

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

---

**SEVENTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 9, 2008

The Senate was called to order at 4:10 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Erdey	Nevers
Adley	Gautreaux B	Riser
Amedee	Gray	Shaw
Broome	Hebert	Shepherd
Cheek	Jackson	Smith
Cravins	Kostelka	Thompson
Crowe	Long	Walsworth
Donahue	Michot	
Duplessis	Murray	
Total - 25		

**ABSENT**

Alario	Heitmeier	Morrish
Cassidy	LaFleur	Mount
Dorsey	Marionneaux	Quinn
Dupre	Martiny	Scalise
Gautreaux N	McPherson	
Total - 14		

The President of the Senate announced there were 25 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Dale Hoffpauir, 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 Amedee, the reading of the Journal was dispensed with and the Journal of April 8, 2008, was adopted.

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

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

**SENATE BILL NO. 684—**  
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 47:6022(E)(2)(b), relative to the Louisiana digital interactive media producer tax credit; to delete the requirement that the commissioner of administration approve

the issuance of a credit certification letter; to provide for an effective date; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House**

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

April 8, 2008

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 46—**

BY REPRESENTATIVE MILLS

AN ACT

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

**HOUSE BILL NO. 705—**

BY REPRESENTATIVE HARDY

AN ACT

To amend and reenact R.S. 15:588, relative to the Louisiana Bureau of Criminal Identification and Information; to amend provisions regarding individual access to information; to authorize the attorney of the individual to have access to the information; and to provide for related matters.

**HOUSE BILL NO. 790—**

BY REPRESENTATIVES FOIL, GREENE, AND RICHARDSON

AN ACT

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

**HOUSE BILL NO. 873—**

BY REPRESENTATIVES SIMON AND GALLOT

AN ACT

To amend and reenact R.S. 18:1306(E)(2), relative to voting; to provide relative to procedures for absentee by mail and early voting; to provide relative to materials for absentee by mail and early voting; to provide relative to certificates on absentee by mail and early voting ballot envelopes; and to provide for related matters.

**HOUSE BILL NO. 960—**

BY REPRESENTATIVE GALLOT

AN ACT

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

April 9, 2008

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

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

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

**House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 46—**  
BY REPRESENTATIVE MILLS  
AN ACT

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

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

**HOUSE BILL NO. 705—**  
BY REPRESENTATIVE HARDY  
AN ACT

To amend and reenact R.S. 15:588, relative to the Louisiana Bureau of Criminal Identification and Information; to amend provisions regarding individual access to information; to authorize the attorney of the individual to have access to the information; and to provide for related matters.

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

**HOUSE BILL NO. 790—**  
BY REPRESENTATIVES FOIL, GREENE, AND RICHARDSON  
AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 873—**  
BY REPRESENTATIVES SIMON AND GALLOT  
AN ACT

To amend and reenact R.S. 18:1306(E)(2), relative to voting; to provide relative to procedures for absentee by mail and early voting; to provide relative to materials for absentee by mail and early voting; to provide relative to certificates on absentee by mail and early voting ballot envelopes; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 960—**  
BY REPRESENTATIVE GALLOT  
AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

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

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

certain Revised Statutes; to provide for the Louisiana State Law Institute to redesignate certain provisions of Title 40 of the Louisiana Revised Statutes of 1950; to remove certain unconstitutional provisions of Title 14 of the Louisiana Revised Statutes of 1950.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 9, 2008

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 9—**  
BY REPRESENTATIVE PETERSON  
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop a process to annually review the effectiveness of tax exemptions and tax credits enacted by the Louisiana Legislature in order to evaluate the fiscal impact of such exemptions and credits and to make recommendations regarding whether these tax exemptions and credits are achieving intended goals and to submit a written report of its findings to the Louisiana Legislature prior to the commencement of the 2009 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 47—**  
BY REPRESENTATIVE BOBBY BADON AND SENATOR CRAVINS  
A CONCURRENT RESOLUTION

To commend Carroll Guilbeau upon his retirement after sixty years of work in public service and public safety in Lafayette Parish.

**HOUSE CONCURRENT RESOLUTION NO. 48—**  
BY REPRESENTATIVES MARCHAND, PATRICIA SMITH, BURRELL, AND ROSALIND JONES AND SENATORS CRAVINS AND JACKSON  
A CONCURRENT RESOLUTION

To commend Alpha Kappa Alpha Sorority, Incorporated, on its centennial anniversary celebration.

**HOUSE CONCURRENT RESOLUTION NO. 49—**  
BY REPRESENTATIVES RITCHIE, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BURFORD, HENRY BURNS, BURRELL, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, HUTTER, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LITTLE, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NOWLIN, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, ROY, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, WADDELL, WHITE, AND WOOTON AND SENATORS CROWE, ERDEY, HEBERT, LAFLEUR, MORRISH, SMITH, THOMPSON, AND WALSWORTH  
A CONCURRENT RESOLUTION

To commend Louisiana 4-H upon the occasion of its centennial anniversary.

**HOUSE CONCURRENT RESOLUTION NO. 51—**  
BY REPRESENTATIVE HARRISON  
A CONCURRENT RESOLUTION

To memorialize the United States Food and Drug Administration to take immediate and focused action to improve the enforcement of food import restrictions of seafood imports prior to sale in Louisiana.

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

**House Concurrent Resolutions**

Senator Thompson 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. 9—**  
BY REPRESENTATIVE PETERSON  
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop a process to annually review the effectiveness of tax exemptions and tax credits enacted by the Louisiana Legislature in order to evaluate the fiscal impact of such exemptions and credits and to make recommendations regarding whether these tax exemptions and credits are achieving intended goals and to submit a written report of its findings to the Louisiana Legislature prior to the commencement of the 2009 Regular Session.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Shepherd
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Alario	Dorsey	Marionneaux
Cassidy	LaFleur	Scalise
Total - 6		

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

**HOUSE CONCURRENT RESOLUTION NO. 47—**  
BY REPRESENTATIVE BOBBY BADON AND SENATOR CRAVINS  
A CONCURRENT RESOLUTION

To commend Carroll Guilbeau upon his retirement after sixty years of work in public service and public safety in Lafayette Parish.

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

**ROLL CALL**

The roll was called with the following result:

April 9, 2008

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Alario	LaFleur	Scalise
Cassidy	Marionneaux	
Dorsey	Quinn	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 48—**  
 BY REPRESENTATIVES MARCHAND, PATRICIA SMITH, BURRELL,  
 AND ROSALIND JONES AND SENATORS CRAVINS AND JACKSON  
**A CONCURRENT RESOLUTION**

To commend Alpha Kappa Alpha Sorority, Incorporated, on its centennial anniversary celebration.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Amedee	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Donahue	Long	Shepherd
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 30		

**NAYS**

Total - 0

**ABSENT**

Alario	Dorsey	Marionneaux
Cassidy	Gray	Quinn
Crowe	LaFleur	Scalise
Total - 9		

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

**HOUSE CONCURRENT RESOLUTION NO. 49—**  
 BY REPRESENTATIVES RITCHIE, ANDERS, ARMES, ARNOLD, BOBBY  
 BADON, BALDONE, BARRAS, BURFORD, HENRY BURNS, BURRELL,  
 CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CROMER,  
 DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS,  
 ELLINGTON, FANNIN, FRANKLIN, GALLOT, GEYMAN, GISCLAIR,  
 ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HAZEL,  
 HILL, HOFFMANN, HOWARD, HUTTER, JOHNSON, ROSALIND JONES,  
 SAM JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LITTLE, MCVEA,  
 MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NOWLIN, PERRY,

POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, ROY, SMILEY,  
 GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, WADDELL,  
 WHITE, AND WOOTON AND SENATORS CROWE, ERDEY, HEBERT,  
 LAFLEUR, MORRISH, SMITH, THOMPSON, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To commend Louisiana 4-H upon the occasion of its centennial anniversary.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Shepherd
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Alario	Dorsey	Marionneaux
Cassidy	LaFleur	Scalise
Total - 6		

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

**HOUSE CONCURRENT RESOLUTION NO. 51—**  
 BY REPRESENTATIVE HARRISON

**A CONCURRENT RESOLUTION**

To memorialize the United States Food and Drug Administration to take immediate and focused action to improve the enforcement of food import restrictions of seafood imports prior to sale in Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Shepherd
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 33		

**NAYS**

Total - 0

ABSENT

Alario Dorsey Marionneaux  
Cassidy LaFleur Scalise  
Total - 6

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 9, 2008

To the President and Members of the Senate:

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

**SENATE BILL NO. 228—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 28:22, R.S. 40:2006(B)(2)(i) and (E)(2)(x), and Part VI-F of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180.6 through 2180.11, relative to crisis receiving centers; to provide for a crisis response system; to provide for definitions; to provide for fees; to provide for licensing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 234—**  
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:2006(E)(2)(x) and Part VI-F of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180.11 through 2180.16 and to repeal R.S. 28:822(26), relative to licensure of substitute family agencies for the developmentally disabled; to provide for licensing fees for such services; to provide for rules and regulations; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 238—**  
BY SENATOR CASSIDY

AN ACT

To enact R.S. 40:1064.1, relative to expedited partner therapy; to provide for the prescription of medications to individuals who may have been exposed to certain venereal diseases absent a doctor-patient relationship and absent a clinical assessment; to provide for the promulgation of rules; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 287—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care data reporting; to provide for Louisiana health care consumers' right to know; to provide for the collection and publication of provider specific health care quality and outcome data; to

provide for the membership of the Health Data Panel; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 546—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:1031(A) and 1033(A) and (B) and to enact R.S. 37:1033(H), relative to direct service workers; to provide for applicability; to provide for training; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
WILLIE L. MOUNT  
Chairman

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS**

Senator Ann D. Duplessis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 9, 2008

To the President and Members of the Senate:

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

**SENATE BILL NO. 96—**  
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 37:761(C) and 764(D) and to enact R.S. 37:795(B)(1)(m) and (B)(2)(u), relative to the profession of dentistry; to provide for requirements of applicants for dental licensure; to provide for the requirements of licensure of a dental hygienist; to provide for fees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 130—**  
BY SENATOR DUPLESSIS

AN ACT

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

Reported favorably.

**SENATE BILL NO. 327—**  
BY SENATOR MICHOT

AN ACT

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

Reported favorably.

**SENATE BILL NO. 590—**  
BY SENATOR BROOME

AN ACT

To enact R.S. 6:453, relative to mortgage foreclosures; to provide with respect to mortgage foreclosure assistance for homeowners; and to provide for related matters.

Reported with amendments.

April 9, 2008

**SENATE BILL NO. 628—**  
BY SENATOR N. GAUTREAU  
AN ACT

To enact R.S. 51:140.1, relative to price gouging; to prohibit any railroad corporation from price gauging; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ANN D. DUPLESSIS  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

April 9, 2008

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 6—**  
BY SENATOR DONAHUE  
A CONCURRENT RESOLUTION

To create and provide the Election Code Study Committee to study election offenses and to develop recommendations for changes to the Louisiana Election Code and a plan to implement such changes.

Reported favorably.

**SENATE BILL NO. 53—**  
BY SENATOR SHAW  
AN ACT

To enact R.S. 42:1141(B)(1)(c), relative to ethics complaints; to provide that the Board of Ethics shall not investigate or otherwise address anonymous complaints; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 115—**  
BY SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 18:465(E) and to enact R.S. 18:465(C)(7), relative to qualifying for a primary election; to provide for nominating petitions; to provide relative to the signatures required upon and the certification of such petitions; to provide for qualification by nominating petition when qualifying is reopened following the death of a candidate; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 223—**  
BY SENATOR SHEPHERD  
AN ACT

To amend and reenact R.S. 24:31.5(A)(1), (2) and (4), relative to the legislature; to provide with respect to the funds available for legislative assistants of members of the legislature; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 271—**  
BY SENATOR DONAHUE  
AN ACT

To amend and reenact R.S. 18:402(F)(5) and (6) and to repeal R.S. 18:402F(7), relative to bond, tax, or propositional elections; to provide for the elimination of the July date for such elections; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 296—**  
BY SENATOR ADLEY  
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(B) of the Constitution of Louisiana, relative to calling extraordinary sessions of the legislature; to require that the proclamation calling the session be issued and made public so that at least five calendar days elapse after the day the proclamation is made public and prior to the day of the start of such session; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

Respectfully submitted,  
ROBERT W. KOSTELKA  
Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Donald R. Cravins Jr., Chairman on behalf of the Committee on Insurance, submitted the following report:

April 9, 2008

To the President and Members of the Senate:

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

**SENATE BILL NO. 61—**  
BY SENATOR SHEPHERD  
AN ACT

To amend and reenact R.S. 22:635.3(C) and to enact R.S. 22:1425.1, relative to homeowner's insurance; to provide for calculation of certain time periods; to require certain insurers who write homeowner's insurance to sell homeowner's coverage to certain veterans and military personnel; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 103—**  
BY SENATOR MORRISH  
AN ACT

To amend and reenact R.S. 22:1265(A)(2) and to enact R.S. 22:1065(A)(2)(f), relative to state funds; to establish the Citizens Insurance Recovery Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for disposition of the avails of certain taxes related to the sale of insurance products for surplus lines coverages; to provide for the disposition of the avails of certain annual license taxes related to the sale of insurance products for fire, marine, transportation, casualty, surety, or other coverages; to require annual reporting to the legislature; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 150—**  
BY SENATOR CRAVINS

AN ACT

To enact Part XIV-A of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 22:2090.1 through 2090.26, relative to domestic captive insurance companies; to provide for definitions; to provide for applicability of other provisions; to provide for powers of the commissioner of insurance, including the authority to adopt reasonable regulations; to provide for incorporation and application for a certificate of authority; to provide for financial examinations; to provide for capital and surplus requirements; to provide for suspension or revocation of certificate of authority; to provide for authorized and prohibited lines of insurance; to provide for restrictions on captive insurers operations; to provide for filing of rates and forms; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 240—**  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1382(A)(1)(a) relative to the Louisiana Insurance Guaranty Association; to provide for the limits of liability of the association; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 538—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1430.23(D), relative to the Louisiana Citizens Property Insurance Corporation Policy Take-Out Program; to provide with respect to removing the Louisiana Insurance Guaranty Association from the approval process on policy bundles; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 555—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1384(A)(3), relative to the Louisiana Insurance Guaranty Association; to modify the authority of the commissioner of insurance with respect to the board of commissioners of the association relative to certificates of authority of insurers; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DONALD R. CRAVINS JR.  
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. 37—**  
BY SENATOR DUPRE

AN ACT

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

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 37 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 11, after "in" and before "towns" insert "villages and"

AMENDMENT NO. 2

On page 1, line 16, after "in" and before "towns" insert "villages and"

AMENDMENT NO. 3

On page 2, line 2, after "department" and before "shall" insert "or office of the mayor"

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

**SENATE BILL NO. 52—**  
BY SENATOR MARTINY

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 52 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 17, de-capitalize both instances of "Adult Protection Specialist"

AMENDMENT NO. 2

On page 2, line 1, de-capitalize "Supervisor"

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

**SENATE BILL NO. 55—**  
BY SENATOR MORRISH

AN ACT

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

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 55 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 2, change "Art. 4843(G)" to "Art. 4843(F)"

AMENDMENT NO. 2

On page 1, line 7, change "Art. 4843(G)" to "Art. 4843(F)"

AMENDMENT NO. 3

On page 1, delete lines 12 through 15 and insert in lieu thereof the following:

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"F. In the City Court of Hammond, the City Court of Jennings, and the City Court of Oakdale the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty thousand dollars."

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

**SENATE BILL NO. 81—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 39:1800.4(C), relative to state and local corrections facilities; to provide for contracts; 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. 81 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 3, change "contracts;" to "certain contracts; to provide for management contracts involving capital expenditures;"

AMENDMENT NO. 2

On page 1, line 12, after "funds" add the following: "and provided that no management contract shall exceed five years, **except that a management contract which involves expenditures for capital improvements shall not exceed ten years.**"

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

**SENATE BILL NO. 91—**  
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 13:621.22, relative to district judges; to provide for two additional judgeships for the Twenty-Second Judicial District Court; to provide for jurisdiction; to provide for compensation of the additional judges; to provide for the election and term of the offices and those of the successors to those offices; and to provide for related matters.

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

**SENATE BILL NO. 94—**  
BY SENATORS THOMPSON, SMITH AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:4411(A), relative to the timber severance tax; to increase the portion of the timber severance tax allocated to the state which is dedicated to the Forestry Productivity Fund; and to provide for related matters.

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

**SENATE BILL NO. 101—**  
BY SENATOR MORRISH

AN ACT

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

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

**SENATE BILL NO. 107—**  
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 13:985(A), (B), (C), (D), (E), (F), (H) and (I) and 985.1(A)(1), (2)(b) and (3) and to enact R.S. 13:985.1(A)(2)(c), relative to court reporters for the Thirty-First Judicial District; to provide for the number of court reporters to be appointed in the Thirty-First Judicial District; to provide for salaries; to provide for the indigent transcript fund; and to provide for related matters.

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

**SENATE BILL NO. 114—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:146(D)(1) and 152(C), relative to the Louisiana Public Defender Act; to amend provisions of the Louisiana Public Defender Act; to provide with respect to the salary of the state public defender; to provide for the removal of members of the Louisiana Public Defender Board for excessive absences; 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. 114 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, delete "146(D)(1) and" and after "152(C)" insert "and to enact R.S. 15:147(E)"

AMENDMENT NO. 2

On page 1, line 4, after "defender;" delete the remainder of the line and delete line 5, and insert the following: "to provide for the employment status of certain employees; and to"

AMENDMENT NO. 3

On page 1, line 8, change "146(D)(1) and 152(C) are" to "152(C) is" and after "amended and reenacted" insert "and R.S. 15:147(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 10 through 15 and insert the following:  
"§147. Powers, duties, responsibilities  
\* \* \*

**E. The executive staff; regional directors; and secretarial, clerical, and other personnel directly employed in the operations of the board shall be state employees. All other personnel employed or who serve under contract in a district office shall not be state employees and shall be considered local employees of the district. The Joint Legislative Committee on the Budget may approve other employees hired pursuant to the Louisiana Public Defender Act as state employees upon recommendation of the board.**

AMENDMENT NO. 5

On page 2, line 3, change "a judge" to "**an associate justice**" and change "courts of appeal" to "**supreme court**"

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

**SENATE BILL NO. 133—**  
BY SENATOR DONAHUE

AN ACT

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



Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 140—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 32:391(A) and 398.1(A), relative to traffic citations; to provide for electronic tickets or e-tickets; to provide for the original signature or electronic signature of an arresting officer; and to provide for related matters.

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

**SENATE BILL NO. 143—**

BY SENATORS N. GAUTREAU, AMEDEE, CROWE, DORSEY, DUPLESSIS AND MOUNT

AN ACT

To amend and reenact the introductory paragraph of R.S. 14:313(C) and to enact R.S. 14:313(E) and 313.1, relative to "sex offenders," to prohibit "sex offenders" from wearing a mask, hood or disguise during Halloween; to prohibit "sex offenders" from distributing candy or other gifts to minors on Halloween; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 143 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 4, between "Halloween" and "; to" insert "and certain other holidays"

AMENDMENT NO. 2

On page 1, line 5, between "Halloween" and "; and" insert "and certain other holidays"

AMENDMENT NO. 3

On page 1, at the end of line 11, add "**; wearing of hoods, masks, or disguises or giving of candy or other gifts by sex offenders**"

AMENDMENT NO. 4

On page 2, line 1, between "**on**" and "**Halloween**" insert "**or concerning**" and after "**Halloween**" and before the period "." insert "**, Mardi Gras, Easter, Christmas, or any other recognized holiday for which hoods, masks, or disguises are generally used**"

AMENDMENT NO. 5

On page 2, line 7, between "**on**" and "**Halloween**" insert "**or concerning**" and after "**Halloween**" and before the period "." insert "**, Mardi Gras, Easter, Christmas, or any other recognized holiday for which generally candy is distributed or other gifts given to persons under eighteen years of age**"

AMENDMENT NO. 6

On page 2, line 9, change "**or**" to "**nor**"

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

**SENATE BILL NO. 144—**

BY SENATORS N. GAUTREAU, AMEDEE, DORSEY, DUPLESSIS AND MOUNT

AN ACT

To enact R.S. 14:43.6, relative to certain sex offenses; to provide for the administration of medroxyprogesterone acetate to or

voluntary castration of "sex offenders"; to provide penalties for non compliance; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 144 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 3, delete the quotation marks

AMENDMENT NO. 2

On page 1, lines 7 and 8, change "**persons classified as "sex offenders"**" to "**certain sex offenders**"

AMENDMENT NO. 3

On page 1, line 11, after "**43.3,**" and before "**45**" delete "**43.4,**"

AMENDMENT NO. 4

On page 2 line 2, after "**43.3,**" and before "**45**" delete "**43.4,**"

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

**SENATE BILL NO. 163—**

BY SENATOR THOMPSON

AN ACT

To enact R.S. 3:30, 31 and 32 relative to Agriculture and Forestry, to provide for Agritourism; to provide for definitions, to provide relative to limitations of liability; to provide terms, conditions, requirements and procedures; to require a warning notice; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 163 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 3:30, 31 and 32" and insert "Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4801 through 4803," and after "relative to" delete the remainder of the line and insert "agritourism;"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "Agritourism;"

AMENDMENT NO. 3

On page 1, line 5, after "notice;" delete "to provide for an effective date;"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete "R.S. 3:30, 31 and 32 are" and insert "Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4801 through 4803, is"

AMENDMENT NO. 5

On page 1, between lines 7 and 8, insert "**CHAPTER 31. AGRITOURISM**"

AMENDMENT NO. 6

On page 1, delete line 8 in its entirety and insert "**§4801. Definitions**"

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AMENDMENT NO. 7

On page 1, line 9, after "in this" delete "Section and Sections 31 and 32" and insert "Chapter" and after "terms" delete the remainder of the line and insert "shall have the following meanings ascribed to them:"

AMENDMENT NO. 8

On page 1, line 17, after "agriculture" and before the period "." insert "and forestry"

AMENDMENT NO. 9

On page 2, line 6, after "hazards," delete "including"

AMENDMENT NO. 10

On page 2, delete line 19 in its entirety and insert "**§4802. Limitation of liability**"

AMENDMENT NO. 11

On page 2, line 20, change "(A)" to "A."

AMENDMENT NO. 12

On page 2, at the beginning of line 23, delete "Section 32" and insert "R.S. 3:4803"

AMENDMENT NO. 13

On page 3, line 2, change "(B)" to "B."

AMENDMENT NO. 14

On page 3, line 13, change "(C)" to "C."

AMENDMENT NO. 15

On page 3, delete line 16 in its entirety and insert "**§4803. Warning required**"

AMENDMENT NO. 16

On page 3, line 17, change "(A)" to "A."

AMENDMENT NO. 17

On page 3, line 28, change "(B)" to "B."

AMENDMENT NO. 18

On page 4, at the beginning of line 6, delete "among others" and insert "but are not limited to"

AMENDMENT NO. 19

On page 4, line 7, after "potential for" change "you" to "the participant"

AMENDMENT NO. 20

On page 4, line 8, after "contribute to" delete "your" and after "death," change "You" to "Participants"

AMENDMENT NO. 21

On page 4, line 10, change "(C)" to "C."

AMENDMENT NO. 22

On page 4, line 11, change "Subsection" to "Section"

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title, ordered engrossed, and recommitted to the Committee on Judiciary A.

SENATE BILL NO. 175—

BY SENATOR THOMPSON

AN ACT

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

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 176—

BY SENATOR THOMPSON

AN ACT

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

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 176 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 10, after "members" insert "as follows:" and delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 11, after "forestry" insert ", the chairman of the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development, the chairman of the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development,"

AMENDMENT NO. 3

On page 1, line 12, change "ten" to "eight"

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

SENATE BILL NO. 184—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 1792(B) and (C) and 1793(D), relative to instructions and charges to the jury; to remove authorization for a jury to have a written copy of jury instructions and charges for deliberation in the jury room; and to provide for related matters.

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

SENATE BILL NO. 197—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2183(G)(1) and (2), relative to environmental quality; to provide for a prescriptive period for instituting prosecutions for violations of the Hazardous Waste Control Law; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 197 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 30:2183(G)(1)" delete "and (2)"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 30:2183(G)(1)" delete "and (2) are" and insert "is"

AMENDMENT NO. 3

On page 1, line 16, after "ten years, or both." delete "The time limit for instituting prosecution as provided in"

AMENDMENT NO. 4  
On page 1, delete line 17

AMENDMENT NO. 5  
On page 2, delete lines 1 and 2, and insert the following:  
**"The time limit for instituting prosecution under this Paragraph for cases involving the willful or knowing disposal of a hazardous waste, as provided in Louisiana Code of Criminal Procedure Art. 572, shall commence upon discovery of the disposal of the hazardous waste. The determination of whether the conduct was willful or knowing shall be determined under the law in existence at the time of the disposal."**

AMENDMENT NO. 6  
On page 2, delete lines 3 through 14 in their entirety.

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

SENATE BILL NO. 198—  
BY SENATOR THOMPSON

AN ACT

To enact Chapter 20-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3396.1 through 3396.6, relative to pest control programs; to provide relative to the state's participation in the Pest Control Compact; to provide for purposes, findings, and declaration of policy; to provide for definitions; to provide relative to the Pest Control Insurance Fund; to provide for administration and management of the fund; to provide relative to state assistance, reimbursement, and expenditures; to provide for administration and management of the Compact; to provide for rulemaking procedures; to provide for entry and withdrawal procedures; to provide for severability; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 207—  
BY SENATOR WALSWORTH

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, relative to state funds; to provide for the allocation or appropriation of nonrecurring revenues for a tax refund, rebate, or credit to anyone required to file a Louisiana individual income tax return; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Finance. The bill was read by title, and recommitted to the Committee on Finance.

SENATE BILL NO. 237—  
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 14:79.1(A), relative to criminal abandonment; to provide for the crime of criminal abandonment; to provide for the elements of such crime; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 237 by Senator Thompson

AMENDMENT NO. 1  
On page 1, line 15, delete "**paid**" and at the end of the line insert "**who is compensated for providing care to such person.**"

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

SENATE BILL NO. 258—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact Children's Code Article 311 (A)(1)(c) and (B)(1)(b) and R.S. 6:333(B), R.S. 44:4.1(B)(28), and R.S. 46:236.1.9(B), and to enact R.S. 46:236.1.1(8), relative to the Department of Social Services and support enforcement jurisdiction; to provide relative to proceedings; to provide definitions; to provide for certain limitations and exceptions to public and financial records; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 258 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 15, change "(c) Proceedings brought by the Department of Social Services" to "~~(c) Proceedings brought by the Department of Social Services~~" and on line 16, change "to" to "**to**" and delete "**establish**" and on line 17, delete "**paternity or establish, modify, or**" and change "enforce support" to "**enforce support**"

AMENDMENT NO. 2

On page 2, line 1, change "pursuant to R.S." to "**pursuant to R.S.**" and delete "**46:236.1.1 et seq**"

AMENDMENT NO. 3

On page 2, line 6, after "district attorney" insert "**or the Department of Social Services**"

AMENDMENT NO. 4

On page 2, line 8, delete "**46:236.1.1 et seq**" and insert in lieu thereof "**46:236.1.2 and Children's Code Article 1303.7**"

AMENDMENT NO. 5

On page 3, delete lines 13 through 26 and insert in lieu thereof the following:

**"(8) "Support Services" and "Support Enforcement Services" means any action taken by the Department of Social Services, upon receipt of an application or referral for services or a request made under the Uniform Interstate Family Support Act, in accordance with the federal requirements of Title IV-D of the Social Security Act and corresponding state laws and regulations, shall be considered as providing support services and support enforcement services, without regard to whether there is any existing court order, delinquency, or presumption of paternity."**

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

SENATE BILL NO. 263—

BY SENATOR SMITH

AN ACT

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

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

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SENATE BILL NO. 264—  
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 46:2136(A)(4) and 2136.1 and Children's Code Article 1570.1(A) and to enact R.S. 46:2135(A)(6) and (7) and Children's Code Articles 1569(A)(6) and (7) and 1570(A)(5), relative to domestic abuse assistance; to provide for temporary restraining orders; to expand the scope of protection of a temporary restraining order; to provide relative to protective orders; to provide for certain medical evaluations; to provide for the payment of attorney fees; and to provide for related matters.

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

SENATE BILL NO. 306—  
BY SENATORS QUINN, AMEDEE AND DORSEY

AN ACT

To enact R.S. 14:130.1(A)(4), relative to obstruction of justice; to include as a punishable criminal act, intentionally providing law enforcement officers with false and misleading information for the purpose of delaying, misleading, interfering or preventing fair and just results in a criminal investigation; and to provide for related matters.

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

SENATE BILL NO. 321—  
BY SENATOR HEBERT

AN ACT

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

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

SENATE BILL NO. 326—  
BY SENATOR HEBERT

AN ACT

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

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

SENATE BILL NO. 328—  
BY SENATORS N. GAUTREUX, BROOME, CHEEK, DONAHUE, HEBERT, JACKSON, LAFLEUR, MARIONNEAUX, MICHOT, MURRAY, NEVERS AND RISER AND REPRESENTATIVES PERRY AND RICHMOND

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, relative to state funds; to authorize the allocation or appropriation of money designated in the official forecast as nonrecurring for a tax refund or tax rebate to anyone required to file a Louisiana individual income tax return; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 328 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 4, change "refund or tax rebate" to "refund, rebate, or credit"

AMENDMENT NO. 2

On page 2, line 3, change "refund or tax rebate" to "refund, rebate, or credit"

AMENDMENT NO. 3

On page 2, line 16, change "refund or tax rebate" to "refund, rebate, or credit"

Senator Michot moved that the amendment be adopted.

Senator N. Gautreaux moved as a substitute motion that the amendment be rejected.

Without objection, the amendment was rejected.

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

SENATE BILL NO. 406—  
BY SENATOR WALSWORTH

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 406 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 12, change "fiscal" to "regular"

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

SENATE BILL NO. 469—  
BY SENATORS DUPRE, AMEDEE, DORSEY, DUPLESSIS AND MOUNT

AN ACT

To enact the Children's Code Article 857(C) and the Code of Criminal Procedure Article 876, relative to criminal procedure; to provide for sentencing of adults for certain crimes committed as a child; to provide for certain adults charged for crimes committed as a child; to provide for requirements of sentencing; to provide terms, conditions, and procedures; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 469 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete lines 11 through 17, and on page 2, delete lines 1 through 5 and insert the following:

**"C.(1) An adult who is charged with an offense committed at the time he was a child for which the time limitation for the institution of prosecution pursuant to Code of Criminal Procedure Art. 571 has not lapsed and for which he was subject**

to prosecution as an adult due to his age at the time the offense was committed shall be prosecuted as an adult in the appropriate court exercising criminal jurisdiction. If convicted, he shall be punished as an adult as provided by law.

(2) An adult who is charged with an offense committed at the time he was a child for which the time limitation for the institution of prosecution pursuant to Code of Criminal Procedure Art. 571 has not lapsed and for which he was not subject to prosecution as an adult due to his age at the time the offense was committed shall be prosecuted as an adult in the appropriate court exercising criminal jurisdiction. If convicted, he shall be committed to the custody of the Department of Public Safety and Corrections to be confined in secure placement for a period of time as determined by the court not to exceed the maximum amount of confinement he could have been ordered to serve had he been adjudicated for the offense as a child at the time the offense was committed."

**AMENDMENT NO. 2**

On page 2, delete lines 8 through 19, and insert the following:

"A. An adult who is charged with an offense committed at the time he was a child for which the time limitation for the institution of prosecution pursuant to Code of Criminal Procedure Art. 571 has not lapsed and for which he was subject to prosecution as an adult due to his age at the time the offense was committed shall be prosecuted as an adult in the appropriate court exercising criminal jurisdiction. If convicted, he shall be punished as an adult as provided by law.

B. An adult who is charged with an offense committed at the time he was a child for which the time limitation for the institution of prosecution pursuant to Code of Criminal Procedure Art. 571 has not lapsed and for which he was not subject to prosecution as an adult due to his age at the time the offense was committed shall be prosecuted as an adult in the appropriate court exercising criminal jurisdiction. If convicted, he shall be committed to the custody of the Department of Public Safety and Corrections to be confined in secure placement for a period of time as determined by the court not to exceed the maximum amount of confinement he could have been ordered to serve had he been adjudicated for the offense as a child at the time the offense was committed."

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

**SENATE BILL NO. 489—**  
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 39:360(C), relative to maintenance of state owned aircraft; to provide relative to maintenance regulation by the aviation unit of the division of administration; to provide an exemption for aircraft owned or operated by the Louisiana Department of Agriculture and Forestry; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 492—**  
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:346, to enact Civil Code Article 136.1, and to repeal R.S. 9:347, relative to custody and visitation; to provide relative to awards of visitation and custody rights; to provide relative to certain actions; to provide an action for failure to exercise rights pursuant to a court-ordered schedule; to provide terms, conditions, and procedures; to provide for judgments, awards and orders, and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 492 by Senator Quinn

**AMENDMENT NO. 1**

On page 1, delete lines 12 through 17 and insert "-ordered schedule of visitation, custody, or time to be spent with a child has been entered, a parent shall exercise his rights to the child in accordance with such schedule unless good cause is shown. Neither parent shall interfere with the visitation, custody or time rights of the other unless good cause is shown."

**AMENDMENT NO. 2**

On page 2, delete line 1

**AMENDMENT NO. 3**

On page 2, delete line 4 and insert "or to allow visitation, custody or time rights pursuant to court-ordered schedule;"

**AMENDMENT NO. 4**

On page 2, delete lines 20 through 23 and insert

"A. An action for the failure to exercise or to allow child visitation, custody or time rights pursuant to the terms of a court-ordered schedule may be instituted against a parent. The action shall be in the form of a rule to show"

**AMENDMENT NO. 5**

On page 2, delete lines 26 through 29 and insert

"B. If the action is for the failure to exercise child visitation, custody or time rights pursuant to the terms of a court-ordered schedule, and the petitioner is the prevailing party, the defendant shall be held in contempt of court and the court shall award to the petitioner:

(a) All costs for counseling for the child which may be necessitated by the defendant's failure to exercise visitation, custody or time rights with the child.

(b) A reasonable sum for any actual expenses incurred by the petitioner by reason of the failure of the defendant to exercise rights pursuant to a court-ordered visitation, custody or time schedule.

(c) A reasonable sum for a caretaker of the child, based upon the hourly rate for caretakers in the community; and

(d) All attorney's fees and costs of the proceeding.

C. If the action is for the failure to allow child custody, visitation, or time rights pursuant to a court-ordered schedule, and the petitioner is the prevailing party, the defendant shall be held in contempt of court and the court shall award to the petitioner:

(a) A reasonable sum for any actual expenses incurred by the petitioner by the loss of his visitation, custody or time rights.

(b) Additional visitation, custody or time rights with the child equal to the time lost; and

(c) All attorney's fees and costs of the proceeding."

**AMENDMENT NO. 6**

On page 3, delete lines 1 through 29 and insert

"D. The court may award a reasonable penalty to the petitioner against the defendant upon a finding that the failure to exercise visitation, time or custody rights pursuant to the terms of a court-ordered visitation schedule was intended to harass the petitioner.

E. The court may award attorney fees and costs to the defendant if he is the prevailing party, based upon actual expenses incurred.

F. The court may require the prevailing party to submit proof showing the amounts to be awarded pursuant to this Section."

**AMENDMENT NO. 7**

On page 4, delete lines 1 through 5

**AMENDMENT NO. 8**

On page 4, line 6, change "C." to "G."

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AMENDMENT NO. 9

On page 4, line 9, change "D." to "H."

AMENDMENT NO. 10

On page 4, line 12, change "E." to "I."

AMENDMENT NO. 11

On page 4, line 14, change "F." to "J."

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

SENATE BILL NO. 511— BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 14:90.1, relative to the crime of gambling; to provide for the crime of gambling by computer; to provide for the disposition of seized evidence, property and paraphernalia; to provide for fines and penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 511 by Senator Amedee

AMENDMENT NO. 1

On page 4, line 19, between "prosecution" and "shall" insert a comma ","

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

SENATE BILL NO. 550— BY SENATOR THOMPSON

AN ACT

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

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 550 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 3, after "1313(B)(7)," insert "1314,"

AMENDMENT NO. 2

On page 1, line 6, after "penalties;" insert "to provide relative to deficiency assessments;"

AMENDMENT NO. 3

On page 1, line 14, after "1313(B)(7)," insert "1314,"

AMENDMENT NO. 4

On page 2, line 7, after "Center" delete "or his designee"

AMENDMENT NO. 5

On page 3, between lines 13 and 14, insert the following: "§1314. Penalties Deficiency Assessment

A. Whenever the commissioner shall be satisfied determines, based on an analysis performed by the state chemist, that a given lot or shipment of fertilizer is deficient in one or more guaranteed plant foods, a penalty deficiency assessment shall be assessed against the guarantor in accordance with the following provisions:

(1) Total Nitrogen (N): a penalty deficiency assessment of four times the value of the deficiency if such deficiency is in excess of 0.4 of one percent on goods that are guaranteed to contain eight percent or less of total nitrogen; 0.5 of one percent on goods that are guaranteed to contain more than eight percent and less than twenty-one percent; and 0.8 of one percent on goods guaranteed twenty-one percent or more.

(2) Available phosphoric acid (P2O5): a penalty deficiency assessment four times the value of the deficiency if the deficiency is more than 0.4 of one percent on goods that are guaranteed to contain ten percent or less of available phosphoric acid; 0.5 of one percent on goods that are to contain more than ten percent and less than twenty-six percent; and 0.8 of one percent on goods that are guaranteed more than twenty-six percent.

(3) Soluble potash (K2O): a penalty deficiency assessment of four times the value of the deficiency if such deficiency is in excess of 0.5 of one percent on goods that are guaranteed to contain eight percent or less; 0.6 of one percent on goods that are guaranteed to contain more than eight percent and less than twenty-one percent and 1.00 percent on goods guaranteed over twenty-one percent.

(4) If a fertilizer is deficient in one ingredient, overages in either or both of the other ingredients, in dollar value, may be applied to offset the deficiency, provided that a deficiency may not be cured if the deficiency in any one ingredient is more than twice the present tolerance; a fertilizer deficient in two of the three ingredients may not be cured by overages in the third ingredient.

(5) Other materials of value as fertilizer: existence of deficiencies and penalties therefor shall be established by ruling of the commission the commission may adopt rules and regulations establishing the amount of deficiency in other guaranteed plant foods and a deficiency assessment four times the value of the deficiency.

(6) All penalties deficiency assessments assessed under this section shall be paid by the guarantor to the person who purchased the fertilizer for use, if known, within thirty days of notice by the commissioner to the registrant. If the purchaser-user of the fertilizer cannot be identified the penalty shall be paid to the commissioner.

B. An appeal from a deficiency assessment shall be made in the same manner as provided for in R.S. 3:1316.1.

AMENDMENT NO. 6

On page 3, line 15, between "the" and "provisions" delete "following"

AMENDMENT NO. 7

On page 3, line 17, after "violation" insert ", including, but not limited to"

AMENDMENT NO. 8

On page 4, line 25, after "officer" change "is" to "shall be"

AMENDMENT NO. 9

On page 5, line 24, after "adopted" delete the remainder of the line and on line 25 delete "provision of" and insert "pursuant to"

AMENDMENT NO. 10

On page 5, line 27, after "except for the" change "penalties" to "deficiency assessments"

AMENDMENT NO. 11

On page 6, line 16, after "shall" delete the remainder of the line and insert "conduct a hearing."

AMENDMENT NO. 12

On page 7, line 6, after "**ordinance**" delete the remainder of the line and delete line 7 in its entirety and insert "**to the Fertilizer Commission for a hearing.**"

AMENDMENT NO. 13

On page 7, between lines 7 and 8, insert the following:  
**"(2) The Fertilizer Commission shall make a preliminary determination as to the advisability of amending the state rules and regulations and shall transmit its determination to the commissioner."**

AMENDMENT NO. 14

On page 7, line 8, change "(2)" to "(3)"

AMENDMENT NO. 15

On page 7, line 11, change "(3)" to "(4)"

AMENDMENT NO. 16

On page 7, line 12, change "**standards in**" to "**provisions of**"

AMENDMENT NO. 17

On page 7, line 14, change "(4)" to "(5)"

AMENDMENT NO. 18

On page 7, line 15, change "(5)" to "(6)"

AMENDMENT NO. 19

On page 7, line 27, after "**void**" delete the remainder of the line and insert a period "."

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

**SENATE BILL NO. 559—**

BY SENATOR MARIONNEAUX  
 AN ACT

To enact R.S. 39:72.1, relative to appropriations; to provide that recipients of appropriations be in compliance with audit requirements in order to receive appropriated funds; authorizes legislative auditor to give extensions of time to comply with audit requirements; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 559 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 16, after "**auditor**" and before "to the recipient" insert "**or the Legislative Audit Advisory Council**"

AMENDMENT NO. 2

On page 1, at the end of line 17 insert "**or the Legislative Audit Advisory Council**"

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

**SENATE BILL NO. 608—**

BY SENATOR DUPLESSIS  
 AN ACT

To amend and reenact R.S. 13:621.44(A), relative to courts; to provide with respect to the abolition of Orleans Parish Juvenile Court; to provide with respect to terms of office of the judges of juvenile court; to change the term of office of a judge elected to fill a vacancy; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 619—**

BY SENATOR THOMPSON  
 AN ACT

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

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 623—**

BY SENATOR THOMPSON  
 AN ACT

To amend and reenact R.S. 3:3801(A)(1) and (B), 3803(14), and 3810 and to enact R.S. 3:3810.1 through 3810.3, relative to violations of the Horticulture Law; to provide for adjudicatory proceedings; to provide for civil penalties; to provide for enforcement; to provide technical corrections; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 623 by Senator Thompson

AMENDMENT NO. 1

On page 2, line 26, after "**Chapter**" and before the period "." insert "**shall constitute a violation**"

AMENDMENT NO. 2

On page 4, line 22, change "**Commission**" to "**commission**"

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

**SENATE BILL NO. 635—**

BY SENATORS THOMPSON AND WALSWORTH  
 AN ACT

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

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 641—**

BY SENATOR THOMPSON  
 AN ACT

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

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Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. On motion of Senator Thompson, the bill was read by title, ordered engrossed, and passed to a third reading.

Reconsideration

On motion of Senator Murray, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 8, 2008, was reconsidered.

SENATE BILL NO. 6— BY SENATOR MURRAY

AN ACT

To enact R.S. 49:170.15, relative to state symbols; to designate the Sazerac as the official state cocktail; and to provide for related matters.

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

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. 188— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, Section 1 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, Section 1 of Act No. 14 of the 2004 First Extraordinary Session of the Legislature, and Section 1 of Act No. 76 of the 2006 Regular Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

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

SENATE BILL NO. 206— BY SENATOR MARIONNEAUX

AN ACT

To repeal the provisions of R.S. 47:2401 through 2426, relative to the inheritance tax; to repeal the tax; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 532— BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 47:302.23(B)(1), relative to the disposition of certain sales tax collections on the sales of certain services in Vermilion Parish; to provide for the allocation of monies in the fund; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux B, Morrish; Adley, Gautreaux N, Mount; Amedee, Gray, Murray; Broome, Hebert, Nevers; Cheek, Heitmeier, Quinn; Cravins, Jackson, Riser; Crowe, Kostelka, Scalise; Donahue, Long, Shaw; Duplessis, Martiny, Shepherd; Dupre, McPherson, Smith; Erdey, Michot, Walsworth

Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Alario, Dorsey, Marionneaux; Cassidy, LaFleur, Thompson; Total - 6

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

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

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

Called from the Calendar

Senator Crowe asked that Senate Bill No. 497 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 497— BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 3:3808(B), relative to retail florists; to provide terms and conditions of licenses and permits; to provide for the operation of automated floral climate-controlled vending kiosk systems; and to provide for related matters.

Floor Amendments Sent Up

Senator Crowe sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 497 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 3:" insert "3801(A)(1) and (B), 3803(14) and"

AMENDMENT NO. 2

On page 1, line 2, after "3808(B)" insert "(3) and (I) and to enact R.S. 3:3803(17), 3808(B)(4) and (5)"

AMENDMENT NO. 3

On page 1, line 4 after "systems;" insert "to provide for definitions;"

AMENDMENT NO. 4

On page 1, line 6, after "R.S. 3:" insert "3801(A)(1) and (B), 3803(14), and"



AMENDMENT NO. 5

On page 1, line 6 after "3808(B)" delete "is" and insert "(3) and (1) are" and after "reenacted" insert "R.S. 3:3803(17), 3808(B)(4) and (5) are hereby enacted"

AMENDMENT NO. 6

On page 1, between lines 6 and 7 insert the following: "§3801. Horticulture Commission

A. The Horticulture Commission of Louisiana is hereby created within the Department of Agriculture and Forestry to be comprised of the following fourteen members:

- (1) The commissioner of agriculture and forestry.

B. The commissioner of agriculture and forestry, the assistant commissioner of agricultural and environmental sciences, and the director of the Louisiana Cooperative Extension Service shall serve as ex officio members with the same rights, powers, and privileges as the other members.

§3803. Definitions

As used in this Chapter, the following terms shall have the following meanings ascribed to them:

(14) "Person" means an individual, firm, association, partnership, or corporation or any commercial entity, including a corporation, business trust, partnership, limited liability company, association, or joint venture.

(17) "Vending machine" means any mechanical, electric, or electronic self-service device which, upon insertion of money, credit card, token, or any other form of payment, automatically dispenses merchandise.

AMENDMENT NO. 7

On page 1, delete lines 10 through 17 and insert the following:

AMENDMENT NO. 8

On page 2, line 1, after "(3)" delete the rest of the line and delete lines 2 through 8 and insert the following:

"Notwithstanding the provisions of Paragraph (2) of this Subsection, a person engaged in the profession of retail florist may operate a vending machine at a location remote from the person's place of business for the sale of cut flowers and floral designs, subject to all of the following restrictions:

- (a) No person shall operate more than five vending machines at any time.
(b) A licensee shall obtain a cut flower permit, without additional cost to the licensee, for each vending machine.
(c) The following shall be prominently displayed on each vending machine:
(i) The name of the licensed florist.
(ii) The address and telephone number, which is on record with the commission, of the person owning or operating the vending machine.
(d) The cut flowers and floral designs sold from the vending machine shall be inspected or arranged by a licensed florist or under the supervision of a licensed florist at the owner's place of business prior to placement in the vending machine.
(e) The vending machine is serviced by a person under the direct supervision of a licensed florist at least once each business day.

(4) The commission may adopt rules and regulations governing the profession of retail florist, including rules and regulations providing for the operation and location of vending machines and for the quality, freshness, longevity, and freedom from injurious insects, diseases, or other pests, of cut flowers, floral designs, and ornamental plants in pots sold by a licensed florist."

AMENDMENT NO. 9

On page 2, line 9 change "(4)" to "(5)"

AMENDMENT NO. 10

On page 2 following line 12 insert the following:

"I. A cut flower dealer's permit authorizes the holder thereof to do any of the following:

(1) Sell cut flowers either singly or in bunches, or both. Each cut flower dealer shall sell from a place of business or from a mobile pushcart which shall be capable of being moved from place to place by the dealer. Carts shall not exceed four feet in width or six feet in length, including handles or other appurtenances or extensions thereof, and shall bear on both sides and the front, in four inch numerals, the number of the dealer's permit. Carts shall be equipped with a covering capable of protecting the flowers from the elements. Each cut flower dealer shall provide a container with adequate water for each cart in order to preserve the quality of the flowers. Cut flower dealers shall operate solely from the location of a cart, shall transport cut flowers from one location to another only by means of a cart, and shall not locate at any one location for a period in excess of eight hours. Cut flower dealers shall not sell cut flowers within three hundred feet of a retail florist establishment. For the purposes of this Chapter, a cart shall be considered a mobile unit. However, the holder of a cut flower permit may not sell cut flowers within three hundred feet of the place of business of another person engaged in the profession of retail florist.

(2) Operate under that permit a vending machine for the sale of cut flowers and floral design in accordance with the provisions of this Chapter and the rules and regulations adopted pursuant to this Chapter, if the holder is engaged in the profession of retail florist.

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

On motion of Senator Crowe, the amendments were adopted.

Floor Amendments Sent Up

Senator Walsworth sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 497 by Senator Crowe

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert the following: "(6) Persons licensed to operate vending kiosk systems shall not operate them outside of the parish in which their license was issued."

Senator Walsworth moved adoption of the amendments.

Senator Crowe objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Amedee, Cheek, Cravins, Donahue, Duplessis, Erdey, Gray, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny, Michot, Nevers, Quinn, Riser, Scalise, Thompson, Walsworth

Total - 22

April 9, 2008

NAYS

Broome	Gautreaux B	Murray
Crowe	Gautreaux N	Shaw
Dupre	Mount	Smith
Total - 9		

ABSENT

Mr. President	Dorsey	Morrish
Alario	LaFleur	Shepherd
Cassidy	McPherson	
Total - 8		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Michot
Amedee	Gray	Morrish
Broome	Hebert	Murray
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Kostelka	Scalise
Donahue	Long	Shaw
Duplessis	Marionneau	Shepherd
Dupre	Martiny	Thompson
Erdey	McPherson	Walsworth
Total - 30		

NAYS

Adley	Nevers
Mount	Smith
Total - 4	

ABSENT

Alario	Dorsey	LaFleur
Cassidy	Gautreaux N	
Total - 5		

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

Called from the Calendar

Senator Amedee asked that Senate Bill No. 517 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 517—

BY SENATORS AMEDEE, CROWE, DORSEY, DUPLESSIS, SCALISE AND THOMPSON

AN ACT

To amend and reenact R.S. 15:544, relative to registration of sex offenders; to provide for registration and notification of sex offenders; to provide for procedure; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 517 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, after "544" and before the comma "," insert "(A), (B)(1) and (D)(1) and (2)"

AMENDMENT NO. 2

On page 1, line 6, after "544" and before "hereby" delete "is" and insert "(A), (B)(1) and (D)(1) and (2) are"

AMENDMENT NO. 3

On page 1, at the beginning of line 8, insert "A. Except as provided for in Subsection B of this Section, a" and delete "A"

AMENDMENT NO. 4

On page 1, line 10, after "requirement" insert "for a period of not less than fifteen years or up to the duration of the lifetime of the offender"

AMENDMENT NO. 5

On page 1, line 11, after "registration" delete the remainder of the line

AMENDMENT NO. 6

On page 1, between lines 13 and 14 insert the following:

"B.(1) A person required to register pursuant to this Chapter who was convicted of a sexual offense against a victim who is a minor as defined in R.S. 15:541(14.2) shall register and maintain his registration and provide community notification pursuant to the provisions of this Chapter for ~~a period of twenty-five years from the date of initial registration~~ the duration of the lifetime of the offender, unless the underlying conviction is reversed, set aside or vacated. The requirement to register shall apply to an offender who is pardoned.

\* \* \*

D.(1) The registration period of not less than fifteen years or up to the duration of the lifetime of the offender established in Subsection A of this Section shall be reduced to a period of ~~ten fifteen~~ years if the offender maintains a clean record for the entire ~~ten fifteen~~-year period of registration.

(2) ~~The A~~ lifetime registration period established in Subsection A or Paragraphs (B)(1) or (2) of this Section shall be reduced to a period of twenty-five years if the offender was adjudicated delinquent for the offense which requires registration and maintains a clean record for twenty-five years.

\* \* \*

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Alario Dorsey  
Cassidy LaFleur  
Total - 4

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

**Called from the Calendar**

Senator Marionneaux asked that Senate Bill No. 188 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 188—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, Section 1 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, Section 1 of Act No. 14 of the 2004 First Extraordinary Session of the Legislature, and Section 1 of Act No. 76 of the 2006 Regular Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Alario Dorsey  
Cassidy LaFleur  
Total - 4

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

**Called from the Calendar**

Senator Marionneaux asked that Senate Bill No. 206 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 206—**  
BY SENATOR MARIONNEAUX  
AN ACT

To repeal the provisions of R.S. 47:2401 through 2426, relative to the inheritance tax; to repeal the tax; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Alario Dorsey  
Cassidy LaFleur  
Total - 4

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

**Rules Suspended**

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

**Introduction of Senate Bills and Joint Resolutions**

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 686—**  
BY SENATOR DUPRE  
AN ACT

To amend and reenact R.S. 46:123(A)(1) and (C), relative to the Louisiana Military Family Assistance Board; to change the jurisdiction of the board from the Department of Social Services to the Department of Veterans Affairs; to permit the board to enter into a cooperative agreement with a third party administrator; and to provide for related matters.

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

April 9, 2008

Introduction of Resolutions, Senate and Concurrent

Senator Jackson 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. 12— BY SENATOR JACKSON

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Frances Livingston.

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

SENATE CONCURRENT RESOLUTION NO. 26— BY SENATORS JACKSON AND CRAVINS AND REPRESENTATIVES BURRELL, ROSALIND JONES, MARCHAND AND PATRICIA SMITH A CONCURRENT RESOLUTION

To commend Alpha Kappa Alpha Sorority, Incorporated, on its centennial anniversary celebration.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Duplessis, Dupre, Erdey, Gautreaux B, and their corresponding counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names Alario, Cassidy and their counts.

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

Motion to Recommit

Senator Mount asked for and obtained a suspension of the rules and recommitment Senate Bill No. 507 from the Committee on Local and Municipal Affairs to the Committee on Finance.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 9, 2008

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 22— BY SENATOR B. GAUTREAU

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. Wade L. Ledet.

SENATE CONCURRENT RESOLUTION NO. 23— BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To commend Don Gomez, master craftsman, for a distinguished career in the art of wood carving, particularly the native birds of Louisiana.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 8, 2008

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 3— BY REPRESENTATIVE ROBIDEAU

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to review the provisions of Code of Criminal Procedure Article 814(C) to determine if any amendments may be necessary to further clarify the intent of the legislature in adopting the sufficiency of evidence standard with regard to responsive verdicts as set forth by the United States Supreme Court in Jackson v. Virginia, 443 U.S. 307 (1979).

HOUSE CONCURRENT RESOLUTION NO. 35— BY REPRESENTATIVE MILLS

A CONCURRENT RESOLUTION

To commend Charles A. Fuselier upon his induction into the Louisiana 4-H Hall of Fame and to congratulate him on many years of dedicated and highly productive service to the Louisiana 4-H organization and St. Martin Parish.

HOUSE CONCURRENT RESOLUTION NO. 36— BY REPRESENTATIVE MILLS

A CONCURRENT RESOLUTION

To commend Conrad C. Gauthier of St. Martin Parish posthumously upon his induction into the Louisiana 4-H Hall of Fame and to recognize his many years of dedicated and highly productive service to the Louisiana 4-H organization.

HOUSE CONCURRENT RESOLUTION NO. 37— BY REPRESENTATIVES HONEY, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN, BADON, BOBBY, BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY, BURNS, TIM, BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT

GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS BROOME AND SCALISE

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Sergeant Terrell W. Gilmore, Louisiana Army National Guard, of Baton Rouge, who was killed in action in Iraq.

**HOUSE CONCURRENT RESOLUTION NO. 38—**

BY REPRESENTATIVE SAM JONES

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to call a convention for the purpose of proposing an amendment to the United States Constitution to include the Posse Comitatus Act as a constitutional prohibition.

**HOUSE CONCURRENT RESOLUTION NO. 39—**

BY REPRESENTATIVE HUTTER

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress and Louisiana's congressional delegation to take such actions as are necessary to provide the state of Louisiana with one-hundred-year flood protection.

**HOUSE CONCURRENT RESOLUTION NO. 40—**

BY REPRESENTATIVE TUCKER AND SENATORS CHAISSON, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To commend the Honorable Pascal F. Calogero, Jr., as he prepares for his retirement as chief justice of the Louisiana Supreme Court.

**HOUSE CONCURRENT RESOLUTION NO. 10—**

BY REPRESENTATIVE NOWLIN AND SENATOR LONG

**A CONCURRENT RESOLUTION**

To commend Mrs. Carolyn Reber Phillips of Winn Parish upon her induction into the Louisiana 4-H Hall of Fame and to congratulate her on many years of dedicated and highly productive service to the Louisiana 4-H organization and the LSU AgCenter.

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE TRAHAN AND SENATOR MICHOT

**A CONCURRENT RESOLUTION**

To commend Dr. Ray P. Authement for his contributions to the people of Acadiana upon Acadiana Red & White Day at the Louisiana State Capitol and to recognize him for his many years of outstanding service to the University of Louisiana at Lafayette.

**HOUSE CONCURRENT RESOLUTION NO. 16—**

BY REPRESENTATIVE HARDY

**A CONCURRENT RESOLUTION**

To commend Dr. James Easton for his outstanding and dedicated service to the Lafayette Parish School System and to the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 17—**

BY REPRESENTATIVE HARDY

**A CONCURRENT RESOLUTION**

To commend Dr. Ray Authement for his years of dedicated service to the state of Louisiana as president of the University of Louisiana at Lafayette.

**HOUSE CONCURRENT RESOLUTION NO. 18—**

BY REPRESENTATIVE HARDY

**A CONCURRENT RESOLUTION**

To commend Earl J. "Nickey" Picard for his dedicated service to the city of Lafayette as a marshal of the City Court of Lafayette and to the state of Louisiana.

WHEREAS, it is only appropriate that a sincere and heartfelt measure of commendation be extended to Earl J. "Nickey" Picard for a remarkable career in public service during which he has consistently demonstrated his intense determination to serve the citizens of Louisiana as an outstanding law enforcement officer; and

**HOUSE CONCURRENT RESOLUTION NO. 20—**

BY REPRESENTATIVES CORTEZ AND TRAHAN

**A CONCURRENT RESOLUTION**

To commend the Lafayette High School boys basketball team upon winning the Class 5A state basketball championship and to congratulate the Mighty Lions on an outstanding 2007-2008 season.

**HOUSE CONCURRENT RESOLUTION NO. 22—**

BY REPRESENTATIVES LEGER AND RICHMOND

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress and Louisiana's congressional delegation to take such actions as are necessary to ensure that sufficient funds are appropriated to provide a one hundred percent federal share of the costs necessary to construct one-hundred-year flood protection for southeast Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE CORTEZ

**A CONCURRENT RESOLUTION**

To commend Terrance Simien upon winning the first Best Zydeco or Cajun Music Album Grammy Award.

**HOUSE CONCURRENT RESOLUTION NO. 29—**

BY REPRESENTATIVE ROY

**A CONCURRENT RESOLUTION**

To recognize April 5, 2008, as Kiwanis ONE Day in Louisiana and to extend gratitude to Kiwanians throughout the world for their good deeds.

**HOUSE CONCURRENT RESOLUTION NO. 30—**

BY REPRESENTATIVE BARRAS

**A CONCURRENT RESOLUTION**

To commend Mr. Carroll Boudreaux of Iberia Parish upon his induction into the Louisiana 4-H Hall of Fame and to congratulate him on many years of dedicated and highly productive service to the Louisiana 4-H organization.

**HOUSE CONCURRENT RESOLUTION NO. 31—**

BY REPRESENTATIVE BARRAS

**A CONCURRENT RESOLUTION**

To commend Dr. Charles Miller of Iberia Parish upon his induction into the Louisiana 4-H Hall of Fame and to congratulate him on many years of dedicated and highly productive service to the Louisiana 4-H organization and the LSU AgCenter.

**HOUSE CONCURRENT RESOLUTION NO. 32—**

BY REPRESENTATIVE CARTER AND SENATOR BROOME

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Richard F. Gill of Baton Rouge.

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.

April 9, 2008

**ATTENDANCE ROLL CALL****PRESENT**

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

**ABSENT**

Alario	Dorsey
Cassidy	LaFleur
Total - 4	

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Alario	1 Day	Cassidy	1 Day
Dorsey	1 Day	LaFleur	1 Day

**Adjournment**

Senator Broome moved that the Senate adjourn until Thursday, April 10, 2008, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, April 10, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk