

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

EIGHTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 31, 2007

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

ROLL CALL

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

PRESENT

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

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Bill Strawbridge, 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 Ullo, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

**LOUISIANA STATE UNIVERSITY
Health Care Services Division
Baton Rouge, Louisiana 70809**

May 17, 2007

The Honorable Don Hines
President of the Senate
P. O. Box 94183
Capitol Station
Baton Rouge, LA 70804

RE: Appointment to the Louisiana State University - Health Care Services Division Community Advisory Committee

Dear Senator Hines:

Attached is a completed Confirmation Questionnaire on an individual recently appointed to the Walter O. Moss Regional Medical Center.

Thanh T. Tran - Replacing Mylinda Elliot

In accordance with R. S. 17:1519.7.B, "Such appointments shall be submitted to the Senate for confirmation."

If you have any questions regarding the questionnaire, please contact Marcia Daigle of my staff. Ms. Daigle may be reached at 922-0493.

Sincerely,
DONALD R. SMITHBURG
Executive Vice President, LSU System
Chief Executive Officer, HCSD

**LOUISIANA DEPARTMENT OF AGRICULTURE
Baton Rouge, Louisiana 70821**

May 30, 2007

Honorable Donald Hines
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed the following individuals to the boards and commissions for which I am responsible and I am submitting them for confirmation:

Mr. Mike LeBlanc
1185 BB Sr. Rd.
Breux Bridge, LA 70517
Board/position: Crawfish Promotion & Research Board - processor
Vice: Guidry
Term: April 17, 2007-Concurrent

Mr. Mark Fields
174 Bluebird Lane
Marksville, LA 71351
Board/position: Sweet Potato Advertising and Development Commission - canner
Vice: Self
Term: July 1, 2006-June 30, 2010

Mr. Charles "Ken" Thornhill
P.O. Box 247
Wisner, LA 71378
Board/position: Sweet Potato Advertising and Development Commission - grower
Vice: McDermott
Term: July 1, 2006-June 30, 2010

Mr. Lee Jones
1542 Forest Cemetery Rd.
Pioneer, LA 71266
Board/position: Sweet Potato Advertising and Development Commission - grower
Vice: Deshotel
Term: July 1, 2006-June 30, 2010

May 31, 2007

Mr. John Kavanaugh
11695 Clay Ansley Hwy.
Ruston, LA 71270
Board/position: Horticulture Commission - Landscape Irrigation Contractor
Vice: New position - no vice
Term: March 30, 2007-January 14, 2008

Mr. Russell Ruckstuhl, Jr.
1203 Myrtle Place
Lafayette, LA 70506
Board/position: Horticulture Commission - Landscape Contractor
Vice: Imahara
Term: March 30, 2007-March 30, 2011

I feel that these individuals meet all of the qualifications required by law and will serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested.

Should you need or desire any other information from me, please contact me at anytime.

Sincerely,
BOB ODOM
Commissioner

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, 2007

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. 73—
BY SENATOR CASSIDY AND REPRESENTATIVE DANIEL
A CONCURRENT RESOLUTION
To recognize October 1, 2007, as World Peace Day in the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATOR NEVERS AND REPRESENTATIVE RITCHIE
A CONCURRENT RESOLUTION
To commend Bogalusa native and Pulitzer Prize-winning poet Yusef Komunyakaa upon his being honored with the Louisiana Writer Award.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 11—
BY SENATORS DUPRE AND ULLO AND REPRESENTATIVES PITRE, BALDONE, DOVE, DOWNS, ERDEY, GREENE, SMILEY AND ST. GERMAIN
A CONCURRENT RESOLUTION
To approve the Comprehensive Master Plan for Coastal Protection, as adopted by the Coastal Protection and Restoration Authority.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATORS DUPRE AND ULLO AND REPRESENTATIVES PITRE, BALDONE, DOVE, DOWNS, ERDEY, GREENE, SMILEY AND ST. GERMAIN

A CONCURRENT RESOLUTION
To approve the annual Coastal Protection Plan for Fiscal Year 2007-2008, as adopted by the Coastal Protection and Restoration Authority.

Reported without amendments.

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

Introduction of Resolutions,
Senate and Concurrent

Senator Ullo 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. 60—
BY SENATOR N. GAUTREAUX
A RESOLUTION
To commend Edmund L. Habetz for being named Outstanding Business Person of the Year for 2006-07 by the Crowley Chamber of Commerce.

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

SENATE RESOLUTION NO. 61—
BY SENATOR JONES
A RESOLUTION
To commend President George W. Bush and the Congress of the United States for passing the Federal Minimum Wage Act of 2007.

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

SENATE RESOLUTION NO. 62—
BY SENATOR KOSTELKA
A RESOLUTION
To commend and congratulate Joshua Michael Brown on being the first person in the world to earn and receive a Nanosystems Engineering Degree.

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

SENATE CONCURRENT RESOLUTION NO. 79—
BY SENATOR N. GAUTREAUX AND REPRESENTATIVE PINAC
A CONCURRENT RESOLUTION
To commend Edmund L. Habetz for being named Outstanding Business Person of the Year for 2006-07 by the Crowley Chamber of Commerce.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Dupre McPherson
Adley Ellington Mount
Amedee Fields Murray
Barham Gautreaux B Nevers
Broome Gautreaux N Quinn
Cain Hollis Romero

Cassidy	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot	Lentini
Boasso	Heitmeier	Michot
Total - 6		

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

Senate Resolutions on Second Reading

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

SENATE RESOLUTION NO. 54—

BY SENATOR MICHOT

A RESOLUTION

To commend Eagle Scout Robert Greenleaf Hess, Jr., of the Boy Scouts of America Troop 156 at St. Mary's Catholic Church in Lafayette, Louisiana, on his selection as the 2006 Outstanding Eagle Scout by the Louisiana Society of the Sons of the American Revolution.

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

SENATE RESOLUTION NO. 57—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal John Edward Hale upon his death in ground combat operations in Iraq.

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

SENATE RESOLUTION NO. 58—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Dustin DeCol upon his death in the service of his country.

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

Senate Concurrent Resolutions on Second Reading

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

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATORS HINES, BAJOIE, MCPHERSON AND HEITMEIER

A CONCURRENT RESOLUTION

To approve the business plan submitted by the office of facility planning and control within the division of administration for the new Medical Center of Louisiana in New Orleans, as required by Action Plan Number 2, Amendment Number 1 for Community Development Block Grant Funds proposed by the Louisiana Recovery Authority, approved and submitted by the governor, and approved by the Joint Legislative Committee on

the Budget and by a majority of the elected members of each house of the legislature; and to provide for other matters pertaining thereto.

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

Senator Amedee in the Chair

SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR HINES AND REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To authorize and instruct the state treasurer to immediately transfer three hundred million dollars from the Louisiana Economic and Port Development Infrastructure Fund to the state general fund; and to provide for other matters pertaining thereto.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Fontenot
Boasso	Lentini
Total - 4	

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

Mr. President in the Chair

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 30, 2007

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. 73—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Title XVII of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 3071 through 3083, relative to compromise; to provide for definitions; to provide for formal requirements; to provide for the effects of a compromise; to provide for the object of a compromise; to provide for the scope of a compromise; to provide for the interpretation of a compromise; to provide for renunciation of rights; to provide for after-acquired rights; to provide for tender and acceptance of a lesser sum; to provide for the preclusive effect of a compromise; to provide for the effect on a novation; to provide for the rescission of a compromise; to provide for prescription of rights affected by the compromise; and to provide for related matters.

HOUSE BILL NO. 486—

BY REPRESENTATIVES FANNIN, ANDERS, CHANDLER, FRITH, MCDONALD, MORRIS, AND TOWNSEND AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 40:1730.22(A) and (B), 1730.23(A) and (B), 1730.24(B), 1730.28(A)(introductory paragraph) and (3), and 1730.34(C) and to enact R.S. 40:1730.28(C) and (D), relative to the state uniform construction code; to provide for membership of the code council; to provide for enforcement by plan review and inspection; to clarify an exemption for manufactured housing; to provide for agreements between homeowners and third-party providers; to provide for third-party provider qualifications; to provide for mandatory enforcement only with respect to new construction, reconstruction, extensive alterations, and additions to code-built homes; to provide for adoption of the 2006 International Residential Code with an amendment; to amend the energy part of the code; to provide for creation of a council web site and publishing of third-party providers; and to provide for related matters.

HOUSE BILL NO. 677—

BY REPRESENTATIVES THOMPSON, ALARIO, DEWITT, FANNIN, KATZ, AND TOWNSEND AND SENATORS HINES AND SMITH
AN ACT

To amend and reenact R.S. 25:352(A) and (B)(2)(b), to enact Chapter 5-Q of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.141 through 380.146, and R.S. 36:744(K) and 801.21, and to repeal R.S. 25:342(B)(3)(c) and R.S. 36:209(W)(2), relative to the Louisiana Political Museum and Hall of Fame; to transfer the Louisiana Political Museum and Hall of Fame to the Department of State and to provide relative to such transfer; to create the governing board of the Louisiana Political Museum and Hall of Fame and to provide for its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules and regulations and fees; to provide for receipt and use of funds and property and self-generated revenue; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; to provide relative to the director and secretary of the museum; and to provide for related matters.

HOUSE BILL NO. 698—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:110(B), 1275.1(A), 1275.11(A), 1275.14(B), 1275.15, 1275.19, 1275.20, 1355(6), and 1405(A) and to enact R.S. 18:1275.14(C), relative to elections involving federal offices; to provide relative to voter registration; to provide relative to participation in elections by unaffiliated voters in congressional elections; to provide relative to candidates qualifying in certain congressional first party primary, second party primary, and general elections; to provide relative to the nomination of candidates in congressional elections; to provide relative to qualifications for voters in congressional elections; to provide relative to requirements for voting machines used in certain congressional primary elections; to provide relative to objecting to candidacy; and to provide for related matters.

HOUSE BILL NO. 704—

BY REPRESENTATIVES PINAC AND KENNEY
AN ACT

To amend and reenact R.S. 40:1730.22(A) and (B), 1730.23(A) and (B), 1730.24(B), and 1730.28(A)(introductory paragraph) and (3) and to enact R.S. 40:1730.28(C), relative to the state uniform construction code; to provide for members of the Louisiana State Uniform Construction Code Council; to provide for enforcement by parishes and municipalities; to provide for an exception for manufactured housing; to provide for agreements with third-party providers; to provide for third-party provider qualifications; to provide for mandatory portions of the International Residential Code; to amend the energy part of the International Residential Code; to provide for adoption of the 2006 International Residential Code with an amendment; and to provide for related matters.

HOUSE BILL NO. 730—

BY REPRESENTATIVES JACKSON, CAZAYOUX, DURAND, GALLOT, ELBERT GUILLORY, HEBERT, LALEUR, MONTGOMERY, MORRELL, ROBIDEAUX, SCALISE, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, WALSWORTH, AND WILLIAMS AND SENATOR MICHOT
AN ACT

To amend and reenact R.S.18:463(B) and R.S. 42:1114.1 and 1124(A) and to enact R.S. 42:1114.4, relative to financial disclosure; to require certain disclosures by members of the legislature; to require certain disclosures by candidates for the state legislature; to provide for the content of such disclosures; to require certain disclosures by statewide elected officials; to require certain disclosures by appointed officials; to require certain disclosures by members of the Louisiana Board of Ethics; to require certain disclosures by candidates for statewide elective office; to require all other elected officials to file certain disclosures; to provide for the content of such disclosures; to provide for the duties of the Board of Ethics relative to such disclosures; to provide for penalties; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 493—

BY REPRESENTATIVES BARROW, SCHNEIDER, GALLOT, GREENE, HEBERT, LANCASTER, MARCHAND, MONTGOMERY, SCALISE, ST. GERMAIN, AND WILLIAMS
AN ACT

To amend and reenact R.S. 42:1134(M) and (N) and 1170 and to enact R.S. 42:1134(O), relative to the Code of Governmental Ethics; to provide for certain education and training materials and requirements; to require certain public servants to receive education regarding certain laws under the jurisdiction of the Board of Ethics; to provide for the functions and duties of the Board of Ethics relative to such education and training; to require the Board of Ethics to publish certain information; to provide for the provision of certain education and training via the Internet; to provide for the availability of such education and training; to provide for the duties of state agencies relative to such education; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 203—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Code of Civil Procedure Articles 1424, 1425, 1460, 1461, and 1462 and R.S.13:3205 and to enact Code of Civil Procedure Article 1633.1, relative to discovery; to provide for the scope of discovery; to provide exceptions to disclosure; to provide remedies for inadvertent disclosure; to provide for discovery of experts; to provide for discovery of electronically stored information; to provide for live trial testimony by video; to provide for delivery of process by commercial carrier; and to provide for related matters.

HOUSE BILL NO. 758—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 30:2055.2, relative to odor nuisances; to authorize certain municipal governing authorities to enact odor nuisance ordinances; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 759—
BY REPRESENTATIVE DOWNS

AN ACT

To enact Chapter 17 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:5161, relative to political subdivisions; to authorize political subdivisions to establish post-employment benefits funds; to provide relative to the management and investment of such funds; to provide relative to existing funds; 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. 73—
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Title XVII of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 3071 through 3083, relative to compromise; to provide for definitions; to provide for formal requirements; to provide for the effects of a compromise; to provide for the object of a compromise; to provide for the scope of a compromise; to provide for the interpretation of a compromise; to provide for renunciation of rights; to provide for after-acquired rights; to provide for tender and acceptance of a lesser sum; to provide for the preclusive effect of a compromise; to provide for the effect on a novation; to provide for the rescission of a compromise; to provide for prescription of rights affected by the compromise; and to provide for related matters.

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

HOUSE BILL NO. 203—
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Articles 1424, 1425, 1460, 1461, and 1462 and R.S.13:3205 and to enact Code of Civil Procedure Article 1633.1, relative to discovery; to provide for the scope of discovery; to provide exceptions to disclosure; to provide remedies for inadvertent disclosure; to provide for discovery of experts; to provide for discovery of electronically stored information; to provide for live trial testimony by video; to provide for delivery of process by commercial carrier; and to provide for related matters.

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

HOUSE BILL NO. 486—
BY REPRESENTATIVES FANNIN, ANDERS, CHANDLER, FRITH,
MCDONALD, MORRIS, AND TOWNSEND AND SENATOR SMITH

AN ACT

To amend and reenact R.S. 40:1730.22(A) and (B), 1730.23(A) and (B), 1730.24(B), 1730.28(A)(introductory paragraph) and (3), and 1730.34(C) and to enact R.S. 40:1730.28(C) and (D), relative to the state uniform construction code; to provide for membership of the code council; to provide for enforcement by plan review and inspection; to clarify an exemption for manufactured housing; to provide for agreements between homeowners and third-party providers; to provide for third-party provider qualifications; to provide for mandatory enforcement only with respect to new construction, reconstruction, extensive alterations, and additions to code-built homes; to provide for adoption of the 2006 International Residential Code with an amendment; to amend the energy part of the code; to provide for creation of a council web site and publishing of third-party providers; and to provide for related matters.

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

HOUSE BILL NO. 493—BY REPRESENTATIVES BARROW, SCHNEIDER, GALLOT, GREENE,
HEBERT, LANCASTER, MARCHAND, MONTGOMERY, SCALISE, ST.
GERMAIN, AND WILLIAMS

AN ACT

To amend and reenact R.S. 42:1134(M) and (N) and 1170 and to enact R.S. 42:1134(O), relative to the Code of Governmental Ethics; to provide for certain education and training materials and requirements; to require certain public servants to receive education regarding certain laws under the jurisdiction of the Board of Ethics; to provide for the functions and duties of the Board of Ethics relative to such education and training; to require the Board of Ethics to publish certain information; to provide for the provision of certain education and training via the Internet; to provide for the availability of such education and training; to provide for the duties of state agencies relative to such education; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 677—BY REPRESENTATIVES THOMPSON, ALARIO, DEWITT, FANNIN,
KATZ, AND TOWNSEND AND SENATORS HINES AND SMITH

AN ACT

To amend and reenact R.S. 25:352(A) and (B)(2)(b), to enact Chapter 5-Q of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.141 through 380.146, and R.S. 36:744(K) and 801.21, and to repeal R.S. 25:342(B)(3)(c) and R.S. 36:209(W)(2), relative to the Louisiana Political Museum and Hall of Fame; to transfer the Louisiana Political Museum and Hall of Fame to the Department of State and to provide relative to such transfer; to create the governing board of the Louisiana Political Museum and Hall of Fame and to provide for its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules and regulations and fees; to provide for receipt and use of funds and property and self-generated revenue; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; to provide relative to the director and secretary of the museum; and to provide for related matters.

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

HOUSE BILL NO. 698—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:110(B), 1275.1(A), 1275.11(A), 1275.14(B), 1275.15, 1275.19, 1275.20, 1355(6), and 1405(A) and to enact R.S. 18:1275.14(C), relative to elections involving federal offices; to provide relative to voter registration; to provide relative to participation in elections by unaffiliated voters in congressional elections; to provide relative to candidates qualifying in certain congressional first party primary, second party primary, and general elections; to provide relative to the nomination of candidates in congressional elections; to provide relative to qualifications for voters in congressional elections; to provide relative to requirements for voting machines used in certain congressional primary elections; to provide relative to objecting to candidacy; and to provide for related matters.

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

HOUSE BILL NO. 704—

BY REPRESENTATIVES PINAC AND KENNEY

AN ACT

To amend and reenact R.S. 40:1730.22(A) and (B), 1730.23(A) and (B), 1730.24(B), and 1730.28(A)(introductory paragraph) and (3) and to enact R.S. 40:1730.28(C), relative to the state uniform construction code; to provide for members of the Louisiana State Uniform Construction Code Council; to provide for enforcement by parishes and municipalities; to provide for an

exception for manufactured housing; to provide for agreements with third-party providers; to provide for third-party provider qualifications; to provide for mandatory portions of the International Residential Code; to amend the energy part of the International Residential Code; to provide for adoption of the 2006 International Residential Code with an amendment; and to provide for related matters.

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

HOUSE BILL NO. 730—

BY REPRESENTATIVES JACKSON, CAZAYOUX, DURAND, GALLOT, ELBERT GUILLORY, HEBERT, LAFLEUR, MONTGOMERY, MORRELL, ROBIDEAUX, SCALISE, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, WALSWORTH, AND WILLIAMS AND SENATOR MICHOT

AN ACT

To amend and reenact R.S.18:463(B) and R.S. 42:1114.1 and 1124(A) and to enact R.S. 42:1114.4, relative to financial disclosure; to require certain disclosures by members of the legislature; to require certain disclosures by candidates for the state legislature; to provide for the content of such disclosures; to require certain disclosures by statewide elected officials; to require certain disclosures by appointed officials; to require certain disclosures by members of the Louisiana Board of Ethics; to require certain disclosures by candidates for statewide elective office; to require all other elected officials to file certain disclosures; to provide for the content of such disclosures; to provide for the duties of the Board of Ethics relative to such disclosures; to provide for penalties; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 758—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 30:2055.2, relative to odor nuisances; to authorize certain municipal governing authorities to enact odor nuisance ordinances; to provide limitations; and to provide for related matters.

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

HOUSE BILL NO. 759—

BY REPRESENTATIVE DOWNS

AN ACT

To enact Chapter 17 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:5161, relative to political subdivisions; to authorize political subdivisions to establish post-employment benefits funds; to provide relative to the management and investment of such funds; to provide relative to existing funds; 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 31, 2007

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. 2—

BY REPRESENTATIVES FRITH, ALEXANDER, BADON, BARROW, CHANDLER, DOWNS, ELBERT GUILLORY, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, AND WALKER

A CONCURRENT RESOLUTION

To urge and request the state Board of Elementary and Secondary Education to submit to the legislature for approval a proposed minimum foundation program formula that will provide for funding for teacher salary increases such that average Louisiana teacher salaries will equal or exceed the average teacher salary for the states in the Southern Regional Education Board region and to express legislative intent to provide funding for such salary increases.

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVES ERDEY, WINSTON, BADON, BOWLER, ELCIE GUILLORY, HUNTER, JOHNS, LAFONTA, ODINET, T. POWELL, AND WALKER

A CONCURRENT RESOLUTION

To urge and request the Department of Labor and the office of risk management to examine the fairness of benefits rendered to those who experience catastrophic injuries sustained while in the course and scope of employment.

HOUSE CONCURRENT RESOLUTION NO. 161—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, BRUCE, K. CARTER, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, WALKER, AND WINSTON AND SENATORS BAJOIE, BROOME, CHEEK, DUPLESSIS, FIELDS, JACKSON, MOUNT, AND QUINN

A CONCURRENT RESOLUTION

To commend Dr. Margaret Pereboom for her outstanding accomplishments and to express appreciation for the pride she brings to her family, friends, colleagues, community, and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To express condolences to the family of Dr. Joe E. Holoubek of Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 163—

BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the passing of Marquise Hill of New Orleans, defensive end for the New England Patriots and former defensive end for the Louisiana State University Fighting Tigers.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Ullo 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. 2—

BY REPRESENTATIVES FRITH, ALEXANDER, BADON, BARROW, CHANDLER, DOWNS, ELBERT GUILLORY, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, AND WALKER

A CONCURRENT RESOLUTION

To urge and request the state Board of Elementary and Secondary Education to submit to the legislature for approval a proposed minimum foundation program formula that will provide for funding for teacher salary increases such that average Louisiana teacher salaries will equal or exceed the average teacher salary for the states in the Southern Regional Education Board region and to express legislative intent to provide funding for such salary increases.

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

HOUSE CONCURRENT RESOLUTION NO. 105—
 BY REPRESENTATIVES ERDEY, WINSTON, BADON, BOWLER, ELCIE GULLORY, HUNTER, JOHNS, LAFONTA, ODINET, T. POWELL, AND WALKER

A CONCURRENT RESOLUTION

To urge and request the Department of Labor and the office of risk management to examine the fairness of benefits rendered to those who experience catastrophic injuries sustained while in the course and scope of employment.

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

HOUSE CONCURRENT RESOLUTION NO. 161—
 BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, BRUCE, K. CARTER, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, WALKER, AND WINSTON AND SENATORS BAJOIE, BROOME, CHEEK, DUPLESSIS, FIELDS, JACKSON, MOUNT, AND QUINN

A CONCURRENT RESOLUTION

To commend Dr. Margaret Pereboom for her outstanding accomplishments and to express appreciation for the pride she brings to her family, friends, colleagues, community, and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Fontenot
Boasso	Lentini
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 162—
 BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To express condolences to the family of Dr. Joe E. Holoubek of Shreveport.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	Michot
Adley	Fields	Mount

Amedee	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Dupre	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot
Boasso	Lentini
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 163—
 BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the passing of Marquise Hill of New Orleans, defensive end for the New England Patriots and former defensive end for the Louisiana State University Fighting Tigers.

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	Ellington	Michot
Adley	Fields	Mount
Amedee	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Dupre	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot
Boasso	Lentini
Total - 4	

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

May 31, 2007

HOUSE BILL NO. 113—
BY REPRESENTATIVES M. POWELL AND TRICHE
AN ACT

To enact R.S. 14:67.24, relative to theft; to create the crime of organized retail theft; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 252—
BY REPRESENTATIVE GEYMANN
AN ACT

To enact R.S. 11:2256.1, relative to the Firefighters' Retirement System; to provide for the removal of a former spouse as a beneficiary of any benefits payable by the system, upon consent of both parties to a divorce and a court order; to provide for a restoration of benefits; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 253—
BY REPRESENTATIVES MORRIS AND MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178.1(B), relative to the Sheriffs' Pension and Relief Fund; to provide for a four-year back-deferred retirement option plan period for members with over thirty years of service; and to provide for related matters.

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

HOUSE BILL NO. 265—
BY REPRESENTATIVES TOOMY, ALARIO, ANSARDI, BADON, BALDONE, BAYLOR, BEARD, BURRELL, K. CARTER, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, HILL, JEFFERSON, KENNARD, LABRUZZO, LORUSSO, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, QUEZAIRE, RITCHIE, ROMERO, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TUCKER, WALSWORTH, AND WILLIAMS
AN ACT

To amend and reenact R.S. 16:51(A)(1), (3), (4), (13), (14), (15), (19), (21), (22), (23), (27), (29), and (30), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for an effective date contingent upon funding from the state general fund; and to provide for related matters.

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

HOUSE BILL NO. 295—
BY REPRESENTATIVE T. POWELL AND SENATOR QUINN
AN ACT

To enact R.S. 11:2219(F), relative to the Municipal Police Employees' Retirement System; to provide for service credit in the system for certain municipal employees who were erroneously enrolled in the Municipal Employees' Retirement System and subsequently transferred to the Municipal Police Employees' Retirement System; to provide for certain payments by the employing municipality; to provide for conditions relative to such transfers and purchases of service credit; and to provide for related matters.

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

HOUSE BILL NO. 456—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:266.1(D) and (E), relative to the investments of state retirement systems; to extend the pilot program requiring investments through Louisiana incorporated

and domiciled broker-dealers or those with their principal trading operations in Louisiana; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 479—
BY REPRESENTATIVES GRAY, BADON, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CURTIS, DAMICO, DANIEL, DORSEY, DURAND, FARRAR, GALLOT, ELCIE GUILLORY, HARRIS, HEBERT, HONEY, HUNTER, JACKSON, JEFFERSON, JOHNS, KENNEY, LAFONTA, MONTGOMERY, MORRISH, PIERRE, PINAC, T. POWELL, QUEZAIRE, RICHMOND, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, WALKER, AND WOOTON AND SENATORS ADLEY, BROOME, CRAVINS, DUPLESSIS, FIELDS, B. GAUTREAU, JONES, MARIONNEAUX, MURRAY, SCHEDLER, AND SHEPHERD
AN ACT

To enact R.S. 29:726.1, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to provide legislative intent; to authorize inclusion of nongovernmental nonprofit organizations in the delivery of public services related to emergencies and disasters; and to provide for related matters.

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

HOUSE BILL NO. 516—
BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 49:149.23 and to enact R.S. 49:149.62, relative to the capitol complex; to provide for the A. Z. Young Park; to provide for the boundaries of such park; to provide for the appropriate markers located on the grounds of the park; to provide for the A. Z. Young Memorial Commission, its membership, and its duties; to remove the designation of a former building located within the site of the park; and to provide for related matters.

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

HOUSE BILL NO. 527—
BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 33:2740.57(A)(1), (F)(4), (G)(2)(c), and (K)(1) and (3)(a)(introductory paragraph), relative to the Downtown Development District of the City of Ruston; to change the boundaries of the district; to provide relative to the district governing authority; to provide relative to district plans; to provide relative to funding and the issuance of bonds; and to provide for related matters.

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

HOUSE BILL NO. 577—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 12:202.1(F), R.S. 44:4.1(B)(36), and Part VIII of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1311 through 1328, relative to financing utility storm repairs and strengthening and stabilizing utilities; to provide for an exception to the limitation on formation of nonprofit corporations; to provide for an exception from the public records law; to provide for legislative intent and definitions; to authorize the creation of the Louisiana Utilities Restoration Corporation as a nonprofit public corporation; to provide for a board of directors; to provide for certain immunity; to provide for corporate powers; to place the nonprofit corporation under the regulatory jurisdiction of the Public Service Commission; to establish a mechanism by which the Public Service Commission or the council of the city of New Orleans may authorize and certify a financing order and the issuance of system restoration bonds that promote the public good of minimizing rates charged by utilities by providing low-cost capital; to provide for the contents of financing orders; to

provide that the financing orders shall require the electric or gas utility as collection agent to collect a system restoration charge from its retail customers sufficient to pay the debt service and related costs on any bonds issued pursuant to the financing order; to provide for appeals of financing orders; to provide for security interests in system restoration property; to provide for the sale or pledge of system restoration property; to provide that system restoration bonds are not public debt; to provide a state pledge of non-impairment of system restoration bonds; to prohibit the corporation from filing bankruptcy; to provide that the jurisdiction of the commission is not impaired; and to provide for related matters.

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

HOUSE BILL NO. 626—
BY REPRESENTATIVES WALSWORTH AND KATZ
AN ACT

To enact Chapter 33 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2131 through 2141, relative to the Ouachita Expressway Authority; to create and provide for the Ouachita Expressway Authority and its board of commissioners; to provide for the composition of the board of commissioners; to provide relative to the purpose, powers, duties, and jurisdiction of the authority and the board of commissioners; to provide for terms of commissioners; to provide relative to bonds, tolls, and other revenues; to provide relative to certain projects and land acquisition; to provide for cessation of tolls; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 671—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 11:441(A)(1)(introductory paragraph) and 444(A)(2)(b), to enact R.S. 11:544, and to repeal R.S. 11:607, relative to the Louisiana State Employees' Retirement System; to provide with respect to certain peace officers of the Department of Public Safety and Corrections; to provide for retirement eligibility; to provide for benefit calculation; to provide for contributions and a funding source therefor; to create a fund in the treasury; to provide for the deposit of certain monies to such fund; to specify uses for the monies in such fund; to provide for disbursement from the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 686—
BY REPRESENTATIVE ELCIE GUILLORY
AN ACT

To repeal Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the Lake Area Economic Development District; to repeal provisions of law relative to the Lake Area Economic Development District; and to provide for an effective date.

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

HOUSE BILL NO. 720—
BY REPRESENTATIVE MARCHAND
AN ACT

To authorize the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Orleans Parish; to repeal an authorization to sell, convey, transfer, assign, or exchange certain property in Natchitoches Parish; and to provide for related matters.

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

HOUSE BILL NO. 770—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 37:611(3)(a), 616, and 624, relative to the practice of podiatry; to revise the definition of podiatry; to change the grounds for causes for refusal to issue, suspend, or revoke licenses, permits, or certificates; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 775—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 17:414.3(F), relative to school fund accounts; to provide that monies deposited in a school fund account for a school that has been closed due to natural catastrophe or disaster shall be placed under the control of the city, parish, or other local public school board having jurisdiction over the school prior to its closure; to provide that certain school fund accounts be placed under the control of the Recovery School District; to require the creation of committees authorized to invest, withdraw, and expend the monies in such school fund accounts and to require the adoption of policies relative thereto; to provide relative to the payment of deficits in such school fund accounts; to specify a prescriptive period for the collection of obligations payable from certain school fund accounts; to provide relative to such investments, withdrawals, and expenditures; to provide for committee membership, appointments, vacancies, and meetings; and to provide for related matters.

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

HOUSE BILL NO. 908—
BY REPRESENTATIVES DANIEL AND FRITH
AN ACT

To amend and reenact R.S. 56:2011 through 2015, relative to dredging of fill sand and fill material on state water bottoms; to provide relative to a license for such activity; to provide relative to royalty payments for such activity; to provide relative to penalties; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON EDUCATION

Senator J. Chris Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 31, 2007

To the President and Members of the Senate:

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

SENATE BILL NO. 265—
BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 17:416(A)(2)(c), (B)(2) and (3)(b) and (d)(i), (C)(2), and R.S. 17:416.2(A) and (B), relative to student suspensions and expulsions; to provide for minimum expulsion

periods for certain offenses; to provide relative to student participation in appropriate rehabilitation or counseling programs; to provide relative to student admission to regular and alternative education programs; to provide relative to local school board applications for waivers from certain requirements; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive student loans of college graduates who move to Louisiana to support activities to rebuild and revitalize communities damaged by Hurricanes Katrina or Rita.

Reported with amendments.

HOUSE BILL NO. 199—
BY REPRESENTATIVES CAZAYOUX AND BARROW
AN ACT

To enact R.S. 25:221.1, relative to the West Baton Rouge Parish Library; to prohibit the West Baton Rouge Parish Library Board of Control from spending the principal of the Judge Paul B. Landry, Jr. Memorial Fund; to authorize the board to spend the investment earnings of the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 424—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 17:66(A)(2) and (C), relative to the Central Community School System; to provide relative to the geographic boundaries of the school system; to provide relative to when school board members take office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 477—
BY REPRESENTATIVE TRICHE AND SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 25:341(D)(7) and (E) and to enact R.S. 25:341(D)(8), relative to the membership of the Board of Directors of the Louisiana State Museum; to provide for appointment of an additional member from a panel provided by the Friends of the Edward Douglass White Historic Site; to provide for the terms of board members; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 595—
BY REPRESENTATIVES TRAHAN, ALEXANDER, BADON, CHANDLER, CRANE, CROWE, DOWNS, FANNIN, ELBERT GUILLORY, KENNEY, T. POWELL, AND RITCHIE
AN ACT

To amend and reenact R.S. 17:24.10(A) and (I)(3), to provide relative to a program for early childhood development and enrichment activity classes; to designate a program name; and to provide for related matters.

Reported favorably.

Respectfully submitted,
J. CHRIS ULLO
Chairman

**REPORT OF COMMITTEE ON
SENATE AND GOVERNMENTAL AFFAIRS**

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

May 30, 2007

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. 26—
BY SENATOR SHEPHERD
A CONCURRENT RESOLUTION

To direct the Louisiana Board of Ethics to cease and desist all lobbying efforts at the legislature.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR MALONE
A CONCURRENT RESOLUTION

To express legislative intent for the meaning of Act 1492 of the 1997 Regular Session relative to pardons and the right to qualify for office and hold office.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To direct the Grambling State University Board of Supervisors to rename the Assembly Center the Frederick C. Hobdy Assembly Center.

Reported with amendments.

SENATE BILL NO. 14—
BY SENATOR HINES AND REPRESENTATIVE SALTER
AN ACT

To amend and reenact R. S. 39:1401(C) and to enact R.S. 39:1401(D), relative to the State Bond Commission; to provide for rotation of the chairmanship of the commission; to establish an executive committee of the commission; to provide that the executive committee shall set the agenda for commission meetings; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 157—
BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 18:463(B)(1) and R.S. 42:1114(E) and to enact R.S. 42:1114 (D) and (F) and 1124(B)(8), relative to ethical standards; to provide for public servants; to provide for legislators; to provide for the governor; to provide for financial disclosure; to provide for notice of candidacy; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 222—
BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 18:621, relative to a vacancy in the office of a judge; to provide relative to the calling of a special election by the governor; to provide relative to the date of such election; to provide certain terms, conditions, and procedures; to authorize certain action by the governor and legislature; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 268—
BY SENATOR FIELDS

AN ACT

To amend and reenact the introductory paragraph of R.S. 18:110(B)(1), 401(B)(2)(a)(i), 493, 1275.1, 1275.11(A), (B) and (D), 1275.14(B), 1275.15, 1275.19, 1275.20, 1280.21(B) and 1405, relative to elections; to provide for first party primary elections; to provide for unaffiliated voters to participate in primary elections; to provide for the reopened qualifying period; to provide for candidates who qualify for a general election; to provide for nomination of candidates; to provide for qualified voters; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 320—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:104.1, 401.4(A) and (C), 1308(A)(2)(a) and 1308.3(A)(1), (2)(a) and (B) and to enact R.S. 18:101(G), 135(D), 401.5, 1306(E)(3), 1309.5, and 1309.6, relative to the election code; to provide for registration; to provide for application for registration; to provide for in-person registration and voting; to provide for early voting in an election conducted pursuant to an emergency plan; to allow registered voters of an affected area to vote during early voting in the offices of the registrars in certain parishes for certain elections; to provide relative to the manner of conducting the early voting in other parishes; to require the secretary of state to assist the registrars of voters in conducting early voting; to provide for registration of voters; to provide for qualification of voters; to provide for close of registration; to provide for military emergency procedures; to provide for absentee by mail voting; to provide for early voting; to provide for absentee voting by mail by temporarily displaced persons; to provide for the application to such persons of certain provisions relative to absentee voting by mail by United States service members and persons residing outside the United States; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of the provisions; to provide for write-in early ballot; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHARLES D. JONES
Chairman

REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS

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

May 30, 2007

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. 243—
BY SENATOR NEVERS

AN ACT

To amend and reenact Section 2 of Act No. 504 of the 2005 Regular Session of the Legislature, and to repeal R.S. 47:287.759(C)(3), relative to tax credits; to change the termination date for tax credits to certain contractors and subcontractors who provide employee and dependent health insurance coverage; to repeal the limitation of such tax credits to three million dollars per year; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

REPORT OF COMMITTEE ON
NATURAL RESOURCES

Senator Max T. Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 31, 2007

To the President and Members of the Senate:

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

HOUSE BILL NO. 62—
BY REPRESENTATIVE CROWE
AN ACT

To authorize and provide for the transfer of certain state properties in St. Tammany Parish from the division of administration to the city of Slidell.

Reported favorably.

HOUSE BILL NO. 114—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact Section 3 of Act No. 222 of the 2005 Regular Session of the Legislature of Louisiana, relative to the transfer of certain state property in Jefferson Parish; to extend the termination date of the Act; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 582—
BY REPRESENTATIVE WINSTON
AN ACT

To authorize the Board of Supervisors of Louisiana State University to transfer certain buildings, structures, and facilities to St. Tammany Parish; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MAX T. MALONE
Chairman

REPORT OF COMMITTEE ON
LABOR AND INDUSTRIAL RELATIONS

Senator Ben W. Nevers, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 31, 2007

To the President and Members of the Senate:

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

HOUSE BILL NO. 221—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 23:1552(B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to the state and local governments and eligible nonprofit organizations during a

May 31, 2007

gubernatorially declared disaster or emergency; to provide for deferment; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 345—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 23:1541(4) and to enact R.S. 23:1531.1, relative to unemployment insurance; to authorize the secretary of the Department of Labor to require electronic filings of contribution and wage reports under certain circumstances; to provide that the electronic filing requirement be implemented through administrative rule; to provide for waiver; to provide relative to employer notification of contribution rates; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 651—
BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3)(a)(introductory paragraph) and (b) (introductory paragraph), (6), and (7), relative to worker's compensation; to provide for the determination of the liability of the Second Injury Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 779—
BY REPRESENTATIVE ELCIE GUILLORY
AN ACT

To amend and reenact R.S. 23:1651 and R.S. 36:308(B) and (C), relative to the office of regulatory services; to provide for a name change of the office of regulatory services to the office of unemployment insurance; to transfer certain functions of the office of regulatory services to the office of workforce development; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 832—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1514 and 1553(B)(6), (7), (8), (9), (10), and (11), to enact R.S. 23:1553(G), and to repeal R.S. 23:1553(B)(12), relative to the Incumbent Worker Training Program; to change the name of the Workforce Development Training Account to the Incumbent Worker Training Account; to provide for the funding of the Incumbent Worker Training Program; to provide for training for those employers who incur a state unemployment insurance tax liability; to provide for the types of training; to establish criteria eligibility; to provide for the administration of the program; to provide for the amount of credit based upon the applied trust fund balance; to provide for certain definitions; to provide for reauthorization of the program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BEN W. NEVERS
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Cleo Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 31, 2007

To the President and Members of the Senate:

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

HOUSE BILL NO. 211—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessor's employees; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 292—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(26), relative to St. Landry Parish; to increase the maximum rate of the hotel occupancy tax authorized to be levied by the St. Landry Parish Tourist Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 406—
BY REPRESENTATIVE FRITH
AN ACT

To enact Chapter 27-H of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.121 through 9039.125, relative to the Abbeville Film and Visitors Commission District; to create and provide with respect to such district, including provisions for the district and its governing board and their powers, duties, functions, and responsibilities; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 467—
BY REPRESENTATIVE TOWNSEND AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to increase the compensation schedule for assessors; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 490—
BY REPRESENTATIVE GRAY
AN ACT

To enact R.S. 33:9091.11, relative to the Hurstville Security and Neighborhood Improvement District in Orleans Parish; to create and provide relative to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide relative to liability of board members and officers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 491—
BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 33:2740.67, relative to economic development in East Baton Rouge Parish; to create and provide for the Greenwell Springs-Airline Economic Development District within such parish; to provide for the governance, powers, duties, and plans of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 526—

BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 33:4709.1(A) and (B) and to enact R.S. 33:4709.1(J), relative to the town of Vidalia; to provide that the Vidalia Riverfront Development District shall be a political subdivision of the state; to provide for district purposes and the powers and duties of the district and its governing authority; to authorize the district, through its governing authority, to levy a hotel occupancy tax; to provide for the use of the avails of the tax and to otherwise provide with respect to such tax; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 771—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:9091.9(F)(2)(b) and (c), relative to the Twinbrook Security District; to provide relative to the parcel fee imposed within the district; to provide relative to the definition of "parcel" with respect to condominiums; to provide relative to the payment of the parcel fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CLEO FIELDS
Chairman

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

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

SENATE BILL NO. 111—

BY SENATOR HINES AND REPRESENTATIVE THOMPSON
AN ACT

To enact Part LVII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.172.1 through 1300.172.4, relative to health care; to enact the North Louisiana LSUHSC-S/Rural Hospital Network Act; to provide for legislative findings and purpose; to provide definitions; to provide for a governing body and for a plan of implementation; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 111 by Senator Hines

AMENDMENT NO. 1

On page 1, line 3, after "through" and before ", relative" delete "1300.172.4" and insert "1300.172.5"

AMENDMENT NO. 2

On page 1, line 5, delete "a governing" and insert "an advisory committee;"

AMENDMENT NO. 3

On page 1, line 6, delete "body and for a plan of implementation;"

AMENDMENT NO. 4

On page 1, line 9, after "through" and before ", is" delete "1300.172.4" and insert "1300.172.5"

AMENDMENT NO. 5

On page 2, line 11, after "purposes." delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete lines 12 through 18

AMENDMENT NO. 7

On page 2, line 19, delete "network shall" and insert "medical home system of care may"

AMENDMENT NO. 8

On page 2, line 20, delete "network participants." and insert "other participants in the medical home system of care."

AMENDMENT NO. 9

On page 2, line 23, delete "under and"

AMENDMENT NO. 10

On page 3, delete lines 12 through 18

AMENDMENT NO. 11

On page 3, line 19, delete "(8)" and insert "(7)"

AMENDMENT NO. 12

On page 3, line 19, after "a" and before "medical" delete "rural" and after "home" delete "concept" and insert "system of care"

AMENDMENT NO. 13

On page 3, line 20, delete "under and" and insert "Medicaid and the low-income"

AMENDMENT NO. 14

On page 3, line 22, delete "disease management" and insert "medical"

AMENDMENT NO. 15

On page 3, line 22, after "protocols" insert ";" and delete remainder of the line

AMENDMENT NO. 16

On page 3, delete lines 23 and 24

AMENDMENT NO. 17

On page 3, line 25, delete "rural residents."

AMENDMENT NO. 18

On page 3, delete lines 27 through 29

AMENDMENT NO. 19

On page 4, delete lines 1 through 9

AMENDMENT NO. 20

On page 4, delete lines 15 and 16 and insert the following:
"(2) "Health information technology" means information technology used in health care, including but not limited to electronic health records/electronic medical records, computerized physician order entry, health information exchange, telemedicine, and other relevant information technology deemed appropriate by the secretary of the department."

AMENDMENT NO. 21

On page 4, line 23, after "Hospital" insert comma ";" and delete "and"

AMENDMENT NO. 22

On page 4, delete line 24 and insert "and any other hospital for which responsibility may be established."

AMENDMENT NO. 23

On page 4, delete lines 25 through 29 and insert the following:
"(5) "Medical home system of care" means a health care delivery system that is patient and family centered and is guided by a personal primary care provider who coordinates and facilitates preventative and primary care that improves patient outcomes in the most cost efficient manner possible. By providing a coordinated continuum of care, the cost of the"

current health care delivery system shall be reduced, health outcomes shall improve, and the disparities in access to health care among the state's populations shall be reduced. The medical home system of care shall consist of an integrated system of primary care providers, specialty care groups, and hospital providers."

AMENDMENT NO. 24
On page 5, delete lines 1 through 3

AMENDMENT NO. 25
On page 5, delete lines 6 through 9

AMENDMENT NO. 26
On page 5, line 10, delete "Governance and authority" and insert "Advisory committee"

AMENDMENT NO. 27
On page 5, delete line 11 and insert the following:
"A. There is hereby created an advisory committee, composed of the following nine members:"

AMENDMENT NO. 28
On page 5, between lines 16 and 17 and insert the following:
"(5) The secretary of the Department of Health and Hospitals or his designee."

AMENDMENT NO. 29
On page 5, line 22, after "hospitals" delete the remainder of the line and insert "located within the catchment area for any hospital operating under the administration of LSUHSC-S. For the purposes of this Subsection, "catchment area" means the geographical service area of any hospital operating under the administration of LSUHSC-S for which the vast majority of patients reside."

AMENDMENT NO. 30
On page 5, line 23, delete "governing body" and insert "advisory committee"

AMENDMENT NO. 31
On page 5, line 27, delete "governing body" and insert "advisory committee" and delete "a plan" and insert "recommendations, including budget proposals,"

AMENDMENT NO. 32
On page 5, delete line 28 and insert "such recommendations to the department."

AMENDMENT NO. 33
On page 5, delete line 29

AMENDMENT NO. 34
On page 6, delete lines 1 through 3

AMENDMENT NO. 35
On page 6, delete lines 4 and 5 and insert the following:
"(E) The recommendations of the advisory committee may consider, at a minimum, the following:"

AMENDMENT NO. 36
On page 6, line 6, delete "Contain a" and insert "A"

AMENDMENT NO. 37
On page 6, line 7, delete "network" and after "participants" insert "in the medical home system of care"

AMENDMENT NO. 38
On page 6, line 10, delete "urban hospitals" and insert "a facility that provides tertiary care"

AMENDMENT NO. 39
On page 6, line 12, delete "shall" and insert "may"

AMENDMENT NO. 40
On page 6, delete lines 14 through 20

AMENDMENT NO. 41
On page 6, line 21, delete "(4) Provide" and insert "(2) The provision of"

AMENDMENT NO. 42
On page 6, line 22, after "as" and before "medical" delete "rural"

AMENDMENT NO. 43
On page 6, delete lines 24 through 26

AMENDMENT NO. 44
On page 6, line 27, delete "(6) Collaborate" and insert "(3) The collaboration"

AMENDMENT NO. 45
On page 7, line 1, delete "(7) Develop and implement" and insert "(4) The development and implementation of"

AMENDMENT NO. 46
On page 7, line 5, delete "(8) Develop and implement" and insert "(5) The development and implementation of"

AMENDMENT NO. 47
On page 7, delete lines 8 through 17 and insert the following:
"(6) The development of an enhanced Medicaid reimbursement methodology to compensate providers who participate in the medical home system of care."

AMENDMENT NO. 48
On page 7, between lines 17 and 18, insert the following:
"§ 1300.172.5. Funding
The provisions of this Part shall be budget neutral or subject to an annual appropriation of the legislature."

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

SENATE BILL NO. 136—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 39:1494.1(A)(7), relative to social service contracts; to provide for an increase in the maximum contract proposal amount; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 136 by Senator Jackson

AMENDMENT NO. 1
On page 1, line 14, after "fifty" delete "three hundred" and insert "two hundred fifty"

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

SENATE BILL NO. 145—
BY SENATOR MALONE

AN ACT

To enact R.S. 15:572(F) and R.S. 18:4, relative to pardons; to provide relative to the effects of a pardon; to limit the effects of a pardon to a conviction for an offense against this state; to provide relative to the effects of a pardon upon the qualifying for office or taking of office; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 145 by Senator Malone

AMENDMENT NO. 1

On page 2, delete line 6 in its entirety

AMENDMENT NO. 2

On page 2, line 7 change "Section 4." to "Section 3."

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

SENATE BILL NO. 181—

BY SENATOR NEVERS

AN ACT

To enact R.S. 40:2116(D)(4) and (5), relative to nursing home facilities; to provide for the bed abeyance program; to provide for the licensing and approval of nursing facilities and additional beds in nursing facilities; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 181 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 17, after "**department**" change "**shall**" to "**may**"

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

SENATE BILL NO. 183—

BY SENATOR QUINN

AN ACT

To enact R.S. 22:1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to require the Louisiana Citizens Property Insurance Corporation to provide a preference to Louisiana adjusters and adjusting firms; and to provide for related matters.

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

SENATE BILL NO. 186—

BY SENATOR QUINN

AN ACT

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

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

SENATE BILL NO. 199—

BY SENATOR MOUNT

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:93(A)(6) and to enact R.S. 27:93(A)(10), relative to riverboats; to authorize the governing authority of Calcasieu Parish to levy an additional admission fee for each passenger boarding or embarking upon a riverboat; to provide for the allocation of such fee; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 199 by Senator Mount

AMENDMENT NO. 1

On page 2, below line 22, add the following:

"Section 2. The provisions of this Act amending R.S. 27:93(A)(6) and enacting R.S. 27:93(A)(10) shall not be construed to supercede or modify the terms of any agreement executed between a governing authority and a riverboat licensee pursuant to R.S. 27:93(A)(6) prior to the effective date of this Act and any such agreement shall continue in force and effect until changed or otherwise discontinued by the parties to such agreement. The fee authorized by the provisions of this Act shall not be added to any fee currently levied and collected under the terms of an agreement executed between a governing authority and a riverboat licensee pursuant to R.S. 27:93(A)(6) prior to the effective date of this Act.

Section 3. This Act shall become effective on August 15, 2007; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on August 15, 2007, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 308—

BY SENATORS SCHEDLER AND HOLLIS

AN ACT

To enact Part XVII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1193, relative to a project return post-release skills program for former offenders; to authorize the department to contract with service providers or community service organizations for the establishment of the program; to provide for program goals, purposes, and services; to require the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 308 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 4, change "department" to "Department of Labor"

AMENDMENT NO. 2

On page 1, line 13, change "**Public Safety and Corrections**" to "**Labor**"

AMENDMENT NO. 3

On page 1, line 16, change "**department**" to "**Department of Public Safety and Corrections**"

AMENDMENT NO. 4

On page 3, line 1, change "**department**" to "**Department of Labor**"

AMENDMENT NO. 5

On page 3, line 3, change "**department**" to "**Department of Labor, in conjunction with the Department of Health and Hospitals, office for addictive disorders.**"

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

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. 103— BY REPRESENTATIVE GARY SMITH AN ACT

To enact R.S. 12:1607, relative to conversion of business organizations; to provide for recognition of converted entities by state boards and commissions; to provide for updated licenses; to provide for a cap on fees chargeable for an updated license; to provide for an effective date of updated licenses; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 126— BY REPRESENTATIVES LAFONTA, ALARIO, ALEXANDER, BAUDOIN, BURRELL, K. CARTER, CAZAYOUX, CROWE, DAMICO, DANIEL, DARTEZ, ERDEY, FRITH, GRAY, ELCIE GUILLORY, HARRIS, HEATON, HEBERT, HONEY, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, KENNARD, LABRUZZO, LAMBERT, LANCASTER, LORUSSO, MARCHAND, MCVEA, MORRELL, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, JANE SMITH, ST. GERMAIN, STRAIN, TRAHAN, TUCKER, WALKER, WHITE, AND WILLIAMS AN ACT

To amend and reenact R.S. 51:579(A)(1)(c), (B)(2) and (3), and (D), relative to persons dealing with junk or scrap metal; to provide for proper identification of sellers of junk or scrap metal; to provide for increased penalties for noncompliance; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 126 by Representative LaFonta

AMENDMENT NO. 1 On page 1, line 2, delete "51:579(A)(1)(c), (B)(2) and (3), and (D)," and insert "51:579(A)(1)(a), (c), and (e), and (2), (B), (C), and (D),"

AMENDMENT NO. 2 On page 1, line 7, delete "51:579(A)(1)(c), (B)(2) and (3), and (D)," and insert "51:579(A)(1)(a), (c), and (e), and (2), (B), (C), and (D),"

AMENDMENT NO. 3 On page 1, line 12 after "corporation," insert "entity."

AMENDMENT NO. 4 On page 2, at the end of line 1 between "shall" and "keep" insert "either"

AMENDMENT NO. 5 On page 2, line 2 after "reports" insert ", or electronically maintain data and be capable of readily providing reports, as specified in Subparagraph (b)."

AMENDMENT NO. 6 On page 2, between lines 3 and 4 insert the following: "(a) The name and address of the residence or place of business of such person required to either keep the register and file reports, or electronically maintain the data and generate the requested reports."

AMENDMENT NO. 7 On page 2, line 7 delete "international driver's license."

AMENDMENT NO. 8 On page 2, at the end of line 9 insert the following: "If the person cannot produce any of the above forms of identification at the time of purchase, the purchaser shall not complete the transaction."

AMENDMENT NO. 9 On page 2, between lines 10 and 11 insert the following: "(e) A full description of all such material purchased including the weight of the material and whether it consists of bars, cable, ingots, rods, tubing wire, wire scraps, clamps, connectors, or other appurtenances or some combination thereof. * * *

(2) This Section shall apply to the following materials or any other appurtenance utilized or that can be utilized by common carriers or by persons, firms, corporations, cooperatives, entities, or municipal corporations engaged in either the generation, transmission, or distribution of electric energy or in telephone, telegraph, or other communications:"

AMENDMENT NO. 10 On page 2, delete lines 11 and 12 and insert the following: "B.(1) Each such person shall keep either one copy of such completed form in a separate register or book or maintain the information in electronic format as provided in Subsection A which shall be kept for a period of two years at his place of business and shall be made available for inspection by any peace officer or law enforcement official at any time."

AMENDMENT NO. 11 On page 2, line 13 after "(2)" delete "Within" and insert the following: "Upon request by the sheriff of the parish in which such business is located, if in the parish of Orleans by the police department of the city of New Orleans, and within"

AMENDMENT NO. 12 On page 2, after line 29 insert the following: "C. Failure to maintain the information, the register or to produce a report requested by the sheriffs or Department of Public Safety and Corrections as required by this Section shall be prima facie evidence that the person receiving such material described in this Section and not registered or reported, received it knowing it to be stolen, in violation of R.S. 14:69."

On motion of Senator Hollis, 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. 216— BY REPRESENTATIVE JOHNS AN ACT To amend and reenact R.S. 32:1254(C)(9), (E)(7), (F)(4), and (G)(4) and 1261(2)(f)(iii), relative to the Louisiana Motor Vehicle Commission; to provide for mandatory insurance coverage or liability protection for licensees of the commission; to provide for liability of purchasers with respect to vehicles in their custody pursuant to a conditional sale; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 269— BY REPRESENTATIVES HUTTER AND GRAY AN ACT To enact R.S. 40:1300.143(3)(a)(xiii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 284—

BY REPRESENTATIVES PINAC AND ARNOLD
AN ACT

To amend and reenact R.S. 9:3530(A)(1), relative to consumer credit; to change the origination fee on a consumer loan or revolving loan account; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 348—

BY REPRESENTATIVE DANIEL
AN ACT

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

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 381—

BY REPRESENTATIVES BOWLER AND K. CARTER
AN ACT

To amend and reenact R.S. 22:629(B) and 691(F), relative to insurance contracts; to provide an insurance contract may not limit the insured's right of action against the insurer to a period of less than two years; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 393—

BY REPRESENTATIVES WINSTON, ALARIO, ANDERS, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, K. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOWNS, DURAND, FAUCHEUX, FRITH, GALLOT, GRAY, ELBERT GUILLORY, ELICIE GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TOOMY, TRAHAN, WADDELL, AND WALKER
AN ACT

To amend and reenact R.S. 46:460.21(A)(1), (2), (3), (5)(introductory paragraph), and (6) and (B)(1) and to enact R.S. 46:460.21(B)(1.1) and (G) and Chapter 6 of Title V of the Louisiana Children's Code, to be comprised of Articles 571 through 575, and Part II of Code Title XIV of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:185.1 through 185.9, relative to the representation of indigent parents in child abuse and neglect cases; to provide for the establishment of the indigent parents' representation program; to provide for the powers and duties of the Indigent Defense Assistance Board or any successor to that board; to provide that the Indigent Defense Assistance Board or any successor to that board administer a program to provide representation for indigent parents in abuse and neglect cases; to provide for legislative findings; to provide for definitions; to provide for uniform standards and guidelines for the representation of indigent parents in certain cases; to provide for mandatory training for attorneys representing indigent parents in certain cases; to create the Louisiana Indigent Parent Representation Program Fund; to provide for administration of the fund; to prohibit the commingling of revenues in the fund; to provide for

the adoption of rules; to provide for the effect to be given to provisions; to provide for reporting requirements of cases; to provide for auditing; to provide for the incremental implementation; to provide for a time period for implementation; to provide for the transfer and use of certain funds in child protection cases; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 481—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1078(B)(2) and 1304(A) and (B), relative to insurance fees and expenses; to provide for an annual financial regulation fee; to provide for expenses of an examination or investigation; and to provide for related matters.

Reported favorably by the Committee on Insurance. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 499—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1078(B)(1), (4), and (8), to enact R.S. 22:1078(B)(25), and to repeal R.S. 22:1078(B)(5), relative to fees collected by the commissioner of insurance; to provide with respect to the fee for an initial certificate of authority for an insurer or rating organization; to provide relative to fees for certified copies of documents; to delete the fee for initial examination of insurance companies; to provide with respect to the fee for filing a charter, other documents, and amendments thereto; to provide for a fee for the issuance of a certificate of compliance; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 545—

BY REPRESENTATIVES RITCHIE AND PINAC
AN ACT

To amend and reenact R.S. 37:73(1)(a)(i) and (iv), 77(A) and (C)(3) and (4), 79(A)(introductory paragraph), (1), (2), (4), (7), (8), and (9) and (B)(introductory paragraph), 80(C), 81(A), (B), and (K)(1), and 94(A)(1), (2), and (3)(introductory paragraph), (a), and (c) and to enact R.S. 37:94(A)(3)(d), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for firm permits for out-of-state firms; to provide for practice privileges for out-of-state practitioners; to provide for investigation of and enforcement of such provisions for out-of-state practitioners; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 557—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 51:579(A)(1)(introductory paragraph), (d), (e), and (f) and (B)(2) and (3) and to enact R.S. 51:579(A)(1)(g), relative to persons dealing in scrap metal and junk; to provide for photo identification of a seller of scrap metal; to provide for additional identification of material purchased by a scrap metal dealer; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 557 by Representative Honey

AMENDMENT NO. 1

On page 1, line 2 after "(introductory paragraph)," insert "(a)," and after "(f)" insert ", (2)," and after "(B)" delete "(2)" and at the beginning of line 3 delete "and (3)" and insert "and (C)"

AMENDMENT NO. 2

On page 1, line 8 after "(introductory paragraph)," insert "(a)," and after "(f)" insert ", (2)," and after "(B)" delete "(2)" and at the beginning of line 9 delete "(3)" and insert "(C)"

AMENDMENT NO. 3

On page 1, line 14 after "corporation," insert "entity"

AMENDMENT NO. 4

On page 1, line 20 between "shall" and "keep" insert "either"

AMENDMENT NO. 5

On page 2, line 1 between "reports" and the comma " ," insert the following: "or electronically maintain data and be capable of readily providing reports"

AMENDMENT NO. 6

On page 2, between lines 3 and 4 insert the following: "(a) The name and address of the residence or place of business of such person required to either keep the register and file reports, or electronically maintain the data and generate the requested reports."

AMENDMENT NO. 7

On page 2, between lines 24 and 25 insert the following: "(2) This Section shall apply to the following materials or any other appurtenance utilized or that can be utilized by common carriers or by persons, firms, corporations, cooperatives, entities, or municipal corporations engaged in either the generation, transmission, or distribution of electric energy or in telephone, telegraph, or other communications:"

AMENDMENT NO. 8

On page 2, delete lines 26 and 27 and insert the following: "B.(1) Each such person shall keep either one copy of such completed form in a separate register or book or maintain the information in electronic format as provided in Subsection A which shall be kept for a period of two years at his place of business and shall be made available for inspection by any peace officer or law enforcement official at any time."

AMENDMENT NO. 9

On page 2, line 28 after "(2)" delete "Within" and insert the following: "Upon request by the sheriff of the parish in which such business is located, if in the parish of Orleans by the police department of the city of New Orleans, and within"

AMENDMENT NO. 10

On page 3, after line 15 insert the following: "C. Failure to maintain the information, the register or to produce a report requested by to the sheriffs or Department of Public Safety and Corrections as required by this Section shall be prima facie evidence that the person receiving such material described in this Section and not registered or reported, received it knowing it to be stolen, in violation of R.S. 14:69."

On motion of Senator Hollis, 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. 653—

BY REPRESENTATIVES BAYLOR, WALSWORTH, AND WHITE
AN ACT

To amend and reenact R.S. 37:583(B)(2), 585(A), and 586(A)(1) and to enact R.S. 37:586(A)(6), relative to cosmetologists; to provide for qualifications for certificates; to provide for an examination team; to provide for examination of applicants; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 711—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:162(10) and 169.1, relative to the Public Service Commission; to provide for the definition of motor carriers; to rededicate certain monies collected by the Public Service Commission to the Motor Carrier Regulation Fund; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. 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. 743—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 40:1730.42(2) and (6), 1730.44(C)(1), and 1730.45(A) and (B), relative to the Commercial Building Energy Conservation Code; to provide for the latest editions of the ANSI/ASHRAE/IESNA 90.1 and the International Energy Conservation Code with regards to the Commercial Building Energy Conservation Code; to provide for the scope of the code; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 743 by Representative White

AMENDMENT NO. 1

On page 1, line 2 delete "1730.44(C)(1),"

AMENDMENT NO. 2

On page 1, line 8 delete "1730.44(C)(1),"

AMENDMENT NO. 3

On page 2, delete lines 7 through 11

On motion of Senator Hollis, 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. 910— (Substitute for House Bill No. 890 by Representative Barrow)

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 22:681, relative to automobile insurance; to provide with respect to insurance coverage and financial responsibility protection for vehicles which are rented by individuals or companies licensed and engaged in the business of renting motor vehicles; to require mandatory minimum coverage on all such rental vehicles; to provide with respect to the rights and obligations of rental companies; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 910 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 14, delete "private passenger automobiles" and insert "**motor vehicles**"

AMENDMENT NO. 2

On page 1, line 18, after "substitute motor vehicle" insert ", **as defined in the applicable insurance policy.**"

On motion of Senator Cain, 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.

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

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

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later than March 1, 2008.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

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

**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. 363— (Substitute of Senate Bill No. 84 by Senator Bajoie)

BY SENATOR BAJOIE

AN ACT

To enact R.S. 17:1990(B)(4)(b)(v), relative to the Recovery School District; to require the district to develop a plan for the use of school land, buildings, facilities, and property that are part of certain transferred schools; to provide for the return of stewardship and control of certain unused school property to the transferring school system; to provide for timelines; and to provide for related matters.

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

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

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

Called from the Calendar

Senator Murray asked that Senate Bill No. 31 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 31—

BY SENATOR MURRAY

AN ACT

To repeal R.S. 33:9038.51, relative to the creation of the World Trade Center Taxing Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; 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
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

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.

Called from the Calendar

Senator Shepherd asked that Senate Bill No. 333 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 333—
BY SENATOR SHEPHERD

AN ACT

To enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.101 through 4720.117, relative to the parish of Jefferson; to create the Jefferson Parish Redevelopment Authority; to provide for the selection of commissioners and for their terms of office; to provide for annual reports, including financial statements, to the local governing authority; to define terms; to provide for the powers, duties, and functions of the redevelopment authority, including the acquisition of property by purchase, gift, expropriation, or otherwise; to provide for the preparation and adoption of a community improvement plan; to provide with respect to the certification of blighted property and its removal; to provide for the disposition of property in a community improvement area; to provide for the issuance of bonds; to provide for borrowing money and giving security therefor; to provide for residential development; to provide for cooperation by public bodies with the authority; 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. 333 by Senator Shepherd

AMENDMENT NO. 1
On page 6, line 29, following "buildings" and before "and" delete ";

AMENDMENT NO. 2
On page 12, line 1, following "evidence" and before "or" delete ";

AMENDMENT NO. 3
On page 25, lines 17, 18, and 20, change "Paragraph" to "Subsection"

AMENDMENT NO. 4
On page 33, line 19, following "parish" and before "Jefferson" insert "of"

AMENDMENT NO. 5
On page 49, line 22, before ";" insert "et seq"

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 333 by Senator Shepherd

AMENDMENT NO. 1
On page 1, line 4, after "Authority;" delete the remainder of the line and delete lines 5 and 6 and insert "to"

AMENDMENT NO. 2
On page 2, delete lines 8 through 29 in their entirety and delete page 3

AMENDMENT NO. 3
On page 4, delete lines 1 through 13 and insert the following:
"B.(1) In accordance with the provisions of Article VI, Section 6 of the Constitution of Louisiana and the Jefferson Parish Charter, the authority shall be governed by the Jefferson Parish Council. The Jefferson Parish Council, when acting as the governing body of the authority shall have the same jurisdiction and powers as when acting as the governing authority of the parish.

(2) The governing body of the authority may create an advisory board, prescribing the number, manner of appointment, length of term, and advisory duties of members of such board. The advisory board may prepare and recommend ordinances and resolutions designed to effectuate the purposes and provisions of the Chapter."

AMENDMENT NO. 4
On page 4, line 21, delete "city's" and insert "parish's"

AMENDMENT NO. 5
On page 5, line 13, delete "municipality" and insert "parish"

AMENDMENT NO. 6
On page 8, line 1, delete "municipalities" and insert "parish"

AMENDMENT NO. 7
On page 8, delete lines 5 and 6 and insert the following:
"(13) To enter into agreements and contracts with any public body, in pursuance of the intent of this Chapter."

AMENDMENT NO. 8
On page 8, line 7, delete "municipality" and insert "parish" and on line 13 delete "municipality,"

AMENDMENT NO. 9
On page 8, delete lines 24 and 25 and insert the following: "any area unless it has provided the Jefferson Parish Planning Advisory Board opportunity to review and make a recommendation regarding the determination that such area is a slum or"

AMENDMENT NO. 10
On page 9, delete line 2 and on line 3, delete "body" and insert "Prior to its approval of a community improvement plan"

AMENDMENT NO. 11
On page 9, line 7, delete "city planning" and at the beginning of line 8, delete "commission" and insert "Jefferson Parish Planning Advisory Board"

AMENDMENT NO. 12
On page 9, line 9, delete "municipality" and insert "parish"

AMENDMENT NO. 13
On page 9, line 14, delete "planning commission" and insert "Jefferson Parish Planning Advisory Board"

AMENDMENT NO. 14
On page 10, line 12, delete "of the municipality"

AMENDMENT NO. 15
On page 10, line 19, delete "municipality's" and insert "parish's"

AMENDMENT NO. 16
On page 10, line 20, delete "municipality" and insert "parish"

AMENDMENT NO. 17
On page 10, line 25, delete "municipality's" and insert "parish's"

AMENDMENT NO. 18
On page 12, line 8, delete "municipality,"

AMENDMENT NO. 19

On page 13, line 3, delete "and 2576" and insert "et seq.,"

AMENDMENT NO. 20

On page 13, line 15, after "authority" and before the "(c)" insert the following: "or such property has been determined to be blighted by a court of competent jurisdiction" and delete lines 16 through 18

AMENDMENT NO. 21

On page 13, line 21, delete "municipal" and insert "parish"

AMENDMENT NO. 22

On page 14, line 4, delete "municipality" and insert "parish"

AMENDMENT NO. 23

On page 14, delete lines 16 through 19

AMENDMENT NO. 24

On page 14, line 20, change "(5)" to "(4)"

AMENDMENT NO. 25

On page 14, between lines 23 and 24 insert the following:
 "(5) Notwithstanding the provisions of Paragraphs (1) through (4) of this Subsection, properties may be certified as blighted by appropriate proceedings in a court of competent jurisdiction, after a judicial finding, the authority may acquire said properties if it finds that such acquisitions necessary and feasible."

AMENDMENT NO. 26

On page 18, line 28, delete "municipality" and insert "parish"

AMENDMENT NO. 27

On page 39, line 23, delete "commissioners" and insert "governing body"

AMENDMENT NO. 28

On page 42, lines 9 and 10, delete "municipal" and insert "parish"

AMENDMENT NO. 29

On page 42, line 25, delete "commissioner" and insert "member"

AMENDMENT NO. 30

On page 43, line 13, after "municipality," insert "parish,"

AMENDMENT NO. 31

On page 48, lines 4, 6, and 9, delete "municipality" and insert "parish"

AMENDMENT NO. 32

On page 50, line 9, delete "city" and insert "parish"

AMENDMENT NO. 33

On page 50, line 16, delete "municipality" and insert "parish"

AMENDMENT NO. 34

On page 52, line 19, between "persons" and the "(c)" insert "of eligible income"

AMENDMENT NO. 35

On page 53, line 2, delete "municipality" and insert "parish"

AMENDMENT NO. 36

On page 53, delete line 3 in its entirety

AMENDMENT NO. 37

On page 53, line 4, change "(15)" to "(14)"

AMENDMENT NO. 38

On page 53, between lines 8 and 9, insert the following:
 "(15) Parish means the parish of Jefferson."

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo 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
Barham	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn
Cain	Heitmeier	Romero
Cassidy	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Malone	Ullo
Dupre	McPherson	
Total - 35		

NAYS

Marionneaux
 Total - 1

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

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

Called from the Calendar

Senator Cheek asked that Senate Bill No. 147 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 147—
 BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:30(C), relative to the crime of first degree murder; to provide district attorneys with the option to not seek a capital verdict; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Cheek 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
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

May 31, 2007

ABSENT

Bajoie Boasso Lentini
Total - 3

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

Rules Suspended

Senator Broome asked for and obtained a suspension of the rules for the purpose of reverting to the order of

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 63— BY SENATOR BROOME

A RESOLUTION

To commend and congratulate the Zachary Community School District upon receiving the highest district performance score in the state as determined by the Louisiana school accountability system for the second consecutive year.

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

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

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 Schedler asked that Senate Bill No. 282 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 282— BY SENATOR SCHEDLER

AN ACT

To enact Part VII-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1745.2 through 1745.8 and R.S. 37:2372.1, relative to health care providers; to include legislative findings; to provide definitions; to provide for reporting of certain actions by health care entities; to provide with respect to the entities to which such reporting is required; to provide for confidentiality of mandatory reports; to provide for the limitation of liability for mandatory reporters; to provide relative to the use of information provided by mandatory reporters; to provide for criminal background checks by the State Board of Examiners of Psychologists; to provide for an investigation fee; and to provide for related matters.

The bill was read by title. Senator Schedler 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

Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Bajoie Boasso Lentini
Total - 3

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

Senator Jones in the Chair

Called from the Calendar

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

SENATE BILL NO. 180— BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 180 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "state" insert "and other public"

AMENDMENT NO. 2

On page 4, line 22, delete "Act" and insert "Section"

AMENDMENT NO. 3

On page 5, delete line 13 and insert "The provisions of this Section shall supercede and control to the extent of any"

AMENDMENT NO. 4

On page 5, between lines 14 and 15, insert

"Section 6. The Red River, Atchafalaya, and Bayou Boeuf Levee District ("District") is hereby authorized and empowered to sell, convey, transfer, assign, and deliver any interest, including mineral rights, the District may have to the following described parcel of property to the Louisiana Special Education Center in Alexandria, acting through the State Board of Elementary and Secondary Education:

A tract of land, including all improvements, containing nine acres, more or less definitely described as follows, to wit:

Commencing at the intersection of the north line of Section 27 and the southwest right of way of LA 496, run along the right of way of LA 496, South 42 degrees, 44 minutes, 57 seconds East chord distance of 46.34 feet and radius of 640.00 feet to a 1/2 inch iron rod and the point of beginning.

Thence, from the point of beginning continue along the right of way of LA 496, South 51 degrees, 14 minutes 25 seconds East a chord distance of 129.73 feet and radius of 640.00 feet to a point;

Thence, South 58 degrees 20 minutes 01 seconds East a distance of 120.80 feet to a point;

Thence, South 62 degrees 21 minutes 35 seconds East a chord distance of 168.35 feet and radius of 1180.00 feet to a 1/2 inch iron rod;

Thence, leaving the right of way of LA 496 South 6 degrees 27 minutes, 52 seconds West a distance of 167.36 feet to a 1/2 inch rod;

Thence, South 14 degrees, 47 minutes, 22 seconds East a distance of 1162.77 feet to the north right of way of LA 28 and a 1/2 inch iron rod;

Thence, along the right of way of LA 28 South 74 degrees, 54 minutes, 44 seconds West a chord distance of 266.04 feet and radius of 2689.79 feet to a 1/2 inch iron rod;

Thence, leaving the right of way of LA 28 North 14 degrees 08 minutes, 00 seconds West a distance of 1602.27 feet to a 1/2 inch iron pipe;

Thence, North 30 degrees, 37 minutes, 06 seconds East a distance of 33.42 feet to the southwest right of way of LA 496 and the point of beginning.

The aforementioned closed traverse containing 9,019 acres and is located in part of Sections 27 and 28, Township 4 North, Range 1 West, Alexandria, Rapides Parish, Louisiana. It is shown on survey plat by the Department of Transportation and Development, dated August 28, 2006."

AMENDMENT NO. 5

On page 6, between lines 5 and 6, insert

"Section 9. The Red River, Atchafalaya, and Bayou Boeuf Levee District and the Louisiana Special Education Center in Alexandria, acting through the State Board of Elementary and Secondary Education, are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as are necessary to properly effectuate any sale, conveyance, transfer, assignment, or delivery of title, including mineral rights, to the property described in Section 6 herein, and as more specifically described in any such agreements entered into and documents executed by and between the Red River, Atchafalaya, and Bayou Boeuf Levee District and the Louisiana Special Education Center in Alexandria, acting through the State Board of Elementary and Secondary Education."

AMENDMENT NO. 6

On page 6, line 6, change "9" to "10"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

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

Mr. President in the Chair

Called from the Calendar

Senator Malone asked that Senate Bill No. 125 be called from the Calendar at this time.

SENATE BILL NO. 125—

BY SENATOR MALONE

A JOINT RESOLUTION

Proposing to amend Article V, Sections 3 and 5(C), of the Constitution of Louisiana, relative to the judicial branch; to provide relative to the supreme court; to provide relative to the jurisdiction of the court and review by the court; to provide relative to the location of the court; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Heitmeier, the bill was read by title and recommitted to the Committee on Finance.

Senator Fields in the Chair

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 226 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 226—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(ii), (iii), (iv), and (v) and to enact R.S. 40:4(A)(2)(b)(vi) and (vii), relative to the sanitary code; to provide for home-generated sharps waste; to provide for the packaging, storage, treatment, and transportation of home-generated sharps waste; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

May 31, 2007

ABSENT

Bajoie Boasso Lentini
Total - 3

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

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 336 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 336— BY SENATOR FONTENOT

AN ACT

To enact R.S. 33:4574.16, relative to East Baton Rouge Parish; to provide relative to the Baton Rouge Area Convention and Visitors Bureau; to provide relative to the powers and duties of the bureau; and to provide for related matter, and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo 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. 336 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 4, following "bureau;" and before "and to" delete "and to provide for related matter,"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Fontenot 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
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Bajoie Boasso Lentini
Total - 3

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

Called from the Calendar

Senator Nevers asked that Senate Bill No. 93 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 93— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 22:215.5(A) and to enact R.S. 22:215.5(C) and (D), relative to health insurance; to provide for health insurance coverage for mental illness; to require coverage for treatment for drugs and alcoholism under the same coverages and terms as those which are provided for the treatment of other illnesses; to exempt certain individual and limited benefit policies from mandated coverage; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo 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. 93 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 1, following "Mental" and before "published" change "Disorder" to "Disorders"

AMENDMENT NO. 2

On page 2, line 2, following "physician" and before "clinical" insert ", "

AMENDMENT NO. 3

On page 2, line 9, following "diagnoses" and before "treatments" change "1" to "and"

On motion of Senator Ullo, the amendments were adopted.

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. 93 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 16, delete "mental illness," and change "and" to a comma ", "

AMENDMENT NO. 2

On page 1, at the beginning 17, add ", and for the treatment of mental illness"

AMENDMENT NO. 3

On page 2, line 2, between "physician" and "clinical" insert a comma ", " and between "worker" and "or" insert a comma ", "

On motion of Senator Nevers, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 93 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2 after "(C)" delete the remainder of the line and insert ", (D), (E), (F) and (G), relative to"

AMENDMENT NO. 2

On page 1, line 9 after "(C)" insert ", (D), (E), (F) and (G)"

AMENDMENT NO. 3

On page 1, line 10 delete "and (D)"

AMENDMENT NO. 4

On page 1, line 13 after "A." insert "(I)"

AMENDMENT NO. 5

On page 1, line 16 after "abuse" insert "which meets the definition of a medical necessity as defined in Subsection E of this section and"

AMENDMENT NO. 6

On page 2, line 6 after "units." insert "Under these policies, the benefits shall include forty -five inpatient days per covered individual per calendar year and fifty-two outpatient visits per covered individual per calendar year including the intensive outpatient program."

AMENDMENT NO. 7

On page 2, line 9 after "accidents" insert ", as long as providers are in-network"

AMENDMENT NO. 8

On page 2, in between lines 16 and 17 insert the following:

"E. As it relates to this section, the term "medical necessity" as applied to benefits for mental illness and substance abuse disorders shall mean reasonable and necessary for the diagnosis of a mental illness or substance abuse disorder, which is furnished in the most appropriate and least restrictive setting in which services can be safely provided, at the most appropriate level or supply of service which can safely be provided and could not have been omitted without adversely affecting the individual's health or the quality of care rendered.

F. This Section shall not be construed as prohibiting a health benefit plan from excluding coverage for diagnosis and treatment of mental illnesses and substance abuse disorders when the diagnosis and treatment are medically unnecessary, provided that the medical necessity determination is made in accordance with generally accepted standards of the medical profession and other applicable laws and regulations.

G. The increase in the cost of the policy shall be capped at one and one-half percent per year. The commissioner of insurance shall promulgate rules in accordance with the Administrative Procedure Act to implement this exemption."

On motion of Senator Cassidy, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Jackson	Quinn
Adley	Jones	Schedler
Broome	Marionneaux	Shepherd
Cain	McPherson	Theunissen
Cassidy	Michot	Ullo
Fields	Murray	
Heitmeier	Nevers	
Total - 19		

NAYS

Amedee	Fontenot	Mount
Barham	Gautreaux B	Romero
Cravins	Gautreaux N	Smith
Dupre	Hollis	
Ellington	Malone	
Total - 13		

ABSENT

Bajoie	Cheek	Lentini
Boasso	Duplessis	
Chaisson	Kostelka	
Total - 7		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Notice Regarding Vote

Senator Cheek stated she appeared as absent on the vote on Senate Bill No. 93. She had intended to vote nay on the bill. She asked that the Official Journal so state.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 97 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 97—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2116(D)(4), relative to nursing facilities; to except nursing facilities from the moratorium on additional beds for nursing facilities under certain circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 97 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "2116(D)(4)" insert ", (5), and (K)"

AMENDMENT NO. 2

On page 1, line 6, after "2116(D)(4)" insert ", (5), and (K)" and change "is" to "are"

AMENDMENT NO. 3

On page 2, between lines 8 and 9, insert the following:

"(5) (a) Notwithstanding any other provision of law to the contrary, the department may license, but not certify for Medicaid participation, up to thirty additional beds for a continuing care retirement community, registered in accordance with R.S. 51:2171 et seq., and found to be in compliance with said statute on May 3, 2002, by the Louisiana Department of Health and Hospitals, during the existence of the moratorium imposed pursuant to Subsection D of this Section.

(b) At the discretion of the continuing care retirement community provider, the licensed beds may be used for persons who are not residents of the continuing care retirement community and who are not parties to a continuing care contract for a period of up to five years after the receipt of the

certification of occupancy for a registered continuing care retirement community. After that period, the licensed beds may only be used by owners of a continuing care contract with the continuing care retirement community provider."

AMENDMENT NO. 4

On page 2, between lines 9 and 10, insert the following:

"K. The department shall adopt a rule to allow a nursing home located in a service area which has less than ninety-three percent occupancy to temporarily convert a number of licensed beds to an alternate use. The beds may be converted for alternate use until such time as the average annual occupancy in the service area exceeds ninety-three percent based on the department's LTC-2 Report and the facility is notified of the same. The facility shall then either re-license the beds as nursing home beds within one year of receipt of the notice from the department, or the beds will be deemed expired. Nothing herein shall be construed to preclude nursing homes from taking beds out of alternate use at any time and using them as licensed beds unless deemed expired."

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Fontenot	Mount
Adley	Gautreaux B	Murray
Amedee	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Uilo
Ellington	McPherson	
Fields	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Boasso	Lentini
Barham	Cassidy	
Total - 5		

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 202 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 202—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.101 through 4720.122, relative to the city of Opelousas; to create the Opelousas Redevelopment Authority; to provide for the procedure to follow and activate the authority; to define terms; to provide for the selection of commissioners and for their terms of office; to provide for annual reports, including financial statements, to the local governing authority; to provide for the powers, duties, and functions of the redevelopment authority, including the

acquisition of property by purchase, gift, expropriation, or otherwise; to provide for expedited quiet title and foreclosure actions; to provide for the preparation and adoption of a community improvement plan; to provide with respect to the certification of blighted property and its removal; to provide for the disposition of property in a community improvement area; to provide for the issuance of bonds; to provide for borrowing money and giving security therefor; to provide for tax exemptions; to authorize the establishment of programs for residential development; to provide for cooperation by public bodies with the authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Uilo 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. 202 by Senator Cravins

AMENDMENT NO. 1

On page 6, line 25, following "the" and before "proper" delete "due"

AMENDMENT NO. 2

On page 7, line 5 at the beginning of the line, change "R.S. 33:4720.105(D)(2)" to "Paragraph (D)(2) of this Section"

AMENDMENT NO. 3

On page 11, line 20, delete "La"

AMENDMENT NO. 4

On page 13, line 28, following "or" and before "such" change "determine" to "determined"

AMENDMENT NO. 5

On page 16, line 7, following "of" and before ";" change "R.S. 4720.107(A)" to "Subsection A of this Section"

AMENDMENT NO. 6

On page 19, line 4, following "the" and before "or" change "Department of Permits" to "department of permits"

AMENDMENT NO. 7

On page 22, line 10, following "with" and before "R.S." delete "La"

AMENDMENT NO. 8

On page 23, line 28, following "members" and before "shareholders" change "of" to "or"

AMENDMENT NO. 9

On page 42, line 12, following "this" and before ";" change "Section" to "Chapter"

AMENDMENT NO. 10

On page 45, line 22, following "this" and before ";" change "Section" to "Chapter"

AMENDMENT NO. 11

On page 49, line 19, following "this" and before "shall" change "Section" to "Chapter"

AMENDMENT NO. 12

On page 50, line 22, following "this" and before "shall" change "Section" to "Chapter"

AMENDMENT NO. 13

On page 53, line 8, following "this" and before ";" change "Section" to "Chapter"

AMENDMENT NO. 14

On page 56, line 25, following "this" and before ":" change "Section" to "Chapter"

AMENDMENT NO. 15

On page 61, line 13, following "this" and before ":" change "Section" to "Chapter"

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 202 by Senator Cravins

AMENDMENT NO. 1

On page 16, delete lines 20 through 25.

AMENDMENT NO. 2

On page 30, lines 3 and 8, change "circuit" to "district"

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 202 by Senator Cravins

AMENDMENT NO. 1

On page 8, between lines 18 and 19, insert the following:
"(4) Notwithstanding any provision of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950 or any other law to the contrary, if any commissioner, in the discharge of a duty or responsibility of his office or position, would be required to participate in any transaction or vote on a matter which participation or vote would be a violation of R.S. 42:1112, he may continue to serve as a member of the authority, provided that he refrain from participating in such transaction and recuse himself from voting in such matter."

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Cravins 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
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Bajoie Boasso Lentini
 Total - 3

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 82 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 82—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b) and (3), 2199(B)(2)(b), (B)(3) and (F)(1) and (2) and to enact R.S. 40:2116(D)(4), 2199(F)(3) and (4), and 2199.1, relative to nursing homes and health care facilities; to provide for Class B violations for nursing homes and health care facilities licensed or certified by the Department of Health and Hospitals; to provide for monthly aggregate fines for nursing homes or health care facilities; to provide for monies collected for violations by health care facilities; to provide for the use of the monies collected for violations by health care facilities; to provide for additional remedies against health care facilities; to provide for the moratorium on replacement facilities; to provide for the licensure of replacement facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 82 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "2009.11(B)(2)(b)" delete "and" and insert ", " and after "(3)," insert "and (c), 2116(J)(1) (intro para)"

AMENDMENT NO. 2

On page 1, line 3, after "40:" insert "2009.11(4) and (5), "

AMENDMENT NO. 3

On page 1, line 13, after "2009.11(B)(2)(b)" delete "and" and after "(3)," insert "and (c), 2116(J)(1) (intro para)"

AMENDMENT NO. 4

On page 1, line 14 before "2116(D)(4)," insert "2009.11(B)(4) and (5),"

AMENDMENT NO. 5

On page 2, line 19, delete "five" and "twenty" and insert "five"

AMENDMENT NO. 6

On page 2, line 20, delete "fifty" and insert "twenty"

AMENDMENT NO. 7

On page 2, line 22, delete "thirty" and insert "fifteen"

AMENDMENT NO. 8

On page 2, between lines 22 and 23 insert the following:
"(4) A violation which is written for a root cause for which multiple federal tags have been cited, shall be the basis for only one civil money penalty."

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(5) A sanction which has been imposed by the department for a specific violation shall be rescinded if the federal government imposes a sanction of equal or greater severity for the same violation.

C. The department shall adopt rules and regulations in accordance with the Administrative Procedure Act to provide for notice to the nursing home of any violation, for an informal reconsideration process, and for such appeal procedure including judicial review, **at which time the appellant may request and receive a de novo hearing on the merits, during which evidence and testimony shall be received.** Such appeal shall be suspensive."

AMENDMENT NO. 9

On page 3, between lines 2 and 3, insert the following:

"J.(1) Notwithstanding any other provision of law to the contrary, the facility need review approval for licensed nursing homes or intermediate care facilities for people with developmental disabilities (ICF/DD) located in an area or areas which have been affected by an executive order or proclamation of emergency or disaster and which were operating at the time the executive order or proclamation was issued under R.S. 29:724 shall remain in effect and shall not be terminated, considered to have expired, or revoked until January 1, ~~2008~~ **2010**. For this exception to apply, the emergency or disaster shall be the sole causal factor in the interruption of the provision of services. This exception shall not apply if any one of the following occurs:

* * *

AMENDMENT NO. 10

On page 3, line 15, delete "five" and "**twenty**" and insert "five"

AMENDMENT NO. 11

On page 3, line 16, delete "**fifty**" and insert "**twenty**"

AMENDMENT NO. 12

On page 3, line 18, delete "**thirty**" and insert "**fifteen**"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	McPherson
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneau	
Total - 32		

NAYS

Mr President	Michot
Fields	Romero
Total - 4	

ABSENT

Bajoie	Boasso	Lentini
Total - 3		

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

Mr. President in the Chair

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 64—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Lieutenant Adam A. Dyer upon his death during a training mission off the California coast.

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

SENATE RESOLUTION NO. 65—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Ensign Van Andrew Wilson upon his death while in the service of his country.

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

SENATE RESOLUTION NO. 66—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Coast Guardsman Jake Brian Harrison upon his death while in the active military service of his country.

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

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Noble E. Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

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To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 45—

BY SENATORS MCPHERSON AND ELLINGTON

A RESOLUTION

To establish a task force to develop and propose a statewide traffic incident management plan for the purpose of proposing a standard of practice for a more efficient management of incidents on all roadways that will serve to minimize delays and the duration of road or lane closures for the traveling public and enhance the safety of emergency responders and victims at the scene of an incident.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR QUINN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to conduct an independent, bipartisan investigation into the failure of the federal levees on August 29, 2005, which flooded eighty percent of the city of New Orleans and the surrounding region, including the parishes of St. Bernard, Jefferson, Orleans, and St. Charles.

Reported favorably.

SENATE BILL NO. 33—

BY SENATORS B. GAUTREAUX AND DUPRE

AN ACT

To amend and reenact R.S. 34:2203(B)(8), relative to the Terrebonne Port Commission; to provide for the powers, duties, and functions of the Terrebonne Port Commission; to provide relative to expropriation; to specify certain facilities not subject to expropriation by the commission; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 317—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:330.12(A), (D), and (E), and to enact R.S. 38:330.12(F), relative to the Orleans Levee District; to provide for the control of certain property of that district; to provide relative to certain facilities and improvements; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing guardrails along a portion of U.S. Highway 61 in St. Charles Parish and to reestablish the U.S. Highway 61 Task Force.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of U.S. Highway 11 in St. Tammany Parish as the "Clarence 'Gatemouth' Brown Memorial Highway" and to erect proper signage along this route to reflect this designation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal the federal Real ID Act of 2005.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the portion of Louisiana Highway 26 from the Oberlin city limits to Mittie in Allen Parish as the "Staff Sergeant William 'Bill' F. Manuel Memorial Highway" and to erect signage along this route reflecting this designation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 29—

BY REPRESENTATIVE TRAHAN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of U.S. Highway 167 in Lafayette Parish and Vermilion Parish as "Vermilion Parkway".

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 43—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Louisiana Highway 70 within Assumption Parish as Veterans Memorial Highway and to erect proper signage along this route reflecting this designation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to lower the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect appropriate directional signage on Interstate 10 in Sorrento, Louisiana, indicating the location of River Parishes Community College.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair the Ostrica Locks in lower Plaquemines Parish.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To request that the Department of Transportation and Development designate the portion of Interstate 110 at Harding Boulevard in East Baton Rouge Parish as "Military Order of Purple Heart Memorial Highway, Chapter 177" and erect proper signage along this route reflecting this designation.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 74—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, in conjunction with the Louisiana State Police and the Louisiana Sheriff's Association, to study all possible methods that can be used to divert traffic on bridges and highways after motor vehicle accidents have occurred.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Louisiana Highway 109 in Calcasieu Parish as the "Reverend A. L. O'Brien Memorial

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Highway" and to erect proper signage along this route reflecting this designation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 78—

BY REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Interstate 20 in Caddo and Bossier parishes as "Purple Heart Recipients Highway" and to erect proper signage along this route reflecting this designation.

Reported favorably.

HOUSE BILL NO. 198—

BY REPRESENTATIVE MCVEA
AN ACT

To provide relative to the selection of a contractor for the restoration of the East Feliciana Parish courthouse; to require the parish to use the state's list of contractors who are prequalified for historic preservation projects; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 302—

BY REPRESENTATIVES QUEZAIRE AND MARTINY
AN ACT

To amend and reenact R.S. 38:241(F)(2) and 244(B), to enact R.S. 49:214.12(A)(1)(s) and (t), and to repeal R.S. 36:509(E)(1) and R.S. 38:242(3) and 243, relative to hurricane flood protection; to abolish the Hurricane Flood Protection Advisory Commission within the Department of Transportation and Development; to increase the membership of the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 315—

BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 47:463.135, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the "Chez nous autres" prestige license plate; to provide relative to the design of the plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 316—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 34:208(A) and (B), relative to the Lake Charles Harbor and Terminal District; to provide relative to procurement of materials and supplies by the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 339—

BY REPRESENTATIVES QUEZAIRE AND WILLIAMS
AN ACT

To amend and reenact R.S. 48:285 and to enact R.S. 48:292.1, relative to the employment of consultants by the Department of Transportation and Development; to provide for a Small Engineering Consultant Program within the Department of Transportation and Development; to provide for prequalification requirements of consultants participating in the program; to provide for selection of prequalified consultants; to provide with respect to consultants being disqualified from participation in said program; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 398—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 32:365(A)(2)(d), relative to motor vehicles; to provide relative to the use of visual display technology in motor vehicles; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 407—

BY REPRESENTATIVES K. CARTER, DOWNS, GRAY, JACKSON, AND MCDONALD
AN ACT

To amend and reenact Section 3 of Act No. 527 of the 2003 Regular Session of the Legislature and Section 2 of Act No. 363 of the 2004 Regular Session of the Legislature, relative to increased fees for issuance and renewal of drivers' licenses; to extend the sunset date of a fee used to fund litter reduction efforts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 413—

BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 38:330.1(C)(1)(introductory paragraph) and (b) and (L) and 330.8 and to repeal R.S. 38:330.1(F)(5), relative to the Southeast Louisiana Flood Protection Authority-West Bank; to provide for management of the affairs of the authority; to provide relative to residency requirements for members of the authority; to provide relative to involvement of certain members in decisions of the board; to provide relative to compensation of members; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 434—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 48:105.1, relative to transportation training and education; to create a special fund in the state treasury; to provide for fees; to provide for deposit of fees; to provide for uses and disposition of fund monies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 507—

BY REPRESENTATIVES LABRUZZO, DOVE, ERDEY, M. POWELL, ST. GERMAIN, AND TUCKER
AN ACT

To amend and reenact R.S. 33:1975(A), relative to exemptions from tolls on bridges and ferries; to provide for the exemption from tolls for firemen; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 628—

BY REPRESENTATIVE K. CARTER AND SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 38:281(9), 291(K)(1), 330.12(A), and 336(A) and to enact R.S. 38:281(10), relative to the Orleans Levee District; to clarify and provide for the ownership and management of certain property of the district; to provide relative to the disposition of the proceeds of any sale or alienation of such property; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 766—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x)(ff) and to enact R.S. 32:409.1(A)(9), relative to driver's licenses; to change the eligibility of citizens of other countries for a driver's license; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 778—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 47:820.5.2(B)(3) and (4), (C), (E), and (F)(1) and (2) and to enact R.S. 47:820.5.4, relative to the imposition and collection of tolls; to assess and provide for collection of tolls on trailers on the Crescent City Connection; to authorize the Louisiana Transportation Authority to impose and collect tolls on the LA 1 Project; to provide for definitions; to provide enforcement procedures and methods; to provide for liable persons; to provide for hearings and appeals; to provide for use of certain evidence; to provide for methods of collection; to provide for administrative fees and late charges; to provide for the deposit of tolls and fees collected; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 853—

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 32:80(A)(2), relative to overtaking and passing school buses; to provide for notification of violation; to modify the notification procedure; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 897—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a) and (b)(ii), (2), (4), (6), and (9)(a) and (D) and to repeal R.S. 32:414.2(E), relative to commercial driver's licenses; to require disqualification of commercial driving privileges for certain offenses; to provide with respect to suspension and revocation of driving privileges under commercial driver's licenses; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

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

ENROLLMENTS

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

May 31, 2007

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATORS BAJOE, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To commend Antoine Dominique "Fats" Domino for his exceptional and unique rock 'n roll singing style and to designate June 19, 2007, as "Fats" Domino Day in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR BAJOE AND REPRESENTATIVES K. CARTER AND GRAY

A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate May 30, 2007, as Delta Sigma Theta Sorority "Red and White" Day at the Legislature of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR MCPHERSON AND REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To commend Meredith Carstens Menache on receipt of the Student of the Year award from the Rapides Parish School Board and to congratulate her for many outstanding scholastic achievements.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 30, 2007

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. 136—

BY REPRESENTATIVES WALSWORTH, ALARIO, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, MICKEY GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAU, 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, WILLIAMS, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend Dr. James N. Stafford upon his service as a member of the State Board of Elementary and Secondary Education for five terms, to recognize and record his myriad accomplishments and his remarkable contributions to the field of education, and to recognize May 31, 2007, as James N. Stafford Day.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend posthumously Reverend Avery Alexander, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Thomas Jasper, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

May 31, 2007

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Senator Diana E. Bajoie, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 142—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Louis Charbonnet III, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Johnny Jackson, Jr., a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Joseph Delpit, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend posthumously Nick Connor, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Sidney Barthelemy, a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Alphonse Jackson, Jr., a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Richard Turnley, Jr., a founding member of the Louisiana Legislative Black Caucus, upon the celebration of the thirtieth anniversary of the caucus.

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVE GALLOT AND SENATORS KOSTELKA AND JONES
A CONCURRENT RESOLUTION
To record and acknowledge the extraordinary accomplishments and singular contributions of Frederick C. Hobdy, former head basketball coach and athletic director at Grambling State University, and to urge and request Grambling State University and the University of Louisiana System to recognize his accomplishments and contributions and consider naming the university's assembly center in his honor.

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.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

SENATE
State of Louisiana
Baton Rouge, Louisiana 70804

MEMO

TO: Don Hines
President
FROM: Jody Amedee
Senator
DATE: May 31, 2007

I respectfully request your approval to be excused from 2007 Regular Session on Monday, June 4 and Tuesday, June 5 to bring my daughter to Houston for a check up.

Thank you in advance for your consideration of this request.

JODY AMEDEE
Senator

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie 1 Day Boasso 1 Day
Lentini 1 Day

Adjournment

Senator Barham moved that the Senate adjourn until Monday, June 4, 2007, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Monday, June 4, 2007.

GLENN A. KOEPP
Secretary of the Senate
LYNDA E. WHEELER
Journal Clerk