

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

THIRTY-THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 24, 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	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Uilo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

ABSENT

Duplessis	Marionneaux
Total - 2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Brother Virgil Harris, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 24, 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. 649—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 47:1998(G), relative to appeals of tax assessments; to provide for the payment of attorney fees, expert fees, and costs under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 684—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1978.1, 1992(F)(1) and (G), and 1997(C), relative to property assessment; to provide for listing and assessment procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 958—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:303(B)(3)(b)(v), relative to the collection of local sales and use tax on motor vehicles; to specify procedure for resolution of boundary disputes between taxing bodies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 999—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 40:600.25(C) and 600.26(D)(5), relative to the Louisiana Housing Trust Fund; to provide for the levy of fees by the Louisiana Housing Finance Agency; to provide for the deposit of the fees into the Louisiana Housing Trust Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1158—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 47:820.4(D), relative to the Transportation Infrastructure Model for Economic Development; to provide relative to bonds sold to fund the program; 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.

**Senate and Concurrent Resolutions
on Second Reading**

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

SENATE RESOLUTION NO. 83—
BY SENATOR BROOME
A RESOLUTION

To proclaim May 24, 2006, as Junior League Day at the Louisiana Senate.

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

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR DUPRE
A CONCURRENT RESOLUTION

To urge and request the office of group benefits to conduct a second phase of study for gastric bypass surgery.

The resolution was read by title. Senator Dupre moved to adopt

May 24, 2006

the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cravins	Michot
Adley	Dupre	Mount
Amedee	Ellington	Murray
Bajoie	Gautreaux B	Nevers
Barham	Hollis	Quinn
Broome	Jackson	Romero
Cain	Kostelka	Smith
Chaisson	Lentini	Ullo
Cheek	Malone	

Total - 26

NAYS

Total - 0

ABSENT

Boasso	Gautreaux N	Schedler
Dardenne	Heitmeier	Shepherd
Duplessis	Jones	Theunissen
Fields	Marionneaux	
Fontenot	McPherson	

Total - 13

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 23, 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. 348— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 11:62(5)(f) and 441(F), relative to the Louisiana State Employees' Retirement System; to provide with respect to retirement eligibility and the employee contribution rate of certain employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 467— BY REPRESENTATIVE WALSWORTH AN ACT

To enact R.S. 33:2740.64, relative to economic development in Ouachita Parish; to create and provide for the Bawcomville Economic Development District; to provide relative to the powers, duties boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

HOUSE BILL NO. 527— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

HOUSE BILL NO. 712— BY REPRESENTATIVES WALSWORTH AND KATZ AN ACT

To amend and reenact R.S. 33:2866.1(B), relative to sale of property adjudicated to parishes or municipalities; to provide with respect to the realtor's commission; to authorize the governing authority of certain parishes to establish a pilot program to determine the effectiveness of negotiating the amount of the fee or commission; to authorize such negotiation; to provide time limitations and to provide for review of such program; to provide a maximum amount of the fee or commission that is authorized to be paid; and to provide for related matters.

HOUSE BILL NO. 762— BY REPRESENTATIVE WINSTON AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to the village of Folsom; to authorize the governing authority of the village to impose impact fees, subject to voter approval, on new development; to provide for the adoption of a capital improvement plan; to provide relative to the waiver and refund of any such fee; and to provide for related matters.

HOUSE BILL NO. 1395— (Substitute for House Bill No. 1047 by Representative St. Germain) BY REPRESENTATIVE ST. GERMAIN AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; 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. 348— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 11:62(5)(f) and 441(F), relative to the Louisiana State Employees' Retirement System; to provide with respect to retirement eligibility and the employee contribution rate of certain employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 467—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.64, relative to economic development in Ouachita Parish; to create and provide for the Bawcomville Economic Development District; to provide relative to the powers, duties boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

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

HOUSE BILL NO. 527—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

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

HOUSE BILL NO. 712—
BY REPRESENTATIVES WALSWORTH AND KATZ
AN ACT

To amend and reenact R.S. 33:2866.1(B), relative to sale of property adjudicated to parishes or municipalities; to provide with respect to the realtor's commission; to authorize the governing authority of certain parishes to establish a pilot program to determine the effectiveness of negotiating the amount of the fee or commission; to authorize such negotiation; to provide time limitations and to provide for review of such program; to provide a maximum amount of the fee or commission that is authorized to be paid; and to provide for related matters.

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

HOUSE BILL NO. 762—
BY REPRESENTATIVE WINSTON
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to the village of Folsom; to authorize the governing authority of the village to impose impact fees, subject to voter approval, on new development; to provide for the adoption of a capital improvement plan; to provide relative to the waiver and refund of any such fee; and to provide for related matters.

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

**HOUSE BILL NO. 1395— (Substitute for House Bill No. 1047
by Representative St. Germain)**
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 23, 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. 128—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To create and provide for the Tri-Parish Tourism Development Advisory Commission to study and make recommendations relative to regional tourism development in the parishes of Iberia, Lafayette, and St. Martin.

HOUSE CONCURRENT RESOLUTION NO. 229—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to establish a committee to review the duties of local governing authorities during emergency periods lasting more than sixty days and to make necessary recommendations clarifying the role of local government.

HOUSE CONCURRENT RESOLUTION NO. 230—
BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR
KOSTELKA
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Matthew David Doss of Dubach.

HOUSE CONCURRENT RESOLUTION NO. 233—
BY REPRESENTATIVES ROBIDEAUX AND ROMERO
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass legislation prohibiting the use of a deceased soldier's image for monetary gain.

HOUSE CONCURRENT RESOLUTION NO. 234—
BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To recognize Wednesday, June 7, 2006, as the fifth annual 4-H day at the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 235—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To memorialize the United States Congress, specifically Louisiana Senators Mary Landrieu and David Vitter, to take such actions as are necessary to support and vote for the Marriage Protection Amendment presently pending in the United States Senate.

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. 128—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To create and provide for the Tri-Parish Tourism Development Advisory Commission to study and make recommendations relative to regional tourism development in the parishes of Iberia, Lafayette, and St. Martin.

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

HOUSE CONCURRENT RESOLUTION NO. 229—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to establish a committee to review the duties of local governing authorities during emergency periods lasting more than sixty days and to make necessary recommendations clarifying the role of local government.

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

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Matthew David Doss of Dubach.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Michot, Adley, Ellington, Mount, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Hollis, Quinn, Broome, Jackson, Romero, Cain, Jones, Smith, Chaisson, Kostelka, Ullo, Cheek, Lentini, Cravins, Malone. Total - 28

NAYS

Total - 0

ABSENT

Table with 3 columns: Boasso, Fontenot, Schedler, Dardenne, Heitmeier, Shepherd, Duplessis, Marionneaux, Theunissen, Fields, McPherson. Total - 11

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

HOUSE CONCURRENT RESOLUTION NO. 233—

BY REPRESENTATIVES ROBIDEAUX AND ROMERO

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass legislation prohibiting the use of a deceased soldier's image for monetary gain.

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

HOUSE CONCURRENT RESOLUTION NO. 234—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To recognize Wednesday, June 7, 2006, as the fifth annual 4-H day at the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Michot, Adley, Ellington, Mount, Amedee, Fontenot, Murray, Bajoie, Gautreaux B, Nevers, Barham, Gautreaux N, Quinn, Broome, Hollis, Romero, Cain, Jackson, Smith, Chaisson, Jones, Theunissen, Cheek, Kostelka, Ullo, Dardenne, Malone. Total - 29

NAYS

Total - 0

ABSENT

Table with 3 columns: Boasso, Heitmeier, Schedler, Cravins, Lentini, Shepherd, Duplessis, Marionneaux, Fields, McPherson. Total - 10

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

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To memorialize the United States Congress, specifically Louisiana Senators Mary Landrieu and David Vitter, to take such actions as are necessary to support and vote for the Marriage Protection Amendment presently pending in the United States Senate.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Adley, Ellington, Mount, Amedee, Fontenot, Murray, Bajoie, Gautreaux B, Nevers, Barham, Gautreaux N, Quinn, Broome, Hollis, Romero, Cheek, Kostelka, Smith, Cravins, Lentini, Theunissen, Dardenne, Malone, Dupre, Michot. Total - 26

NAYS

Total - 0

ABSENT

Table with 3 columns: Mr. President, Fields, McPherson, Boasso, Heitmeier, Schedler, Cain, Jackson, Shepherd, Chaisson, Jones, Duplessis, Marionneaux. Total - 13

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

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

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

HOUSE BILL NO. 43—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 11:2225.4, relative to the Municipal Police Employees' Retirement System; to provide for a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for limitations; 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 Retirement.

HOUSE BILL NO. 58—
BY REPRESENTATIVES DANIEL AND M. POWELL
AN ACT

To enact R.S. 44:12.1, relative to public records; to prohibit the use of only oral contacts and interviews for certain applicants for certain public positions; to provide for the examination, inspection, copying, or reproduction of certain specific records; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 493—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:4715.2(A), (C)(11), and (E) and to enact R.S. 33:4715.2(C)(4)(g) and (h) and (D)(7), relative to the Plaquemines Parish Courthouse District; to provide relative to district purposes; to provide relative to the powers and duties of the governing board of the district; to provide relative to district funding; and to provide for related matters.

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

HOUSE BILL NO. 669—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 18:1284(C), relative to proposition elections; to provide for the content of the proposition; and to provide for related matters.

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

HOUSE BILL NO. 686—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:100.21, relative to state funds; to extend the effective date of the 2004 Overcollections Fund until June 30, 2007; 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 Finance.

HOUSE BILL NO. 767—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 15:921(A), to enact R.S. 39:100.25 and 100.26, and to repeal R.S. 15:921(D), relative to state funds; to create the FEMA Reimbursement Fund; to create the State Emergency Response Fund; to provide for the deposit, investment, use, and appropriation of monies in the FEMA Reimbursement Fund and the State Emergency Response Fund;

to provide for the deposit of certain funds into the Youthful Offender Management Fund; to repeal the cap on the Youthful Offender Management Fund; 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 Finance.

HOUSE BILL NO. 811—
BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 11:1152(M), relative to the Deferred Retirement Option Plan of the Louisiana School Employees' Retirement System; to provide for rescission of election to participate subject to certain limitations; to provide for a rescinding members' return to active status upon payment of employee contributions, interest, or other actuarial costs, and forfeiture of plan benefits; to provide for rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 1144—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 23:1221(4)(s)(v), relative to workers' compensation; to repeal the applicable dates for catastrophic injury claims; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1160—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:103(C)(1)(l), relative to members of certain municipal planning commissions; to authorize the governing authority of certain municipalities to pay a per diem to members of the municipal planning commission; to provide for the rate of per diem and the number of meetings for which per diem is to be paid; and to provide for related matters.

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

HOUSE BILL NO. 1315—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to charitable gaming; to provide for the number of electronic video bingo machines which may be operated at a licensed establishment; to provide for limitations on the times electronic video bingo machines may be operated; to provide with respect to the beginning of bingo sessions; to provide with respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to provide for related matters.

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

HOUSE BILL NO. 1333—
BY REPRESENTATIVES CRAVINS AND M. GUILLORY
AN ACT

To enact R.S. 48:602(I), relative to St. Landry Parish public works districts; to authorize the parish governing authority to abolish such districts; and to provide for related matters.

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

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HOUSE BILL NO. 1362—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide 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 Retirement.

HOUSE BILL NO. 1393— (Substitute for House Bill No. 489 by Representative Jefferson)

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 18:135.1, relative to voter registration; to require the secretary of state to examine issues related to changing the close of voter registration and to report to the House and Senate Governmental Affairs Committees whether it would be feasible to change the voter registration deadline; to authorize the secretary of state to develop and implement a plan relative to changing the voter registration deadline if he reports that it is feasible to do so; to require and provide for gubernatorial and legislative approval of such plan prior to implementation; and to provide for related matters.

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

HOUSE BILL NO. 1394— (Substitute for House Bill No. 896 by Representative Walsworth)

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; 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 Health and Welfare.

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 119—

BY REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits to conduct a study of Health Access Louisiana (HAL), a proposal for health coverage reform in the state.

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

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take such actions as are necessary to improve traffic flow at the intersection of U.S. Highway 61 and Main Street in Laplace, Louisiana, including the installation of No U Turn signs and increasing the timing of the left turn signal off of Highway 61 onto Main Street.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists Boasso, Cain, Duplessis, Heitmeier, Marionneaux, McPherson, Shepherd.

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

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce to thirty-five miles per hour the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists Boasso, Cain, Duplessis, Heitmeier, Marionneaux, McPherson, Shepherd.

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
HEALTH AND WELFARE**

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

May 24, 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. 261—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.51(3), and to enact R.S. 40:1300.51(2)(n), relative to criminal history checks; to provide for authorization relative to day care applicants; and to provide for related matters.

Reported by substitute.

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE WADDELL

A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE BILL NO. 93—
BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 37:756(A), 760(A)(1), and 766 and to enact R.S. 37:753(C)(4), 760(A)(15), 761(C), 764(D), 795(B)(2)(a)(iii) and (iv) and (3)(a)(iii) and (iv), and (C), relative to the Dental Practice Act; to provide for the suspension of nominating procedures; to provide for receipts and disbursements of the board; to provide relative to the powers and duties of the board; to provide relative to the requirements of applicants for a dental license and a dental hygiene license; to provide for the supervision of dental hygienists; to increase costs and fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 106—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:2803(C)(introductory paragraph) and (D), relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to change the reporting date; to extend the termination date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 355—
BY REPRESENTATIVES TRICHE, DOERGE, AND DURAND AND
SENATOR LENTINI

AN ACT

To amend and reenact R.S. 46:236.15(C), relative to child support enforcement; to grant limited administrative authority to access certain information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 369—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:32(1) and 34(B)(1)(a)(viii), (h)(v), (i), and (j), relative to biological parents; to provide for definitions regarding surrogate pregnancies; to expand the definition of surrogate to include a person related by affinity; to provide for retroactivity; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 473—
BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 28:852(B), relative to the Florida Parishes Human Services Authority; to provide for a change of domicile of the authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 480—
BY REPRESENTATIVES DURAND, KATZ, AND ST. GERMAIN AND
SENATORS JACKSON AND MOUNT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 687—
BY REPRESENTATIVES JACKSON AND GRAY

AN ACT

To enact R.S. 28:382.2(D), relative to statewide human services and accountability framework for human services delivery; to provide for reporting; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 797—
BY REPRESENTATIVE K. CARTER

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1010—
BY REPRESENTATIVE GARY SMITH

AN ACT

To enact R.S. 32:300.3, relative to operating motor vehicles; to prohibit the operator or a passenger in a motor vehicle from smoking when children of a certain age are present; to provide relative to penalties for violations; to provide relative to citations issued for violations; to prohibit certain actions by law enforcement officers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1254—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

Reported with amendments.

May 24, 2006

HOUSE BILL NO. 1255—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:3386.1(3), (10), and (14), 3387.1(A) and (E)(2), 3387.2(A) and (E)(1), 3388.2(A), (B), and (D), and 3389, to enact R.S. 36:259(E)(24) and R.S. 37:3387.10 through 3387.14, and to repeal R.S. 37:3386.1(13) and R.S. 37:3387.7 through 3387.9, relative to the Addictive Disorders Practice Act; to provide transitional authority for the Addictive Disorder Regulatory Authority; to provide for definitions; to provide for licensed prevention professionals, certified prevention professionals, registered prevention professionals, prevention services assistants, and certified prevention supervisors; to provide for the Addictive Disorder Regulatory Authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose 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 favorably.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION
INTERNATIONAL AFFAIRS**

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

May 24, 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. 629—

BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 37:1782 and to enact Part I-A of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1809 through 1826, relative to pawnbrokers; to provide with respect to continuing education of pawnbrokers; to provide for definitions; to provide for the creation of the Louisiana State Board for Continuing Pawnbroker Education; and to provide for related matters.

Reported by substitute.

HOUSE CONCURRENT RESOLUTION NO. 212—

BY REPRESENTATIVE WINSTON
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to support and establish a free trade agreement between the United States and Taiwan.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 312—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:337(A), relative to mortgage lenders; to provide for payment of insurance settlement proceeds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 314—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:338(B)(2), relative to mortgage lenders; to provide for the date from which to calculate accrued interest; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 400—

BY REPRESENTATIVE JACKSON
AN ACT

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

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 690—
BY REPRESENTATIVE SCHNEIDER
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 1449, relative to consumer protection against computer spyware; to provide for definitions; to provide for spyware prohibitions; to provide for control or modification; to provide for misrepresentation; to provide for nonapplicability; to provide for criminal enforcement and penalties; to provide for civil relief; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 732—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 37:1431(30), relative to the real estate commission; to provide for a definition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 891—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 32:1252(8), (22)(a), and 23(a) and 1254(J)(4)(a), relative to the distribution and sale of motor vehicles; to provide for definitions; to provide for additional licensing and compliance requirements for motor vehicle lessors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1078—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.37(A)(1), (B), (C)(1), (D)(1), (E), (G), and (H), 969.38(A), (B), (C)(1) and (2), and (D), 969.39(A) and (B), 969.40(B), (C), and (D), and 969.41(A), (B), and (C), relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for licensing procedures; to provide for denial, suspension, or revocation of licenses; to provide for investigations and complaints; to provide for the powers of the commission; to provide for the penalties imposed by the commission; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 1265—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1270—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1325—
BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 51:941(3), relative to economic development; to provide for a definition of "small and emerging business"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1377— (Substitute for House Bill No. 502 by Representative Pinac)
BY REPRESENTATIVE PINAC
AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

INSURANCE

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

May 24, 2006

To the President and Members of the Senate:

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

May 24, 2006

HOUSE BILL NO. 158—

BY REPRESENTATIVE K. CARTER
AN ACT

To repeal R.S. 22:1137(A)(10) and 1139(C)(8) and Part VII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1751 through 1770, relative to regulation of automobile service clubs by the commissioner of insurance.

Reported favorably.

HOUSE BILL NO. 248—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:32(5) and (9), relative to domestic incorporated insurers; to provide for the requirements of articles of incorporation of such insurers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 250—

BY REPRESENTATIVE K. CARTER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 252—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:2003(B)(5) and (9), relative to health maintenance organizations; to provide for the requirements of articles of incorporation of health maintenance organizations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 340—

BY REPRESENTATIVE K. CARTER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 441—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1459, relative to insurers; to eliminate the annual reporting of rates of and compensation paid by stock fire insurers to the Insurance Rating Commission; to change references to agents to references to producers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 487—

BY REPRESENTATIVE K. CARTER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 585—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(a)(iv), (b)(ii), and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent child previously enrolled in Medicaid; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 792—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1036—

BY REPRESENTATIVE TUCKER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1232—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

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

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

SENATE BILL NO. 486—

BY SENATOR JACKSON
AN ACT

To enact R.S. 39:2(49) and 36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 486 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, change "39:36(A)(6)" to "39:2(49) and 36(A)(6)"

AMENDMENT NO. 2

On page 1, line 6, change "39:36(A)(6) is" to "39:2(49) and 36(A)(6) are"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"§2. Definitions

As used in this Chapter, except where the context clearly requires otherwise, the words and expressions defined in this Section shall be held to have the meanings here given to them.

* * *

(49) "Policy changes" means a narrative explanation of changes that result in increases or decreases in the level of funding, the level of services, or the scope of services expressed in policy terms as follows: legislative policy changes that result from changes in state or federal laws and related rules or regulations; judicial policy changes that result from court rulings and decrees and administrative policy changes resulting from executive orders or prioritization of funding to meet specific goals and objectives of the executive branch. The narrative shall also include a citation of the relevant provision of law, judicial decision or order, or executive order or administrative action associated with each change in funding level."

AMENDMENT NO. 4

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 3 and insert the following:

"program of all policy changes as defined in R.S. 39:2(49) relative to increases or decreases in the level of funding, the level of service, or the scope of services. The statements shall also show the funding, workload, or performance changes from the existing operating budget for the current fiscal year to the recommended budget for the ensuing fiscal year."

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

SENATE BILL NO. 594—

BY SENATOR SHEPHERD

AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to environmental quality; to provide for the authority of the secretary of the Department of Environmental Quality; to prohibit the permitting of certain solid waste facilities in certain parishes; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality. On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 607—

BY SENATORS FONTENOT, ADLEY, BOASSO, CRAVINS, DARDENNE, N. GAUTREAUX, HOLLIS AND QUINN AND REPRESENTATIVES HEBERT, RICHMOND, JACK SMITH AND TRICHE

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 of household pets and service animals in emergencies; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 607 by Senator Fontenot

AMENDMENT NO. 1

On page 8, between lines 22 and 23, insert the following:

"Section 2. The provisions of this Act shall become effective if and only if funds for the purposes provided for in this Act are appropriated from the State Emergency Response Fund."

AMENDMENT NO. 2

On page 8, line 23, change "Section 2." to "Section 3."

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

SENATE BILL NO. 609—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2418(G), (I), (N), and (O)(3), relative to waste tires; to sunset the fund in the state treasury known as the "Waste Tire Management Fund"; to provide certain terms, conditions, and procedures; to provide for certain fees and funds; to provide for payments to qualified waste tire processors for processing waste tires; to provide for deposit of certain fees, fines, penalties and interest, and costs; to provide for "undisputed obligations"; to provide for a termination date; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 609 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the beginning of line 7, insert "to provide for "undisputed obligations"; to provide for a termination date;"

AMENDMENT NO. 2

On page 2, at the end of line 20, insert "**All undisputed obligations shall be paid prior to the termination date provided for in this Subsection. For the purposes of this Section, "undisputed obligations" means those waste tire material payments which should have been paid by the department to a waste tire processor since January 1, 2003, but which have not been paid due to the insufficiency of the Waste Tire Management Fund.**"

AMENDMENT NO. 3

On page 2, line 22, after "I." insert "(1)"

AMENDMENT NO. 4

On page 3, after line 2, insert the following:

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

(a) Payments have been made from the fund to waste tire processors, as provided for in Subparagraph (I)(3)(b), for a period of

three consecutive months.

(b) All undisputed obligations owed to waste tire processors have been paid in full.(3)(a) In the event the balance of the fund is insufficient to meet the obligations to waste tire processors provided for above, the department, after meeting all payments required by law, shall pay any undisputed amounts in a pro rata share to waste tire processors having a standard permit.(b) In the event the fund has a surplus after meeting all obligations of the fund for the month, including any payments required by law, such surplus shall be distributed in a pro rata share to those waste tire processors having a standard permit for whom there are unpaid obligations of the fund, excluding any disputed amounts. Such surplus shall be processed for payment by the department within fifteen days after the end of the month in which the surplus arose.(4) If litigation relating to fund payments in dispute prior to March 1, 2004, is resolved through final judgment or settlement, the secretary shall pay from the fund the portion of such final judgment or settlement which represents previously disputed fund payments within one hundred eighty days of the judgment or settlement. This Subsection shall not be construed to limit or condition the right of the judgment creditor or obligee under the settlement agreement to obtain payment in satisfaction of the judgment or settlement from any source authorized by law."

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

SENATE BILL NO. 638—
BY SENATORS HINES AND CHAISSON
AN ACT

To enact R.S. 49:258.1, relative to legal representation of the state and state agencies; to authorize the attorney general to employ counsel; to provide for the payment of attorney fees; and to provide for related matters.

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

SENATE BILL NO. —(Substitute of Senate Bill No.638 by Senator Hines)
BY SENATORS HINES AND CHAISSON
AN ACT

To enact R.S. 18:1505.2(S) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1505.2(S) is hereby enacted to read as follows:

§1505.2. Contributions; expenditures; certain prohibitions and limitations

* * *

S.(1) The Legislature of Louisiana recognizes the importance of retaining the confidence of its citizens and citizens of the United States in the operation of our state and local government by preventing influence and the appearance of influence of the attorney general with respect to campaign contributions made by attorneys or law firms who have entered into contracts with the attorney general to represent the state or any of its agencies, boards, commissions, or departments of the state on a contingency fee basis.

(2)(a) Effective July 1, 2006, no attorney or law firm who has entered into a contract with the attorney general to represent the state or any of its agencies, boards, commissions, or a department of the state on a contingency fee basis shall make a contribution to the attorney general. Any attorney or law firm who violates the provisions of this Subparagraph shall be assessed a penalty equal to twice the amount of the contribution.

(b) Effective July 1, 2006, no attorney general shall accept

a contribution from any attorney or law firm who has entered into a contract with the attorney general to represent the state or any of its agencies, boards, commissions, or a department of the state on a contingency fee. Any attorney general who violates the provisions of this Subparagraph knowingly and willfully shall be assessed a penalty equal to twice the amount of the contribution.

(c) Any contribution prohibited in this Subsection that is received by the attorney general shall escheat to the state and shall be paid over to the state by such attorney general.

Section 2. R.S. 49:258.1 is hereby enacted to read as follows:

§258.1. Contingent fee contracts; approval; requirements; fee determination; definitions

A. As used in this Section, the following words shall have the following meanings:

(1) "Contingent fee" means the percentage or percentages that shall accrue to an attorney in the event of settlement, trial, or appeal for professional services performed under a contingent fee contract, the amount or payment of which is contingent on the outcome of the matter for which the services were obtained.

(2) "Contingent fee contract" means a contract for legal services under which the amount or the payment of the fee for the services is contingent in whole or in part on the outcome of the matter for which the services were obtained.

(3) "State funds" means all funds owed to or received by the state from any source whatsoever, including but not limited to federal funding sources, or funds which have been misused, misappropriated, stolen, or are due the state by law or contract.

(4) "State property" means "public things" as provided for in Civil Code Articles 450 through 452 and as "private things" belonging to the state as provided for in Civil Code Article 453.

B.(1) The attorney general may enter into contracts for representation of the state or any of its agencies, boards, commissions, or departments for claims relating to the recovery of state property or state funds or the payment of compensation owed to the state or any of its agencies, boards, commissions, or departments on a contingent fee basis.

(2) The attorney general shall at all times retain the legal authority to control litigation initiated by a contingent fee contract, including but not limited to authority to settle or to voluntarily dismiss the case.

C.(1) The contingent fee contract shall require that the contracting attorney or law firm keep current and report monthly on the attorney's time, complete costs, and expenses and describe in detail those items relative to performing the contract.

(2) The contracting attorney or law firm shall permit the attorney general and the legislative auditor each to inspect or obtain copies of the expense records at any time on request.

(3) Upon conclusion of the matter for which legal services were obtained, the contracting attorney or law firm shall provide the attorney general with a complete written statement that describes the outcome of the matter, states the amount of any recovery, and indicates the final complete expense records of the contracting attorney or law firm required by this Subsection. This written information shall also be submitted by sworn affidavit to the court for which the matter was heard only for the purposes of determining a reasonable contingent fee to be awarded by the court pursuant to the provisions of this Section.

(4) The completed written statement required by this Subsection is public information pursuant to the Louisiana Public Records Law, R.S. 44:1 et seq., and shall not be withheld from a requestor, except as provided for in this Paragraph. Information in the records may be withheld from a member of the public under the Louisiana Public Records Law only if the attorney general determines that withholding the information is necessary to protect the state's strategy or position in pending or reasonably anticipated litigation. Information withheld from public disclosure under this Paragraph shall be segregated from information that is subject to public disclosure.

D.(1) If a special assistant attorney general has been appointed pursuant to this Section to represent the state on a contingent fee basis, such fee shall be payable out of all sums the special assistant attorney general recovers for the state and attorney fees shall be determined by the court in an amount which is reasonable pursuant to the Rules of Professional

Conduct, either by judgment or court-authorized settlement, not to exceed twenty-five percent of the recovered amount. Additionally, all reasonable costs and expenses incurred in the prosecution of the claim shall be reimbursed to the special assistant attorney general as mandated by the Rules of Professional Conduct.

(2) Prior to the court making an award of reasonable attorney fees in contingent fee cases based on a percentage not to exceed twenty-five percent, each attorney employed on such basis by the attorney general shall submit detailed affidavits to the court required under the provisions of this Section for reimbursement of costs and expenses pursuant to this Subsection. No contingent fee shall be approved and paid unless submitted by affidavit as provided herein.

E.(1) A contingent fee under a contract with the attorney general, and all reasonable costs and expenses as provided for in Paragraph (D)(1) of this Section, shall be payable only out of all sums the private attorney recovers for the state. Such payments shall not exceed the amount of all sums the private attorney recovers for the state. If no sums are recovered by the private attorney, no amounts, including amounts for costs and expenses, shall be owed or paid by the state to the private attorney.

(2) All monies recovered for the state under any such contract shall, after private attorney fees, costs, and expenses are deducted, be transmitted to the state treasurer for deposit into the state treasury.

(3) The receipt of a contingent fee pursuant to the provisions of this Section shall not be considered a violation of R.S. 42:1101 et seq.

F. The attorney general shall not enter into contracts for representation of the state or any of its agencies, boards, commissions, or departments for claims relating to the recovery of state property or funds or the payment of compensation owed to the state or any of its agencies, boards, commissions, or departments on a contingency basis with any attorney or law firm who on or after July 1, 2006, makes a contribution to the attorney general and the attorney general accepts the contribution.

G. The attorney general shall adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Section.

Section 3. The authority of the attorney general to enter into a contingency fee contract with an attorney or a law firm pursuant to the provisions of this Act shall terminate on July 1, 2009.

Section 4. This Act shall have prospective application only and shall become effective on July 1, 2006; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2006, or on the day following such approval by the legislature, whichever is later.

On motion of Senator Lentini, the committee substitute bill was adopted and becomes Senate Bill No. 750 by Senator Hines, substitute for Senate Bill No. 638 by Senator Hines.

SENATE BILL NO. 750— (Substitute of Senate Bill No.638 by Senator Hines)
BY SENATORS HINES AND CHAISSON
AN ACT

To enact R.S. 18:1505.2(S) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ARNOLD, BALDONE, BRUCE, BURNS, BURRELL, CAZAYOUX, CRAVINS, CROWE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GEYMANN, GREENE, JOHNS, KATZ, KLECKLEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MORRISH, PINAC, T. POWELL, ROMERO, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, TOOMY, TRICHE, WALSWORTH, WHITE, AND WOOTON AND SENATORS BARHAM AND CAIN

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C) and 78.1(D) 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 years; to provide relative to the electronic monitoring of offenders; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 4 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 14:78.1(D) and to enact R.S."

AMENDMENT NO. 2

On page 2, line 3, after "Section 2." delete the remainder of the line and insert "R.S. 14:78.1(D) is hereby amended and"

AMENDMENT NO. 3

On page 2, delete lines 5 through 29

AMENDMENT NO. 4

On page 3, delete lines 1 through 28

AMENDMENT NO. 5

On page 4, delete lines 1 through 28

AMENDMENT NO. 6

On page 5, delete lines 1 through 10

AMENDMENT NO. 7

On page 5, line 17, after "is" and before "shall" delete "over the age of seventeen years," and insert "seventeen years of age or older,"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 13—

BY REPRESENTATIVES GREENE AND TOOMY
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; 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 Re-engrossed House Bill No. 13 by Representative Greene

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AMENDMENT NO. 1

On page 1, delete lines 12 through 19 and insert "family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five ten years prior to his election and shall have been domiciled in the respective district, circuit, or parish for the two years one year preceding election."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

AMENDMENT NO. 3

On page 2, at the end of line 8, change "November 7," to "September 30,"

AMENDMENT NO. 4

On page 2, line 14, after "of" insert "ten"

AMENDMENT NO. 5

On page 2, line 15, after "judge" change "on certain courts" to "to the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 21—

BY REPRESENTATIVE LAFLEUR AN ACT

To amend and reenact R.S. 15:556(2), relative to the Louisiana Sexual Assault Task Force; to provide relative to the reporting deadlines of the task force; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 55—

BY REPRESENTATIVE MCDONALD AN ACT

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

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 55 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 4, after "sales;" insert "to provide for a termination date;"

AMENDMENT NO. 2

On page 1, after line 21, insert the following: "Section 2. The provisions of this Act shall be null, void, and of no effect as of July 1, 2008."

On motion of Senator Fontenot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 60—

BY REPRESENTATIVE GRAY AN ACT

To enact Part IV of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:1801 through 1842 and to repeal Part III of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:1700 through 1724, relative to child custody; to create the Uniform Child Custody Jurisdiction and Enforcement Act; to provide for definitions; to provide for the application; to provide for jurisdiction; to provide for enforcement; to provide for registration; to provide for appeals; to repeal the Uniform Child Custody Jurisdiction Act; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 68—

BY REPRESENTATIVE LAFLEUR AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability for the members of indigent defender boards; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 68 by Representative LaFleur

AMENDMENT NO. 1

On page 1, delete line 2, and insert "To amend and reenact R.S. 15:144(B) and to enact R.S. 9:2800.16, relative to members of indigent defender boards; to provide relative to a limitation of liability for the members of indigent"

AMENDMENT NO. 2

On page 1, line 3, after ""boards;" insert "to provide for membership of the indigent defender board in Orleans Parish;"

AMENDMENT NO. 3

On page 1, after line 11, insert the following: "Section 2. R.S. 15:144(B) is hereby amended and reenacted to read as follows:

§144. Judicial district indigent defender board * * *

B. Each district board shall be composed of no less than three nor more than seven members as determined by the district court. In Orleans parish, the board shall be composed of no less than three nor more than nine members as determined by the criminal district court. Board members shall be selected by the district court (in Orleans Parish, the criminal district court) from nominees provided by each bar association within the judicial district. In the event no nominations are submitted by the bar association within a judicial district, a majority of the district court judges shall select a board member. Each parish within the judicial district shall have a representative on the board. The board shall select a chairman from its members. Elected officials, district attorneys, their employees, including assistant district attorneys, or prosecutors in any court shall not be permitted to serve on the district board. * * *

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 87—

BY REPRESENTATIVE WHITE AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251, relative to health care of persons arrested for felony offenses; to require

that hospitals notify requesting law enforcement agencies prior to discharge of a person admitted to the hospital under certain conditions; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 87 by Representative White

AMENDMENT NO. 1

On page 1, line 5, delete "person admitted to" and insert in lieu thereof "patient of"

AMENDMENT NO. 2

On page 1, line 14 after "agency" delete the remainder of the line and delete line 15 and insert in lieu thereof "that a doctor has ordered the discharge of a patient from the hospital as soon as reasonably possible after the order has been written, if all of the following conditions exist:"

AMENDMENT NO. 3

On page 1, line 16, delete "person" and insert in lieu thereof "law enforcement agency has certified in writing that the patient"

AMENDMENT NO. 4

On page 1, line 20, change "person" to "patient"

AMENDMENT NO. 5

On page 2, line 3, after "B." delete the remainder of the line and line 4 and insert in lieu thereof the following"

"No hospital shall be held civilly liable to any person for failure to comply or to timely comply with the requirements of this Section unless that failure is intentional or due to gross negligence."

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 90—

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 625, 644(A)(5), 684(D), (E), (F), and (G), 694(B), and 704(B) and to enact Children's Code Articles 644(A)(6) and (7) and 682(B)(4), relative to the diligent search for absent parents; to provide for the responsibility of parents involved in certain juvenile court proceedings to notify the department and their counsel of their whereabouts; to provide for the duty of a curator ad hoc to give notice to parents of their responsibility to keep their whereabouts known to their counsel and the department; to provide for the duty of parents to notify the court and counsel of contact information of alternative caregivers for their child; to provide for giving notice to persons before the court of their responsibility to give contact information of the parents and alternative caregivers; to provide for duties of the department; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 92—

BY REPRESENTATIVES DANIEL, DORSEY, AND HONEY

AN ACT

To amend and reenact R.S. 13:992.1(A), (B)(1)(a) and (2)(a) and (b), relative to the Nineteenth Judicial District Court judicial building; to provide for an increase in fees of authorized cost per recordation; to provide exclusions for juvenile, succession, and family matters from the increase in fees; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 92 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "(2)(a) and (b)" and before the comma ",", insert "and to enact R.S. 13:992.1(B)(2)(e) and (3)"

AMENDMENT NO. 2

On page 1, line 4, change "juvenile, succession," to "juvenile"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 13:992.1(B)(2)(e) and (3) are enacted"

AMENDMENT NO. 4

On page 1, line 15, change "succession, juvenile," to "juvenile"

AMENDMENT NO. 5

On page 2, line 11, change "~~one~~ three hundred" to "~~one~~ two hundred"

AMENDMENT NO. 6

On page 2, between lines 13 and 14, insert the following:

"(e) All matters filed into civil suit record Up to ten dollars per item filed

(3) The matters filed into a civil record upon which the costs provided for in Subparagraph (2)(e) shall be imposed shall include but not be limited to petitions, motions, orders, judgments, citations, rules, evidence, correspondence, affidavits, dismissals, depositions, writs, appeals, answers, subpoenas, and jury matters.

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 128—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Civil Code Articles 111 and 112, relative to an award of final spousal support; to require necessitous 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 Engrossed House Bill No. 128 by Representative Greene

AMENDMENT NO. 1

On page 2, delete lines 11 through 18

AMENDMENT NO. 2

On page 2, line 19, change "Section 4" to "Section 2"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 154—

BY REPRESENTATIVES STRAIN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BURRELL, CRANE, CROWE, DANIEL, DOERGE, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GREENE, HARRIS, HEATON, HONEY, KATZ, KENNEY, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JANE SMITH, TRAHAN, TUCKER, WADDELL, AND WALKER

AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain

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students of postsecondary education institutions to provide documentation of certain immunizations; to require such institutions to provide information relative to certain immunizations to certain persons; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 170—
BY REPRESENTATIVES WHITE AND KATZ
AN ACT

To amend and reenact R.S. 15:708(A)(1), (2), (3)(a), and (5), to enact R.S. 15:708(G) and (H), and to repeal R.S. 15:708(A)(3)(c), relative to labor by inmates at workday release programs; to provide an exception for the requirement that inmates remain under the custody and control of the sheriff in cases where the parish or municipal authorities assume the responsibility for the custody and control of participating prisoners for particular parish or municipal projects while the prisoners are outside of prison facilities; to provide for immunity for sheriffs and their employees for injuries or damages caused or suffered by prisoners participating in any work program during incarceration at parish jail facilities; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 170 by Representative White

AMENDMENT NO. 1

On page 1, line 8, after "sheriffs" insert "and parish, or municipal authorities"

AMENDMENT NO. 2

On page 4, at the end of line 22, insert "or any parish or municipal authority"

AMENDMENT NO. 3

On page 4, line 24, after "sheriff" insert "or parish or municipal authority"

AMENDMENT NO. 4

On page 4, line 26, after "sheriff" insert "or the parish or municipal authority" and change "his" to "the"

AMENDMENT NO. 5

On page 4, delete line 27 and insert "deputy, employee, or agent of the sheriff or parish or municipal authority. Nor shall liability be imposed on the sheriff or the parish or municipal authority or the"

AMENDMENT NO. 6

On page 4, line 28, after "agents" insert "of the sheriff or the parish or municipal authority"

AMENDMENT NO. 7

On page 5, line 1, after "sheriff" insert "or any parish or municipal authority" and change "his" to "the" and after "agent" insert "of the sheriff or the parish or municipal authority"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 175—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 17:421.6(C), relative to salary adjustments for certain persons holding certificates issued by the National Board for Professional Teaching Standards; to provide

conditions for receiving the adjustment; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 180 by Representative Bruneau

AMENDMENT NO. 1

On page 1, delete lines 10 through 14 in their entirety and insert the following:

"E.(1) On a contested motion, exception, or rule to show cause, when all parties or their counsel are present in court and a final judgment is rendered and capable of being transcribed from the record of the proceeding, the requirement of mailing notice of the signing of the final judgment by the clerk may be waived by either reciting in open court a statement by all parties or their counsel to that effect which statement shall be capable of being transcribed from the record, or by filing in the record a written statement to that effect, signed by all the parties or their counsel.

(2) Waiver of the notice of signing of the judgment pursuant to this Paragraph shall satisfy the requirement of mailing of the notice of the signing of the judgment by the clerk and shall commence the running of all subsequent delays to take further action; however, the provisions of this Paragraph shall not apply to the running of prescription pursuant to Civil Code Article 3501."

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 190—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 317—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 13:2106(C), relative to the clerks of court in St. Tammany Parish; to specify some organizations to whom the clerk of the city court of Slidell shall remit funds collected to provide shelter for battered and homeless women and their children; to specify the organizations to whom the clerk of the Twenty-Second Judicial District Court in St. Tammany Parish shall remit funds collected to provide shelter for battered and homeless women and their children; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the

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

HOUSE BILL NO. 322—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Civil Code Article 196 and Code of Civil Procedure Article 1061(B) and Children's Code Article 116(17) and R.S. 9:392(A)(introductory paragraph) and (7), 396(A)(1)(introductory paragraph), (B)(1), and (C)(1), 398.2(A)(1), and 400(A)(4), R.S. 40:34(B)(1)(h)(i), and R.S. 46:121(3)(b), to enact R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:401 through 406, and to repeal R.S. 9:305, 395.1, 400(A)(2), and 400.1, relative to the filiation of parents and children; to provide changes in terminology; to provide for exceptions to compulsory reconventional demands; to provide for contestation and disavowal of paternity actions; to provide for the effect of contestation and disavowal judgments on child support, custody, and visitation orders; to provide for an acknowledgment of paternity; to provide for blood tests; to provide for the suspension of prescription for disavowal action; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 322 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 22, after "Except" insert "in cases of support, custody and visitation."

AMENDMENT NO. 2

On page 2, line 1, delete "as otherwise provided by law."

AMENDMENT NO. 3

On page 2, between lines 6 and 7, insert the following:

"Revision Comment - 2006

"Except as otherwise provided" in this Article refers to other related statutes that give an authentic act of acknowledgment, such as that contemplated in R.S. 9:392, the effect of a legal finding of paternity in compliance with 42 U.S.C. 666. For example, see the provisions of R.S. 9:392, 392.1, 393, 400, 405, 406, R.S. 40:34(B)(1)(a)(iv) and (h)(iv)."

AMENDMENT NO. 4

On page 6, line 27, delete "disavowal" and substitute "contestation"

AMENDMENT NO. 5

On page 9, between lines 8 and 9, insert

"Section 8. Notwithstanding any provision of law to the contrary, the provisions of Article 196 and R.S. 9:392.1 shall be retroactive to June 29, 2005."

AMENDMENT NO. 6

On page 9, line 9, change "Section 8" to "Section 9"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 371—

BY REPRESENTATIVE 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.

Reported favorably by the Committee on Environmental Quality. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 403—

BY REPRESENTATIVE ALARIO
AN ACT

To repeal R.S. 39:1405.1(B), relative to fees to defray expenses of the State Bond Commission; to repeal the authorization to rebate excess fees collected by the State Bond Commission.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 414—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 503—

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 809(B), 833(A), 834(A), 835(A), 836(A), 837, and 838(D) and to enact Children's Code Articles 834(F), 834.1, and 837.1 through 837.6, relative to the mental capacity of children to proceed to trial; to provide for a contradictory hearing; to provide for the qualifications of a restoration service provider; to provide for evaluations of the child; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 511 by Representative Damico

AMENDMENT NO. 1

On page 3, line 23, after "materials." delete the remainder of the line

AMENDMENT NO. 2

On page 3, delete lines 24 through 26 and insert:

"Such rules shall also allow flexibility for the consideration of product performance, price, availability, content of recovered materials, remanufactured products, and no cost manufacturer take

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back programs."

On motion of Senator Fontenot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 594—
BY REPRESENTATIVES GREENE AND ANSARDI
AN ACT

To amend and reenact Civil Code Article 466, relative to component parts of immovable property; to provide relative to buildings and other constructions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 594 by Representative Greene

AMENDMENT NO. 1
On page 1, delete lines 19 and 20

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 654—
BY REPRESENTATIVES DOERGE AND RICHMOND
AN ACT

To enact Children's Code Articles 1024.1 and 1036.2, relative to the involuntary termination of parental rights; to provide for the payment of transportation costs; to require the incarcerated parent to provide a reasonable plan for the appropriate care of his child; to require the Department of Social Services to notify the incarcerated parent of his duty; to provide time limitations; to provide for the assessment of the plan; to provide a standard notification form; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 661—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1482(K), relative to professional, personal, consulting, and social services procurement; to exempt certain contracts with a higher education entity from procurement requirements; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 733—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to provide for review by the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 765—
BY REPRESENTATIVE CRAVINS
AN ACT

To amend and reenact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 777—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 603(18), 619(A), (B), and (C), 620(B) and (C), 621, 622, 624(G), and 627(A) and (B), to enact Children's Code Articles 603(19) and 627(F), and to repeal Children's Code Article 624(H), relative to children in need of care; to provide for the definitions for the removal and safety plan for children in need of care; to provide with respect to instantan orders of custody; to provide for placement of the child pending a continued custody hearing; to provide for the safety plan of a child in need of care; to provide for persons who seek to become custodians of the child; to provide for the custody hearing and custody orders; and to provide for related matters

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 857—
BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, R. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, MARTINY, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WALSWORTH, AND WOOTON
AN ACT

To enact R.S. 15:542(B)(7), relative to registration requirements for sex offenders; to require sex offenders to register with local law enforcement officials when a sex offender has established a residence in a new parish for a certain period of time; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 870 by Representative Damico

AMENDMENT NO. 1
On page 1, delete lines 10 through 14

AMENDMENT NO. 2

On page 1, line 15, change "B." to "A."

AMENDMENT NO. 3

On page 1, line 20, change "C." to "B."

AMENDMENT NO. 4

On page 2, between lines 3 and 4, insert "Section 2. This Act shall become effective if and when Senate Bill No. 292 of this 2006 Regular Session is enacted and becomes effective."

AMENDMENT NO. 5

On page 2, line 4, change "Section 2." to "Section 3."

On motion of Senator Fontenot, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 873—

BY REPRESENTATIVES CAZAYOUX, BURRELL, DORSEY, FAUCHEUX, GLOVER, M. POWELL, SCALISE, AND WHITE
AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 29:726(E)(14)(c), (d), (e), and (f), relative to functions of the Governor's Office of Emergency Preparedness and Homeland Security; to prohibit registered sexual offenders from being housed with other evacuees during a declared state of emergency or after a declared state of emergency; to provide relative to the sheltering of registered sexual offenders; to require each shelter to notify law enforcement of any evacuee being housed who is a registered sex offender; to provide immunity from liability; to require the Louisiana Bureau of Criminal Identification and Information to provide a copy of the central registry of sex offenders to each emergency shelter opened or operating in the state of Louisiana in certain emergencies; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 892—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 9:2800.16, relative to public liability; to provide for government immunity of the state and other political subdivisions during and in the aftermath of Hurricanes Katrina and Rita; to provide for limitation of liability for the state and other governmental subdivisions and its agents and assigns arising out of decisions made, and in its operational activities, in the reopening, rebuilding, and resuming of operations following Hurricanes Katrina and Rita; to prohibit certain causes of action against school districts and the Recovery School District; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 892 by Representative K. Carter

AMENDMENT NO. 1

On page 1, delete line 8, and insert "against school districts; to provide for an effective date and a termination"

AMENDMENT NO. 2

On page 1, at the end of line 16, delete "and"

AMENDMENT NO. 3

On page 1, line 17, delete "the Recovery School District,"

AMENDMENT NO. 4

On page 2, at the end of line 5, delete "or the"

AMENDMENT NO. 5

On page 2, on line 6, delete "Recovery School District"

AMENDMENT NO. 6

On page 2, delete line 7 and insert "clean-up or repair, in its"

AMENDMENT NO. 7

On page 2, at the end of line 9, delete "or"

AMENDMENT NO. 8

On page 2, line 10, delete "the Recovery School District"

AMENDMENT NO. 9

On page 2, between lines 12 and 13, insert:
"Section 3. The provisions of this Act shall terminate and expire on August 28, 2008."

AMENDMENT NO. 10

On page 2, line 13, change "Section 3" to "Section 4"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact Children's Code Article 1169(3) and (5), relative to adoption; to provide for the definition of child; to provide that a child is a person under the age of eighteen for purposes of adoption; to provide for a citation correction; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 907—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 17:3803(B)(1) and (2) and (E), R.S. 39:98.2(A) and (D), and R.S. 49:327(B)(1) and (2), relative to the investment authority of the state treasurer; to provide for the investment and management of offshore revenues; to provide for the investment and management of monies in the Millennium Trust; to provide for the investment and management of the state general fund and other funds under the control of the state treasurer; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 960—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact Part VII-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.1, relative to the selection of professional services for public contracts; to prohibit the selection of providers of design professional services based on price; to provide for contracts for

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design professional services entered into where price or price-related factors were a factor in selection; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 983—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 15:551, relative to the monitoring, apprehension, arrest, and prosecution of sex offenders; to create the Sexual Offender Apprehension Team; to provide for the activities of the sexual predator apprehension team; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 983 by Representative Cazayoux

AMENDMENT NO. 1
On page 1, line 17, delete "habitual"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 992—
BY REPRESENTATIVES MARCHAND, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, AND WOOTON
AN ACT

To enact R.S. 19:2.3, relative to expropriation; to prohibit expropriation for certain purposes; to provide for exceptions; to provide for the return of unused expropriated property; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 992 by Representative Marchand

AMENDMENT NO. 1
On page 1, line 16, after "utilities," insert "qualifying transportation facilities," and after "carriers" delete the period "." and insert ", including railroads."

AMENDMENT NO. 2
On page 1, line 17, after "facilities" and before the comma "," insert "or qualifying transportation facilities"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1030—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 15:1303(D) and to enact R.S. 15:1303(C)(7) and (E), relative to electronic surveillance; to authorize a law enforcement officer or investigator to intercept, conduct, use, or disclose electronic, wire, or oral communications obtained during certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1081—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 40:2267.3(D) and 2267.5, relative to the Acadiana Criminalistics Laboratory District and Commission; to provide for the membership; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1097—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALEXANDER, CRAVINS, JOHNS, ROBIDEAUX, AND WALKER
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability; to provide immunity for the use of force or violence in certain circumstances; to provide for attorney fees; to provide for costs and expenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1129—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 56:1705, relative to state funds; to establish the Poverty Point Reservoir Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1129 by Representative Thompson

AMENDMENT NO. 1
On page 2, between lines 2 and 3, insert the following:
"C. The Poverty Point Reservoir Development District Board membership shall be representative of the population of the state based on race and gender as near as practicable."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1262—
BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON
AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1262 by Representative Salter

AMENDMENT NO. 1

On page 1, line 14, after "prescription" and before the period "." insert "subject to the approval of the Centers for Medicare and Medicaid Services for use for services in the state Medicaid program that are subject to federal financial participation in matching funds and subject to an annual appropriation by the Legislature"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1367— (Substitute for House Bill No. 618 by Representative Martiny)

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph) and (7)(a), relative to the Video Draw Poker Devices Control Law; to provide for the determination of the number of video draw poker devices operated at truck stops based upon average annual fuel sales; to provide for the operation of twenty-five video draw poker devices at new truck stop facilities for ninety days without average fuel sale requirements; to provide for average monthly fuel sales determinations followed by annual average fuel sale determinations after twelve months of operation; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1372— (Substitute for House Bill No. 78 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1373— (Substitute for House Bill No. 995 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1385— (Substitute for House Bill No. 567 by Representative Toomy)

BY REPRESENTATIVES TOOMY AND ANSARDI
AN ACT

To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1130 from the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1130—

BY REPRESENTATIVES RICHMOND, ARNOLD, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, FANNIN, FRITH, GALLOT, GLOVER, GRAY, HEBERT, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFONTA, MARCHAND, MCDONALD, MORRELL, PIERRE, QUEZAIRE, RITCHIE, ROMERO, ST. GERMAIN, AND THOMPSON
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.101 through 9039.112, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming amendments proposed by Senator Schedler to Reengrossed House Bill No. 1130 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 13, between "indebtedness;" and "and to" insert the following: "to provide for an effective date;"

AMENDMENT NO. 2

On page 3, line 11, change "city, parish, and other local" to "parish and municipal"

AMENDMENT NO. 3

On page 3, line 25, between "any" and "combination" insert the following: "parish or municipality, or any number and"

AMENDMENT NO. 4

On page 3, line 29, after "Louisiana." delete the remainder of the line in its entirety.

AMENDMENT NO. 5

On page 4, delete lines 1 through 5 in their entirety and insert in lieu thereof the following: "The parish, municipality."

AMENDMENT NO. 6

On page 4, at the beginning of line 10, delete "and"

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AMENDMENT NO. 7

On page 8, line 6, change "necessary and" to "necessary or"

AMENDMENT NO. 8

On page 8, line 13, change "necessary and desirable" to "necessary or desirable"

AMENDMENT NO. 9

On page 9, line 7, change "necessary and convenient" to "necessary or convenient"

AMENDMENT NO. 10

On page 10, between lines 21 and 22, insert the following:
"(v) Any tax levied under this Section shall be in addition to all other taxes which any parish or any other political subdivision are now or hereafter authorized to levy and collect."

AMENDMENT NO. 11

On page 10, line 25, change "necessary and appropriate" to "necessary or appropriate"

AMENDMENT NO. 12

On page 12, line 24, after "district" delete the period "." and add the following: "whether within or outside the boundaries of the district.
(9) To exercise any power of any other political subdivision necessary or convenient to carry out the provisions of this Chapter."

AMENDMENT NO. 13

On page 12, line 25, change "(9)" to "(10)"

AMENDMENT NO. 14

On page 12, line 28, change "(10)" to "(11)"

AMENDMENT NO. 15

On page 13, line 10, change "(11)" to "(12)"

AMENDMENT NO. 16

On page 13, line 14, change "(12)" to "(13)"

AMENDMENT NO. 17

On page 13, line 17, change "(13)" to "(14)"

AMENDMENT NO. 18

On page 13, line 19, change "(14)" to "(15)"

AMENDMENT NO. 19

On page 15, lines 13 and 14, change "necessary and convenient" to "necessary or convenient"

AMENDMENT NO. 20

On page 15, line 28, between "commercial," and "wholesale," insert "retail."

AMENDMENT NO. 21

On page 17, lines 22 and 23, change "goals or objectives" to "goals and objectives"

AMENDMENT NO. 22

On page 19, line 6, change "necessary and advantageous" to "necessary or advantageous"

On motion of Senator Schedler, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 665, was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Murray, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 23, 2006, was reconsidered.

SENATE BILL NO. 347—

BY SENATOR MURRAY

AN ACT

To enact R.S. 49:186, relative to prohibiting discrimination and harassment; to prohibit discrimination and harassment in state government; to provide for a certain definition; to permit certain dress and appearance requirements; and to provide for related matters.

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

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. 700—

BY SENATOR JONES

AN ACT

To enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in the state minimum wage to six dollars and fifteen cents per hour; and to provide for related matters.

On motion of Senator Jones, Senate Bill No. 700 was made Special Order of the Day No. 1 on Wednesday, May 31, 2006, immediately following the Morning Hour.

Special Order of the Day

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

HOUSE BILL NO. 685—

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS, DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND STRAIN

AN ACT

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

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 4, between lines 9 and 10 insert the following:
"(2) Such rules and regulations shall not seek to designate who shall be required to offer ethanol or bio-diesel for sale in Louisiana."

Senator Barham moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Quinn
Barham	Hollis	Schedler
Boasso	Lentini	Smith
Dardenne	Murray	Ullo
Total - 12		

NAYS

Mr. President	Dupre	Kostelka
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Broome	Gautreaux B	Michot
Cain	Gautreaux N	Mount
Chaisson	Heitmeier	Nevers
Cheek	Jackson	Romero
Cravins	Jones	Theunissen
Total - 24		

ABSENT

Duplessis	Marionneaux	Shepherd
Total - 3		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 2, delete lines 9 through 20 and insert the following:

"(2) For purposes of this Section, "bio-diesel" means:

(a) A fuel comprised of mono-alkyl esters of long chain fatty acids derived from renewable resources including, but not limited to, vegetable oils, waste grease, or animal fats, and meeting the requirements of the American Society for Testing and Materials (ASTM) D-6751 or,

(b) A diesel fuel substitute produced from non-petroleum renewable resources (inclusive of vegetable oils and animal fats) that meet the registration requirements for fuels and fuel additives established by the U.S. Environmental Protection Agency and any blending components derived from renewable fuel."

AMENDMENT NO. 2

On page 3, at the end of line 28, delete the period "." and insert the following:

"or upon a finding that the motor fuel distribution terminals are or will be unable to blend ethanol due to delays in obtaining permits or delays in construction or installation of ethanol blending or storage equipment for reasons beyond the control of the terminal owner or operator."

Senator Barham moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Murray
Barham	Gautreaux N	Quinn
Boasso	Hollis	Schedler
Dardenne	Kostelka	Smith
Dupre	Malone	Theunissen
Ellington	Michot	Ullo
Total - 18		

NAYS

Mr. President	Cheek	Lentini
Amedee	Cravins	McPherson
Bajoie	Gautreaux B	Mount
Broome	Heitmeier	Nevers
Cain	Jackson	Romero
Chaisson	Jones	
Total - 17		

ABSENT

Duplessis	Marionneaux
Fields	Shepherd
Total - 4	

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 12, after "fuel", insert:

"but in no event shall such requirements exceed two percent of the total gasoline sold by volume by owners or operators of fuel distribution terminals"

AMENDMENT NO. 2

On page 3, line 18, after "fuel", insert:

"but in no event shall such requirements exceed two percent of the total diesel sold by volume by owners or operators of fuel distribution terminals"

AMENDMENT NO. 3

On page 3, line 23, after "feedstock", insert:

"but in no event shall such requirement exceed two percent of the total motor fuel sold by volume by owners or operators of fuel distribution terminals"

AMENDMENT NO. 4

On page 3, line 25, after "requirements." insert "Any combination of alternative fuels, including but not limited, denatured ethanol, bio-diesel and alternative renewable fuel, may be used to meet the two percent requirements of Subsections C, D, and D."

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 6, after "after" delete the remainder of the line, and line 7 in its entirety and insert in lieu thereof:

"a six month period of production of denatured ethanol produced in the state of Louisiana which equals or exceeds a"

AMENDMENT NO. 2

On page 3, on line 8, change "fifty" to "twenty-five"

AMENDMENT NO. 3

On page 3, line 13, after "after" delete the remainder of the line and

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line 14 in its entirety and insert in lieu thereof:

"a six month period of production of bio-diesel produced in the state of Louisiana which equals or exceeds a volume of five"

AMENDMENT NO. 4

On page 3, line 19, after "after", delete the remainder of the line and lines 20 and 21 in their entirety and insert in lieu thereof:

"a six month period of production of an alternate renewable fuel capable of substituting for ethanol and bio-diesel produced in the state of Louisiana which equals or exceeds a volume of ten million gallons, two"

Senator Barham moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Dardenne Smith
Barham Fields Theunissen
Boasso Quinn Ullo
Total - 9

NAYS

Mr. President Ellington Lentini
Amedee Fontenot Malone
Bajoie Gautreaux B McPherson
Broome Gautreaux N Michot
Cain Heitmeier Mount
Chaisson Hollis Murray
Cheek Jackson Nevers
Cravins Jones Romero
Dupre Kostelka Schedler
Total - 27

ABSENT

Duplessis Marionneaux Shepherd
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 4, line 6, after "Louisiana." Insert the following: "After fulfilling the requirements of Subsection C or D of the Section, any owner or operator of a fuel distribution terminal capable of loading ethanol or bio-diesel blended fuel shall, upon notification from the Department of Agriculture and Forestry, survey customers who regularly take motor fuels deliveries from that distribution terminal to determine the volume of ethanol and bio-diesel blended fuels those customers intend to buy in the following twelve months. If that survey indicates that less than ten percent of the expected total gasoline sales volume for the succeeding twelve months would be ethanol blended, or if less than ten percent of the expected total diesel fuel sales volume for the succeeding twelve months would be bio-diesel blended, then the distributor shall not be required to provide those blended fuels which are below ten percent in expected sales at the terminal. So long as the indicated demand remains below ten percent, such distributors shall continue to survey all customers no less than once during each succeeding six-month period. Whenever

such survey indicates a demand for at least ten percent of total sales for a blended fuel, the owner or operator of the fuel distribution terminal shall begin immediately to take the necessary steps to provide for the distribution of the blended fuel indicated in the survey."

Senator Smith moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Dupre Schedler
Barham Ellington Smith
Boasso Hollis Ullo
Chaisson Kostelka
Dardenne Lentini
Total - 13

NAYS

Mr. President Fontenot Michot
Amedee Gautreaux B Mount
Bajoie Gautreaux N Murray
Broome Heitmeier Nevers
Cain Jackson Romero
Cheek Jones Theunissen
Cravins Malone
Fields McPherson
Total - 22

ABSENT

Duplessis Quinn
Marionneaux Shepherd
Total - 4

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Reengrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 6, change "Within six months after monthly" to "No sooner than eighteen months after annual"

AMENDMENT NO. 2

On page 3, line 7, after "Louisiana" delete the remainder of the line and on line 8, delete "volume of" and insert in lieu thereof "from Louisiana harvested feedstock equals or exceeds"

AMENDMENT NO. 3

On page 3, line 13, change "Within six months after monthly" to "No sooner than eighteen months after annual"

AMENDMENT NO. 4

On page 3, line 14, after "Louisiana" delete the remainder of the line and insert "from Louisiana harvested feedstock equals or exceeds ten"

AMENDMENT NO. 5

On page 3, line 19, change "Within six months after monthly" to "No sooner than eighteen months after annual"

AMENDMENT NO. 6

On page 3, line 20, after "Louisiana" insert "from Louisiana

harvested feedstock"

AMENDMENT NO. 7

On page 3, line 21, delete "an annualized production volume of"

AMENDMENT NO. 8

On page 3, delete line 24, and insert as follows:

"F. No sooner than January 1, 2009, blenders and retailers shall have eighteen months to meet the new minimum"

AMENDMENT NO. 9

On page 3, line 26, delete "six-month"

AMENDMENT NO. 10

On page 4, at the beginning of line 7, after "J" change "The" to "No sooner than January 1, 2009, the"

AMENDMENT NO. 11

On page 4, between lines 12 and 13, insert the following:

"L. The provisions of this Section shall be implemented six months after the New York Mercantile Exchange average settled per gallon price for ethanol, as reported in the Wall Street Journal, is no more than ten cents higher than the New York Mercantile Exchange average settled per gallon price for unleaded gasoline and the average settled per gallon price for reformulated gasoline blendstock for oxygen blending, as reported in the Wall Street Journal, for a period of six consecutive months as determined by the secretary of the Louisiana Department Revenue. The secretary shall provide public notice of the determination in the official journal of the state of Louisiana."

Senator Boasso moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hollis	Shepherd
Barham	Malone	Smith
Boasso	Murray	Ullo
Dardenne	Romero	
Ellington	Schedler	
Total - 13		

NAYS

Mr. President	Dupre	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	McPherson
Broome	Gautreaux B	Michot
Cain	Gautreaux N	Mount
Chaisson	Heitmeier	Nevers
Cheek	Jackson	Theunissen
Cravins	Jones	
Total - 23		

ABSENT

Duplessis	Marionneaux	Quinn
Total - 3		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	
Total - 32		

NAYS

Adley	Malone
Fontenot	Ullo
Total - 4	

ABSENT

Duplessis	Marionneaux	Quinn
Total - 3		

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

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

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

SENATE BILL NO. 9—

BY SENATOR SMITH AND REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(1)(a), relative to the Department of Agriculture and Forestry; to provide for the re-creation of the Department of Agriculture and Forestry 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 Smith, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 146—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 56:116.4(A)(3), to provide relative to turkey hunting; to provide for the method of taking turkeys; to provide relative to certain exceptions; to provide relative to certain distance requirements; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 146 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 16, after "**than**" delete the remainder of the line and at the beginning of line 17, delete "**twenty**" and insert in lieu thereof "**three hundred**"

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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kenney to Engrossed Senate Bill No. 146 by Senator McPherson

AMENDMENT NO. 1

In Amendment No.1 proposed by the House Committee on Natural Resources and adopted by the House of Representatives on May 15, 2006, at the end of line 3, change "three hundred" to "two hundred"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis, Marionneaux, Quinn, Total - 3

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 88—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1006(A)(1) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retirees; to provide for limitation on earnings; to provide for payment to the system of amounts in excess of such limitation; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Dupre, Ellington, Malone, McPherson

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

Total - 36

NAYS

Total - 0

ABSENT

Duplessis, Marionneaux, Quinn, Total - 3

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

SENATE BILL NO. 749— (Substitute of Senate Bill No. 335 By Senator Nevers)

BY SENATOR NEVERS

AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.5, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the governing boards of public schools not under the jurisdiction of a local board; to provide relative to the funding for dual enrollment; and to provide for related matters.

On motion of Senator Nevers, 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, 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 Fontenot asked that Senate Bill No. 177 be called from the Calendar at this time.

SENATE BILL NO. 177—

BY SENATORS FONTENOT AND MARIONNEAUX

A JOINT RESOLUTION

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

On motion of Senator Fontenot, the bill was read by title and

withdrawn from the files of the Senate.

Senator Romero in the Chair

Called from the Calendar

Senator Lentini asked that Senate Bill No. 60 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 60—

BY SENATORS LENTINI AND BOASSO
A JOINT RESOLUTION

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 60 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 11, after "(6)", change "Any" to "Except when a prosecuting agency does not seek forfeiture of retirement rights and benefits, any"

AMENDMENT NO. 2

On page 2, at the end of line 12, change "any felony for the accepting" to "any felony as provided by law"

AMENDMENT NO. 3

On page 2, delete lines 13 through 16

AMENDMENT NO. 4

On page 2, at beginning of line 17, delete "to commit any such crimes"

AMENDMENT NO. 5

On page 2, at the end of line 20, change the period "." to ";, except for refund of the employee contributions, without interest. The legislature shall provide by law for such forfeiture procedure."

Senator Lentini moved adoption of the amendments.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Dupre Schedler
Barham Hollis Smith
Boasso Kostelka Theunissen
Cain Lentini Ullo
Chaisson McPherson
Dardenne Nevers
Total - 16

NAYS

Mr. President Fontenot Malone
Adley Gautreaux B Michot
Bajoie Gautreaux N Mount
Broome Heitmeier Murray

Cheek Jackson Romero
Ellington Jones Shepherd
Total - 18

ABSENT

Cravins Fields Quinn
Duplessis Marionneaux
Total - 5

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Boasso Fontenot Lentini
Chaisson Gautreaux N Quinn
Dardenne Hollis Smith
Dupre Kostelka Ullo
Total - 12

NAYS

Mr. President Ellington Mount
Adley Gautreaux B Murray
Amedee Heitmeier Nevers
Bajoie Jackson Romero
Barham Jones Schedler
Broome Malone Shepherd
Cain McPherson Theunissen
Cheek Michot
Total - 23

ABSENT

Cravins Fields
Duplessis Marionneaux
Total - 4

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Lentini, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 60. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Called from the Calendar

Senator Malone asked that Senate Bill No. 723 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 723—

BY SENATORS MALONE AND ADLEY AND REPRESENTATIVES HOPKINS, MONTGOMERY, JANE SMITH AND WADDELL
AN ACT

To amend and reenact R.S. 34:3158(A) and to enact R.S. 34:3158(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the composition, membership, powers, duties, and functions of the port commission; and to provide for related matters.

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Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 723 by Senator Malone

AMENDMENT NO. 1

On page 2, line 5, after "**years**" insert a period and delete the remainder of the line and delete lines 6 through 9

AMENDMENT NO. 2

On page 2, line 15, after "**years**" insert a period and delete the remainder of the line.

AMENDMENT NO. 3

On page 2, line 27, after "**years**" insert a period and delete the remainder of the line and delete lines 28 and 29

AMENDMENT NO. 4

On page 3, delete lines 1 through 7

AMENDMENT NO. 5

On page 3, line 10, delete "**city limits**" and insert "**parish**"

AMENDMENT NO. 6

On page 3, line 11, delete "**City**"

AMENDMENT NO. 7

On page 3, line 12, delete "**city limits**" and insert "**parish**"

AMENDMENT NO. 8

On page 3, line 13, delete "**City**"

AMENDMENT NO. 9

On page 3, line 15, after "**years**" insert a period and delete the remainder of the line and delete lines 16 through 19.

AMENDMENT NO. 10

On page 3, line 24, delete "**March 13, 2009**" and insert "**December 31, 2006**"

AMENDMENT NO. 11

On page 4, line 3, delete "**December 31, 2006**" and insert "**such date**"

AMENDMENT NO. 12

On page 4, line 4, change "**(A)(1)(a)(ii)**" to "**(A)(3)(a)(iii)**"

AMENDMENT NO. 13

On page 4, line 7, change "**(A)(3)(a)(i)**" to "**(A)(3)(a)(ii)**"

AMENDMENT NO. 14

On page 4, line 9, delete "**such date**" and insert "**December 31, 2006**"

AMENDMENT NO. 15

On page 4, line 10, change "**(A)(3)(a)(ii)**" to "**(A)(3)(a)(i)**"

AMENDMENT NO. 16

On page 4, line 13, change "**(A)(3)(a)(iii)**" to "**(A)(1)(a)(ii)**"

AMENDMENT NO. 17

On page 4, line 14, delete "**term of the**"

AMENDMENT NO. 18

On page 4, line 15, delete "**expire on December 31, 2006**" and insert "**serve at the pleasure of the mayor**"

AMENDMENT NO. 19

On page 4, line 20, change "**March 29, 2006**" to "**March 29, 2012**" and delete "**December 31, 2006**" and insert "**such date**"

AMENDMENT NO. 20

On page 4, line 21, change "**(A)(4)(a)(i)**" to "**(A)(4)(a)(ii)**"

AMENDMENT NO. 21

On page 4, line 24, change "**(A)(4)(a)(ii)**" to "**(A)(4)(a)(i)**"

On motion of Senator Malone, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Shepherd
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Dupre	McPherson	Ullo
Total - 33		

NAYS

Jackson
Total - 1

ABSENT

Broome	Duplessis	Marionneaux
Cravins	Fields	
Total - 5		

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

Called from the Calendar

Senator Shepherd asked that Senate Bill No. 185 be called from the Calendar at this time for its reconsideration.

SENATE BILL NO. 185—
BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:312(5) and 312.1(E), relative to courts; to provide relative to courts of appeal; to provide relative to the Fifth Circuit Court of Appeal; to provide relative to election of judges; to provide certain terms, conditions, and procedures; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed Senate Bill No. 185 by Senator Shepherd

AMENDMENT NO. 1

On page 1, delete lines 3 through 5 and insert "courts of appeal; to provide relative to the Fifth Circuit Court of Appeal; to provide relative to election of judges; to provide certain terms, conditions, and"

AMENDMENT NO. 2

On page 2, line 9, between "171," and "174" insert "172," and between "178," and "182" insert "179-A,"

AMENDMENT NO. 2

On page 2, line 16, between "29-K," and "34-K" insert "30-K,"

AMENDMENT NO. 3

On page 2, line 18, delete "172," and "179-A,"

AMENDMENT NO. 4

On page 2, line 19, delete "30-K,"

AMENDMENT NO. 3

On page 2, line 28, change "thereafter" to "thereafter"

AMENDMENT NO. 4

On page 2, delete line 29, and insert ", the court of appeal for the fifth"

AMENDMENT NO. 5

On page 3, delete lines 7 through 26, and insert:
"(2) Notwithstanding the provisions of Paragraph (1), the first vacancy created by the death, resignation, retirement, or failure to seek reelection of a judge elected from the first district who is seated as of May 1, 2006, shall be filled by election from election section two within the first district. Thereafter, each successor to such office shall be filled by election from the same section. A candidate for such office shall be domiciled in election section two for at least two years preceding election."

AMENDMENT NO. 6

On page 3, line 27, change "Section 3" to "Section 2"

AMENDMENT NO. 7

On page 4, deletes lines 16 through 20

AMENDMENT NO. 8

On page 4, line 21, change "Section 4" to "Section 3"

On motion of Senator Shepherd, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Amedee	Ellington	Murray
Bajoie	Fontenot	Nevers
Boasso	Gautreaux B	Romero
Broome	Gautreaux N	Schedler
Cain	Heitmeier	Shepherd
Chaisson	Jackson	Theunissen
Cheek	Lentini	Ullo
Dardenne	Malone	
Total - 26		

NAYS

Kostelka	Smith
Total - 2	

ABSENT

Adley	Fields	Michot
Barham	Hollis	Mount
Cravins	Jones	Quinn
Duplessis	Marionneaux	
Total - 11		

The Chair declared the amended bill was passed. The title was

read and adopted. Senator Shepherd moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Mount asked that Senate Bill No. 645 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 645—

BY SENATOR MOUNT AND REPRESENTATIVE BRUNEAU
 AN ACT

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1, 751.2, 751.3, 841.3, 983, 996.62 through 996.64, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400, R.S. 18:514(B), and Part III of Chapter 5 of Title 35 of the Louisiana Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the reorganization and consolidation of courts, offices, and officers of the judicial system in and for certain parishes; to provide relative to the register of conveyances and recordation for certain parishes; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for certain parishes, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds; to provide for the election of a single clerk of court for certain parishes commencing with the next election for parochial and municipal officers in the parishes; to provide for effective dates; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the office and custodian of notarial records; to provide transitional provisions; to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in certain parishes based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; to provide for an effective date; to provide for a referendum in Orleans Parish; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 1, at the end of line 4, insert "751.4,"

AMENDMENT NO. 2

On page 2, line 20, between "751.3," and "841.3" insert "751.4,"

AMENDMENT NO. 3

On page 6, line 9, after "expire," delete the remainder of the line and delete line 10

AMENDMENT NO. 4

On page 6, line 17, delete "All of the" and delete lines 18 through 21

AMENDMENT NO. 5

On page 7, line 7, between "all" and "cases" insert "misdemeanor"

AMENDMENT NO. 6

On page 7, line 10, between "all" and "cases" insert "misdemeanor"

AMENDMENT NO. 7

On page 7, line 11, after "section" delete the remainder of the line and on line 12 delete "court"

AMENDMENT NO. 8

On page 10, at the beginning of line 1, insert ", at least twenty-six law clerks, and at least eight secretaries,"

AMENDMENT NO. 9

On page 10, line 28, after "Court," delete the remainder of the line and delete line 29

AMENDMENT NO. 10

On page 11, delete line 1 and on line 2, delete "the Forty-First Judicial District Court,"

AMENDMENT NO. 11

On page 11, line 14, after "shall" delete the remainder of the line; delete lines 15 through 16; and on line 17, delete "banc, may"

AMENDMENT NO. 12

On page 14, at the end of line 29, insert the following:
"The salaries of the employees of the clerk of Civil District Court and the clerk of Criminal District Court shall continue to be paid from the same sources and in the manner in which they were paid on the effective date of this Section."

AMENDMENT NO. 13

On page 15, between lines 13 and 14, insert the following:
"§ 751.4 Clerk's salary fund
Except as provided in R.S. 13:783(C), the clerk of the Forty-First Judicial District Court shall collect all fees and charges due his office and deposit them in a fund known as the Clerk's Salary Fund. The clerk shall keep an accurate set of books in connection with this fund showing all receipts of his office, including notarial fees, and all expenditures. On or before the tenth of October each year, he shall render a statement from the books for the fiscal year beginning July first and ending June thirtieth to the governing body of the parish. A clerk who fails to comply with this Section shall forfeit to the parish fifty percent of the compensation received by him under R.S. 13:782."

AMENDMENT NO. 14

On page 15, delete lines 25 through 29, and insert "The clerk of the Forty-First Judicial District Court shall collect the fees set forth in R.S. 13:1213.1 and shall deposit no less than fifty percent of the amounts collected in the Clerk's Salary Fund. The remaining funds shall be deposited in the Consolidated Judicial Expense Fund."

AMENDMENT NO. 15

Delete pages 16 through 21 in their entirety

AMENDMENT NO. 16

On page 22, delete lines 1 through 9

AMENDMENT NO. 17

On page 23, line 7, between "appoint" and "court" change "a" to "no more than two" and on line 8 change "reporter" to "reporters" and after which change "reporter" to "reporters"

AMENDMENT NO. 18

On page 26, delete line 4 and insert in lieu thereof the following:
"K. In criminal cases, the notes shall be maintained indefinitely and shall be returned to the appropriate court upon

termination of employment. In other matters, the court reporters shall file and maintain their notes for a period"

AMENDMENT NO. 19

On page 26, line 14, after "A," delete the remainder of the line and insert the following:

"(1) There is hereby created a fund for the civil and criminal district courts, the juvenile court for the parish of Orleans, and the First and Second City Courts of the city of New Orleans which shall be known as the "Consolidated Judicial Expense Fund." As used in this Section, "judges" shall mean the judges of the courts enumerated in this Subsection and the magistrate of the criminal district court. In the event that the juvenile court is abolished, the term "judges" shall also include the judges of the section of division exercising jurisdiction over such matters as the Orleans Parish Juvenile Court exercised prior to its abolition.

(2) A committee of the following judges shall administer and have control over the fund and all disbursements made therefrom: four judges from the civil district court, four judges from the criminal district court including the magistrate, two judges from the juvenile court for the parish of Orleans, and one judge from the first or second city court selected by a majority of the judges of both courts sitting en banc. The judges from the criminal district court, the civil district court, and the juvenile court who serve on the committee shall be the most senior judge at his or her respective court. The chairman of the committee shall serve for one year on a rotating basis among each court.

B.(1) Notwithstanding any other law to the contrary, effective January 1, 2009, all monies, deposits, accounts heretofore possessed, controlled, exercised, or used by a court or judge separately or collectively, but not limited to, by virtue of or in any way connected with the judicial expense fund created by R.S. 13:1312 and the sums required to be deposited in the fund by the clerks of the civil district court and the First and Second City Courts of the city of New Orleans, the register of conveyances, and the recorder of mortgages, the fines and forfeiture account created by R.S. 15:571.11(D) and allocated to the criminal district court of Orleans Parish, the cost fund created by R.S. 13:1377, the judicial expense fund created by R.S. 13:1381.4, the Restitution Fund created and authorized by the Code of Criminal Procedure Article 895.1, monies collected by the sheriff on premiums for commercial sureties in the parish of Orleans under R.S. 22:1065.1 and required to be remitted to and allocated to the criminal district court for the parish of Orleans under R.S. 22:1065.1(B)(1) and (3), monies in the judicial expense fund of the Orleans Parish Juvenile Court and funds collected pursuant to R.S. 13:1595.2, and any and all monies required to be paid to the courts or accounts of the courts enumerated in Subsection A of this Section shall be transferred to the Consolidated Judicial Expense Fund, and monies so allocated to the fund shall be continued to be paid from the same sources as provided therein into a special account designated as the Consolidated Judicial Expense Fund.

(2) This Section shall not apply to those funds collected pursuant to R.S. 13:841.3 and deposited in the Clerk's Salary Fund, R.S. 13:1141(A) and R.S. 13:1381.1.

(3) The judges shall cause to be conducted annually an audit of the fund and the books and accounts relating thereto, and shall file the same with the office of the legislative auditor where it shall be available for public inspection.

(4) The monies in the Consolidated Judicial Expense Fund may be used for any purpose connected with, incidental to, or related to the proper administration or function of the courts and judges designated in Subsection A of this Section or the offices of the judges thereof and is in addition to any and all other funds, salaries, expenses, or other monies that are provided, authorized, or established by law."

AMENDMENT NO. 20

On page 26, delete lines 15 through 29

AMENDMENT NO. 21

On page 27, delete lines 1 through 21 and on line 22, change "(3)" to "(5)"

AMENDMENT NO. 22

On page 28, delete lines 15 through 23, on line 24, change "(5)" to "(2)", and at the end of line 25, insert the following:

"The provisions of this Subsection shall not affect the obligation of the city of New Orleans to provide buildings to house the civil district court and the other courts housed therein and the criminal district court."

AMENDMENT NO. 23

On page 28, delete lines 26 through 29

AMENDMENT NO. 24

On page 29, delete lines 1 through 9, and on line 10, change "E" to "D", on line 26 change "F." to "E." and on page 30, line 6, change "G." to "F." and on line 15, change "H." to "G."

AMENDMENT NO. 25

On page 31, line 4, change "**two dollars and fifty cents**" to "**three dollars**"

AMENDMENT NO. 26

On page 31, line 21, delete "**When any defendant,**" and delete lines 22 through 24 in their entirety

AMENDMENT NO. 27

On page 32, line 10, between "**all**" and "**criminal**" insert "**non-indigent**"

AMENDMENT NO. 28

On page 32, line 23, change "**two hundred fifty**" to "**five hundred**" and on line 24, after "**exceed**" insert "**two thousand**"

AMENDMENT NO. 29

On page 36, delete lines 1 through 20 and on line 21 change "**181.6**" to "**181.5**"

On motion of Senator Mount, the amendments were adopted.

On motion of Senator Mount, Senate Bill No. 645 was read by title, ordered reengrossed, and made Special Order of the Day No. 2 on Wednesday, May 31, 2006, immediately following the Morning Hour.

Mr. President in the Chair

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. 655—

BY REPRESENTATIVES GRAY, ALARIO, DEWITT, DORSEY, HAMMETT, KATZ, RICHMOND, AND SALTER AND SENATORS BAJOIE, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 40:49(B)(8)(a), relative to vital statistics laws; to provide for requirements in the preparation of a certificate of death or spontaneous fetal death certificate or stillbirth; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers

Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Broome	Jackson	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	

Total - 31

NAYS

Total - 0

ABSENT

Cain	Fields	Mount
Cravins	Jones	Shepherd
Duplessis	Marionneaux	

Total - 8

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

HOUSE BILL NO. 787—

BY REPRESENTATIVE PINAC

AN ACT

To enact Part VIII of Chapter 10-B of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:969.51, relative to the Louisiana Motor Vehicle Sales Finance Act; to authorize a uniform retail installment sales contract; to provide for certain protections for lenders and sellers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Cain	Duplessis	Marionneaux
Cravins	Jones	Mount

Total - 6

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

HOUSE BILL NO. 866—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 49:1002(J), relative to drug testing; to provide for changes in references from the National Institute on Drug Abuse to Substance Abuse and Mental Health Services Administration; to provide for the application of the Chapter; to provide for the use of certified laboratories for drug testing of

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samples collected; to amend provisions relative to drug testing procedures and standards; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Michot, Adley, Fontenot, Murray, Amedee, Gautreaux B, Nevers, Bajoie, Gautreaux N, Quinn, Barham, Heitmeier, Romero, Boasso, Hollis, Schedler, Broome, Jackson, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Ullo, Dardenne, Malone, Dupre, McPherson. Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cain, Fields, Mount, Cravins, Jones, Theunissen, Duplessis, Marionneaux. Total - 8

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

HOUSE BILL NO. 903— BY REPRESENTATIVE WINSTON AN ACT

To enact R.S. 40:2160(D), relative to licensing of adult residential care homes; to establish criminal penalties for operating an adult residential care home without a license; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, McPherson, Adley, Ellington, Michot, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Broome, Jackson, Schedler, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Dardenne, Malone, Ullo. Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cain, Fields, Marionneaux, Cravins, Fontenot, Mount, Duplessis, Jones, Shepherd

Total - 9

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

HOUSE BILL NO. 932— BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 37:73(1)(a) and (b), (3), (7), and (11), 74(B)(1), (E)(5), (H)(2) and (3), (J)(introductory paragraph), (3), and (4), 74.1, 75(E), 76(A)(2), (C)(1)(introductory paragraph), (a), and (2), (D)(1) and (2), 77(C)(1) and (D), 79(A) (introductory paragraph), 81(A), (B), (C), (I), and (K), 83(B), (C), (E), and (F)(2), 86(A) and (D), 88, 94(A)(1) and (2), 101(1), 105, 111(A), 112(A), 115, and 121(A) and (B) and to enact R.S. 37:109(C), and 121(F), (G), and (H), and to repeal R.S. 37:125, relative to the board of certified public accountants; to provide for distinction between holders of active and inactive CPA certificates; to provide for mandatory compliance with review panel process; to provide for consistency with respect to the review panel process; to provide for the selection, compensation, and requirements of members of review panels; to provide for the payment and award of costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Michot, Adley, Fontenot, Murray, Amedee, Gautreaux B, Nevers, Bajoie, Gautreaux N, Quinn, Barham, Heitmeier, Romero, Boasso, Hollis, Schedler, Broome, Jackson, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Dardenne, Malone, Ullo, Dupre, McPherson. Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cain, Fields, Mount, Cravins, Jones, Duplessis, Marionneaux. Total - 7

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

HOUSE BILL NO. 933— BY REPRESENTATIVE WINSTON AN ACT

To enact R.S. 40:2006(B)(2)(h) and (E)(2)(v) and (w), relative to fees, licenses, and penalties; to provide for per unit licensing fees for end stage renal disease facilities; to provide for delinquent fees for adult brain injury facilities and pain management clinics; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Jackson 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	Murray
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Cain	Fields	Marionneaux
Cravins	Gautreaux N	Mount
Duplessis	Kostelka	Schedler
Total - 9		

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

HOUSE BILL NO. 1189—

BY REPRESENTATIVE RITCHIE

AN ACT

To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Dupre	McPherson	
Total - 29		

NAYS

Fontenot	Malone
Total - 2	

ABSENT

Amedee	Duplessis	Mount
Cain	Fields	Schedler
Cravins	Marionneaux	
Total - 8		

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

HOUSE BILL NO. 1269—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 6:121.2, relative to the Office of Financial Institutions; to provide for the powers and duties of the Office of Financial Institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Malone	Shepherd
Total - 2	

ABSENT

Cain	Fields	Schedler
Cravins	Marionneaux	
Duplessis	Mount	
Total - 7		

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

HOUSE BILL NO. 1271—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 6:1088(C)(1)(a), (F)(4), and (G) and 1090(B)(1) and to enact R.S. 6:1090(H), 1092(A)(16) and (17) and (K), 1092.1, 1092.2, and 1096(E)(3) and (G)(3), relative to loans; to provide for the Residential Mortgage Lending Act; to provide for requirements for licensure and filing fees; to provide for the powers and duties of the commissioner of financial institutions; to provide time limits regarding reapplication for licensure; to provide restrictions on employment; to provide for the suspension, revocation, or denial of licensure; to provide for appellate rights; to prohibit the assessment of certain charges; to prohibit the financing of certain charges; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fontenot	Michot
Amedee	Gautreaux B	Mount

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Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Dupre	Malone	
Total - 32		

NAYS

Total - 0

ABSENT

Cain	Fields	Shepherd
Cravins	Marionneaux	
Duplessis	Schedler	
Total - 7		

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

HOUSE BILL NO. 1371— (Substitute for House Bill No. 1055 by Representative Pinac)

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 36:409(M) and 919.3 and R.S. 40:1646, to enact Subpart D-3 of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1664.1 through 1664.16, and to repeal Subpart D of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1625 through 1638, Subpart E of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through 1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for an advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local regulation; to provide for effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1371 by Representative Pinac

AMENDMENT NO. 1

On page 23, line 14, after "(1)(a)" delete "Nine members plus two alternates" and insert "eleven members"

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray

Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Cravins	Fields	Schedler
Duplessis	Marionneaux	
Total - 5		

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

HOUSE BILL NO. 38—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cravins	Fields	Schedler
Duplessis	Marionneaux	
Total - 5		

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.

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.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 72 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, line 19, after "Development" and before "shall" insert "and the governing authority of Jefferson Parish"

AMENDMENT NO. 2

On page 2, line 20, at the end of the line after "locations" insert "on the respective local and state highways"

AMENDMENT NO. 3

On page 2, delete lines 22 through 25 in their entirety

AMENDMENT NO. 4

On page 2, line 26, change "(5)" to "(1)"

AMENDMENT NO. 5

On page 2, line 27, change "(6)" to "(2)"

AMENDMENT NO. 6

On page 2, line 28, change "(7)" to "(3)"

AMENDMENT NO. 7

On page 2, line 29, change "(8)" to "(4)"

AMENDMENT NO. 8

On page 3, line 1, change "(9)" to "(5)"

AMENDMENT NO. 9

On page 3, line 2, change "(10)" to "(6)"

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cravins	Fields	Schedler
Duplessis	Marionneaux	
Total - 5		

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.

HOUSE BILL NO. 85—

BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 56:331(B)(introductory paragraph), relative to the Crab Task Force; to provide for appointments to the task force; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cravins	Fields	Schedler
Duplessis	Marionneaux	
Total - 5		

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

HOUSE BILL NO. 107—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:83(B)(1) and 121(C), relative to the secretary of the Department of Natural Resources' service on certain state boards; to authorize the undersecretary to serve as proxy for the secretary on the State Mineral Board and the Oilfield Site Restoration Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dardenne Total - 33	Lentini NAYS	Ullo
Total - 0	ABSENT	
Cravins Duplessis Total - 6	Fields Marionneaux	Mount Schedler

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

HOUSE BILL NO. 207—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Adley Amedee Bajoie Barham Broome Cain Chaisson Cheek Dardenne Dupre Ellington Total - 34	Fontenot Gautreaux B Gautreaux N Heitmeier Hollis Jackson Jones Kostelka Lentini Malone McPherson Michot	Mount Murray Nevers Quinn Romero Schedler Shepherd Smith Theunissen Ullo
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NAYS

Total - 0

ABSENT

Boasso Cravins Total - 5	Duplessis Fields	Marionneaux
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The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 227—
BY REPRESENTATIVE WOOTON
AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; 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 Adley Amedee Bajoie Barham Boasso Broome Cain Chaisson Cheek Dardenne Dupre Total - 35	Ellington Fontenot Gautreaux B Gautreaux N Heitmeier Hollis Jackson Jones Kostelka Lentini Malone McPherson	Michot Mount Murray Nevers Quinn Romero Schedler Shepherd Smith Theunissen Ullo
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NAYS

Total - 0

ABSENT

Cravins Duplessis Total - 4	Fields Marionneaux
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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. 367—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:861(A)(2), relative to compulsory motor vehicle liability security; to provide an exemption for water-damaged vehicles; and to provide for related matters.

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

HOUSE BILL NO. 470—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 0

ABSENT

Cravins Duplessis Total - 4	Fields Marionneaux
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The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 474—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:423.17, relative to the town of Livingston; to authorize the chief of police of that town to take certain personnel actions; 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.

HOUSE BILL NO. 488—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 36:509(E)(1) and to repeal R.S. 36:509(B)(5), relative to the Hurricane Flood Protection Advisory Commission; to provide for the nature of its placement within the Department of Transportation and Development; and to provide for related matters.

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To repeal R.S. 36:209(H)(2) and Chapter 11-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2361, relative to the Atchafalaya Basin; to repeal the Atchafalaya Basin Division and the Governor's Atchafalaya Basin Commission.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cain	Duplessis	Marionneaux
Cravins	Fields	Schedler
Total - 6		

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 586 by Representative Greene

AMENDMENT NO. 1
On page 2, line 13, delete "ninety days" and insert "days one year"

AMENDMENT NO. 2
On page 3, line 15, delete "ninety days" and insert "days one year"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cravins	Fields
Duplessis	Marionneaux
Total - 4	

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

HOUSE BILL NO. 595—
BY REPRESENTATIVES WHITE, ERDEY, MCVEA, AND SMILEY AND SENATOR FONTENOT
AN ACT

To enact R.S. 39:562(M), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

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

May 24, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Michot, Adley, Fontenot, Mount, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Broome, Jackson, Schedler, Cain, Jones, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Dardenne, Malone, Ullo, Dupre, McPherson, Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Cravins, Fields, Duplessis, Marionneaux, Total - 4

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

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. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Michot, Adley, Fontenot, Mount, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Broome, Jackson, Schedler, Cain, Jones, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Dardenne, Malone, Ullo, Dupre, McPherson, Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Cravins, Fields, Duplessis, Marionneaux, Total - 4

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

HOUSE BILL NO. 689— BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 50:173.1, relative to standards for land mapping systems; to provide for vertical control standards; to provide for references; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Michot, Adley, Fontenot, Mount, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Broome, Jackson, Schedler, Cain, Jones, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Dardenne, Malone, Ullo, Dupre, McPherson, Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Cravins, Fields, Duplessis, Marionneaux, Total - 4

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

Rules Suspended

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

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 Shepherd asked that Senate Bill No. 728 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 728— BY SENATOR SHEPHERD AN ACT

To enact R.S. 9:5625(H), relative to preservation of buildings and landmarks in historic districts; to provide for certain prescriptive periods; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Shepherd and Murray to Engrossed Senate Bill No. 728 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 2, delete "(H)" and insert "(G)(3)"

AMENDMENT NO. 2

On page 1, line 3, after "; to provide" delete "for" and insert "with respect to"

AMENDMENT NO. 3

On page 1, line 6, delete "(H)" and insert "(G)(3)"

AMENDMENT NO. 4

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

"G.(1) * * *
* * *

(3)(a) Notwithstanding the provisions of this Subsection to the contrary, the provisions of this Paragraph shall be applicable to all property in this state located in a district or section under the authority of an historic preservation commission with a duty or trust imposed upon it by the Louisiana Constitution to preserve buildings of the district or section for the benefit of the people of the municipality and the state of Louisiana. Prescription for any civil action for the violation of a building or zoning restriction or regulation created by statute, ordinance or otherwise, except those actions created for the purpose of amortization of nonconforming signs and billboards enacted in conformity with the provisions of R.S. 33:4722, shall be eight years from the date such historic preservation commission or other local governmental agency authorized to issue a citation for the building or zoning violation first received actual written notice of such violation. Once prescription has accrued, as long as the nonconforming building, portion thereof, or use continues unchanged, no action shall be brought to remove or stop the violation. No property involved in the violation of a building or zoning restriction or regulation shall attain or acquire legal nonconforming status.

(b) The provisions of this Paragraph shall not apply to violations of a building or zoning restriction or regulation where prescription accrued before August 1, 2006."

AMENDMENT NO. 5

On page 2, delete line 3 in its entirety.

AMENDMENT NO. 6

On page 2, line 4, change "Section 3." to "Section 2."

On motion of Senator Shepherd, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoi, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Dardenne, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo

Table with 2 columns of names: Dupre, Total - 35, McPherson, NAYS, Total - 0, ABSENT, Cravins, Duplessis, Fields, Marionneaux, Total - 4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Shepherd 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.

Appointment of Conference Committee on Senate Bill No. 548

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 548: Senators Ellington, Smith and Malone.

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. 87— BY SENATORS THEUNISSEN AND MICHOT A RESOLUTION

To declare May 24, 2006 as "Louisiana Chemical Industry Day."

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

SENATE RESOLUTION NO. 88— BY SENATOR N. GAUTREAUX A RESOLUTION

To declare and recognize June 1, 2006, as Day of Prayer in Louisiana and to encourage statewide participation in observance of this day.

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

SENATE CONCURRENT RESOLUTION NO. 103— BY SENATOR HINES A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals to establish a committee to study and develop a methodology to provide needs assessments for federally qualified health centers and freestanding rural health clinics to systematically promote the expansion of primary and preventive health care services, develop and stimulate services provided by others to ensure better access to quality primary health care services, without adversely affecting Louisiana's established rural hospitals, their provider-based rural health clinics and the established medical practices of primary care physicians on the active medical staff of such rural hospital.

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

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to continue the panel of healthcare information technology and fiscal experts who were first convened in July, 2005 at the e-Health Information Summit meeting for the purpose of identifying and recommending a method for funding investments in health information technology in both public and private healthcare provider facilities, and to direct the panel to develop recommendations to encourage medical professionals to adopt health information technology in the delivery of publicly and privately funded health care services.

WHEREAS,

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

SENATE CONCURRENT RESOLUTION NO. 105—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the secretary of state to determine the practical and legal needs that must be met to enable eligible voters displaced by a declared disaster to have the opportunity to vote on election day at locations in the state other than in the parish in which they are registered for all elections to be conducted in the parish in which the voter is registered, whether state, local, or federal elections.

The resolution 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

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 24, 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. 43—
BY SENATORS SMITH AND ELLINGTON AND REPRESENTATIVES CHANDLER, MONTGOMERY, SALTER AND TOWNSEND

A CONCURRENT RESOLUTION

To commend and congratulate Northwestern State University Demons basketball coach, Mike McConathy, upon the occasion of the completion of the 2005-2006 basketball season, which included a win in the National Collegiate Athletic Association (NCAA) men's basketball tournament and the winning of its second consecutive Southland Conference championship.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 100—
BY SENATORS MALONE, CHEEK AND JACKSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sarah Ann Hoffman Snyder.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To recognize October 1, 2006, as World Peace Day in the state of Louisiana.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

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

May 24, 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. 518—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for claims adjusters; and to provide for related matters.

HOUSE BILL NO. 329—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; and to provide for related matters.

HOUSE BILL NO. 807—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 33:1572(A)(2)(d), relative to operating expenses for the coroner's office in East Baton Rouge Parish; to require the assessment of a fee in all criminal cases, including traffic violations, in all courts in East Baton Rouge Parish; and to provide for related matters.

HOUSE BILL NO. 1346—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 15:254.9, relative to off-duty law enforcement officers testifying in the Nineteenth Judicial District Court in specified cases; to provide for a sum to be paid per subpoena per day; to provide for transmittal of the fee; to provide for withholdings; to provide for requirements; to provide for a maximum allowable fee; 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. 329—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

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

HOUSE BILL NO. 518—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for claims adjusters; and to provide for related matters.

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

HOUSE BILL NO. 807—

BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 33:1572(A)(2)(d), relative to operating expenses for the coroner's office in East Baton Rouge Parish; to require the assessment of a fee in all criminal cases, including traffic violations, in all courts in East Baton Rouge Parish; and to provide for related matters.

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

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; and to provide for related matters.

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

HOUSE BILL NO. 1346—

BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 15:254.9, relative to off-duty law enforcement officers testifying in the Nineteenth Judicial District Court in specified cases; to provide for a sum to be paid per subpoena per day; to provide for transmittal of the fee; to provide for withholdings; to provide for requirements; to provide for a maximum allowable fee; and to provide for related matters.

The bill 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

SENATE AND GOVERNMENTAL AFFAIRS

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

May 24, 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:

HOUSE BILL NO. 108—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 49:72(7) and to enact R.S. 49:78.1, relative to lobbying of the executive branch; to provide for the regulation of lobbying of the executive branch; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 109—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 24:51(5) and to enact R.S. 24:56(G) and 58.1, relative to lobbying of the legislature; to provide for the regulation of lobbying of the legislature; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 130—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a)(i), relative to the nominating committee for nominees for positions on the Board of Ethics; to change the composition of such nominating committee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 197—

BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(l), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 198—

BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(k), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 311—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 42:1169(D) and to enact R.S. 42:1169 (E) and (F), relative to procedures of the board of ethics; to require the board of ethics to provide notice to the appropriate agency head or governing authority of an investigation, hearing, or consent opinion related to a public servant's reprisal for disclosure of improper acts; to require an agency to cooperate with the board's investigation and be a party to the board's investigation, hearing, or consent opinion; to provide for the stay of any action by the board if a civil action or adjudicatory action on the same matter is pending; to provide for the outcome of the civil action or adjudicatory action to resolve all related matters

May 24, 2006

before the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 674—

BY REPRESENTATIVE WADDELL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 716—

BY REPRESENTATIVE BEARD
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 850—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 18:1505.2(S), relative to campaign contributions from persons who have entered into certain transactions; to prohibit such persons from making contributions to certain elected officials; to prohibit elected officials from accepting campaign contributions from such persons; to provide relative to penalties; to provide relative to definitions; to provide relative to dates of application; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 909—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for

the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 977—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 42:1102(21), relative to the Code of Governmental Ethics; to provide for the definition of substantial economic interest for the purpose of the Code of Governmental Ethics; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1016—

BY REPRESENTATIVES CAZAYOUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 42:1114.3(B), (C), (D)(1) and (3), and (E)(3), relative to certain disclosures required by the Code of Governmental Ethics; to provide for disclosure reports and statements required to be filed by the Code of Governmental Ethics; to provide for initial disclosure statements; to provide for the manner of filing certain such disclosure statements; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1051—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 18:18.2, relative to the secretary of state engaging in certain political activities; to prohibit the secretary of state from engaging in certain political activities, except related to his own candidacy; to provide relative to the definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

Motion to Recommit

Senator Chaisson asked for and obtained a suspension of the rules and recommitted House Bill No. 1381 from the Committee on Judiciary C to the Committee on Judiciary A.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 24, 2006

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been

properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and location of regional records centers outside of the State Archives Building and a records recovery complex to provide for storage and back up storage for Louisiana's clerks of court, registrars of voters, assessors and the secretary of state's office.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATORS NEVERS AND HINES AND REPRESENTATIVE RITCHIE
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consider pay increases for school support personnel.

SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATORS DARDENNE, BROOME AND FIELDS AND REPRESENTATIVES CRANE, DANIEL AND DORSEY
A CONCURRENT RESOLUTION

To commend the Louisiana State University Laboratory School on being ranked in the top five percent of public schools in the United States.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

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

ENROLLMENTS

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

May 24, 2006

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 2—

BY SENATOR N. GAUTREAU AND REPRESENTATIVE MCDONALD AND SENATORS CHAISSON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, ADLEY, BAJOLE, BARHAM, BOASSO, CHEEK, CRAVINS, DARDENNE, DUPRE, B. GAUTREAU, JONES, LENTINI, MCPHERSON, MURRAY, QUINN, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BRUCE, BURNS, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CURTIS, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GEYMAN, GREENE, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HUTTER, JEFFERSON, JOHNS, KATZ, KENNEY, KLECKLEY, LAFLUR, MARTINY, MCVEA, MONTGOMERY, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL AND WALSWORTH

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; to provide relative to the electronic monitoring of offenders; and to provide for related matters.

SENATE BILL NO. 26—
BY SENATOR DUPRE

AN ACT

To enact R.S. 49:213.1(E) and 213.4(A)(7), and to repeal R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature, relative to the Coastal Protection and Restoration Authority; to provide relative to its powers, duties, and functions; to authorize the authority to serve as the single entity responsible to act as local sponsor for certain projects relative to hurricane protection and flood control; to authorize the authority to enter into certain contracts relative to hurricane protection and flood control projects; and to provide for related matters.

SENATE BILL NO. 142— (Duplicate of House Bill No. 200)
BY SENATOR ADLEY AND REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 26:901(16) and 909 and R.S. 47:843(C)(5), 844, 848(B), and 859(A)(1) and to enact R.S. 26:907.1 and 916(H), relative to regulation of tobacco products; to provide for certain regulation, permitting, and other requirements for certain elements of the tobacco industry; to authorize enforcement and audit of certain activities; to provide for a new provision governing dealer permits under the office of alcohol and tobacco control; to provide for suspension or revocation of a permit by the office of alcohol and tobacco control; to provide for applying for and obtaining a permit; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 173—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2179, relative to environmental quality; to require the secretary of the Department of Environmental Quality to evaluate hazardous waste capacity in order to safely and efficiently manage such waste; and to provide for related matters.

SENATE BILL NO. 180—
BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and R.S. 15:574.9(B), 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.

SENATE BILL NO. 217— (Duplicate of House Bill No. 608)
BY SENATOR NEVERS AND REPRESENTATIVE BOWLER AND COAUTHORED BY SENATOR CHEEK

AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1541 and 1553(C), relative to unemployment compensation; to provide with respect to contributions; to provide for the social charge account and unemployment benefit charges arising from executive orders issued by the governor in response to a declared disaster or emergency; to prohibit the charging of such benefits to employers' experience rating records; to prohibit the recoupment of such benefits through the social charge tax; and to provide for related matters.

SENATE BILL NO. 407— (Duplicate of House Bill No. 819)
BY SENATOR LENTINI AND REPRESENTATIVE TRICHE AND COAUTHORED BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(introductory paragraph) and (a) and to enact R.S. 27:364(A)(1)(b)(vi), relative to the Department of Social Services; to provide for the authority to seize progressive slot machine annuities from individuals in arrearage in child support; to authorize the gaming control board to promulgate rules for the seizure of progressive slot machine annuities; and to provide for related matters.

May 24, 2006

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Duplessis 1 Day Marionneaux 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, May 25, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 25, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk