

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-SIXTH 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 31, 2006

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

ROLL CALL

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

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

ABSENT

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Brother Joe Senn, 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

Messages from the House

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 884 by Representative Durand, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Durand, Ansardi and McDonald.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 676 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Baldone, Hammett and Montgomery.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1133 by Representative Dartez, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Dartez, Toomy and St. Germain.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 30, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 525—
BY SENATOR N. GAUTREAUX

AN ACT

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

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 31, 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. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 16—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 39:1311(B), relative to budgetary procedures for political subdivisions; to provide for the applicability of certain requirements for written notification in the budgetary process; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 91—
BY REPRESENTATIVE FARRAR
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 234—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 17:436.2, relative to school board policies; to require city, parish, and other local public school boards to adopt policies prohibiting teachers from making a recommendation that a student be administered a psychotropic drug and from taking certain actions relative thereto and from suggesting any mental health diagnosis for a student; to provide relative to the authority of certain school board employees to recommend that students be evaluated; to provide relative to the authority of school employees to discuss student behavior and academic progress; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 299—
BY REPRESENTATIVES DANIEL, BEARD, GREENE, KATZ, PITRE,
QUEZAIRE, TRAHAN, AND WALSWORTH
AN ACT

To amend and reenact R.S. 48:2074(A) and 2077(24) and to enact R.S. 48:2077(25) and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2111 through 2119, relative to construction and funding of transportation projects; to provide relative to the Louisiana Transportation Authority; to provide relative to powers and duties of such authority regarding the Transportation Mobility Fund; to create and establish the Transportation Mobility Fund; to provide relative to the distribution of proceeds; to provide relative to the eligibility, ranking, and prioritizing of projects; to provide relative to applications for funding; to provide relative

to the financing of qualified projects; to authorize the issuance of debt in certain circumstances; to provide relative to the required security for such financing and interest rates; to provide relative to preliminary and final approval of project financing; to impose certain obligations and responsibilities on applicants; to provide relative to certain financial and credit requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 336—
BY REPRESENTATIVES MONTGOMERY, GALLOT, AND TOWNSEND
AN ACT

To enact R.S. 39:12(A)(4) and (C), relative to management of state lands; to require development of management plans by state agencies; to require management of state lands in a prudent manner; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 345—
BY REPRESENTATIVE CAZAYOUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 365—
BY REPRESENTATIVES FANNIN AND TOWNSEND AND SENATOR
SMITH
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 566—
BY REPRESENTATIVES CRAVINS AND BOWLER
AN ACT

To amend and reenact R.S. 23:1196(A)(5), relative to workers' compensation insurance; to provide for reinsurance; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 577—
BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 23:1196(A)(5) and (H) and 1197(C), relative to insurance cost containment; to provide relative to workers' compensation self-insurance funds; to provide for reinsurance; to provide for deficit of fund; to provide for examination of the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 702—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:433(B)(1) and (C), relative to harvest of oysters; to provide for season opening and closing dates for harvest from the public seed grounds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 795—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 56:6(31), relative to importation of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of big exotic cats; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 802—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 56:435.1(A), (F), and (G) and 435.1.1(A), (C), and (D), to enact R.S. 56:435.1(H), and to repeal R.S. 56:435.2, relative to the oyster harvest in Calcasieu Lake and Sabine Lake; to provide for the use of mechanical dredges; to authorize the Wildlife and Fisheries Commission to set closing dates and harvest limits; to provide for limited transplanting of oysters and cultch in Vermilion Bay; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 830—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 838—

BY REPRESENTATIVES ST. GERMAIN, PIERRE, LAMBERT, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:328(B), (C), and (D) and to enact R.S. 56:328(E), relative to invasive, noxious aquatic plants; to require the Department of Wildlife and Fisheries to maintain and promulgate a list of prohibited noxious aquatic plants; to require the department to take necessary steps to control and eradicate such plants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 839—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shadders license; to eliminate the soft shell crab shadders license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 954—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 32:408(B)(2)(d), relative to issuance of drivers' licenses; to provide relative to Class "D" Chauffeur's Licenses; to add certain types of vehicles to the list of vehicles authorized to be operated with a Class "D" Chauffeur's License; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 993—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 32:735 and 737(A)(introductory paragraph) and (2), (4), (10), and (11), (B), and (C) and R.S. 47:532.1(A)(1) and to enact R.S. 32:737(A)(12), relative to auto

title companies; to provide for the contracting of auto title companies; to provide for surety bond requirements; to provide for contracts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1025—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 48:194, relative to construction on highways in the state highway system in East Baton Rouge Parish; to provide relative to certain projects that may be fully funded by the governing authority of East Baton Rouge Parish; to provide limitations and procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1161—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 56:322.2(I), relative to taking of shad; to authorize the use of unattended nets overnight during the open season in Lake Palourde and Lake Verret; to provide for certain restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 48:279(A), relative to highway construction by the Department of Transportation and Development; to provide relative to the hours when construction may be done on certain highways; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1204—

BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS ELLINGTON AND HEITMEIER
AN ACT

To enact R.S. 32:1525 and to repeal R.S. 32:1513(A), relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; to prohibit the seizure of certain motor vehicles; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 30, 2006, on line 19 change "judgement" to "judgment"

AMENDMENT NO. 2

On page 2, line 18 following "violation" insert "to the responsible party"

AMENDMENT NO. 3

On page 2, line 19 following "Section" delete "to the responsible party"

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AMENDMENT NO. 4
On page 3, lines 18 and 22, change "judgement" to "judgment"

HOUSE BILL NO. 1218—
BY REPRESENTATIVE TUCKER
AN ACT
To require that the Crescent City Connection Division within the Department of Transportation and Development collect and dispose of litter in certain areas of Orleans Parish.

Reported without amendments.

HOUSE BILL NO. 1229—
BY REPRESENTATIVE BAUDOIN
AN ACT
To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1233—
BY REPRESENTATIVE JOHN SMITH
AN ACT
To enact R.S. 17:3991(B)(1)(a)(ii)(dd), relative to the enrollment of at-risk pupils in a charter school which is established with the educational mission of meeting the needs of students who are the dependent children of military personnel; to provide conditions and limitations; to provide applicability; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1249—
BY REPRESENTATIVES ODINET AND BALDONE AND SENATOR DUPRE
AN ACT
To amend and reenact R.S. 56:423(A) and (B)(1), 424(H), 425(A) and (C), 427.1, 428(A) and (B), 429, and 432.1, to enact R.S. 56:424(I), 425(E), and 432.2, and to repeal R.S. 56:428.1, 428.2, 428.3, and 430.1, relative to oyster leases; to authorize the acquisition by the state of oyster leases directly impacted by coastal protection, conservation, or restoration projects; to establish a hierarchy of rights; to establish limitations on actions against the state, its political subdivision, or the United States; to provide for lease terms; to establish a lease acquisition and compensation program in the Department of Natural Resources; to provide for annual reports; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1278—
BY REPRESENTATIVES BRUNEAU, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, HUTTER, LAMBERT, PITRE, M. POWELL, SMILEY, AND ST. GERMAIN
AN ACT
To enact R.S. 32:402(C)(3), relative to drivers' licenses; to authorize the waiver of certain commercial motor vehicle driver's license requirements for military personnel during a state of emergency; to provide relative to certain restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1285—
BY REPRESENTATIVES ODINET, BARROW, BAUDOIN, BAYLOR, DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND
AN ACT
To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities; to require that the governing authority of any municipality or parish and any agency of any such municipality or parish shall not allow and shall not cause any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; to provide exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1308—
BY REPRESENTATIVE KENNARD
AN ACT
To amend and reenact R.S. 32:1305(I), relative to motor vehicle safety inspection programs; to revise the programs relative to motor vehicles transporting general freight and commodities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1312—
BY REPRESENTATIVE TOWNSEND
AN ACT
To enact R.S. 32:361.2(A)(2)(f) and 361.3(C), relative to motor vehicle windshields; to provide for objects or materials placed or affixed on windshields; to provide for medical and security exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1330—
BY REPRESENTATIVE JOHNS
AN ACT
To enact R.S. 23:921(I), relative to noncompete agreements; to provide for an exclusion for automobile salesmen; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1342—
BY REPRESENTATIVES HONEY, BADON, BARROW, DOWNS, GREENE, AND TRAHAN
AN ACT
To enact R.S. 17:1855.2, to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to increase tuition for students attending the university laboratory school; to provide for the amounts of such increase; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1354—
BY REPRESENTATIVES GRAY AND K. CARTER
AN ACT
To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1301 through 1307, and R.S. 36:4(B)(1)(g), relative to the Hurricane Katrina Memorial Commission; to create and provide for the membership, powers, and duties of the commission; to provide for donations and grants; to provide for a commission report and termination of the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1389— (Substitute for House Bill No. 1288 by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT
To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; 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 Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were

read by title and passed to a third reading.

**Introduction of
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR SCHEDLER**

A CONCURRENT RESOLUTION

To acknowledge and commend the outstanding efforts of the Health Services Recovery Council and its affiliated health planning groups serving the significantly impacted parishes of Cameron, Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany, and the Greater Baton Rouge Area; recognize the Health Services Recovery Council as an integral part of this state's efforts to restore the health system and protect the health of our citizens; and urge and request the Health Services Recovery Council to continue to focus on the health care, mental health, and dental health care needs within their parishes, pursue broad regional coordination of resources within their parishes, pursue broad regional coordination across facility types and across their parishes, represent and speak on behalf of their parishes before the Legislature and at Louisiana Recovery Authority meetings or before other state or federal entities, coordinate with local community-based and state level planning efforts, serve as the coordinating council to identify and provide clear expectations for their parishes' health care recovery, serve on behalf of the residents of their parish and meet with such residents to ascertain their health care needs, and plan for future hurricane needs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Marionneaux	Romero
Boasso	Mount	
Fields	Quinn	
Total - 7		

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

**Senate Bills and Joint Resolutions
on Second Reading**

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

**SENATE BILL NO. 753— (Substitute of Senate Bill No. 650 by
Senator Cravins)**

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to enact R.S. 23:996, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to require the filing of an affidavit with a licensing agency; to provide with respect to an agency, department, board or commission of state or a parish agency to notify the attorney general or local district attorney when an employer who operates a business in the state knowingly employs an alien who is not lawfully entitled to reside or work in the United States; to provide for the attorney general or local district attorney to issue a cease and desist order; to provide for penalties; and to provide for related matters.

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

**Senate Concurrent Resolutions
on Second Reading**

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

SENATE CONCURRENT RESOLUTION NO. 106—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections to notify inmates under its supervision of the revisions to the laws and regulations relating to the Louisiana Risk Review Panel, good time and diminution of sentence.

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

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES GEYMANN, E. GUILLORY, JOHNS, KLECKLEY AND MORRISH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the process to replace the Interstate 10 Calcasieu River Bridge and its approaches and to request law enforcement officials to strictly enforce the speed limit and lane usage by motorists on the bridge.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

May 31, 2006

Total - 35

NAYS

Total - 0

ABSENT

Adley Marionneaux
Fields Romero

Total - 4

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 30, 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. 243—

BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To commend the New Jersey State Police for their service to the city of New Orleans following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 244—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To commend the Office of Group Benefits for its study of the effects of obesity on health insurance.

HOUSE CONCURRENT RESOLUTION NO. 249—

BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize May 31, 2006, as Alpha Day at the Louisiana State Capitol and to express support of Alpha Kappa Alpha Sorority, Incorporated, in its effort to assist in the recovery and restoration of New Orleans, Louisiana, and those who suffered the devastation of Hurricanes Katrina and Rita; and also to focus its attention to the upgrading of the health level of African-American citizens, particularly the elderly and disabled, in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 250—

BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the portion of Louisiana Highway 1 in Iberville Parish as Veterans Memorial Highway and to erect proper signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 251—

BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Charlene S. Greene.

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. 243—

BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To commend the New Jersey State Police for their service to the city of New Orleans following Hurricane Katrina.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Fields Marionneaux Romero
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 244—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To commend the Office of Group Benefits for its study of the effects of obesity on health insurance.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Fields Marionneaux Romero
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 249—

BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize May 31, 2006, as Alpha Day at the Louisiana State Capitol and to express support of Alpha Kappa Alpha Sorority, Incorporated, in its effort to assist in the recovery and restoration of New Orleans, Louisiana, and those who suffered the devastation of Hurricanes Katrina and Rita; and also to focus its attention to the upgrading of the health level of African-American citizens, particularly the elderly and disabled, in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Fields Marionneaux Romero
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 250—

BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the portion of Louisiana Highway 1 in Iberville Parish as Veterans Memorial Highway and to erect proper signage along this route reflecting this designation.

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

HOUSE CONCURRENT RESOLUTION NO. 251—

BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Charlene S. Greene.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Fields Marionneaux Nevers
Total - 3

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, Subject to Call

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

Called from the Calendar

Senator Bajoie asked that House Bill No. 1364 be called from the Calendar at this time.

HOUSE BILL NO. 1364— (Substitute for House Bill No. 50 by Representative Thompson)

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:103(B) and to enact R.S. 14:103(A)(7) and (8), relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace relative to funerals; to provide for additional penalties; and to provide for related matters.

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

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 31, 2006

To the President and Members of the Senate:

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

May 31, 2006

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR BAJOE
A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs and the Louisiana State University Health Care Services Division to execute to the fullest the terms established in the February 23, 2006 Memorandum of Understanding.

Reported with amendments.

SENATE BILL NO. 100—

BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 40:2120.11, 2120.12(1) and (2), 2120.13(A), (B), and (G), 2120.14, 2120.15(A), and 2120.16, relative to adult day health care providers; relative to revising the name of the program; to provide for the program as a mandatory Medicaid state plan program; and to provide for related matters.

Reported by substitute.

HOUSE CONCURRENT RESOLUTION NO. 74—

BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To direct the Department of Social Services to study all aspects relating to the parenting skills education classes for public assistance recipients required by R.S. 46:231.5 and report to the House and Senate Committees on Health and Welfare prior to March 1, 2007.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVES DURAND, CURTIS, DOERGE, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MCDONALD, JOHN SMITH, STRAIN, AND WADDELL

A CONCURRENT RESOLUTION

To create the Louisiana Health Care Redesign Collaborative for the purpose of advising the Department of Health and Hospitals (DHH) in the development and implementation of a practical blueprint for an evidence-based, quality driven health care system for Louisiana that will guide overall health care policy and systems development in Louisiana, with an initial focus on rebuilding health care capacity in the hurricane-affected areas of the state.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 168—

BY REPRESENTATIVES GREENE, CURTIS, DOERGE, DURAND, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, AND WADDELL

A CONCURRENT RESOLUTION

To urge and request congress to amend the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA) to allow state and local governments to prevent the placement of group homes for former substance abusers in proximity to day care centers and preschools.

Reported favorably.

HOUSE BILL NO. 204—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 40:2009.4.1, relative to nursing homes; to require the installation of supervised automatic fire sprinkler systems; to provide for the offset of costs; to provide for violations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 241—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 13:3715.1(J), relative to medical records; to add the Louisiana State Board of Physical Therapy Examiners to the list of health care provider licensing boards which are exempt from notice when subpoenaing records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 510—

BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 40:5.5.1, relative to food service establishments; to require posting of signs at self-service buffets; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1001—

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 39:461.1(A)(2) and to enact Chapter 61 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2771, relative to health care finance; to establish the Care for Evacuated Patients Program to be administered by the Department of Health and Hospitals; to provide a method of payment for the provision of medical care by nonstate hospitals with respect to certain patients who have been evacuated from a state hospital; to provide for the maximum amount and duration of such payments; to require submission of statements of costs for services to the secretary of the Department of Health and Hospitals; to provide for submission of a request for funding the payment of such costs to the Interim Emergency Board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1193—

BY REPRESENTATIVES BALDONE AND MCDONALD
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1370— (Substitute for House Bill No. 1099 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To enact Subpart D-1 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:286.2 through 286.4, relative to the Foster Parents' Bill of Rights; to provide for purpose; to provide for the rights of foster parents; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
JOE MCPHERSON
Chairman

**REPORT OF COMMITTEE ON
FINANCE**

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

May 30, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 748— (Substitute of Senate Bill No. 661 by Senator Barham)

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 29:725(E) through (H), and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state to follow the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for the appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities; to provide for the employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

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

May 30, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 208—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2453(4), relative to the Louisiana Quality Jobs Program Act; to provide for the definition of "new direct job"; to allow employee located in certain geographic areas to be deemed "new direct job"; to provide certain criteria for such employee to be deemed "new direct job"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 578—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1090—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 47:2420(F), relative to the state inheritance tax; to provide that no interest shall be assessed on certain delinquent taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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

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

Reported favorably.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or extension of the use of state sales tax for certain economic development projects or programs; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE L. MOUNT
Chairperson

**REPORT OF COMMITTEE ON
COMMERCE, CONSUMER PROTECTION AND
INTERNATIONAL AFFAIRS**

May 31, 2006

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

May 31, 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:

HOUSE CONCURRENT RESOLUTION NO. 215—

BY REPRESENTATIVE T. POWELL
A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to convene a task force to develop a comprehensive plan to ensure access to temporary emergency electrical power for certain designated private businesses to expedite the re-establishment of community services in times of emergency.

Reported favorably.

HOUSE BILL NO. 5—

BY REPRESENTATIVE SALTER
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 699—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1356 through 1368, relative to cable services; to create the "Competitive Cable and Video Services Act"; to provide guidelines for cable and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regards to cable or video services; to provide for public, educational, and governmental access channels; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 742—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1730.27(B), 1730.35(A) and (C), and 1730.36, relative to state building codes; to provide for effective period of emergency provisions; to provide for application process; to provide for registration; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1185—

BY REPRESENTATIVES DOVE, BURRELL, CROWE, FRITH, GEYMAN, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, AND WHITE
AN ACT

To enact R.S. 40:1730.23(D), relative to local enforcement of building codes; to provide for plans stamped by an architect or engineer; to provide for an effective period; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1298—

BY REPRESENTATIVES DOVE AND WHITE
AN ACT

To amend and reenact R.S. 40:1730.23(C), relative to enforcement of building codes by third-party providers who contract with a parish or municipality; to provide for limitation of liability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1380— (Substitute for House Bill No. 1181 by Representative LaBruzzo)

BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 8:655(C) and (D) and R.S. 37:876(F) and (G), relative to funeral homes; to provide for a child's right to view the body of a deceased parent; to provide for exceptions; to provide for a civil action; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

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

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

SENATE BILL NO. 748— (Substitute of Senate Bill No. 661 by Senator Barham)

BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 29:725(E) through (H), and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state to follow the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for the appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities; to provide for the employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

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

**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. 81—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 13:3662(H)(1), relative to conducting telephone hearings; to provide that law enforcement officers may appear in hearings by telephone, video conference, or similar communication equipment if agreed upon by the parties; and to provide for related matters.

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

**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. 69—
BY REPRESENTATIVE TOOMY

AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; 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. 69 by Representative Toomy

AMENDMENT NO. 1

On page 2, at the end of line 25, insert "In the event that the offices of the clerk of the Civil District Court and the clerk of the Criminal District Court for the parish of Orleans are combined, the district shall be known as the "Judicial Administrative District of the parish of Orleans, State of Louisiana" and the office of the clerk of court of the parish shall be the ex officio chief executive officer and governing authority of the district."

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. 206—
BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY
A JOINT RESOLUTION

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

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. 228—
BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Bunkie; 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. 229—
BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Marksville; 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. 291—
BY REPRESENTATIVE CAZAYOUX

AN ACT

To enact Children's Code Article 611(C), relative to the reporting of child abuse and neglect; to provide relative to the burden of proof in establishing the liability of a person filing a false report; to provide for penalties; 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. 350—
BY REPRESENTATIVE M. POWELL

AN ACT

To amend and reenact R.S. 13:1565(D) and to enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to require the clerk of court for the First Judicial District Court to be ex officio clerk of court for the Juvenile Court of Caddo Parish; to provide for expenses and salaries for the operation of the clerk of court for the Juvenile Court of Caddo Parish; 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. 351—
BY REPRESENTATIVE M. POWELL

AN ACT

To enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to establish a judicial expense fund for the court; to provide for deposit out of existing fees; to provide for uses of the separate account; to provide for limitations; to provide for an annual audit; to provide for prohibitions; 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. 351 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 11, delete "clerk of the juvenile" and insert: "Juvenile Court for Caddo Parish pursuant to Article 405 of the Louisiana Children's Code, and additionally court fines and any other court assessed imposed fees and court costs"

AMENDMENT NO. 2

On page 1, line 12, delete the first word "court"

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AMENDMENT NO. 3

On page 1, line 13, delete "clerk of the juvenile"

AMENDMENT NO. 4

On page 1, line 16, after "Parish." and before "The" insert:

"Notwithstanding this Section or other provision of law, any fees collected by the Juvenile Court for Caddo Parish pursuant to Article 405 of the Louisiana Children's Code, in addition to any and all court fines and other court assessed fees and costs collected, to the extent such cumulative amount exceeds the "maximum annual amount" defined below, such excess of the maximum annual amount shall be remitted to the governing authority of the parish to be utilized for operational expenses of the juvenile court and juvenile detention facility. For purposes of this Section, the "maximum annual amount" shall be derived from taking the prior fiscal year expenditure of the judges of the First Judicial District Court from the judicial expense fund established pursuant to R.S. 13:996.16 et seq. which amount shall then be reduced proportionately to reflect the difference in the number of judges of the First Judicial District Court relative to the Juvenile Court of Caddo Parish."

AMENDMENT NO. 5

On page 1, line 17, delete "therefrom" and insert "from the Judicial Expense Fund of the Juvenile Court for Caddo Parish"

AMENDMENT NO. 6

On page 1, line 20, after "inspection." delete the remainder of the line

AMENDMENT NO. 7

On page 2, delete lines 1 through 3

AMENDMENT NO. 8

On page 2, line 5, delete "including" and insert "and" and delete the comma at the end of the line

AMENDMENT NO. 9

On page 2, line 6, delete "bailiffs, minute clerks."

AMENDMENT NO. 10

On page 2, after line 17, insert

"Section 2. The provisions of this Act shall become effective on January 1, 2007."

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. 422—

BY REPRESENTATIVES TOOMY AND ANSARDI
AN ACT

To amend and reenact Code of Civil Procedure Article 4843, relative to city court jurisdiction; to reorganize and clarify Code of Civil Procedure Article 4843; 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. 453—

BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER
AN ACT

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

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. 453 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "providers" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, delete line 10, and insert "good faith voluntarily renders emergency care, health care services, or first aid in areas subject to the declared state of emergency without charge to the recipient shall"

AMENDMENT NO. 3

On page 1, line 17, after "emergency" insert "and in areas subject to the declared state of emergency"

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. 539—

BY REPRESENTATIVE R. CARTER
AN ACT

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

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. 1219—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 35:131 through 133, 191(C)(1) and (2) and (E), and 191.1 and to enact R.S. 35:191(V), relative to notaries public; to authorize the secretary of state to grant leaves of absence for notaries; to provide for the application, qualification, and administration process for taking the notary examination; to provide for certain fees; to provide for the continued exercise of notarial functions by notaries displaced by Hurricane Katrina or Rita; to provide for the development of uniform statewide examination standards; to provide for regional testing centers; 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. 1222—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; 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 Reengrossed House Bill No. 1222 by Representative Gallot

AMENDMENT NO. 1

On page 3, line 2, after "instruments to" change "it" to "one of the parties"

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. 1223—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 35:71(A)(1) and (E) and to enact R.S. 35:191(A)(3), relative to notaries public; to provide relative to the suspension of a notarial commission and the removal of certain penalties; to provide for the definitions of "valid notarial commission" and "validly appointed notary public"; 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. 1359—
BY REPRESENTATIVES STRAIN AND DURAND

AN ACT

To enact R.S. 9:2793.5; relative to civil liability of nonprofit organizations; to provide a limitation of liability for the Louisiana Girl Scout Councils; to provide an exception for willful and wanton misconduct; 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. 1359 by Representative Strain

AMENDMENT NO. 1

On page 1, line 11, after "emergency", insert "in areas subject to the declared state of emergency"

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. 1379— (Substitute for House Bill No. 860 by Representative Alexander)

BY REPRESENTATIVES ALEXANDER, ANSARDI, BEARD, BRUCE, CRANE, CROWE, DORSEY, ERDEY, FRITH, E. GUILLORY, KENNEY, LABRUZZO, MONTGOMERY, MORRISH, PIERRE, T. POWELL, ROMERO, SCALISE, SMILEY, JANE SMITH, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, CAIN, KOSTELKA, MICHOT, NEVERS, QUINN, SMITH, AND THEUNISSEN

AN ACT

To amend and reenact Civil Code Articles 102 and 103(1) and Code of Civil Procedure Articles 3952, 3953(introductory paragraph) and (1) and (2) and 3956(introductory paragraph) and (5) and R.S.13:3491(A)(introductory paragraph) and (5)(a) and (B) and 3492(A)(introductory paragraph) and (6)(b) and (B) and to enact Civil Code Article 103.1, relative to divorce; to provide for the granting of divorce when there are minor children of the marriage; to provide for nullity of judgments; 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. 1379 by Representative Alexander

AMENDMENT NO. 1

On page 6, after line 25, insert the following:

"Section 4. The provisions of this Act shall become effective on January 1, 2007."

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. 1381— (Substitute for House Bill No. 421 by Representative Burrell)

BY REPRESENTATIVES BURRELL, ALARIO, ALEXANDER, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, K. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, MARTINY, MCDONALD, MCVEA, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WHITE

AN ACT

To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to create the crime of prohibited sales of computer or video games to minors; to provide for definitions; to provide for penalties; 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.

Senator Cravins in the Chair

Special Order of the Day

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 700 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 23:642(B) and to"

AMENDMENT NO. 2

On page 1, line 4, after "hour;" insert "to provide with respect to the prohibition of a local governmental subdivision setting a minimum wage; to provide for exclusions; to provide for effectiveness;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." insert "R.S. 23:642(B) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:
"§642. Setting minimum wage, prohibited
* * *

B. Therefore, pursuant to the police powers ultimately reserved to the state by Article VI, Section 9 of the Constitution of Louisiana, no local governmental subdivision, **political subdivision, port authority, or levee district** shall establish a minimum wage rate which a private employer would be required to pay employees."

AMENDMENT NO. 5

On page 1, between lines 15 and 16, insert the following:

"C. An employer may pay a newly-hired employee a wage less than the minimum wage established in Subsection B for a

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period not to exceed twelve months from the date of hire. Upon completion of the twelve month period, the employer shall pay, at a minimum, the minimum wage established in Subsection B.

D. Pursuant to the provisions of the Fair Labor Standards Act (FLSA) regarding tipped employees, after the first twelve months of employment, if the employee's tips combined with the employer's direct wages of at least two dollars and thirteen cents an hour do not equal the minimum wage established in Subsection B, the employer shall make up the difference.

E. The provisions of this Section shall not apply to student employees of the state or student employees of state colleges and universities.

F. The provisions of this Section shall not apply to employees of any local governmental subdivision, political subdivision, port authority, or levee district.

G. The provisions of this Section shall not apply to employers with twenty-five or fewer employees.

H. The provisions of this Section affecting employees of the state and employees of state colleges and universities shall become effective only when monies are appropriated by the legislature to fund any additional costs to state agencies and state colleges and universities."

AMENDMENT NO. 6

On page 1, delete lines 16 and 17, and insert the following:

"Section 2. This Act shall become effective on January 1, 2007; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2007, or on the day following such approval by the legislature, whichever is later."

AMENDMENT NO. 7

On page 2, delete lines 1 through 3

Senator Nevers moved adoption of the amendments.

Senator Boasso objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux N, Mount. Rows include Amedee, Bajoe, Broome, Cravins, Duplessis, Fontenot, Gautreaux B, and Total - 22.

NAYS

Table with 3 columns: Adley, Dardenne, Quinn. Rows include Barham, Boasso, Chaisson, Cheek, and Total - 14.

ABSENT

Table with 3 columns: Cain, Fields, Marionneaux. Row includes Total - 3.

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, McPherson. Rows include Amedee, Bajoe, Broome, Cravins, Duplessis, Dupre, Total - 20.

NAYS

Table with 3 columns: Adley, Ellington, Michot. Rows include Barham, Boasso, Chaisson, Cheek, Dardenne, Total - 18.

ABSENT

Table with 1 column: Cain. Row includes Total - 1.

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

Special Order of the Day

The following Senate 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:

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, 751.4, 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.

On motion of Senator Mount, Senate Bill No. 645 was made Special Order of the Day No. 1 on Monday, June 5, 2006, immediately following the Morning Hour.

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. 20—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:392, 863(A)(1), and 863.1(C)(1)(a), (2), (5)(a), and (6), and to repeal R.S. 32:863.1(C)(7), relative to motor vehicles; to prohibit impoundment of motor vehicles for violations of the Louisiana Highway Regulatory Act; to provide for seizure of vehicle license plates in lieu of impoundment; and to provide for related matters.

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

SENATE BILL NO. 98—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 23:335, relative to employment discrimination; to prohibit discrimination due to actual or perceived sexual orientation; to provide for exceptions; 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. 98 by Senator Shepherd

AMENDMENT NO. 1

On page 2, delete lines 12 through 16.

AMENDMENT NO. 2

On page 2, line 17, change "**(4) Provide**" to "**(3) To provide**"

AMENDMENT NO. 3

On page 2, after line 21, add the following:

"F. The provisions of this Section shall not be construed to preclude an employer from adopting and implementing a reasonable dress code, which requires employees to adhere to reasonable workplace appearance, grooming, and dress standards not precluded by other provisions of state or federal law, provided however, that an employer shall allow any employee to appear and dress consistently with the employee's gender identity."

On motion of Senator Shepherd, the amendments were adopted.

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

Mr. President in the Chair

SENATE BILL NO. 106—
BY SENATOR CRAVINS

AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

On motion of Senator Cravins, Senate Bill No. 106 was made Special Order of the Day No. 1 on Thursday, June 1, 2006, immediately following the Morning Hour.

SENATE BILL NO. 445—
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.26(G) and (H), relative to the Louisiana Housing Trust Fund Act of 2003; to provide for housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide for the priority of housing citizens who were displaced in a declared disaster area as a result of hurricanes Katrina and Rita; 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	Fields	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Cain	Duplessis
Cravins	Kostelka
Total - 4	

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.

SENATE BILL NO. 664—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 41:1702(D)(2)(a), relative to reclamation and restoration of certain lands; to provide relative to certain powers of the secretary of the Department of Natural Resources; to provide relative to certain agreements concerning the acquisition of land by certain entities for coastal projects; to provide certain requirements, procedures and definitions; to provide for the adoption of rules and regulations; to provide relative to agreements concerning ownership of minerals; to provide certain terms, conditions, and procedures; and to

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provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 664 by Senator Dupre

AMENDMENT NO. 1

On page 3, at the end of line 23, delete the period and insert "except for the negligence or actions of the public entity, its employees, agents, contractors and assigns."

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cain Kostelka
Total - 2

The Chair declared the amended 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.

SENATE BILL NO. 673— BY SENATOR MALONE

AN ACT

To enact R.S. 38:2212(T), relative to letting contracts; to require certain disclosures prior to a public entity entering into a contract for certain public work; to require submission of certain information; to provide certain terms, conditions and requirements; to provide certain penalties; 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 Ellington McPherson
Adley Fields Michot
Amedee Fontenot Mount

Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jones Schedler
Cheek Kostelka Shepherd
Dardenne Lentini Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Bajoie Cravins Jackson
Total - 3

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.

SENATE BILL NO. 708— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 11:3366, 3370(A), 3378(A)(1)(c) through (f) and (h) and (2)(a) through (c), 3383(A), and 3384(B), relative to retirement; to provide with respect to the Firefighters' Pension and Relief Fund in the City of New Orleans; to provide for service credit and benefits; to provide for military service credit; to provide for use of excess interest earnings; to provide for survivor benefits; to provide for minimum benefits; to provide for computation of benefits; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie
Total - 1

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

SENATE BILL NO. 751— (Substitute of Senate Bill No. 261 by Senator Cheek)

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a), relative to criminal history checks; to provide for records provided to healthcare service and ambulance employers, and to provide for related matters.

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

SENATE BILL NO. 752— (Substitute of Senate Bill No. 629 by Senator Heitmeier)

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1782 and 1808 and to enact R.S. 37:1785(D), 1787(A)(5), and 1809 through 1828, relative to pawnbrokers; to provide for definitions; to provide for licensing of pawnbrokers; to create the Louisiana State Board For Continuing Pawnbroker Education; to provide for membership of the board; to provide for powers and duties of the board; to provide for continuing education for pawnbrokers; to provide for rules regarding continuing education courses; to provide for reports to the board and commission; to provide for rules for noncompliance; to provide for fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 752 by Senator Heitmeier

AMENDMENT NO. 1

On page 10, delete lines 28 and 29, on page 11, line 1, delete "education by the board." and insert the following:

"D. Only a sponsor approved as a provider of continuing pawnbroker education by the board may seek approval for in-state continuing pawnbroker education courses."

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie
Total - 1

The Chair declared the amended 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.

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 1 be called from the Calendar at this time.

SENATE BILL NO. 1—

BY SENATOR MCPHERSON AND REPRESENTATIVE BRUNEAU AND SENATORS ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, SCHEDLER, SMITH, N. GAUTREAU AND MARIONNEAU AND REPRESENTATIVES STRAIN, SCHNEIDER, R. CARTER, CRAVINS, MONTGOMERY, TOWNSEND, HUNTER, ALARIO, ALEXANDER, BALDONE, BAUDOIN, BOWLER, BURNS, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, T. POWELL, RITCHIE, ROMERO, WALSWORTH, BAYLOR, BEARD, BURRELL, CHANDLER, CRANE, DEWITT, ERDEY, FAUCHEUX, GLOVER, HARRIS, HEATON, HEBERT, HOPKINS, JACKSON, KATZ, KENNEY, LABRUZZO, MARCHAND, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, ROBIDEAUX, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WHITE AND WINSTON

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) and Article VI, Section 21(B) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property for use by or transfer to any private person or entity under certain circumstances; to provide for the definition of "public purposes"; to provide concerning the sale of expropriated property; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "Section 21(B)" to "Section "21(A)"

AMENDMENT NO. 2

On page 1, line 4, change "for" to "by the state or a political subdivision of the state for the predominant"

AMENDMENT NO. 3

On page 1, at the end of line 5, add "for items included in just compensation to be paid to the owner of expropriated property; to provide exceptions for the operation of public ports; to provide"

AMENDMENT NO. 4

On page 1, line 11, change "Section 21(B)" to "Section 21(A)"

AMENDMENT NO. 5

On page 1, line 17, after "benefit." delete the remainder of the line and on page 2, line 1, delete "port facilities" and insert "Except as specifically authorized by Article VI, Section 21 of this Constitution"

AMENDMENT NO. 6

On page 2, delete lines 3 through 6 and on line 7, delete "within thirty years prior to the proposed sale"

AMENDMENT NO. 7

On page 2, line 8, after "entity" insert a "." and delete the remainder of the line and delete lines 9 through 11.

AMENDMENT NO. 8

On page 2, between lines 11 and 12, insert the following:
"(2) As used in Subparagraph (1) of this Paragraph and in Article VI, Section 23 of this Constitution, "public purpose" shall be limited to the following:

- (a) A general public right to a definite use of the property.
- (b) Continuous public ownership of property dedicated to one or more of the following objectives and uses:
 - (i) Public buildings in which publicly funded services are administered, rendered, or provided.
 - (ii) Roads, bridges, waterways, access to public waters and lands, public ports, airports, and other public transportation, access, and navigational systems available to the general public.
 - (iii) Drainage, flood control, levees, coastal and navigational protection and reclamation for the benefit of the public generally.
 - (iv) Parks, convention centers, museums, historical buildings and recreational facilities generally open to the public.
 - (v) Public utilities for the benefit of the public generally.
- (c) The removal of a threat to public health or safety caused by the existing use or disuse of the property.

(3) Neither economic development, enhancement of tax revenue, or any incidental benefit to the public shall be considered in determining whether the taking or damaging of property is for a public purpose pursuant to Subparagraph (1) of this Paragraph or Article VI, Section 23 of this Constitution."

AMENDMENT NO. 9

On page 2, line 12, change "(2)" to "(4)"

AMENDMENT NO. 10

On page 2, delete lines 16 through 29 and on page 3, delete lines 1 through 20.

AMENDMENT NO. 11

On page 3, line 21, change "(6)" to "(5)(a)"

AMENDMENT NO. 12

On page 3, line 23, delete "the property is expropriated for a valid public use or whether"

AMENDMENT NO. 13

On page 3, line 24, change "adequate" to "just"

AMENDMENT NO. 14

On page 3, line 24, after the period "." and before "No" insert the following:

"Except as otherwise provided in this Constitution, the full extent of loss shall include the appraised value of the property and all costs of relocation, inconvenience, and otherwise actually incurred by the owner because of the expropriation.

(b) Any property which is not used for the purpose for which it was expropriated within fifteen years after the expropriation or which is determined by the expropriating entity to be offered for sale shall be first offered for sale to the owner from whom the property was expropriated, or to his known or ascertainable heirs, successors, or assigns, at the current appraised value. However, if that offer is not accepted within ninety days after the date it is made known to the owner or his heirs, successors, or assigns, the property may be sold to any other person as provided by law.

(6)"

AMENDMENT NO. 15

On page 4, delete lines 3 through 18 and insert the following:

"Section 21.(A) Authorization. In order to (1) induce and encourage the location of or addition to industrial enterprises therein which would have economic impact upon the area and thereby the state, (2) provide for the establishment and furnishing of such industrial plant, (3) facilitate the operation of public ports, or ~~(4)~~ (4) provide movable or immovable property, or both, for pollution control facilities, the legislature by law may authorize, subject to restrictions it may impose, any political subdivision, ~~deep-water~~ public port commission, or ~~deep-water~~ public port, harbor, and terminal district to

(a) issue bonds, subject to approval by the State Bond Commission or its successor, and use the funds derived from the sale of the bonds to acquire and improve industrial plant sites and other property necessary to the purposes thereof;

(b) acquire, through purchase, donation, exchange, and ~~(subject to Article 1, Section 4)~~ expropriation, and improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances, including public port facilities and operations which relate to or facilitate the transportation of goods in domestic and international commerce; and

(c) sell, lease, lease-purchase, or demolish all or any part of the foregoing."

AMENDMENT NO. 16

On page 4, line 27, change "for" to "by the state or a political subdivision of the state for predominant"

AMENDMENT NO. 17

On page 4, line 29, delete "and"

AMENDMENT NO. 18

On page 5, line 1, after "property" and before the period "." insert a semicolon ";" and add "and to provide for items included in just compensation to be paid to the owner of the expropriated property"

AMENDMENT NO. 19

On page 5, line 2, change "Section 21(B)" to "Section 21(A)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 14 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 2, line 24, after "include" and before "the" insert a comma "," and insert "but not be limited to."

AMENDMENT NO. 2

In House Committee Amendment No. 14 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 2, line 25, change "otherwise" to "any other damages"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 18 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, at the beginning of line 21, change "and" to "to provide exceptions for the operation of public ports and airports and for the expropriation of property for industrial development purposes; and"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Bruneau, Montgomery,

Johns, and Kleckley to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 8 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 1, at the end of line 31 delete "public" and at the beginning of line 32, delete "ports, airports,

AMENDMENT NO. 2

In House Committee Amendment No. 8 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 2, between lines 3 and 4, insert the following:
"(vi) Public ports and public airports to facilitate the transport of goods or persons in domestic or international commerce."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Bruneau and Cravins to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006.

AMENDMENT NO. 2

On page 1, line 2, change "Section 21(B)" to "Section 21(A) and to add Article VI, Section 21(D)"

AMENDMENT NO. 3

On page 1, line 11, after "Article VI" and before "of" insert "and to add Section 21(D) of Article VI"

AMENDMENT NO. 4

In House Committee Amendment No. 15 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 3, between lines 13 and 14, insert the following:

* * *

(D) Property excepted. The bona fide homestead, as defined by Article VII, Section 20(A)(1), shall not be subject to expropriation pursuant to this Section."

AMENDMENT NO. 5

Delete House Committee Amendment No. 19 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006.

AMENDMENT NO. 6

On page 5, line 2, change "Section 21(B)" to "Section 21(A); Adds Article VI, Section 21(D)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Bruneau and Farrar to Reengrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 1, line 9, delete "to provide"

AMENDMENT NO. 2

On page 1, line 6, delete "concerning the sale of expropriated property;"

AMENDMENT NO. 3

In House Committee Amendment No. 11 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 2, line 16, change "(5)(a)"

to "(5)"

AMENDMENT NO. 4

In House Committee Amendment No. 14 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 4, 2006, on page 2, delete lines 26 through 33 in their entirety

AMENDMENT NO. 5

On page 4, line 28, after the semicolon ";" delete the remainder of the line and at the beginning of line 29, delete "of expropriated property;"

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

NAYS

Malone
Total - 1

ABSENT

Cravins	Shepherd
Total - 2	

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.

Senator Bajoie in the Chair

Called from the Calendar

Senator Smith asked that Senate Bill No. 9 be called from the Calendar at this time.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 9 by Senator Smith

May 31, 2006

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 49:191(4)" to "amend and reenact R.S. 49:191(3)"

AMENDMENT NO. 2

On page 1, line 14, after "July 1," and before "pursuant" change "2013," to "2011,"

AMENDMENT NO. 3

On page 2, delete line 4 and insert "Section 4. R.S. 49:191(3) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 2, delete lines 13 through 15, and insert the following:

"(3) July 1, 2010:

(a) The Department of Transportation and Development and all statutory entities made a part of the department by law.

(b) The Department of Agriculture and Forestry and all statutory entities made a part of the department by law."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names Cravins, Jackson, Shepherd.

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

Regular Order of the Day Resumed

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 Heitmeier asked that Senate Bill No. 703 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 703—

BY SENATORS HEITMEIER AND MOUNT AN ACT

To amend and reenact R.S. 33:4547.1(B), 4547.2(B) through (E), and 4547.3 and to enact R.S. 33:4547.1(C) and (D), 4547.2(F) through (H) and 4547.4, relative to performance-based energy efficiency contracts; to provide for award of certain performance-based energy efficiency contracts by political subdivisions; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 16, change "* * *" to "(1) Set as a percentage of the annual energy cost savings attributable to the services or equipment under the contract; or"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 1, delete " ; or"

AMENDMENT NO. 2

On page 2, delete lines 2 through 7, and insert the following:

"(3) Energy efficiency contracts shall be contracts that are utilized for purposes that include but are not limited to the following:

(a) Insulation and reduced air infiltration of the building structure, including walls, ceilings, and roofs or systems within the building.

(b) Storm windows or doors, caulking or weather-stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing, reductions in glass area, or other window and door system modifications that reduce energy consumption.

(c) Automated or computerized energy control systems, including computer software and technical data licenses.

(d) Heating, ventilating, or air conditioning system modifications or replacements.

(e) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made.

(f) Indoor air quality improvements.

(g) Energy recovery systems.

(h) Electric system improvements.

(i) Building operation programs that reduce operating costs.

(j) Other energy conservation-related improvements or equipment, including improvements or equipment related to renewable energy.

(k) Water and other natural resource conservation, including accuracy and measurement of water distribution and consumption.

(l) An alteration or measure identified through a

comprehensive audit or assessment of new or existing facilities.
(4) For the purposes of this Section, the following terms shall be defined as follows:

(a) "Energy efficiency" shall mean an alteration to an existing facility that is designed for the reduction of the consumption of energy or natural resources or the reduction of operating costs as a result of changes that meet the following criteria:

(i) They do not degrade the level of service or working conditions.

(ii) They are measurable and verifiable under the International Performance Measurement and Verification Protocol as it existed on January 1, 2006.

(b) "Reduction of operating costs" shall mean the elimination of operating expenses or the avoidance of future capital replacement expenditures as a result of new equipment installed or services performed by the performance contractor. A contract which otherwise satisfies the requirements of this Section shall satisfy the requirements allowing use of a performance-based energy efficiency contract even if the sole cost being eliminated or reduced is cost related to maintenance, or as otherwise defined as "Annual energy savings" below."

AMENDMENT NO. 3

On page 2, line 21, after "water" add "conservation, water management"

AMENDMENT NO. 4

On page 2, line 22, delete "automation systems"

AMENDMENT NO. 5

On page 3, delete lines 4 and 5, and insert the following: "completed. Price shall not be less than fifty percent of the total weighted evaluation criteria of the proposal."

AMENDMENT NO. 6

On page 3, delete lines 26 and 27

AMENDMENT NO. 7

On page 5, at the end of line 3, insert the following: "There is no requirement under this law to provide any political subdivision with access to the operating system of the contractor. However, the user interface software must provide for all capabilities listed in this Section."

AMENDMENT NO. 8

On page 5, delete lines 4 through 15, and insert the following: "H. Each proposal shall clearly identify the responsibility of the political subdivision under the guarantee for each ECM."

AMENDMENT NO. 9

On page 5, delete lines 28 and 29

AMENDMENT NO. 10

On page 6, delete lines 1 through 14

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	

Total - 32

NAYS

Amedee

Gautreaux N

Total - 2

ABSENT

Cain

Jones

Schedler

Cravins

Quinn

Total - 5

The Chair declared the amended 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.

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 726 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 726—

BY SENATOR MARIONNEAUX

AN ACT

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 726 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "and (3)(a)" and before the comma ",", insert "and (N)"

AMENDMENT NO. 2

On page 1, line 6, after "and (3)(a)" insert "and (N)"

AMENDMENT NO. 3

On page 2, line 9, after "in full" and before the period "." insert "and any disputed unpaid funds for the processing of tires shall be placed in escrow until such time as a final determination on such disputed funds is rendered"

AMENDMENT NO. 4

On page 2, after line 21, insert the following:

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

* * *

Section 2.(A) Any funds collected, deposited, and available for distribution in the Waste Tire Management Fund for the sole purpose of research and development pursuant to and in accordance with Act No. 789 of the 2003 Regular Session of the Legislature shall be distributed in a pro rata share to those waste tire processors to whom

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there are undisputed obligations remaining unpaid. The first distribution shall occur within thirty days of the effective date of this Act and any subsequent distributions shall occur on a monthly basis.

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

Section 3. The provisions of this Act are interpretive of R.S. 30:2418(I) and are intended to explain and clarify its original intent, notwithstanding the contrary interpretation given in La. Atty. Gen. Op. No. 05-0385, November 10, 2005. Therefore, the provisions of this Act shall be applicable to all claims existing or actions pending on its effective date and to all claims arising or actions filed on or after its effective date.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Marionneaux, the amendments were adopted.

Mr. President in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Lentini
Bajoie	Fields	Marionneaux
Barham	Gautreaux B	Michot
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Duplessis	Kostelka	Theunissen
Total - 24		

NAYS

Cheek	Hollis	Smith
Dardenne	Malone	Ullo
Ellington	Mount	
Fontenot	Shepherd	
Total - 10		

ABSENT

Mr. President	Cravins	Nevers
Amedee	McPherson	
Total - 5		

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

Called from the Calendar

Senator Barham asked that Senate Bill No. 660 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 660— BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:1952(C) and 1954, relative to ad valorem taxes; to eliminate ad valorem tax assessments on certain credits; to provide for changes in the manner in which ad

valorem taxes are assessed against certain life insurance companies; to provide for credit assessments of certain insurance companies, the computation of such assessments, and apportionment of such assessments to the appropriate taxing districts; 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 Engrossed Senate Bill No. 660 by Senator Barham

AMENDMENT NO. 1

On page 3, line 11, after "Commission shall" delete the remainder of the line and delete lines 12 through 21 in their entirety and insert the following:

"apportion the assessment for insurance company credits to each parish in proportion to the respective amount of premiums written in each parish to the total assessment statewide.

(2) The assessor shall apportion the total parish assessments for insurance credits as received from the Louisiana Tax Commission to the various taxing districts in proportion to the total assessed value in each taxing district as to the total assessed value of all taxing districts excluding the public service assessment in each district."

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 660 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "1709,"

AMENDMENT NO. 2

On page 1, delete lines 3 through 7, and insert: "ad valorem property tax on the premiums on and credit assessments related to any type or kind of insurance company; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 9, after "R.S. 47:" insert "1709,"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert: "§1709. Exemption for intangible and incorporeal property Notwithstanding any provision to the contrary in this Subtitle, all intangible and incorporeal property of any kind or nature whatsoever, except public service properties, bank stocks, and credit assessments on premiums written in Louisiana by insurance companies and loan and finance companies, shall not be placed on the assessment lists or rolls by any assessor in any parish or district and shall be exempt from all ad valorem taxation. * * *"

AMENDMENT NO. 5

On page 2, line 4, delete "A." and change "Subparagraph" to "Paragraph" and "Subsection" to "Section"

AMENDMENT NO. 6

On page 2, delete line 24, and insert: "and accident, or any other kind or type of insurance policies."

AMENDMENT NO. 7

On page 3, delete lines 3 through 21

Senator N. Gautreaux moved adoption of the amendments.

Senator Barham objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Murray
Bajoie	Gautreaux B	Romero
Boasso	Gautreaux N	Schedler
Broome	Hollis	Shepherd
Chaisson	Lentini	Theunissen
Dardenne	Marionneaux	Ullo
Ellington	Michot	
Total - 20		

NAYS

Adley	Fontenot	Malone
Amedee	Heitmeier	Mount
Barham	Jackson	Smith
Cain	Jones	
Cheek	Kostelka	
Total - 13		

ABSENT

Cravins	Dupre	Nevers
Duplessis	McPherson	Quinn
Total - 6		

The Chair declared the amendments were adopted.

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

Rules Suspended

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

Appointment of Conference Committee on House Bill No. 676

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 House Bill No. 676: Senators Ellington, Dupre and Barham.

Appointment of Conference Committee on House Bill No. 1133

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 House Bill No. 1133: Senators Amedee, Marionneaux and B. Gautreaux.

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. 91—

BY SENATOR LENTINI

A RESOLUTION

To commend and congratulate Deeni Shannon on her many outstanding achievements and accomplishments and on being recognized and honored as the recipient of the Assisted Living Federation of America Hero Award.

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

SENATE RESOLUTION NO. 92—

BY SENATOR HINES

A RESOLUTION

To commend the United States Postal Service and declare June 2, 2006, as United States Postal Service day at the Louisiana Senate.

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

SENATE CONCURRENT RESOLUTION NO. 109—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Winborn E. Davis, health care professional, consultant, educator, author, and administrator.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	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	Marionneaux	
Ellington	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins	Duplessis
Total - 2	

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 31, 2006

May 31, 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. 107—
BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES GEYMAN, E. GULLORY, JOHNS, KLECKLEY AND MORRISH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the process to replace the Interstate 10 Calcasieu River Bridge and its approaches and to request law enforcement officials to strictly enforce the speed limit and lane usage by motorists on the bridge.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To acknowledge and commend the outstanding efforts of the Health Services Recovery Council and its affiliated health planning groups serving the significantly impacted parishes of Cameron, Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany, and the Greater Baton Rouge Area; recognize the Health Services Recovery Council as an integral part of this state's efforts to restore the health system and protect the health of our citizens; and urge and request the Health Services Recovery Council to continue to focus on the health care, mental health, and dental health care needs within their parishes, pursue broad regional coordination of resources within their parishes, pursue broad regional coordination across facility types and across their parishes, represent and speak on behalf of their parishes before the Legislature and at Louisiana Recovery Authority meetings or before other state or federal entities, coordinate with local community-based and state level planning efforts, serve as the coordinating council to identify and provide clear expectations for their parishes' health care recovery, serve on behalf of the residents of their parish and meet with such residents to ascertain their health care needs, and plan for future hurricane needs.

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 31, 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. 448—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 9:3509.4, relative to deferments on loans; to authorize the expenditure of funds during certain emergencies or disasters to facilitate communication of certain information; to require a lender to obtain written approval of borrowers prior to certain deferments granted due to a declared disaster or emergency; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 591—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3802(C)(2)(a), relative to appropriations to the Board of Regents and to the State Board of Elementary and Secondary Education for administrative costs related to the Louisiana Quality Education Support Fund; to provide limitations; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 657—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact Section 1 and to repeal Section 2 of Act No. 453 of the 2005 Regular Session of the Legislature, which authorizes the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 877—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; and to provide for related matters.

HOUSE BILL NO. 273—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:2259(A)(Option 4), relative to the Firefighters' Retirement System; to provide regarding the retirement benefit option allowing a member to designate a person to receive a predetermined amount of benefits; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 693—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:972, 973(A), (C), (E), (F), (G)(1) and (2)(a), 974(A)(introductory paragraph) and (C), 975(A)(introductory paragraph) and (5), (B) through (E), and (G)(1) and (3), 976, 977, 984(introductory paragraph), 986(B)(introductory paragraph) and (3)(b), 988(A)(introductory paragraph), (B), and (C), 990(C), 992(A)(introductory paragraph), (B)(introductory paragraph), and (C) through (E), and 994, relative to controlled dangerous substances licenses; to provide for the transfer of the authority to issue licenses from the Department of Health and Hospitals to the Louisiana Board of Pharmacy; to provide for a fee schedule; to provide for administrative and enforcement exceptions; and to provide for related matters.

HOUSE BILL NO. 1012—
BY REPRESENTATIVE HEATON
AN ACT

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

HOUSE BILL NO. 1077—
BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 11:811(F), relative to Teachers' Retirement System of Louisiana; to provide for service credit and retirement eligibility for members paid from school food service funds; to provide with respect to administrative error; to provide for refund of contributions; 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. 273—
 BY REPRESENTATIVE ARNOLD
 AN ACT

To amend and reenact R.S. 11:2259(A)(Option 4), relative to the Firefighters' Retirement System; to provide regarding the retirement benefit option allowing a member to designate a person to receive a predetermined amount of benefits; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 448—
 BY REPRESENTATIVE MARCHAND
 AN ACT

To enact R.S. 9:3509.4, relative to deferments on loans; to authorize the expenditure of funds during certain emergencies or disasters to facilitate communication of certain information; to require a lender to obtain written approval of borrowers prior to certain deferments granted due to a declared disaster or emergency; 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. 591—
 BY REPRESENTATIVE CRANE
 AN ACT

To amend and reenact R.S. 17:3802(C)(2)(a), relative to appropriations to the Board of Regents and to the State Board of Elementary and Secondary Education for administrative costs related to the Louisiana Quality Education Support Fund; to provide limitations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 657—
 BY REPRESENTATIVE SALTER
 AN ACT

To amend and reenact Section 1 and to repeal Section 2 of Act No. 453 of the 2005 Regular Session of the Legislature, which authorizes the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 693—
 BY REPRESENTATIVE JOHNS
 AN ACT

To amend and reenact R.S. 40:972, 973(A), (C), (E), (F), (G)(1) and (2)(a), 974(A)(introductory paragraph) and (C), 975(A)(introductory paragraph) and (5), (B) through (E), and (G)(1) and (3), 976, 977, 984(introductory paragraph), 986(B)(introductory paragraph) and (3)(b), 988(A)(introductory paragraph), (B), and (C), 990(C), 992(A)(introductory paragraph), (B)(introductory paragraph), and (C) through (E), and 994, relative to controlled dangerous substances licenses; to provide for the transfer of the authority to issue licenses from the Department of Health and Hospitals to the Louisiana Board of Pharmacy; to provide for a fee schedule; to provide for administrative and enforcement exceptions; and to provide for related matters.

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

HOUSE BILL NO. 877—
 BY REPRESENTATIVE DAMICO
 AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 1012—
 BY REPRESENTATIVE HEATON
 AN ACT

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

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

HOUSE BILL NO. 1077—
 BY REPRESENTATIVE FARRAR
 AN ACT

To enact R.S. 11:811(F), relative to Teachers' Retirement System of Louisiana; to provide for service credit and retirement eligibility for members paid from school food service funds; to provide with respect to administrative error; to provide for refund of contributions; 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 30, 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. 245—
 BY REPRESENTATIVE DANIEL
 A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to continue to improve its efficiency in delivering services to the citizens of Louisiana as those services are offered on the telephone, on the Internet, and at field offices around the state.

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

**House Concurrent Resolutions
 on First Reading**

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

May 31, 2006

HOUSE CONCURRENT RESOLUTION NO. 245—
BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to continue to improve its efficiency in delivering services to the citizens of Louisiana as those services are offered on the telephone, on the Internet, and at field offices around the state.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

INSURANCE

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

May 31, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 510—
BY SENATOR QUINN

AN ACT

To enact R.S. 22:658(E), relative to homeowner's insurance policies; to provide for payment and adjustment of claims arising under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 236—
BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to reconsider the decision to allow Louisiana Farm Bureau Mutual Insurance Company to exclude wind and hail coverages from its homeowners' policies.

Reported with amendments.

HOUSE BILL NO. 226—
BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:193(A), relative to viatical settlements; to provide relative to the annual statement of viatical settlement transactions required to be submitted to the commissioner of insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 251—
BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:191.1(C), relative to viatical settlements; to provide for an annual expiration date for a license as a viatical settlement provider, broker, or investment agent; to provide otherwise with respect to renewal of such licenses; to provide relative to the annual statement required of licensees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 456—
BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 22:1478, relative to property or casualty insurance; to require that certain bills sent by an insurer to its policyholder for an insurance premium identify the property upon which the

premium is due; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 479—
BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 517—
BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 914—
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 22:658(A)(1), relative to payment and adjustment of claims; to provide for the payment of claims; to provide for the notification of insurance producers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 934—
BY REPRESENTATIVES QUEZAIRE, BOWLER, AND HUTTER

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1141—
BY REPRESENTATIVES HEBERT AND SCALISE

AN ACT

To amend and reenact R.S. 22:1430.12(A)(1), relative to insurance rates for certain policies; to exempt certain coverages from certain requirements for rates for policies offered by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1272—
BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 22:1478, relative to property insurance; to provide for insurer-produced written catastrophe response plans; to provide that the catastrophe plan describe each insurer's response to catastrophes affecting insureds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1368— (Substitute for House Bill No. 790 by Representative Labruzzo)

BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 22:1477(B)(5), relative to homeowners' insurance; to provide for disclosure of the possibility of increasing the

deductible and lowering the potential cost paid; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 31, 2006

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 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.

Reported with amendments.

SENATE BILL NO. 422—

BY SENATOR JACKSON
AN ACT

To enact R.S. 24:515.1, relative to the legislative auditor; to require the legislative auditor to develop a uniform system of reporting all sources of revenue and expenditures for use by the judicial branch of state government relative to judicial district indigent defender boards, funds, and regional defense service centers; to require annual reporting of all major sources of revenues and expenditures through the new audit formats; to provide for uniformity, standardization, and consistency in terminology and classification for annual audit reports; to provide for compliance and reporting schedules; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVE SMILEY
A CONCURRENT RESOLUTION

To urge and request the legislative auditor in the auditing of state agencies, as that term is defined in R.S. 39:2, to include in the performance of such audits an examination of the fiscal efficiency of the entity by determining the relationship between fees charged and services rendered and to report entities levying excessive fees to the Legislative Audit Advisory Council and to the appropriate legislative oversight committees.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE TOOMY
A CONCURRENT RESOLUTION

To designate the German-American Cultural Center in Gretna as the official German-American Cultural Center for the state of Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Center-Health Care Services Division to take all necessary measures to name the library located at the Earl K. Long Medical Center in Baton Rouge the "Jane Lambremont LSU Library" in honor of former library director Jane Lambremont.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 201—(Substitute for House Concurrent Resolution No. 31 by Representative Robideaux)

BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to design an appropriate notice to displaced citizens of this state providing information on domicile and residence requirements for filing individual income taxes as provided in Title 47 of the Louisiana Revised Statutes of 1950 and to expeditiously mail such notice to all displaced citizens of Louisiana.

Reported favorably.

HOUSE BILL NO. 177—

BY REPRESENTATIVE SMILEY
AN ACT

To enact R.S. 49:155.6, relative to state symbols; to require the state poem to be "I Love My Louisiana" by James Ellis Richardson; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 791—

BY REPRESENTATIVES LANCASTER, SMILEY, ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOEI, HINES, MOUNT, AND NEVERS
AN ACT

To amend and reenact R.S. 17:2047(B) and 2048(C), R.S. 23:1871(O) and (P), R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 37:1005(B), and R.S. 46:2674(A)(2), to enact R.S. 36:209(H)(3) and 259(D), and to repeal Part X of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.81 through 551.85, R.S. 23:103 and 1871(C)(13) and (G)(2), R.S. 25:1222(C) and 1223.1, Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1261 through 1264, Part I of Chapter 6 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:401, Chapter 27 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2351 through 2357, R.S. 36:109(G)(2), 209(I), (R), (T), and (Y), 239(C), 259(E)(22) and (HH), 309(H), 359(H), 629(E)(2), 744(K), 802.13, 802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(I), Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751 through 1753, Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347, Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:109.1, R.S. 49:229.1, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, and

Act No. 319 of the 1977 Regular Session of the Legislature, relative to boards, commissions, districts, authorities, and like entities; to abolish certain boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Pork Promotion Board; to remove references to and provisions for the Louisiana-Mississippi Tangipahoa River Waterway Compact; to remove references to, provisions for, and the powers, functions, and duties of the Grant Parish Port Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Advisory Committee on Assisted Living; to remove references to, provisions for, and the powers, functions, and duties of the Education Facilities Trust Fund District and its board of trustees; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Private Employment Service Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Purchase Commemorative Act Commission; to remove certain references to the Louisiana Biomedical Research and Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Eastern New Orleans Interstate Oversight Commission; to remove references to, provisions for, and the powers, functions, and duties of the First Stop Shop Coordinating Council; to remove references to, provisions for, and the powers, functions, and duties of the Manchac Parkway and its commission; to remove references to, provisions for, and the powers, functions, and duties of the Red River Development Council; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; to abolish the Louisiana Unmarked Burial Sites Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1205—
 BY REPRESENTATIVES ST. GERMAIN AND BURNS
 AN ACT

To amend and reenact R.S. 42:1123(36)(a), relative to ethics; to provide for the amount of certain specified disaster aid or relief a public employee is allowed to receive; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1241—
 BY REPRESENTATIVE BALDONE
 AN ACT

To enact R.S. 44:4(41), relative to information pertaining to the credit card of a public body; to make confidential information related to a credit card issued to a public body that would enable a third person to use the credit card or access the credit card account; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1390— (Substitute for House Bill No. 1340 by Representative Gray)

BY REPRESENTATIVE GRAY
 AN ACT

To amend and reenact R.S. 18:401.3(B), relative to the conduct of early voting in certain parishes for certain elections; to authorize the secretary of state to include the conduct of early voting in certain parishes in an emergency plan developed by the secretary of state for the conduct of an election in an area affected by a gubernatorially declared state of emergency; to provide relative to the conduct of such early voting; and to provide for related matters.

Reported favorably.

Respectfully submitted,
 REGGIE P. DUPRE, JR.
 Vice Chairman

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1388 from the Committee on Judiciary B.

HOUSE BILL NO. 1388— (Substitute for House Bill No. 1191 by Representative Thompson)

BY REPRESENTATIVES THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RITCHIE AND SENATORS BARHAM, HINES, BAJOIE, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 29:725(E) through (H) and R.S. 49:191(3), to enact R.S. 29:722(C), 725(1), 725.1, 725.2, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state; to provide for application of the principles of the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities and employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for confidentiality of certain records; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 748, was read by title and referred to the Legislative Bureau.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 31, 2006

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVES GARY SMITH AND SCHNEIDER
A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections, office of state police, in conjunction with the Louisiana Highway Safety Commission to conduct a public awareness campaign informing the public that the left lane on multilane highways is for passing and to request state police to impose penalties for violations as provided by law.

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVES FANNIN, ALEXANDER, BADON, BARROW, CRANE, CROWE, DOWNS, GREENE, HONEY, M. POWELL, T. POWELL, TRAHAN, WALKER, AND WALSWORTH AND SENATORS DARDENNE, MOUNT, AND THEUNISSEN
A CONCURRENT RESOLUTION

To urge and request the High School Redesign Commission to consider and include in its recommendations the role and importance of vocational education programs in preparing high school students to pursue postsecondary education, industry-based training or certification, an apprenticeship, the military, or immediate entrance into a career field.

HOUSE CONCURRENT RESOLUTION NO. 80—
BY REPRESENTATIVE JEFFERSON
A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study technology and strategies that are available and might be used to establish an integrated system of water management and hurricane protection in south Louisiana and to report its findings to the House and Senate Committees on Transportation, Highways and Public Works and to the Legislature of Louisiana prior to the 2008 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVE KATZ
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs indicating the location of Antique Alley in West Monroe and to facilitate the erection of the Monroe Garden Club welcome sign.

HOUSE CONCURRENT RESOLUTION NO. 190—(Substitute for House Concurrent Resolution No. 103 by Representative Greene)

BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of incorporating into its five-year strategic plan a plan for the improvement of the appearance of state highways.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study the feasibility of the implementation by such management boards of an alternative leave program for unclassified and academic personnel employed in postsecondary education institutions under the respective jurisdiction of each board as an option to the sick and annual leave that is currently provided to such employees pursuant to state law and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 228—
BY REPRESENTATIVE GRAY AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services, office of community services, and the Department of Education to provide a plan for improved educational outcomes for students in foster care.

HOUSE CONCURRENT RESOLUTION NO. 238—
BY REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to work in conjunction with the Governor's Office of Elderly Affairs to study the feasibility of implementing a Silver Alert System to provide for an early warning system to help locate missing senior citizens and to report its findings prior to March 1, 2007.

HOUSE CONCURRENT RESOLUTION NO. 239—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Culture, Recreation and Tourism to create a state heritage area program in order to recognize and distinguish significant cultural, historic, and natural resources.

HOUSE CONCURRENT RESOLUTION NO. 241—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

To commend Lanminh Pham upon being selected as the Spring 2006 Outstanding Graduate at the University of Louisiana at Lafayette.

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.

HOUSE CONCURRENT RESOLUTION NO. 237—
BY REPRESENTATIVES WALSWORTH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Petty Officer Third Class Lee Hamilton Deal of West Monroe who was killed as a result of enemy action in Iraq.

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

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

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 31, 2006

To the Honorable President and Members of the Senate:

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

May 31, 2006

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.

HOUSE BILL NO. 777—

BY REPRESENTATIVE GRAY AND SENATOR DUPRE
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 instanter 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

HOUSE BILL NO. 780—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 787—

BY REPRESENTATIVE PINAC
AN ACT

To enact Part VIII of Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:969.51, 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.

HOUSE BILL NO. 835—

BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS MALONE AND MCPHERSON
AN ACT

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

HOUSE BILL NO. 836—

BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN AND SENATORS MALONE AND MCPHERSON
AN ACT

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

HOUSE BILL NO. 840—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, PIERRE, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:103(E), relative to hunting licenses; to provide penalties for use of a hunting license by a person other than the licensee; and to provide for related matters.

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 AND SENATOR DUPRE
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.

HOUSE BILL NO. 873—

BY REPRESENTATIVES CAZAYOUX, BURRELL, DORSEY, FAUCHEUX, GLOVER, M. POWELL, SCALISE, AND WHITE AND SENATORS BROOME AND DUPRE
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.

HOUSE BILL NO. 876—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

HOUSE BILL NO. 879—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:133.5, relative to filing a false complaint against a law enforcement officer; to create the crime of filing a false complaint against a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

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.

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.

HOUSE BILL NO. 953—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To authorize and provide for the transfer of certain state property in West Feliciana from the division of administration to Turnbull Incorporated; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1034—

BY REPRESENTATIVE FRITH AND SENATOR CHEEK
AN ACT

To enact R.S. 3:556.14, relative to an assessment on crawfish tail meat; to provide for a referendum of producers; to provide for payment and collection of the assessment; to provide for distribution of the proceeds; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1043—

BY REPRESENTATIVES GREENE AND SCALISE
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for increased penalties for the crime of vehicular homicide; and to provide for related matters.

HOUSE BILL NO. 1069—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:572(1)(a), relative to the Natural Resources and Energy Act of 1973; to provide that when intrastate natural gas is rationed or allocated because of an emergency shortage, priority is given to the petroleum, petrochemical, and chemical industry to the extent necessary to ensure the protection of the public health, safety, and the environment; and to provide for related matters.

HOUSE BILL NO. 1070—

BY REPRESENTATIVE HOPKINS
AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract of land situated in Caddo Parish to the respective lessee; to provide certain terms and conditions; and to provide for related matters.

HOUSE BILL NO. 1086—

BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 49:214.7(A) and to enact R.S. 49:214.7(E), relative to barrier islands; to require that barrier island stabilization or reconstruction projects contain a minimum dune height; to require the Department of Natural Resources to report annually to the legislature relative to the status and plans for barrier islands; and to provide for related matters.

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.

HOUSE BILL NO. 1179—

BY REPRESENTATIVES FANNIN, BRUCE, R. CARTER, CHANDLER, CURTIS, DARTEZ, DOERGE, DORSEY, DOWNS, ERDEY, GALLOT, HILL, HOPKINS, JOHNS, KATZ, KENNEY, MARTINY, MCDONALD, MONTGOMERY, PIERRE, PINAC, T. POWELL, QUEZAIRE, RITCHIE, SALTER, SMILEY, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, TOWNSEND, TUCKER, WALSWORTH, AND WOOTON
AN ACT

To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversize and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

HOUSE BILL NO. 1184—

BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN, AND WALKER
AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE M. GUILLORY
AN ACT

To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

HOUSE BILL NO. 1212—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; and to provide for related matters.

HOUSE BILL NO. 1257—

BY REPRESENTATIVE SCALISE AND SENATORS ADLEY, ELLINGTON, B. GAUTREAUX, AND KOSTELKA
AN ACT

To enact R.S. 47:463.131 and 463.132, relative to motor vehicle prestige license plates; to provide for the creation of a Support Our Troops prestige license plate; to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1294—

BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT

To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D) and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for

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procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

HOUSE BILL NO. 1306—

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

HOUSE BILL NO. 1332—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

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.

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.

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.

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.

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

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

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

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 31, 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. 655—

BY SENATORS ADLEY, KOSTELKA, QUINN, B. GAUTREAUX AND MURRAY AND REPRESENTATIVES DANIEL, BEARD, CRANE, DAMICO, DEWITT, FRITH, GEYMAN, HAMMETT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE, WALSWORTH, JOHNS AND MONTGOMERY
AN ACT

To amend and reenact R.S. 30: 82(6), 89.1 and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, judgments, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; and to provide for related matters.

SENATE BILL NO. 525—

BY SENATOR N. GAUTREAUX
AN ACT

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

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, June 1, 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, June 1, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

