9		

The Chair declared the bill was passed and returned to the House. Senator Hebert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 84—

BY REPRESENTATIVE ROSALIND JONES

AN ACT

To enact R.S. 14:75(C)(5), relative to failure to pay child support obligation; to provide for an increase in the penalty provision when the amount of support owed is more than twenty-five thousand dollars; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Erdey	Morrish
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Shepherd
Cravins	Kostelka	Smith
Crowe	Long	Thompson
Donahue	Marionneaux	
Dorsey	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Dupre	Martiny	Walsworth
Gautreaux B	Mount	
LaFleur	Quinn	
Total - 7		

The Chair declared the bill was passed and returned to the House. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 93—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:2531, relative to rights of police employees during investigations; to apply the rights of certain law enforcement officers under investigation to police employees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
Amedee	Gautreaux B	Michot
Broome	Gautreaux N	Morrish
Cassidy	Gray	Murray
Cheek	Hebert	Nevers
Cravins	Heitmeier	Riser
Crowe	Jackson	Shaw
Donahue	Kostelka	Shepherd
Dorsey	Long	Thompson
Duplessis	Marionneaux	
Total - 29		

NAYS

Adley
Total - 2

ABSENT

Dupre	Mount	Walsworth
LaFleur	Quinn	
Martiny	Smith	
Total - 7		

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

HOUSE BILL NO. 116—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; 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

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Dupre	Martiny	Quinn
LaFleur	Mount	Walsworth
Total - 6		

The Chair declared the bill was passed and returned to the House. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 118—

BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To amend and reenact R.S. 14:402(D)(5) and to enact R.S. 14:402(D)(9), relative to contraband; to amend the definition of "contraband" with respect to alcoholic beverages and certain pieces of communication equipment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Dupre	Martiny	Quinn
LaFleur	Mount	Walsworth
Total - 6		

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

HOUSE BILL NO. 126—
BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To enact R.S. 46:1844(N)(4), relative to crime victims and witnesses; to provide with respect to duties of the Department of Public Safety and Corrections, corrections services; to provide with respect to providing a crime victim with a recent photograph of an inmate prior to his release; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Erdey	Morrish
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Riser
Cassidy	Heitmeier	Shaw
Cheek	Jackson	Shepherd
Cravins	Kostelka	Smith
Crowe	Long	Thompson
Donahue	Marionneaux	
Dorsey	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Dupre	Martiny	Walsworth
Gautreaux B	Mount	
LaFleur	Quinn	
Total - 7		

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

HOUSE BILL NO. 130—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; 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

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Thompson
Donahue	Long	
Dorsey	Marionneaux	
Total - 31		

NAYS

Total - 0

ABSENT

Dupre	Mount	Walsworth
LaFleur	Quinn	
Martiny	Smith	
Total - 7		

The Chair declared the bill was passed and returned to the House. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 137—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 14:70.7, relative to misappropriation without violence; to create the crime of the unlawful production, manufacturing, distribution, or possession of fraudulent documents for identification purposes; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 137 by Representative Hill

AMENDMENT NO. 1

On page 2, line 15, change "Possession of" to "Possess"

AMENDMENT NO. 2

On page 2, line 16, change "the possession of a fraudulent document" to "to possess fraudulent documents"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray

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Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Dupre	Martiny	Quinn
LaFleur	Mount	Walsworth
Total - 6		

The Chair declared the amended bill was passed and returned to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 292—

BY REPRESENTATIVES WHITE, BOBBY BADON, BALDONE, HENRY BURNS, GALLOT, GISCLAIR, ELBERT GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HINES, LAFONTA, MARCHAND, NORTON, NOWLIN, PETERSON, RICHARDSON, RICHMOND, ROY, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, TUCKER, WADDELL, AND WILLIAMS

AN ACT

To enact Code of Criminal Procedure Article 893(E)(3), relative to the drug court division probation program; to provide for the dismissal of prosecutions upon successful completion; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Martiny	
Total - 32		

NAYS

Total - 0

ABSENT

Dupre	Marionneaux	Quinn
LaFleur	Mount	Walsworth
Total - 6		

The Chair declared the bill was passed and returned to the House. Senator Dorsey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Broome in the Chair

HOUSE BILL NO. 322—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact the heading of Chapter 4 of Title VII of Book I of the Civil Code and Civil Code Article 214, Code of Civil Procedure Article 10(A)(1), and R.S. 9:461 and 462 and to enact

Civil Code Articles 212 and 213, Code of Civil Procedure Article 74.5, and R.S. 9:463, 464, and 465, relative to adult adoption; to provide for the form for an adult adoption; to provide for the recordation; to provide for jurisdiction; to provide for venue; to provide for the effects of an adult adoption; to provide for the effective date of an adult adoption; to provide for birth certificates; to provide for the change of a name; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 322 by Representative Rosalind Jones

AMENDMENT NO. 1

On page 1, line 16, between "adopted" and "only" insert "without judicial authorization"

On motion of Senator Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	
Duplessis	Martiny	
Total - 34		

NAYS

Total - 0

ABSENT

LaFleur	Quinn
Mount	Walsworth
Total - 4	

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

HOUSE BILL NO. 418—

BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 14:134.3(C), relative to the crime of abuse of office; to provide for an exception in the case of an elected official responding to his constituency; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 528—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2366(C) and (D), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; to provide for the one-call notification system for release notifications; to provide for notification requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Thompson
Donahue	Long	Walsworth
Dorsey	Marionneaux	
Duplessis	Martiny	
Total - 34		

NAYS

Total - 0

ABSENT

LaFleur	Quinn
Mount	Smith
Total - 4	

The Chair declared the bill was passed and returned to the House. Senator Hebert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 539—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2066(B) and to enact R.S. 30:2066(D), relative to fees paid in severe and extreme ozone nonattainment zones; to provide for fees to be paid with respect to the one-hour ozone national ambient air quality standard; to require the Department of Environmental Quality to adopt rules and regulations in response to certain actions by congress, the Environmental Protection Agency, or a court; and to provide for related matters.

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

HOUSE BILL NO. 567—

BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 40:1149(B), relative to operators of water systems; to provide for the presence of certified operators while certain systems are in operation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 631—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 15:440.5(C), relative to videotapes of protected persons in criminal prosecutions; to provide for the discovery, delivery, custody, and retention of videotaped statements of protected persons; to provide for damages for unauthorized disclosures; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 632—
BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for definitions; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Smith
Crowe	Kostelka	Thompson
Donahue	Long	Walsworth
Dorsey	Marionneaux	
Duplessis	Martiny	
Total - 34		

NAYS

Total - 0

ABSENT

LaFleur	Quinn
Mount	Shepherd
Total - 4	

The Chair declared the bill was passed and returned to the House. Senator Donahue moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 634—
BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 46:1846, relative to crime victims; to prohibit communication between an offender or an immediate family member of an offender and a victim of a crime of violence or his immediate family member; to provide for exceptions; to provide for a definition; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 634 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 15, change "this Section shall not apply" to "Subsection A of this Section shall apply"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the amended bill was passed and returned to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 662—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 14:202.1, relative to crimes; to create the crime of home improvement fraud; to define the crime; to provide for penalties; to provide for defenses; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 757—
BY REPRESENTATIVES TRAHAN, ELBERT GUILLORY, HOWARD, NORTON, AND SCHRODER

AN ACT

To amend and reenact R.S. 14:34.3(B) and 38.2(B), relative to crimes against a school teacher; to provide for penalties for the crimes of battery of and assault on a school teacher; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

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

HOUSE BILL NO. 788—
BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 48:235 and to repeal R.S. 30:2534, relative to the adopt-a-road program; to transfer the adopt-a-road program to the Department of Transportation and Development; to repeal the adopt-a-road program within the Department of Environmental Quality; 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

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 867—
BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:81.3(A) and (C) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to defenses; to provide that a person convicted of computer-aided solicitation of a minor shall be ineligible for diminution of sentence for good behavior; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 867 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 15, change "for" to "either: (1) ~~for~~ For"

AMENDMENT NO. 2

On page 1, line 18, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 1, line 19, change "(2)" to "(b)"

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AMENDMENT NO. 4

On page 2, line 1, change "(3) Engage, or with the intent to engage" to "(2) with With the intent to engage"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dupre, McPherson. Lists names of senators voting 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Mount, Quinn. Lists names of senators who are 'ABSENT'.

The Chair declared the amended bill was passed and returned to the House. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1120—

BY REPRESENTATIVE LORUSSO AN ACT

To amend and reenact Section 2 of Act No. 38 of the First Extraordinary Session of 2006, relative to contracts let by the adjutant general and the Military Department; to extend the termination date of provisions authorizing the utilization of design-build; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dupre, McPherson. Lists names of senators voting 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Mount, Quinn. Lists names of senators who are 'ABSENT'.

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

HOUSE BILL NO. 1123—

BY REPRESENTATIVES LITTLE AND NORTON AN ACT

To amend and reenact R.S. 14:103.1(C), relative to the crime of emanation of excessive sound or noise; to provide for increased penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dupre, Michot. Lists names of senators voting 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Mount, Quinn. Lists names of senators who are 'ABSENT'.

The Chair declared the bill was passed and returned to the House. Senator Walsworth moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1126—

BY REPRESENTATIVE POPE AN ACT

To amend and reenact R.S. 14:67.16(A)(1) and to enact R.S. 14:67.16(A)(3), relative to identity theft; to amend the definition of "disabled person"; to provide for the definition of "person"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Erdey, McPherson. Lists names of senators voting 'YEAS'.

Crowe	Jackson	Shaw
Donahue	Kostelka	Shepherd
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth

Total - 33

NAYS

Total - 0

ABSENT

Adley	LaFleur	Quinn
Cassidy	Mount	

Total - 5

The Chair declared the bill was passed and returned to the House. Senator Erdey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1136—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and to enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole or probation; to provide that as a condition of parole or probation a person on parole or probation agrees to searches of his person or property by law enforcement officers with or without an arrest or search warrant; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1146—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:2405(C), relative to peace officer training requirements; to exempt certain part-time and reserve officers from peace officer training requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	

Total - 35

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
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Total - 3

The Chair declared the bill was passed and returned to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1148—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2531(D) and 2533(D), relative to the investigation of law enforcement officers; to provide for expungement of certain records; to provide for the investigative report; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 1148 by Representative Morrell

AMENDMENT NO. 1

On page 1, delete line 18 and insert: "against a law enforcement officer, which has not been proven in a court of law nor acknowledged in a settlement agreement or statement of compromise, shall be"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Morrish
Alario	Gautreaux B	Murray
Amedee	Gautreaux N	Nevers
Cassidy	Gray	Riser
Cheek	Hebert	Shaw
Cravins	Heitmeier	Shepherd
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	

Total - 31

NAYS

Jackson
Total - 1

ABSENT

Mr. President	Kostelka	Mount
Broome	LaFleur	Quinn

Total - 6

The Chair declared the amended bill was passed and returned to the House. Senator Shepherd moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1196—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2113(D), relative to the Louisiana Nuclear Energy and Radiation Control Law; to provide for prohibitions on transportation of certain radioactive waste; and to provide for related matters.

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

May 27, 2008

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Mount
LaFleur	Quinn
Total - 4	

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

HOUSE BILL NO. 1352— (Substitute for House Bill No. 44 by Representative Mickey Guillory)
 BY REPRESENTATIVE MICKEY GUILLORY
 AN ACT

To amend and reenact R.S. 14:56(A) and to enact R.S. 14:56(B)(4), relative to criminal damage to property; to provide that the crime of simple criminal damage to property shall include the intentional damaging to rental property; to authorize the court to order restitution in cases of simple criminal damage to property; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

LaFleur	Mount	Quinn
Total - 3		

The Chair declared the bill was passed and returned to the House. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 27, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 13—
 BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:302.3(B)(2)(a), relative to recreational gear licenses; to provide for hoop nets; to change the number of allowable hoop nets; to provide for age requirements; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 22—

BY SENATOR DUPRE AND REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:325.4(D)(1), relative to finfish stock assessment report; to require such report to be submitted to the legislature biennially; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 52—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 14:35.1(A)(1) and (B) and to enact R.S. 14:35.1(A)(3), relative to battery of certain workers; to provide for the crime of battery of an adult protective service worker; to provide for the elements of such crime; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 130—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 9:3516(26), relative to the Louisiana Consumer Credit Law; to provide for prepaid finance charges; to provide for definitions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 261—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:2803(D), relative to the Interagency Task Force on the Future of Family Medicine; to provide for the effective termination date for all statutory authority for the

existence of the Interagency Task Force on the Future of Family Medicine; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 263—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 14:110.1(A), relative to the offense of jumping bail; to provide for clarification of failing to appear when ordered by the court; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 283—
BY SENATOR CROWE

AN ACT

To name the boat launch located at United States Highway 90 and Pearl River in Slidell, Louisiana as the "Edward C. Scogin Memorial Boat Launch.

Reported without amendments.

SENATE BILL NO. 327—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Motor Vehicle Sales Finance Act; to provide for documentation and compliance fees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 352—
BY SENATOR N. GAUTREAU AND REPRESENTATIVE PERRY

AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 401—
BY SENATOR CASSIDY

AN ACT

To enact Part LII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.135, relative to Medicaid enrollment guidelines for organ transplant centers; to provide for enrollment guidelines; to provide for rules and regulations; to provide for exceptions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 731—
BY SENATOR DUPRE

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for transfer of certain state properties in the parish of East Baton Rouge; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 39—
BY SENATOR DUPLESSIS

AN ACT

To enact R. S. 49:191(4) and to repeal R.S. 49:191(2)(g), 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.

Reported without amendments.

SENATE BILL NO. 55—
BY SENATOR MORRISH

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(F), relative to the jurisdiction of city courts; to provide relative to the City Court of Jennings; to increase the jurisdictional amount in dispute in such court; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 101—
BY SENATOR MORRISH

AN ACT

To enact R.S. 13:2075.1, relative to the City Court of Jennings; to authorize the transfer of surplus filing fees and costs in the court's civil fee account; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 406—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 40:1394.1, relative to state police; to provide with respect to the salary schedule report; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 165—
BY SENATORS THOMPSON AND ERDEY AND REPRESENTATIVES BOBBY BADON, SCHRODER AND WADDELL

AN ACT

To amend and reenact R.S. 56:103(C)(2), 103.1(B)(2), 104(A)(3) and (4), 104(B)(4), 104.1(A), 116(B) and (C), 302.1(G), 643(B)(2)(a), 646, 649.1(A), 699.8(B) and (D), relative to deer hunting; to authorize the Louisiana Wildlife and Fisheries commission to establish special deer hunting seasons for primitive firearms and crossbows; to authorize the Louisiana Wildlife and Fisheries Commission to define the weapons eligible for use during such special seasons; to authorize special licenses for the use of primitive firearms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 37—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 35:407(A) and (D), relative to ex officio notaries for municipal police departments; to authorize under certain circumstances a mayor to designate persons as ex officio notaries; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

Senator Smith 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:

May 27, 2008

SENATE RESOLUTION NO. 89— BY SENATOR SMITH

A RESOLUTION

To commend Norris Memorial Church of God in Christ on its eightieth anniversary.

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

SENATE RESOLUTION NO. 90— BY SENATOR WALSWORTH

A RESOLUTION

To commend the Claiborne Christian High School baseball team upon winning the Class C State Baseball Championship.

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

SENATE RESOLUTION NO. 91— BY SENATOR WALSWORTH

A RESOLUTION

To commend the baseball team of Ouachita Christian High School upon winning the Class 1A State Baseball Championship.

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

SENATE CONCURRENT RESOLUTION NO. 84— BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means to meet and to function as a joint committee to study increasing the severance tax base for parishes currently capped under the state disbursement structure of oil and gas severance taxes, and further to study increasing the percentage of tax collections from one-fifth to one-third of severance tax on oil and gas allocated to the local governing authority of the parish in which severance production occurs.

The resolution was read by title and referred by the President to the Committee on Natural Resources.

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 27, 2008

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. 156— BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To recognize May 2008 as National Skin Cancer Awareness Month in Louisiana.

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

House Concurrent Resolutions

Senator Duplessis 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. 156— BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To recognize May 2008 as National Skin Cancer Awareness Month in Louisiana.

The resolution was read by title. Senator Duplessis 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: Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny, McPherson, Michot, Morrish, Murray, Nevers, Riser, Shaw, Smith, Thompson, Walsworth. Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Mr. President, Donahue, LaFleur, Mount, Quinn, Shepherd. Total - 6

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

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 82 from the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 82— BY SENATORS HEBERT AND MARIONNEAUX

A CONCURRENT RESOLUTION

To direct the commissioner of conservation to move expeditiously to promulgate additional drilling safety regulations for wells drilled near Louisiana's interstate highways.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, Long, McPherson, Michot, Morrish, Murray, Nevers, Riser, Shaw, Smith, Thompson

Duplessis Dupre Total - 32	Marionneau Martiny	Walsworth
	NAYS	
Total - 0	ABSENT	
Mr. President Cassidy Total - 6	LaFleur Mount	Quinn Shepherd

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 27, 2008

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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 53—
BY SENATOR CASSIDY

A RESOLUTION

To commend the efforts of the American Heart Association, the Louisiana Association for Health, Physical Education, Recreation and Dance, the Louisiana Council on Obesity Prevention and Management, the Louisiana Dietetic Association, and the Louisiana Governor's Council on physical Fitness and Sports and to recognize May 6, 2008, as "Legislative Wellness Day" at the Louisiana Senate.

SENATE RESOLUTION NO. 54—
BY SENATOR SMITH

A RESOLUTION

To acknowledge the class of Ashton Grace Montessori Elementary School students on its visit to the state capitol on Wednesday, May 7, 2008.

SENATE RESOLUTION NO. 55—
BY SENATOR THOMPSON

A RESOLUTION

To designate May 7, 2008, as "FFA Day" at the legislature.

SENATE RESOLUTION NO. 70—
BY SENATOR CHEEK

A RESOLUTION

To commend the Louisiana Federation of Republican Women on their participation in the democratic process and for their commitment to political education and activity.

SENATE RESOLUTION NO. 71—
BY SENATOR B. GAUTREAU

A RESOLUTION

To commend Paula R. Bergeron upon her retirement from the St. Mary Parish school system.

SENATE RESOLUTION NO. 72—
BY SENATOR B. GAUTREAU

A RESOLUTION

To express sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Mrs. Olivia Chenevert.

SENATE RESOLUTION NO. 73—
BY SENATOR SMITH

A RESOLUTION

To commend Kovey Simmons for winning the Class 4-A state championship in pole vault.

SENATE RESOLUTION NO. 74—
BY SENATOR GRAY

A RESOLUTION

To commend the efforts of Links, Incorporated and to recognize May 20, 2008, as Louisiana Links Day at the State Capitol.

SENATE RESOLUTION NO. 75—
BY SENATOR BROOME

A RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Forrest Pollock, former pastor of Istrouma Baptist Church of Baton Rouge, Louisiana, and his young son, Preston Pollock.

SENATE RESOLUTION NO. 76—
BY SENATORS CASSIDY AND GRAY

A RESOLUTION

To acknowledge the need for reform of the children's mental health system, the crisis level of unmet need for children and adolescents living with mental illnesses, and the need for leadership at the state and community levels to address the mental health crisis for children and adolescents living with mental illnesses.

SENATE RESOLUTION NO. 77—
BY SENATORS MARIONNEAU, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Jarred S. Fontenot upon his death in combat in Iraq.

SENATE RESOLUTION NO. 78—
BY SENATORS MARIONNEAU, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant First Class John Michael Hennen upon his death in combat in Operation Enduring Freedom.

SENATE RESOLUTION NO. 79—
BY SENATORS MARIONNEAU, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Charles Leonard, Jr., upon his death in combat in Iraq.

SENATE RESOLUTION NO. 80—
BY SENATOR LAFLEUR

A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions made to the state with its history, culture, and people, and to proclaim May 22, 2008, as Tunica-Biloxi Day at the Senate.

May 27, 2008

SENATE RESOLUTION NO. 81—

BY SENATOR LAFLEUR

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 23, 2008, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

SENATE RESOLUTION NO. 82—

BY SENATOR BROOME

A RESOLUTION

To commend and recognize Marvin Sapp for his distinguished vocal style.

SENATE RESOLUTION NO. 83—

BY SENATOR CASSIDY

A RESOLUTION

To commend Sandra Gail Futrell Kirkpatrick upon the occasion of her retirement.

SENATE RESOLUTION NO. 84—

BY SENATOR SMITH

A RESOLUTION

To commend Ron Yule, a fiddle player and author from DeRidder, Louisiana, upon receiving the Dr. Donald J. Millet Memorial Award from the Southwest Louisiana Historical Association.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS

May 27, 2008

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR CROWE AND REPRESENTATIVE PEARSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to establish grant programs to assist the seafood industry in St. Tammany, St. Bernard, Orleans, and Plaquemines parishes in the State of Louisiana to mitigate the damages caused by the opening of the Bonnet Carre Spillway.

SENATE CONCURRENT RESOLUTION NO. 72—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To commend and congratulate Pope John Paul II High School on winning the Class 2A Girls High School State Softball Championship.

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To declare November 2008 as Lung Cancer Awareness Month in Louisiana and to recognize the importance of understanding lung cancer issues.

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATORS CROWE AND DONAHUE

A CONCURRENT RESOLUTION

To commend the 2007-2008 players, coaches, and volunteers of the Slidell Titans Boys U-14 Soccer Team on winning the Division 1 U-14 Boys Allstate Sugar Bowl State Soccer Championship Title.

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to expedite the reopening of the Arabi branch of the United States Postal Service located in St. Bernard Parish.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

May 27, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 334—

BY REPRESENTATIVES ELBERT GUILLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LÉGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, MURRAY, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CROWE, DONAHUE, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, QUINN, RISER, AND WALSWORTH

AN ACT

To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce development; to enact the Inmate Rehabilitation and Workforce Development Act; to provide for the development and administration of the inmate rehabilitation and workforce development program; to provide for definitions; to provide for legislative findings; to create the inmate rehabilitation and workforce development advisory council; to provide for the membership of the council; to provide for the powers and duties of the council; to authorize the receipt of per diem by certain members of the council; to provide for the purposes of the program; to provide for the components of the program; to provide for applicability; to provide for inmate eligibility for participation in the program; to provide for selection of eligible inmates; to provide for the duration of the program; to provide criteria for removal from the program; to provide for rulemaking; to provide for annual reporting; to provide for the powers, duties, and responsibilities of the Department of Public Safety and Corrections regarding the implementation and administration of the program; to authorize and provide for workforce development work release programs; to provide for the collection and distribution of inmate wages; to provide for substance abuse counseling and treatment; to provide for mandatory and random drug testing of inmates; and to provide for related matters.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

ABSENT

LaFleur	Mount	Quinn
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur	1 Day	Mount	1 Day
Quinn	1 Day		

Adjournment

Senator Shaw moved that the Senate adjourn until Wednesday, May 28, 2008, at 2:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:30 o'clock P.M. on Wednesday, May 28, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

