

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

**THIRTEENTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 19, 2006

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

**ROLL CALL**

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

PRESENT

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

ABSENT

Shepherd  
Total - 1

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

**Prayer**

The prayer was offered by Reverend Danny Aarons, following  
which the Senate joined in pledging allegiance to the flag of the  
United States of America.

**Reading of the Journal**

On motion of Senator Bajoie, the reading of the Journal was  
dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

April 19, 2006

To the President and Members of the Senate:

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

The following bills are approved as to construction and  
duplication.

**HOUSE BILL NO. 1035—**

BY REPRESENTATIVES FRITH AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 3:556.12(C), relative to the Louisiana  
Crawfish Promotion and Research Board; to remove certain  
restrictions on use of funds by the board; to provide that funds  
can be used for certain purposes; and to provide for related  
matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions  
were read by title and passed to a third reading.

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 34—**

BY SENATOR N. GAUTREAUX  
A RESOLUTION

To commend Victoria LeBlanc of Abbeville, Louisiana, upon being  
named one of the outstanding youth volunteers in Louisiana for  
2006.

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

**SENATE RESOLUTION NO. 35—**

BY SENATOR FIELDS  
A RESOLUTION

To urge and request the secretary of state to establish a "staging area"  
in the city of New Orleans for the mayoral election on April 22,  
2006, and any subsequent runoff election day, at which  
displaced voters returning to New Orleans can vote or be  
provided information as to the current location where they can  
vote.

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

**SENATE RESOLUTION NO. 36—**

BY SENATOR CHEEK  
A RESOLUTION

To commend Barbara Valentine on the honor of being sworn in as  
Louisiana District Governor of the Pilot Club International.

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

**SENATE RESOLUTION NO. 37—**

BY SENATOR BAJOIE  
A RESOLUTION

To commend Dr. Louise A. Rice on her outstanding leadership as  
National President of Delta Sigma Theta Sorority, Inc.

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

**SENATE CONCURRENT RESOLUTION NO. 36—**

BY SENATOR FIELDS  
A CONCURRENT RESOLUTION

To urge and request the secretary of state to establish a "staging area"  
in the city of New Orleans for the mayoral election on April 22,  
2006, and any subsequent runoff election day, at which  
displaced voters returning to New Orleans can vote or be  
provided information as to the current location where they can  
vote.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names of senators who voted 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names of senators who were absent.

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

SENATE CONCURRENT RESOLUTION NO. 37— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Nancy Stone Crowe and to record for posterity the enduring appreciation of the members of the Legislature of Louisiana for her lifetime of contributions to Louisiana, her family and her community.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names of senators who voted 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names of senators who were absent.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 18, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 203— BY REPRESENTATIVES PINAC AND M. POWELL AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

HOUSE BILL NO. 206— BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY A JOINT RESOLUTION

Proposing to amend Article V, Section 15(A) of the Constitution of Louisiana, to authorize the legislature by law to establish new judgeships for district courts with the new division having limited or specialized jurisdiction within the territorial jurisdiction of the district court and subject matter jurisdiction over family or juvenile matters as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 371— BY REPRESENTATIVE DAMICO AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(g), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality 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.

HOUSE BILL NO. 453— BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

HOUSE BILL NO. 511— BY REPRESENTATIVE DAMICO AN ACT

To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental

Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

**HOUSE BILL NO. 870—**  
BY REPRESENTATIVES DAMICO AND SALTER  
AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

**HOUSE BILL NO. 887—**  
BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, RITCHIE, GARY SMITH, STRAIN, THOMPSON, TRAHAN, WHITE, AND WINSTON  
AN ACT

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

**HOUSE BILL NO. 970—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 30:2189(A) and R.S. 45:163(A), relative to transportation of hazardous waste; to provide for exemptions from permitting requirements for transporting hazardous waste in certain circumstances; and to provide for related matters.

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

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

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

**HOUSE BILL NO. 203—**  
BY REPRESENTATIVES PINAC AND M. POWELL  
AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

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

**HOUSE BILL NO. 206—**  
BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY  
A JOINT RESOLUTION

Proposing to amend Article V, Section 15(A) of the Constitution of Louisiana, to authorize the legislature by law to establish new judgeships for district courts with the new division having limited or specialized jurisdiction within the territorial

jurisdiction of the district court and subject matter jurisdiction over family or juvenile matters as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 371—**  
BY REPRESENTATIVE DAMICO AND SENATORS CHEEK, FONTENOT, MALONE, AND ULLO  
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(g), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 453—**  
BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER  
AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

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

**HOUSE BILL NO. 511—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

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

**HOUSE BILL NO. 870—**  
BY REPRESENTATIVES DAMICO AND SALTER  
AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

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

**HOUSE BILL NO. 887—**  
BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, RITCHIE, GARY SMITH, STRAIN, THOMPSON, TRAHAN, WHITE, AND WINSTON AND SENATOR NEVERS  
AN ACT

To enact R.S. 10:9-109(c)(6) and Part V-B of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1230 through 1240, relative to electric utilities; to provide for legislative intent and definitions; to provide with respect to issuance of financing orders; to provide for appeals of financing orders; to provide relative to a utility's interest in a financing order; to provide with respect to storm recovery property; to provide for the sale of storm recovery property; to provide for the perfection and true sale status of a sale of storm recovery property; to provide with respect to subsidiaries of electric utilities; to provide for conflicts of laws; to provide for

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the creation, perfection, and priority of security interests in storm recovery property; to provide a state pledge of non-impairment of storm recovery bonds; to provide that storm recovery bonds are not public debt; to provide an exclusion from secured transactions provisions of the uniform commercial laws; to provide that the jurisdiction of the commission is not impaired; and to provide for related matters.

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

**HOUSE BILL NO. 970—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 30:2189(A) and R.S. 45:163(A), relative to transportation of hazardous waste; to provide for exemptions from permitting requirements for transporting hazardous waste in certain circumstances; and to provide for related matters.

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

**Senate and Concurrent Resolutions  
on Second Reading**

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

**SENATE RESOLUTION NO. 25—**  
BY SENATOR MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Ryan S. McCurdy upon his death in ground combat operations in Operation Iraqi Freedom.

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

**SENATE RESOLUTION NO. 26—**  
BY SENATOR MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Willard T. Partridge upon his death in ground combat actions in Operation Iraqi Freedom in this nation's war on terrorism.

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

**SENATE RESOLUTION NO. 27—**  
BY SENATOR MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Julia V. Atkins upon her death in ground combat in Operation Iraqi Freedom.

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

**SENATE RESOLUTION NO. 32—**  
BY SENATOR THEUNISSEN  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class Chase Edwards upon his death in ground combat operations in Operation Iraqi Freedom.

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

**Senator Barham in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 28—**  
BY SENATOR BOASSO  
A CONCURRENT RESOLUTION

To urge and request the governor and the Louisiana Recovery Authority to provide to each member of the legislature seven days before submitting for approval by a committee or by a house of the legislature any instrument which provides for expenditures of ten million dollars or more accurate detailed information explaining the proposal.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Dupre	Fontenot	Shepherd
Total - 3		

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

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR HINES  
A CONCURRENT RESOLUTION

To create and establish a group to conduct an assessment of the security, evacuation and emergency procedures for the Capitol Complex and make recommendations to the Legislative Budgetary Control Council for implementation of such procedures.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Total - 0

ABSENT

Dupre Fontenot  
Fields Shepherd  
Total - 4

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

**SENATE CONCURRENT RESOLUTION NO. 32—**  
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to study and report on the state's preparations for and readiness to handle a pandemic of avian influenza.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Dupre Fontenot  
Fields Shepherd  
Total - 4

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

**SENATE CONCURRENT RESOLUTION NO. 33—**  
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To authorize the Department of Public Safety, office of State Police, gaming enforcement section rule LAC 42:2405(B)(9)(c), relative to licensing requirements for the placement and operation of video draw poker devices; to provide for the return of licenses surrendered as the result of the discontinuation of a business due to damage caused by Hurricane Katrina or Hurricane Rita.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President Ellington Michot

Adley	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Bajoie	Heitmeier	Nevers
Barham	Hollis	Quinn
Boasso	Jackson	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Duplessis	McPherson	

Total - 34

NAYS

Total - 0

ABSENT

Broome Fields Shepherd  
Dupre Fontenot  
Total - 5

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

**SENATE CONCURRENT RESOLUTION NO. 35—**  
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to continue funding and operation of the United States Department of Agriculture's Agricultural Research Service located in Baton Rouge, Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Dupre Fontenot  
Fields Shepherd  
Total - 4

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

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

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

April 19, 2006

**HOUSE BILL NO. 5—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 8:78, relative to the Louisiana Cemetery Board; to provide for exemption from board authority; and to provide for related matters.

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

**HOUSE BILL NO. 72—**

BY REPRESENTATIVE LABRUZZO  
AN ACT

To enact Part VI of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.11 through 1950.13, relative to the Old Metairie Road Business and Cultural District; to designate the area along a portion of Metairie Road in Jefferson Parish as the Old Metairie Road Business and Cultural District; to require certain signage identifying and providing directions to the district; and to provide for related matters.

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

**HOUSE BILL NO. 96—**

BY REPRESENTATIVES HUTTER, BARROW, BRUCE, BURRELL, FRITH, KLECKLEY, LAFONTA, T. POWELL, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, AND WHITE  
AN ACT

To enact R.S. 37:853, relative to funeral establishments; to provide for identification on caskets; to provide for promulgation of rules; and to provide for related matters.

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

**HOUSE BILL NO. 110—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:1446(H), relative to real estate brokers; to provide that certain real estate salespersons or associates of real estate brokers are independent contractors and not employees; and to provide for related matters.

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

**HOUSE BILL NO. 119—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 37:1449.1, relative to purchase agreements for residential real property; to require Louisiana Real Estate Commission licensees to use a uniform purchase agreement form; to provide for promulgation of the form by the commission; and to provide for related matters.

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

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 37:155(A)(4)(c), relative to exemptions from architect's license requirements; to increase the exemption threshold for persons acting as designers for certain renovations or alterations; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 174—**

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY  
AN ACT

To amend and reenact Code of Civil Procedure Article 2453, relative to the examination of a judgment debtor; to provide for service of process on the counsel of record; and to provide for related matters.

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

**HOUSE BILL NO. 180—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact Code of Civil Procedure Article 1913(E), relative to notice of judgment; to provide for notice of judgment in open court under certain circumstances; to provide for exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 285—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:1459(D), relative to the real estate commission; to provide for return of fees collected by unlicensed persons; and to provide for related matters.

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

**HOUSE BILL NO. 309—**

BY REPRESENTATIVES WALKER AND GRAY  
AN ACT

To amend and reenact Civil Code Article 54, relative to declarations of death for absent persons; to provide relative to deaths between August 26, 2005, and September 30, 2005; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 392—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(m), relative to the Department of Revenue; to provide for the re-creation of the Department of Revenue 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.

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

**HOUSE BILL NO. 395—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to the state income tax; to change the deadline for the application for waiver of penalty for underpayment of estimated tax; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 396—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1562(A), 1563, and 1564, relative to assessment of tax, penalty, and interest; to provide the time period from the date of the notice of tax due to protest proposed assessment; to provide for assessment of tax, interest, and penalties; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 413—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to the Greater New Orleans Mississippi River Bridges; to provide relative to deposits collected for Automatic Vehicular Identification tags; to authorize the Crescent City Connection Division within the Department of Transportation and Development to collect a deposit for such tags in a certain amount; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 379, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 419—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to tolls on the Greater New Orleans Mississippi River Bridges; to authorize the Crescent City Connection Division to sell Automatic Vehicular Identification tags for use on such bridges; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 377, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 423—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 48:255(B)(1), relative to public contracts let by the Department of Transportation and Development; to provide relative to the deadline for awarding certain contracts let by the department; to provide for certain exceptions; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 392, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 535—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 9:5609, relative to prescription; to provide for a one-year prescriptive period of actions for actions on certain contracts to purchase or sell immovable property; to provide relative to recordation of contracts; to provide for effectiveness as to third parties; to provide for retroactive application; and to provide for related matters.

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

**HOUSE BILL NO. 539—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 9:315.7(D) and (E), relative to the calculation of child support; to provide for deductions from the basic child support obligation; to provide relative to certain social security benefits; to provide relative to arrearages in child support obligations; and to provide for related matters.

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

**HOUSE BILL NO. 569—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 47:633(7)(b) and (c)(i)(aa), relative to the severance tax on oil; to extend the time allowed for the reduced rate certifications on incapable and stripper wells; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 589—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:3397(B)(1)(introductory paragraph) and (c), (C)(1)(introductory paragraph) and (c), and (D)(1)(introductory paragraph) and (c), and 3406(D) and to enact R.S. 37:3393(I), (J), (K), and (L) and 3397(B)(6), (C)(5), and (D)(5), relative to the real estate appraisers board; to provide for penalties for unlicensed appraisers; to provide for minimum education, examination, and experience requirements; to provide for use of licenses; and to provide for related matters.

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

**HOUSE BILL NO. 664—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 34:3452(A)(1)(introductory paragraph), (B), and (C), 3453, 3454, and 3455(A) and to enact R.S. 34:3457.1, relative to the Port Construction and Development Priority Program, to provide relative to the deadline for submission of applications to such program; to provide relative to the review and approval of applications; to authorize reimbursement of funds expended for project construction in certain circumstances; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 396, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 679—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To enact Chapter 13-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1445, relative to Internet fraud; to prohibit use of the Internet to obtain identifying information of another person for a fraudulent purpose; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 730—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:3288(A), relative to prohibited acts and administrative penalties under the Private Security Regulatory and Licensing Law; to prohibit certain egregious acts; to provide for penalties for egregious acts; to increase certain administrative penalties; and to provide for related matters.

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

April 19, 2006

**HOUSE BILL NO. 798—**  
BY REPRESENTATIVE HUTTER  
AN ACT

To enact Chapter 19-E of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 through 1754, relative to anti-phishing provisions; to provide for definitions; to provide for unlawful requests; to provide for remedies; and to provide for related matters.

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

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

To amend and reenact R.S. 38:2212(A)(1)(f), relative to public works contracts; to authorize political subdivisions to develop their own uniform standards to receive bids electronically; and to provide for related matters.

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

**HOUSE BILL NO. 841—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:3276(F) and (G) and 3284(B)(3), (E)(3), (F)(2), and (J) and to enact R.S. 37:3274(B)(11) and 3291(B)(12), relative to the Private Security Regulatory and Licensing Law; to authorize out-of-state private security companies to operate in this state during certain emergencies; to provide relative to the training and experience requirements for licensees and instructors; to prohibit the engagement of services of unlicensed private security businesses upon notice by the board; and to provide for related matters.

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

**HOUSE BILL NO. 849—**  
BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact Children's Code Articles 1569(B) and 1570.1 and R.S. 46:2135(B) and 2136.1, relative to domestic abuse assistance; to provide for protective orders; to reduce the time periods for hearings; to provide for the payment of attorney fees; and to provide for related matters.

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

**HOUSE BILL NO. 858—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 37:3276.1, relative to the Private Security Regulatory and Licensing Law; to provide for suitability requirements for applicants for licensure; and to provide for related matters.

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

**HOUSE BILL NO. 921—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

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

**HOUSE BILL NO. 1094—**  
BY REPRESENTATIVE M. POWELL  
AN ACT

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

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

**HOUSE BILL NO. 1137—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 45:844.31(A), relative to telemarketing activities; to provide for the prohibition of telephonic solicitation during a state of emergency; to provide for exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 1169— (Substitute for House Bill No. 115 by Representative Pinac)**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:1123.115(A), relative to condominium management; to provide for privileges on immovables; and to provide for related matters.

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

**House Concurrent Resolutions on Second Reading**

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

**HOUSE CONCURRENT RESOLUTION NO. 105—**  
BY REPRESENTATIVE MCVEA  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to redesignate the truck route on Louisiana Highway 67 and Louisiana Highway 10 in the town of Clinton, Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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



Duplessis Marionneaux  
 Total - 37  
 NAYS  
 Total - 0  
 ABSENT  
 Fields Shepherd  
 Total - 2

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

**HOUSE CONCURRENT RESOLUTION NO. 107—**

BY REPRESENTATIVE DOVE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to facilitate the construction of a storm surge barrier at Port Fourchon.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Fields Shepherd  
 Total - 2

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

**HOUSE CONCURRENT RESOLUTION NO. 108—**

BY REPRESENTATIVE DOVE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to ensure that any United States Army Corps of Engineer project restoring barrier islands protecting Terrebonne and Timbalier Bays redefine and narrow Whiskey Pass, Little Pass, Wine Island Pass, and Cat Island Pass using hardened material.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Fields Shepherd  
 Total - 2

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS**

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

April 19, 2006

To the President and Members of the Senate:

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

**SENATE BILL NO. 140—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact R.S. 9:154(A)(3), relative to unclaimed property; to reduce the time period under which certain stocks are presumed abandoned; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 215—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact R.S. 9:154(A)(1), relative to unclaimed property; to reduce the time period under which travelers checks are presumed abandoned; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 251—**

BY SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 37:583(B)(2), 585(A), 586(A)(1), 601, 604(A), and 605(B), relative to cosmetology; to provide for qualifications to teach cosmetology, esthetics, or manicuring; to provide for conducting of examinations; to provide for fines and penalties; and to provide for related matters.

Reported with amendments.

April 19, 2006

SENATE BILL NO. 525—

BY SENATOR N. GAUTREAUX

AN ACT

To enact Subpart G of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4694 through 4698, relative to the establishment of the term "Cajun" as a certification mark; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 573—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 3:4617(F), relative to the Louisiana Weights and Measures Law; to provide for the commercial use of the term "Cajun"; to provide the legislative determinations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 579—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 37:3288, relative to professions and occupations; to provide relative to private security; to provide for fines and penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 580—

BY SENATOR AMEDEE

AN ACT

To enact R.S. 37:3276.1, relative to professions and occupations; to provide relative to private security companies; to provide suitability requirements for licensees; to provide procedures for application to the board; to require certain persons to meet suitability requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 587—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 37:3276(F) and (G), 3284(E)(3), (F)(2), and (J), and to enact R.S. 37:3274(B)(11) and 3291(B)(12), relative to professions and occupations; to provide for powers of the Louisiana State Board of Private Security Examiners; to provide for application for licensure; to provide for qualifications for licensure; to provide for training of security officers; to provide for unlawful commissions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

April 19, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 160—

BY SENATOR JONES

AN ACT

To enact 4-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1051 through 1054, relative to establishing an alliance among states effected by hurricanes Katrina and Rita; to provide for the purpose of restoring and revitalizing the states of Alabama, Louisiana and Mississippi; to provide for an alliance between states and agree to the alliance on behalf of Louisiana; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 397—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 44:4(41), relative to applicability of public records laws; to provide that such laws shall not apply to the preconstruction estimates for projects of the Department of Transportation and Development prior to the time for receipt of bids; to provide for procedures; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 575—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 49:257(B), (C), (D), (E) and (F) and to enact R.S. 49:257(G), to provide for requiring reporting of state entities contracts with private legal counsel to the Louisiana attorney general; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 649—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 44:1(A)(2)(a), and to enact R.S. 44:32.1, relative to the public records law; to provide for the disclosure of the name, current address and phone number of persons displaced as a result of natural disasters; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

REPORT OF COMMITTEE ON

RETIREMENT

Senator B. Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 19, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 39—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2258(C), relative to the Firefighters' Retirement System; to provide for survivor's benefits; to provide for continuation of benefits for a surviving spouse of a disability retiree; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 43—**

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:779(C), 780(A), and 783(I)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to benefits; to provide for disability retirement; to provide for benefits for a survivor of a disability retiree; to provide for reexamination; to provide an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 316—**

BY SENATOR B. GAUTREAUX

AN ACT

To amend and enact R.S. 11:1732 (introductory paragraph) and (15), and 1763(J)(1) and (2), and to repeal R.S. 11:231(A)(7), relative to the Municipal Employees' Retirement System; to provide for average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for definition of terms; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 317—**

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2179, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to benefit limits; to provide for maximum benefits; to provide for benefit adjustment based on age and years of service; to authorize the board of trustees to establish a trust for compliance with requirements of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
D.A. "BUTCH" GAUTREAUX  
Chairman

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

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

**SENATE BILL NO. 2—**

BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER AND SMITH

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C), 81(C), and 81.1(E), and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 2 by Senator N. Gautreaux

**AMENDMENT NO. 1**

On page 1, line 2, after "43.3(C)," and before "81(C)" insert "78.1(D)."

**AMENDMENT NO. 2**

On page 1, line 7, after "43.3(C)," and before "81(C)" insert "78.1(D)."

**AMENDMENT NO. 3**

On page 2, lines 4 and 5, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 4**

On page 2, line 20, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 5**

On page 3, lines 6 and 7, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 6**

On page 3, between lines 9 and 10, insert

"§78.1. Aggravated incest  
\* \* \*

D. (1) A person convicted of aggravated incest shall be fined an amount not to exceed fifty thousand dollars, or imprisoned, with or without hard labor, for a term not less than five years nor more than twenty years, or both.

(2) A person convicted of aggravated incest on a victim under the age of thirteen when the offender is over the age of seventeen, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. If an offender is subsequently placed on probation, parole, or has part of his sentence suspended, then a condition of the parole, probation, or suspension of sentence shall be that the offender wear an electronic monitoring device, as provided by law, for the remainder of the offender's natural life. A pre-sentence investigation and report shall be required prior to sentencing.  
\* \* \*

**AMENDMENT NO. 7**

On page 3, line 25, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 8**

On page 4, lines 11 and 12, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 9**

On page 4, delete line 21, and insert "**E**."

**AMENDMENT NO. 10**

On page 4, line 22, delete "**Section to the contrary, whoever**" and insert "**Whoever**"

**AMENDMENT NO. 11**

On page 4, line 29, after "**device**," delete "**at the offender's cost**," and insert "**as provided by law**,"

**AMENDMENT NO. 12**

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

"Section 2. This Act shall be known hereafter as "The Mary Jean Thigpen Law," in memory of Mary Jean Thigpen, a four year old who was murdered on November 12, 2001 by a multiple sexual offender."

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

**SENATE BILL NO. 50—**

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of picketing or protesting at a funeral; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported by substitute by the Committee on Judiciary C. The bill was read by title; the committee substitute bill was read.

April 19, 2006

SENATE BILL NO. —(Substitute of Senate Bill No. 50 by Senator Marionneaux)  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 14:103, relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace regarding funerals; to provide for additional penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:103 is hereby amended and reenacted to read as follows:

§103. Disturbing the peace

A. Disturbing the peace is the doing of any of the following in such manner as would foreseeably disturb or alarm the public:

- (1) Engaging in a fistic encounter; or
- (2) Addressing any offensive, derisive, or annoying words to any other person who is lawfully in any street, or other public place; or call him by any offensive or derisive name, or make any noise or exclamation in his presence and hearing with the intent to deride, offend, or annoy him, or to prevent him from pursuing his lawful business, occupation, or duty; or
- (3) Appearing in an intoxicated condition; or
- (4) Engaging in any act in a violent and tumultuous manner by any three or more persons; or
- (5) Holding of an unlawful assembly; or
- (6) Interruption of any lawful assembly of people; or
- (7) Engages in any act, any utterance, gesture, or display designed to outrage the sensibilities of a group attending a funeral, funeral home viewing, funeral procession, wake, memorial service, or burial of a deceased person; or
- (8) Blocks, impedes, inhibits, or in any other manner obstructs or interferes with access into or from any building or parking lot of a building in which a funeral, wake, memorial service, or burial is being conducted, or any burial plot or the parking lot of the cemetery in which a funeral, wake, memorial service, or burial is being conducted.

(8) Blocks, impedes, inhibits, or in any other manner obstructs or interferes with access into or from any building or parking lot of a building in which a funeral, wake, memorial service, or burial is being conducted, or any burial plot or the parking lot of the cemetery in which a funeral, wake, memorial service, or burial is being conducted.

B.(1) Whoever commits the crime of disturbing the peace shall be fined not more than one hundred dollars or imprisoned for not more than ninety days, or both.

(2) Whoever commits the crime of disturbing the peace as provided for in Paragraphs (A)(7) and (8) of this Section shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

On motion of Senator Chaisson, the committee substitute bill was adopted and becomes Senate Bill No. 741 by Senator Marionneaux, substitute for Senate Bill No. 50 by Senator Marionneaux.

SENATE BILL NO. 741— (Substitute of Senate Bill No. 50 by Senator Marionneaux)

BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 14:103, relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace regarding funerals; to provide for additional penalties; and to provide for related matters.

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

SENATE BILL NO. 67—  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:130.532(A)(2)(e) and 130.535(D)(1)(g), relative to the Hopkins Street Economic Development District; to provide for the board of commissioners and the senate member who serves on the board; to provide with respect to projects constructed in the district; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 121—  
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Code of Civil Procedure Article 2453, relative to the examination of a judgment debtor; to provide for service of process on the counsel of record; and to provide for related matters.

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

SENATE BILL NO. 156—  
BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY  
AN ACT

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

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

SENATE BILL NO. 168—  
BY SENATOR SHEPHERD  
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 228—  
BY SENATOR JONES  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 893, relative to suspension and deferral of sentence and probation in felony cases; to provide for suspension of sentence for certain third convictions; to require participation in a drug program; to provide for the period of probation upon completion of participation in a drug program; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 228 by Senator Jones

AMENDMENT NO. 1

On page 2, lines 12 and 13, delete "program approved by the Supreme Court of Louisiana" and insert "court program as defined in R.S. 13:5301 et seq"

AMENDMENT NO. 2

On page 2, at the end of line 13, delete "and"

AMENDMENT NO. 3

On page 2, line 14, delete "upon competition of the approved drug program."

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

Motion to Make Special Order

Senator Jones asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 228, which was just

advanced to a Third Reading and Final Passage, Special Order of the Day No. 1 on Tuesday, April 25, 2006, immediately following the Morning Hour.

**SENATE BILL NO. 229—**

BY SENATORS DARDENNE, BAJOIE AND DUPRE  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.11(C) of the Constitution of Louisiana, relative to the Louisiana Coastal Restoration Fund; to provide for the uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE BILL NO. 253—**

BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, KOSTELKA, NEVERS AND SMITH

AN ACT

To amend and reenact R.S. 14:44.2(A), relative to aggravated kidnapping of a child; increases the child's age requirement; and to provide for related matters.

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

**SENATE BILL NO. 338—**

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 13:4207, relative to judges; to provide relative to rendition of judgements; to provide relative to oral judgment in open court; to require written judgments when oral judgments are not rendered; to provide time limits for such written judgements; to provide relative to times limits for applications and motions for a new trial; to provide for an extension of such time limits under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 338 by Senator Amedee

**AMENDMENT NO. 1**

On page 1, delete lines 4 and 5 and insert in lieu thereof "judgments when oral reasons for judgment are not rendered;"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 6, delete "for a new trial;"

**AMENDMENT NO. 3**

On page 1, line 13, after "them," delete the remainder of the line and insert in lieu thereof "**If oral reasons for judgment are not rendered in**"

**AMENDMENT NO. 4**

On page 2, at the end of line 3, delete "for a" and delete line 4 and insert "for a further period of ten days, but no longer."

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

**SENATE BILL NO. 369—**

BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:9038.28, relative to special districts; to authorize the governing authority of the town of Washington to create a special district; to grant to such district certain rights and powers, 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 favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 393—**

BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 39:1497(5), relative to the requirement of a cost-benefit analysis for the procurement of professional, personal, consulting, and social services.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 393 by Senator Ellington

**AMENDMENT NO. 1**

On page 1, line 2, change "repeal R.S. 39:1497(5)" to "amend and reenact R.S. 39:1497"

**AMENDMENT NO. 2**

On page 1, line 3, between "social services" and the period "." insert "; and to provide for related matters"

**AMENDMENT NO. 3**

On page 1, delete line 5 and insert the following:

"Section 1. R.S. 39:1497 is hereby amended and reenacted to read as follows:

§1497. Certification by using agency

**A.** Upon seeking approval to enter into a proposed professional, personal, consulting, or social service contract valued in excess of five thousand dollars, an individual or individuals specifically designated by the head of the using agency for such purpose shall certify to the director of the office of contractual review that:

\* \* \*

(5) A cost-benefit analysis has been conducted which indicates that obtaining such services from the private sector is more cost-effective than providing such services by the using agency itself or by an agreement with another state agency, to include both a short-term and long-term analysis. The office of contractual review shall promulgate, as necessary, rules and regulations relative to the form and content of a cost-benefit analysis.

~~(6)~~ The cost basis for the proposed contract.

~~(7)~~ **(6)** A description of the specific objectives or deliverables associated with the proposed contract and the monitoring plan therefor.

~~(8)~~ **(7)** Methods to be used to measure and determine contract performance.

**B. In addition to the certifications required in Subsection A herein, for any proposed professional, personal, consulting, or social service contract that exceeds fifty thousand dollars and has a term of more than six months, a cost-benefit analysis shall be conducted which indicates that obtaining such services from the private sector is more cost-effective than providing such services by the using agency itself or by an agreement with another state agency, to include both a short-term and long-term analysis. The office of contractual review shall promulgate, as necessary, rules and regulations relative to the form and content of a cost-benefit analysis.**

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

**SENATE BILL NO. 412—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 51:2133(A)(1) and (3) and (C), relative to the Child Performance Trust Act; to provide for the placing of a portion of gross earnings of a minor under contract for

artistic or creative services in a trust account; to provide for financial institutions in which such a trust fund may be created; to provide for the charging of reasonable fees by a financial institution providing services as a fiduciary or trustee; to provide for which institutions operating in Louisiana may serve as a trustee of such a trust fund; and to provide for related matters.

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

SENATE BILL NO. 428—  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 13:691(B)(3), relative to district court judges; to provide with regard to the level of payment of premiums for health insurance for such judges; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 428 by Senator Amedee

AMENDMENT NO. 1

On page 1, delete line 17 and insert "other state employees state appellate judges."

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

SENATE BILL NO. 517—  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 15:542.1(H)(8), relative to sex offenders; to require certain offenders to wear a location tracing electronic monitoring device; to provide for payment of costs to monitor such offenders; to provide penalties for violations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 517 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 8, change "resident" to "registrant"

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

SENATE BILL NO. 607—  
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter in emergencies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 607 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 8, after "shelter" insert "of household pets and service animals"

AMENDMENT NO. 2

On page 2, at the end of line 8, before the period "." insert "and inform all facilities that provide shelter to persons with disabilities who are accompanied by their service animals of their legal obligation to provide shelter to both the disabled person and the service animal"

AMENDMENT NO. 3

On page 2, at the end of line 9, delete "a sufficient number of"

AMENDMENT NO. 4

On page 2, line 11, after "house" insert "the" and after "pets" insert "of evacuees"

AMENDMENT NO. 5

On page 2, line 15, after "standards," insert "basic minimum animal care standards regarding nutrition, space, hygiene, and medical needs,"

AMENDMENT NO. 6

On page 2, line 17, delete "joint pet-owner evacuation" and insert in lieu thereof "pet and pet-owner evacuations"

AMENDMENT NO. 7

On page 2, line 24, after "developed" and before the period "." insert "with one number being used exclusively and consistently in association with and for the same household pet until such time as the household pet is reunited with its owner" and on line 25 delete the comma ","

AMENDMENT NO. 8

On page 2, line 29, after "public transportation," delete the remainder of the line and insert "the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) is authorized to provide separate transportation"

AMENDMENT NO. 9

On page 3, line 3, after "known," delete the remainder of the line and delete line 4 and insert in lieu thereof:

"The office shall, in consultation with the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) and other appropriate agencies, develop plans to address the evacuation, transportation, and other needs of those household pets that are not evacuated or transported pursuant to this Item."

AMENDMENT NO. 10

On page 3, line 5, change "Direct" to "Require" and on line 7 change "not for profit" to "not-for-profit" and on line 8 before "pets" insert "household"

AMENDMENT NO. 11

On page 3, line 18, after "location" insert ", admission criteria," and on line 19 before "pets" insert "household"

AMENDMENT NO. 12

On page 3, between lines 19 and 20, insert: "(vii) Ensure the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) is included in emergency preparedness exercises conducted or arranged through the state or parish government, and that animal rescue, evacuation and sheltering needs of residents with pets are made a part of those exercises."

AMENDMENT NO. 13

On page 3, at the end of line 23, after "(13)" and before the period "." insert "and shall identify and make available to the public the"

name and location of facilities that provide temporary sheltering for household pets"

## AMENDMENT NO. 14

On page 3, between lines 23 and 24, insert:

**"(c) Develop or establish requirements for the authorization and training of volunteer workers to assist the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) in carrying out the provisions of this Paragraph."**

## AMENDMENT NO. 15

On page 3, at the beginning of line 24, change "(c)" to "(d)"

## AMENDMENT NO. 16

On page 3, at the beginning of line 27, change "(d)" to "(e)" and at the end of line 27, after "any" insert "domesticated" and on line 28 after "maintained" delete "in the household" and insert in lieu thereof "on the property"

## AMENDMENT NO. 17

On page 4, at the end of line 15, before the period "." insert **"and inform all facilities that provide shelter to persons with disabilities who are accompanied by their service animals of their legal obligation to provide shelter to both the disabled person and the service animal"**

## AMENDMENT NO. 18

On page 4, at the end of the line 17, delete "a sufficient" and at the beginning of line 18, delete "number of" and insert "evacuation"

## AMENDMENT NO. 19

On page 4, line 23, after "standards," insert **"basic minimum animal care standards regarding nutrition, space, hygiene, and medical needs."**

## AMENDMENT NO. 20

On page 4, line 25, delete "joint pet-owner evacuation" and insert in lieu thereof **"pet and pet-owner evacuations"**

## AMENDMENT NO. 21

On page 5, line 8, after "pets" delete the remainder of the line and insert in lieu thereof **"to utilize public transportation during an impending"** and on line 9, change "evacuations" to **"disaster."**

## AMENDMENT NO. 22

On page 5, line 10, after "public transportation," delete the remainder of the line and insert **"the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) is authorized to provide separate transportation"**

## AMENDMENT NO. 23

On page 5, at the end of line 13, after "known," insert:  
**"The office shall, in consultation with the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) and other appropriate agencies, develop plans to address the evacuation, transportation, and other needs of those household pets that are not evacuated or transported pursuant to this Item."**

## AMENDMENT NO. 24

On page 5, line 14, change "authorize" to "require"

## AMENDMENT NO. 25

On page 5, at the end of line 15, after "develop" insert **"a plan for"**

## AMENDMENT NO. 26

On page 5, line 23, after "Forestry" insert **" , office of animal health services"**

## AMENDMENT NO. 27

On page 6, between lines 1 and 2 insert:

**"(viii) Ensure the primary agency designated under the provisions of R.S.29:729(E)(13)(b)(i) and (ii) is included in emergency preparedness exercises conducted or arranged through the state or parish government, and that animal rescue,**

evacuation and sheltering needs of residents with pets are made a part of those exercises."

## AMENDMENT NO. 28

On page 6, line 7, after "entity" insert a comma "," and delete "however,"

## AMENDMENT NO. 29

On page 6, at the end of line 24, after "any" insert "domesticated" and on line 25 after "maintained" delete "in or near the" and on line 26 delete "household" and insert in lieu thereof **"on the property"**

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

## SENATE BILL NO. 611—

BY SENATOR ADLEY

## AN ACT

To enact R.S. 27:306(A)(6), relative to the Video Draw Poker Devices Control Law; to provide relative to the licensing of qualified truck stop facilities; to require notice to the public prior to application of a truck stop facility for a license to operate video draw poker devices; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 611 by Senator Adley

## AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:306(A)(6)" and before the comma ",", insert "and (9)"

## AMENDMENT NO. 2

On page 1, line 5, after "devices;" insert "to provide for signage and re-zoning requirements;"

## AMENDMENT NO. 3

On page 1, line 7, after "R.S. 27:306(A)(6)" delete "is" and insert in lieu thereof "and (9) are"

## AMENDMENT NO. 4

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

**"(9) No license shall be granted for the establishment of a qualified truck stop facility at a location that requires or required re-zoning to accommodate the establishment of the facility unless any signage required to be posted under the re-zoning requirements in the parish contains in clear and easily readable form the information that the re-zoning is proposed for consideration to provide for the establishment of a qualified truck stop facility."**

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

## SENATE BILL NO. 621—

BY SENATOR MURRAY

## AN ACT

To enact R.S. 9:2800(H), relative to limitations of liability for public entities; to provide for a limitation of liability for public bodies when damage is a result of conditions caused by either hurricanes Katrina or Rita; to provided terms and conditions; to provide for the expiration of such limitation of liability; to provide for retroactivity of such limitation of liability; and to provide for related matters.

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

April 19, 2006

SENATE BILL NO. 643—  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 13:996.52(A), relative to courts; to provide for the judicial expense fund for the Thirty-Eighth Judicial District Court; to increase court costs collected from a defendant who is convicted after trial, after plea of guilty, or who forfeits bond; and to provide for related matters.

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

Rules Suspended

Senator Murray asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 174 from the Committee on Judiciary A.

HOUSE BILL NO. 174—  
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact Code of Civil Procedure Article 2453, relative to the examination of a judgment debtor; to provide for service of process on the counsel of record; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 121, was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 18, 2006, was reconsidered.

SENATE BILL NO. 187—  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:711(G) and 1135(D), relative to work release programs; to expand eligibility requirements for a certain class of inmates to participate in a work release program; and to provide for related matters.

On motion of Senator Jones, Senate Bill No. 187 was made Special Order of the Day No. 2 on Tuesday, April 25, 2006, immediately following the Morning Hour.

Messages from the House

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

Message from the House

CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS

April 19, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 27—  
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate April 19, 2006, as Delta Sigma Theta Sorority "Red and White" Day at the Senate of the Legislature of Louisiana.

Reported with amendments.

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

Rules Suspended

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

Senate Concurrent Resolutions  
Returned from the House of Representatives  
with Amendments

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following Senate Concurrent Resolutions just returned from the House of Representatives with amendments.

SENATE CONCURRENT RESOLUTION NO. 27—  
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate April 19, 2006, as Delta Sigma Theta Sorority "Red and White" Day at the Senate of the Legislature of Louisiana.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gray to Original Senate Concurrent Resolution No. 27 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 4, delete "the Senate of"

AMENDMENT NO. 2

On page 2, line 9, delete "the Senate of"

AMENDMENT NO. 3

On page 2, line 12, delete "Louisiana Senate" and insert "Legislature of Louisiana"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Fields	Kostelka	Shepherd
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Total - 3

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

**Senator McPherson in the Chair**

**Special Order of the Day**

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

**SENATE BILL NO. 296—**

BY SENATOR QUINN AND REPRESENTATIVE TOOMY  
A JOINT RESOLUTION

Proposing to amend Article VI, Section 14(A) and (B)(3) and to add Article VI, Section 14(B)(8) and (9) of the Constitution of Louisiana, to provide that no law, unless enacted by two-thirds of the elected members of each house of the legislature, requiring increased expenditures for any purpose shall be applicable to a city, parish, or other local public school board except under certain circumstances; to provide for exceptions to such prohibition; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**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. 227—**

BY SENATOR N. GAUTREUX  
AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belts; to exempt from the safety belt law certain utility workers in the performance of their duties under certain circumstances; and to provide for related matters.

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

**Mr. President in the Chair**

**SENATE BILL NO. 308—**

BY SENATOR MURRAY AND REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv), and R.S. 41:895, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the nature of such property transfer; to provide with regard to the applicability of certain laws; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Murray sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 308 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, change "R.S. 41:895" to "R.S. 41:901"

AMENDMENT NO. 2

On page 3, line 3, change "R.S. 41:895" to "R.S. 41:901"

AMENDMENT NO. 3

On page 3, line 4, change "~~§895.~~" to "~~§901.~~"

On motion of Senator Murray, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Murray sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 308 by Senator Murray

AMENDMENT NO. 1

On page 2, line 15, delete "~~elementary or~~"

AMENDMENT NO. 2

On page 2, line 20, delete "~~, due to the circumstances created~~" and insert "~~because its prior school building was rendered uninhabitable~~"

AMENDMENT NO. 3

On page 2, line 21, after "~~hurricane~~" delete the period and insert "~~and can not be restored to a habitable condition prior to the beginning of the next semester following the hurricane. Property sold, leased, or exchanged under the authority of this Item shall be sold at a price or leased or exchanged based on a value that is determined by averaging the market value appraisals of three appraisers, one selected by the administering agency of the Recovery School District, one selected by the governing authority of the independent secondary school, and a third appraiser selected by the two appraisers selected by the school district and the independent secondary school. The costs of determining the value shall be borne by the independent secondary school~~"

AMENDMENT NO. 4

On page 2, line 25, after "~~transferred.~~" insert "~~However, any property sold or exchanged by the school district as authorized in this Item shall, if ever offered for sale or exchange by the governing authority of the independent school, first be offered to the city, parish, or other local public school board to which the property belonged prior to its being under the control of the Recovery School District.~~"

AMENDMENT NO. 5

On page 3, line 17, delete "~~elementary or~~"

AMENDMENT NO. 6

On page 3, line 22, delete "~~, due to the circumstances created~~" and insert "~~because its prior school building was rendered uninhabitable~~"

AMENDMENT NO. 7

On page 3, line 23, after "~~hurricane~~" delete the period and insert "~~and can not be restored to a habitable condition prior to the beginning of the next semester following the hurricane. Property sold, leased, or exchanged under the authority of this Item shall be sold at a price or leased or exchanged based on a value that is determined by averaging the market value appraisals of three appraisers, one selected by the governing authority of the school system seeking to sell, lease, or exchange the property, one selected by the governing authority of the independent secondary school, and a third selected by the two appraisers selected by the school district and the independent secondary school. The costs of determining the value shall be borne by the independent secondary school~~"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS for Mr. President, Adley, Amedee, Bajois, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo.

Total - 36

NAYS

Total - 0

ABSENT

Table listing ABSENT: Fields, Lentini, Shepherd

Total - 3

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

SENATE BILL NO. 396— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 34:3452(A)(1)(introductory paragraph), (B), and (C), 3453, 3454, and 3455(A) and to enact R.S. 34:3457.1, relative to the Port Construction and Development Priority Program, to provide relative to the deadline for submission of applications to such program; to provide relative to the review and approval of applications; to authorize reimbursement of funds expended for project construction in certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 564— BY SENATOR QUINN

AN ACT

To enact R.S. 17:406.7, relative to parental involvement; to require that the parents or legal guardians of a student participate in parent-teacher conferences; to provide for minimum participation; to provide for notice; to provide for withholding of report cards for failure to participate in parent-teacher conferences; to provide for notice and right of review; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 564 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 12, following "encourage" and before "participation" change "parents" to "parent's"

AMENDMENT NO. 2

On page 2, line 22, following "the principal" and before "the principal" insert ";

AMENDMENT NO. 3

On page 2, line 26, following "the" and before "next" change "students" to "student's"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 564 by Senator Quinn

AMENDMENT NO. 1

On page 3, after line 2, insert the following: "Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 564 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 3, after "C." insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert the following: "(2) The provisions of this Section shall not apply to children in group homes."

On motion of Senator Duplessis, the amendments were adopted.

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

YEAS

Table listing YEAS: Mr. President, Bajois, Barham, Boasso, Cain, Cheek, Cravins, Dardenne, Ellington, Fontenot, Gautreaux N, Hollis, Jones, Malone, Michot, Quinn, Romero, Smith, Theunissen, Ullo.

Total - 20

NAYS

Table listing NAYS: Adley, Amedee, Broome, Duplessis, Dupre, Gautreaux B, Heitmeier, Jackson, Kostelka, Marionneaux, Mount, Murray, Nevers.

Total - 13

ABSENT

Chaisson	Lentini	Schedler
Fields	McPherson	Shepherd
Total - 6		

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

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

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

**Called from the Calendar**

Senator Jones asked that Senate Bill No. 180 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 180—**  
BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and to enact R.S. 15:574.9(B)(3), relative to probation and parole; to provide for revocation of probation and parole; to limit incarceration period for technical violations; and to provide for related matters.

On motion of Senator Jones, Senate Bill No. 180 was made Special Order of the Day No. 3 on Tuesday, April 25, 2006, immediately following the Morning Hour.

**Called from the Calendar**

Senator N. Gautreaux asked that Senate Bill No. 227 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 227—**  
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belts; to exempt from the safety belt law certain utility workers in the performance of their duties under certain circumstances; 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	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Lentini
Fields	Shepherd
Total - 4	

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

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

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

**HOUSE BILL NO. 417—**  
BY REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To amend and reenact R.S. 38:2212.2, relative to the demolition of state buildings; to provide for expedited demolition of damaged state buildings in emergency situations; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Lentini	Shepherd
Total - 2	

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

**HOUSE BILL NO. 660—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1293(A)(1) and (3) and to enact R.S. 23:1293(A)(5), relative to records of the Office of Workers' Compensation; to provide for the confidentiality of Second Injury Board documents; to provide for investigatory information; to provide for exceptions; and to provide for related matters.

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

April 19, 2006

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Fields	Lentini	Shepherd
Total - 3		

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

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 38—

BY SENATOR MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Jens Eduard Schelbert upon his death in ground combat in Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 39—

BY SENATOR MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Troy S. Ezernack upon his death in ground combat operations in Afghanistan.

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

SENATE RESOLUTION NO. 40—

BY SENATOR QUINN  
A RESOLUTION

To commend Louisiana State University junior Cynthia "CC" Dubois of Ponchatoula on being named a recipient of the prestigious 2006 Truman Scholarship.

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

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR BROOME  
A CONCURRENT RESOLUTION

To establish a group to study as a state entity and make recommendations regarding creating the Louisiana Virtual Library Council as a state entity and to require such group to make recommendations regarding such creation.

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

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

April 19, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 40—

BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact R.S. 33:381(C)(17), relative to the village of Grand Cane; to authorize the board of aldermen in the village, upon recommendation of the mayor, to abolish the office of chief of police; to provide relative to police services within the village; and to provide for related matters.

HOUSE BILL NO. 328—

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(h), relative to the Department of Labor, including provisions to provide for the re-creation of the Department of Labor 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.

HOUSE BILL NO. 365—

BY REPRESENTATIVES FANNIN AND TOWNSEND AND SENATOR SMITH  
AN ACT

To enact R.S. 33:1236(31)(b)(iii) and R.S. 30:2057(B)(5)(c), relative to the regulation of burning by certain parish governing authorities; to provide for ordinances regulating the burning of certain flammable materials in certain parishes under certain circumstances; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 586—

BY REPRESENTATIVES GREENE, BARROW, BAYLOR, CRANE, DANIEL, DOVE, GLOVER, HONEY, KATZ, KENNARD, LAMBERT, MARTINY, RITCHIE, ROMERO, JACK SMITH, STRAIN, WHITE, WINSTON, AND WOOTON AND SENATORS CHEEK, DARDENNE, AND FONTENOT  
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to increase the time limitation relative to notifying the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of the death of a fireman or law enforcement officer; and to provide for related matters.

**HOUSE BILL NO. 634—**  
 BY REPRESENTATIVES WHITE AND GLOVER  
 AN ACT  
 To amend and reenact R.S. 33:2501(C)(1), relative to fire and police civil service; to provide relative to the modification of disciplinary action by certain municipal fire and police civil service boards; and to provide for related matters.

**HOUSE BILL NO. 678—**  
 BY REPRESENTATIVE HUNTER  
 AN ACT  
 To enact R.S. 23:1020, relative to the obligations and requirements for the payment and receipt of workers' compensation benefits; to provide relative to the ratification of Executive Orders KBB 2005-52, 74, 88, 100, and KBB 2006-10; to provide for retroactive application; and to provide for related matters.

**HOUSE BILL NO. 876—**  
 BY REPRESENTATIVE BALDONE  
 AN ACT  
 To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

**HOUSE BILL NO. 937—**  
 BY REPRESENTATIVE HONEY  
 AN ACT  
 To amend and reenact R.S. 33:2491(I) and 2551(9), relative to fire and police civil service boards; to provide relative to employment lists established and maintained by such boards; to provide relative to the qualifications of persons placed on such lists; and to provide for related matters.

**HOUSE BILL NO. 939—**  
 BY REPRESENTATIVE CAZAYOUX  
 AN ACT  
 To amend and reenact R.S. 33:2531.1, relative to the municipal fire and police civil service; to provide relative to the continuation of applicability of certain provisions relative to the municipal fire and police civil service; and to provide for related matters.

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

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

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

**HOUSE BILL NO. 40—**  
 BY REPRESENTATIVE BRUCE  
 AN ACT  
 To amend and reenact R.S. 33:381(C)(17), relative to the village of Grand Cane; to authorize the board of aldermen in the village, upon recommendation of the mayor, to abolish the office of chief of police; to provide relative to police services within the village; and to provide for related matters.

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

**HOUSE BILL NO. 328—**  
 BY REPRESENTATIVE HUNTER  
 AN ACT  
 To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(h), relative to the Department of Labor, including provisions to provide for the re-creation of the Department of Labor and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 365—**  
 BY REPRESENTATIVES FANNIN AND TOWNSEND AND SENATOR SMITH  
 AN ACT  
 To enact R.S. 33:1236(31)(b)(iii) and R.S. 30:2057(B)(5)(c), relative to the regulation of burning by certain parish governing authorities; to provide for ordinances regulating the burning of certain flammable materials in certain parishes under certain circumstances; to provide exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 586—**  
 BY REPRESENTATIVES GREENE, BARROW, BAYLOR, CRANE, DANIEL, DOVE, GLOVER, HONEY, KATZ, KENNARD, LAMBERT, MARTINY, RITCHIE, ROMERO, JACK SMITH, STRAIN, WHITE, WINSTON, AND WOOTON AND SENATORS CHEEK, DARDENNE, AND FONTENOT  
 AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to increase the time limitation relative to notifying the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of the death of a fireman or law enforcement officer; and to provide for related matters.

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

**HOUSE BILL NO. 634—**  
 BY REPRESENTATIVES WHITE AND GLOVER  
 AN ACT  
 To amend and reenact R.S. 33:2501(C)(1), relative to fire and police civil service; to provide relative to the modification of disciplinary action by certain municipal fire and police civil service boards; and to provide for related matters.

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

**HOUSE BILL NO. 678—**  
 BY REPRESENTATIVE HUNTER  
 AN ACT  
 To enact R.S. 23:1020, relative to the obligations and requirements for the payment and receipt of workers' compensation benefits; to provide relative to the ratification of Executive Orders KBB 2005-52, 74, 88, 100, and KBB 2006-10; to provide for retroactive application; and to provide for related matters.

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

**HOUSE BILL NO. 876—**  
 BY REPRESENTATIVE BALDONE  
 AN ACT  
 To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

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

**HOUSE BILL NO. 937—**  
 BY REPRESENTATIVE HONEY  
 AN ACT  
 To amend and reenact R.S. 33:2491(I) and 2551(9), relative to fire and police civil service boards; to provide relative to employment lists established and maintained by such boards; to provide relative to the qualifications of persons placed on such lists; and to provide for related matters.

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

April 19, 2006

**HOUSE BILL NO. 939—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 33:2531.1, relative to the municipal fire and police civil service; to provide relative to the continuation of applicability of certain provisions relative to the municipal fire and police civil service; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 19, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 116—**  
BY REPRESENTATIVE GEYMAN  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to formulate a sound energy policy that will provide for the long-term economic and national security needs of the United States of America.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 116—**  
BY REPRESENTATIVE GEYMAN  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to formulate a sound energy policy that will provide for the long-term economic and national security needs of the United States of America.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 19, 2006

To the President and Members of the Senate:

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

**SENATE BILL NO. 33—**  
BY SENATOR NEVERS  
AN ACT

To amend and reenact R.S. 14:87, to enact R.S. 40:1299.30 and to repeal R.S. 40:1299.31 through R.S. 40:1299.35.18, relative to abortion; to prohibit abortion of a human being, except when necessary to save the life of the mother; to provide for criminal consequences for violations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 147—**  
BY SENATOR ELLINGTON  
AN ACT

To amend and reenact R.S. 40:1235.2(A)(1), relative to ambulance providers; to provide relative to licensure of ambulance services; to provide for exceptions; to expand the allowable distance to transport patients between hospital campuses without licensure as an ambulance provider; to provide definitions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 562—**  
BY SENATORS BAJOIE, HINES, MOUNT AND NEVERS AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE AND SALTER  
AN ACT

To amend and reenact R.S. 28:22.7(B) and R.S. 36:251(C)(1) and 258(F),(G),(H), and (I) and to enact R.S. 36:258(J) and to repeal R.S. 36:254(G), relative to the office of aging and adult services; to place the office within the Department of Health and Hospitals; to transfer the Villa Feliciana Medical Complex to the office of aging and adult services; to provide for the purpose and function of the office of aging and adult services; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 588—**  
BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part II-H of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.41 through 2120.48, relative to adult residential care service providers; to provide for purposes and definitions; to provide licensure, rules, regulations, standards and fees; to provide for license issuance, inspection and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

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

**ENROLLMENTS**

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

April 19, 2006

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 19—(Duplicate of HCR No. 64)**

BY SENATOR HINES AND REPRESENTATIVE SALTER AND  
COAUTHORED BY SENATORS BAJOE AND HEITMEIER AND  
REPRESENTATIVES DORSEY AND ALARIO

**A CONCURRENT RESOLUTION**

To approve a Proposed Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget; and to provide for other matters pertaining thereto.

The following Senate Concurrent Resolution has been properly enrolled:

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Message from the House****SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 19, 2006

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 88—**

BY REPRESENTATIVE HEBERT AND SENATOR N. GAUTREAUX  
**A CONCURRENT RESOLUTION**

To urge and request the Federal Emergency Management Agency (FEMA) to consider alternatives to housing displaced residents in trailers.

**HOUSE CONCURRENT RESOLUTION NO. 89—**

BY REPRESENTATIVE ODINET  
**A CONCURRENT RESOLUTION**

To urge and request the governor and the office of facility planning and control of the division of administration to work with the Louisiana State University Board of Supervisors and the LSU Health Sciences Center to develop and implement a plan to use a portion of the Medical Center of New Orleans (Big Charity Hospital) to provide medical services to the New Orleans community and region on an interim basis while efforts continue towards construction of a new facility.

**HOUSE CONCURRENT RESOLUTION NO. 90—**

BY REPRESENTATIVE DURAND  
**A CONCURRENT RESOLUTION**

To urge and request the Social Security Administration to accept a notarized document to suffice as independent verification for evidence of age.

**HOUSE CONCURRENT RESOLUTION NO. 93—**

BY REPRESENTATIVE TRICHE  
**A CONCURRENT RESOLUTION**

To commend the Louisiana State Police, Department of Public Safety and Corrections' Casino Gaming Division, Operations Unit, for its exemplary work in combating dog fighting in our state.

**HOUSE CONCURRENT RESOLUTION NO. 96—**

BY REPRESENTATIVES BRUNEAU AND LANCASTER  
**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of William Alexander Porteous III of New Orleans.

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVE WALKER AND SENATOR HINES  
**A CONCURRENT RESOLUTION**

To commend Larry Sayes upon being named 2006 Louisiana Farmer of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVES GLOVER, BADON, BAYLOR, BURNS, BURRELL, K. CARTER, CRANE, CURTIS, DORSEY, DURAND, FAUCHEUX, FRITH, GRAY, E. GUILLORY, HARRIS, HEATON, HEBERT, HONEY, HUNTER, JACKSON, JOHNS, KENNEY, LANCASTER, M. POWELL, QUEZAIRE, RICHMOND, GARY SMITH, JACK SMITH, THOMPSON, TOWNSEND, WALKER, AND WHITE  
**A CONCURRENT RESOLUTION**

To commend Dottie Bell upon her retirement from the Caddo Parish School System on May 25, 2006, and to recognize her upon the final celebration of the annual Louisiana Career Festival.

**HOUSE CONCURRENT RESOLUTION NO. 110—**

BY REPRESENTATIVE KLECKLEY AND SENATOR THEUNISSEN  
**A CONCURRENT RESOLUTION**

To commend Dr. O. Carroll Karkalits upon his retirement from McNeese State University.

**HOUSE CONCURRENT RESOLUTION NO. 111—**

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH  
**A CONCURRENT RESOLUTION**

To commend the Reserve Christian School Boys Basketball Team upon the completion of an extraordinary season.

**HOUSE CONCURRENT RESOLUTION NO. 114—**

BY REPRESENTATIVES MONTGOMERY AND BRUCE AND SENATOR CHEEK  
**A CONCURRENT RESOLUTION**

To commend the Dolet Hills Lignite Company in DeSoto Parish for its excellence in the areas of the promotion of regional economic growth, environmental conservation, historic preservation, and safety achievement and to recognize its positive impact on DeSoto Parish and the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 115—**

BY REPRESENTATIVE KLECKLEY  
**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Nancy Stone Crowe of Lake Charles.

**HOUSE CONCURRENT RESOLUTION NO. 94—**

BY REPRESENTATIVE GEYMANN  
**A CONCURRENT RESOLUTION**

To commend and celebrate the accomplishments of Ben Morgan of the Boy Scouts of America, Troop 21 of the First Baptist Church of Moss Bluff, on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

**HOUSE CONCURRENT RESOLUTION NO. 95—**

BY REPRESENTATIVE GEYMANN  
**A CONCURRENT RESOLUTION**

To commend and celebrate the accomplishments of Nick Calderera of the Boy Scouts of America, Troop 21 of the First Baptist Church of Moss Bluff, on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

**HOUSE CONCURRENT RESOLUTION NO. 99—**

BY REPRESENTATIVES MCDONALD AND THOMPSON  
**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to designate a portion of Interstate Highway 20 in Ouachita and Richland parishes as the Purple Heart Recipients Highway.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVES JOHN SMITH, GEYMANN, HILL, KLECKLEY, AND JOHNS AND SENATOR CAIN  
**A CONCURRENT RESOLUTION**

To commend and recognize City Councilwoman Estella Scott for her nineteen years of public service to the citizens of the city of DeRidder and the parish of Beauregard.

April 19, 2006

**HOUSE CONCURRENT RESOLUTION NO. 102—**  
BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To recognize and commemorate the bicentennial of the creation of civil parishes in Louisiana and of the nineteen original parishes.

**HOUSE CONCURRENT RESOLUTION NO. 104—**  
BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To commend St. Charles Parish, Louisiana, upon the celebration of its bicentennial.

**HOUSE CONCURRENT RESOLUTION NO. 109—**  
BY REPRESENTATIVE ODINET  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adopt the Senate Appropriations Committee amendment for fishing industry recovery under the Magnuson-Stevens Fishery Conservation and Management Act to H.R. 4939 making emergency supplemental appropriations for the fiscal year ending September 30, 2006.

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

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

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

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

April 19, 2006

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. 332— (Duplicate of Senate Bill No. 488)**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AND  
COAUTHORED BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 39:371, relative to the cash management review board; to authorize designees of members to serve on said board; and to provide for related matters.

**HOUSE BILL NO. 333— (Duplicate of Senate Bill No. 497)**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AND  
COAUTHORED BY REPRESENTATIVE SALTER  
AN ACT

To repeal Subpart F of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1493.1 through 1493.3, relative to the Commission for Review and Improvement of Services Procurement.

**HOUSE BILL NO. 432— (Duplicate of Senate Bill No. 506)**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AND  
COAUTHORED BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 39:1644(B) and to enact R.S. 39:1644(E), relative to the amendment of leases for office or warehouse space; to increase the size of the space under lease eligible for amendment; to authorize modifications to monthly lease payments; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 781— (Duplicate of Senate Bill No. 559)**  
BY REPRESENTATIVE PINAC AND SENATOR DARDENNE AND  
COAUTHORED BY REPRESENTATIVES BARROW, BRUCE, BURRELL,  
CROWE, DEWITT, DOERGE, FRITH, HAMMETT, LAFONTA, T. POWELL,  
RITCHIE, SALTER, TRAHAN, WADDELL, WALSWORTH, AND WHITE  
AND SENATORS HINES, MOUNT, AND HOLLIS  
AN ACT

To enact R.S. 34:1122(B)(3), relative to expenses of the Pilotage Fee Commission; to clarify that fees and rates for pilotage services include expenses of the Pilotage Fee Commission; and to provide for related matters.

**HOUSE BILL NO. 1127—**  
BY REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

**HOUSE BILL NO. 465— (Duplicate of Senate Bill No. 508)**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AND  
COAUTHORED BY REPRESENTATIVE SALTER  
AN ACT

To repeal R.S. 39:1503.1 and 1595.7, relative to procurement; to repeal provisions for certain incentives related to participation in the mentor-protégé program, which program was repealed in 2001.

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.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Shepherd 1 Day

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Thursday, April 20, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, April 20, 2006.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk