

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

THIRTEENTH 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

Monday, April 21, 2008

The Senate was called to order at 3:15 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 | McPherson |
| Adley | Gautreaux B | Murray |
| Amedee | Gray | Nevers |
| Broome | Hebert | Quinn |
| Cassidy | Kostelka | Riser |
| Cravins | LaFleur | Scalise |
| Crowe | Long | Shaw |
| Dorsey | Marionneaux | Thompson |
| Dupre | Martiny | |
| Total - 26 | | |

ABSENT

| | | |
|-------------|-----------|-----------|
| Alario | Heitmeier | Shepherd |
| Cheek | Jackson | Smith |
| Donahue | Michot | Walsworth |
| Duplessis | Morrish | |
| Gautreaux N | Mount | |
| Total - 13 | | |

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Brad Easely, 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 LaFleur, the reading of the Journal was dispensed with and the Journal of April 17, 2008, was adopted.

**Introduction of Senate Bills
and Joint Resolutions**

Senator LaFleur 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. 698—
BY SENATOR SHAW

AN ACT

To enact Chapter 3-F of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:562, relative to sexual assault nurse examiners' fund; to create the Louisiana Sexual Assault Nurse Examiners' Fund as a special fund in the state treasury; to provide for terms and conditions; to provide for use of monies in the fund; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 699—
BY SENATOR QUINN

AN ACT

To amend and reenact Children's Code Articles 1106(A) and (C), and R.S. 40:34(B)(1)(h) and (D), and to enact R.S. 40:34(F), relative to vital records forms; to provide for the recordation of acknowledgment by authentic act for children born in Louisiana and judgments of filiation; to provide for voluntary acknowledgments to be signed by both parents; to provide for amendments to birth records; to designate the office of vital records as the central repository for all paternity acknowledgments and adjudications; and to provide for related matters.

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

SENATE BILL NO. 700—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 44:4.1(B)(28) and to enact R.S. 46:236.1.11, relative to child support programs; to provide for electronic data matching and cooperation between the Department of Social Services and any insurance company licensed to issue insurance policies in the state; to provide for liability; to provide for unauthorized disclosure; to provide for an exception from the public records law; and to provide for related matters.

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

SENATE BILL NO. 701—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 46:52.1(E), and to enact R.S. 46:52.1(F) and (G) and 52.2, relative to an integrated case management and service delivery model; to provide for integrated case management; to provide for a service integration delivery model pilot program; to provide goals for the pilot program; and to provide for related matters.

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

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 17, 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. 29—

BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact Children's Code Article 327(A)(2), relative to videotaped statements of protected persons; to provide with respect to the admissibility of videotaped statements of protected persons in juvenile proceedings; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 14:2(B)(41) and (42), relative to crimes of violence; to add battery of a police officer and battery of a correctional facility employee to the list of enumerated crimes of violence; and to provide for related matters.

HOUSE BILL NO. 155—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (C), relative to the facility need review process; to provide for facility need review approval for nursing facilities; to change reference to community and group home beds for the mentally retarded to community and group home beds for the developmentally disabled; and to provide for related matters.

HOUSE BILL NO. 185—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:31(B) and 32(C), relative to homicide; to provide with respect to the criminal penalties for manslaughter and negligent homicide; to amend the criminal penalty provisions applicable when the victim is under the age of ten years; and to provide for related matters.

HOUSE BILL NO. 194—

BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 40:2116.36(E), relative to home health care providers; to provide for the denial, revocation, or nonrenewal of a home health agency license; and to provide for related matters.

HOUSE BILL NO. 214—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:990.1, relative to foreign and alien insurers; to provide for the notification of the appointment of officers or directors; to provide for the definition of senior officer; to provide for additional information for directors and officers; and to provide for related matters.

HOUSE BILL NO. 222—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1907.1, relative to property residual value insurance policies; to require filing with and approval of such policies or forms by the commissioner of insurance; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 237—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1807.1, relative to vehicle mechanical breakdown insurance and fees of the Department of Insurance; to provide for commissioner of insurance review and approval of forms; to provide for fees for the review of vehicle mechanical breakdown policies; and to provide for related matters.

HOUSE BILL NO. 154—

BY REPRESENTATIVE MILLS
AN ACT

To enact R.S. 46:437.13(D), relative to the Department of Health and Hospitals; to provide authority for the department to certify that health care providers enrolled in the Medical Assistance Program are out of business; to provide that out-of-business

providers cannot collect overpayments; and to provide for related matters.

HOUSE BILL NO. 274—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 276—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(i), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 366—

BY REPRESENTATIVES KATZ, BURFORD, DOERGE, HILL, HINES, JOHNSON, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE, SIMON, AND WILLIAMS AND SENATOR GRAY
AN ACT

To enact R.S. 46:450.6, relative to Medicaid benefits for former foster children; to allow the Department of Health and Hospitals to exercise its option to extend an alternative benefits package under the Medical Assistance Plan to independent foster care adolescents; to provide for the components of an alternative benefits package; to authorize the department to choose between regular Medicaid benefits or the alternative benefits package on behalf of participants; to provide for the promulgation of rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 606—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 22:1404(E) and (F) and to enact R.S. 22:1404(G), relative to automobile insurance rate reductions; to provide with respect to a rate reduction for automobiles that have technology that aids in the recovery of stolen vehicles; and to provide for related matters.

HOUSE BILL NO. 632—

BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 671—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 17:1964(D)(17), relative to the Louisiana School of Math, Science, and the Arts; to require the board of directors of the school to develop and adopt a policy for sabbatical leave for certain employees; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 719—

BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:437.1, relative to training for certain public school employees; to provide for in-service training for teachers, school counselors, principals, and certain other school administrators in suicide prevention; to provide for the responsibilities of the State Board of Elementary and Secondary Education; and to provide for related matters.

HOUSE BILL NO. 1062—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:1058.3(C), relative to methadone maintenance programs; to extend the moratorium on methadone maintenance programs; to provide that the Department of Health and Hospitals may license a new or additional methadone maintenance program if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide for a special effective date; and to provide for related matters.

HOUSE BILL NO. 1130— (Substitute for House Bill No. 1095 by Representative Robideaux)

BY REPRESENTATIVES ROBIDEAUX AND CORTEZ

AN ACT

To amend and reenact R.S. 22:1474(B)(5) and (D)(3) and to enact R.S. 22:1474(D)(4), relative to life insurance, disability income, long-term care and annuity policies; to provide relative to exclusive use of certain records and information for individual life insurance, disability income, long-term care and annuity policies; to provide relative to ownership of life insurance, disability income, long-term care and annuity files; to provide relative to the right to retain files upon termination of affiliation between insurance company and producer; to provide relative to all written or electronic records gathered and maintained by the producer; to provide relative to exclusion of real-time policy data and updates maintained on the insurance company computer system or any data protected by the Gramm-Leach-Bliley Act or the security laws; and to provide for related matters.

HOUSE BILL NO. 115—

BY REPRESENTATIVES LAMBERT, HAZEL, AND NORTON

AN ACT

To enact Children's Code Article 412(K), relative to juvenile records; to provide for a disclosure exception for the confidentiality of juvenile records when there is an escape from a juvenile detention center; and to provide for related matters.

HOUSE BILL NO. 280—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 4:724(B)(5) and to enact R.S. 4:724(J), (K), and (L), relative to electronic video bingo machines; to provide with respect to the types of games which are played or displayed on electronic video bingo machines; to provide for exceptions; to provide for applicability; to provide for the replacement of certain machines which are destroyed or rendered inoperable; and to provide for related matters.

HOUSE BILL NO. 286—

BY REPRESENTATIVES MORRELL, ABRAMSON, ARNOLD, AUBERT, BALDONE, BILLIOT, HENRY BURNS, CHANDLER, CONNICK, DIXON, FANNIN, GISCLAIR, HARDY, HARRISON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, LEGER, LIGI, LOPINTO, LORUSSO, PETERSON, POPE, RICHARDSON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND TEMPLET

AN ACT

To amend and reenact R.S. 14:102.5(C) and (D) and to repeal R.S. 14:102.5(E), relative to dogfighting; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 353—

BY REPRESENTATIVE RICHARDSON

AN ACT

To enact R.S. 33:2737.80, relative to the Central Community School Board; to authorize the school board to levy and collect an additional sales and use tax within the boundaries of the Central community school system; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 631—

BY REPRESENTATIVE SCHRODER

AN ACT

To amend and reenact R.S. 15:440.5(C), relative to videotapes of protected persons in criminal prosecutions; to provide for the discovery, delivery, custody, and retention of videotaped statements of protected persons; to provide for damages for unauthorized disclosures; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Smith 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. 29—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact Children's Code Article 327(A)(2), relative to videotaped statements of protected persons; to provide with respect to the admissibility of videotaped statements of protected persons in juvenile proceedings; and to provide for related matters.

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

HOUSE BILL NO. 39—

BY REPRESENTATIVE HAZEL

AN ACT

To enact R.S. 14:2(B)(41) and (42), relative to crimes of violence; to add battery of a police officer and battery of a correctional facility employee to the list of enumerated crimes of violence; and to provide for related matters.

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

HOUSE BILL NO. 115—

BY REPRESENTATIVES LAMBERT, HAZEL, AND NORTON

AN ACT

To enact Children's Code Article 412(K), relative to juvenile records; to provide for a disclosure exception for the confidentiality of juvenile records when there is an escape from a juvenile detention center; and to provide for related matters.

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

HOUSE BILL NO. 154—

BY REPRESENTATIVE MILLS

AN ACT

To enact R.S. 46:437.13(D), relative to the Department of Health and Hospitals; to provide authority for the department to certify that health care providers enrolled in the Medical Assistance Program are out of business; to provide that out-of-business providers cannot collect overpayments; and to provide for related matters.

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

HOUSE BILL NO. 155—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (C), relative to the facility need review process; to provide for facility need review approval for nursing facilities; to change reference to community and group home beds for the mentally retarded to community and group home beds for the developmentally disabled; and to provide for related matters.

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

HOUSE BILL NO. 185—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:31(B) and 32(C), relative to homicide; to provide with respect to the criminal penalties for manslaughter and negligent homicide; to amend the criminal penalty provisions applicable when the victim is under the age of ten years; and to provide for related matters.

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

HOUSE BILL NO. 194—
BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 40:2116.36(E), relative to home health care providers; to provide for the denial, revocation, or nonrenewal of a home health agency license; and to provide for related matters.

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

HOUSE BILL NO. 214—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:990.1, relative to foreign and alien insurers; to provide for the notification of the appointment of officers or directors; to provide for the definition of senior officer; to provide for additional information for directors and officers; and to provide for related matters.

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

HOUSE BILL NO. 222—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1907.1, relative to property residual value insurance policies; to require filing with and approval of such policies or forms by the commissioner of insurance; to provide for fees; and to provide for related matters.

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

HOUSE BILL NO. 237—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1807.1, relative to vehicle mechanical breakdown insurance and fees of the Department of Insurance; to provide for commissioner of insurance review and approval of forms; to provide for fees for the review of vehicle mechanical breakdown policies; and to provide for related matters.

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

HOUSE BILL NO. 274—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 276—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(i), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 280—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 4:724(B)(5) and to enact R.S. 4:724(J), (K), and (L), relative to electronic video bingo machines; to provide with respect to the types of games which are played or displayed on electronic video bingo machines; to provide for exceptions; to provide for applicability; to provide for the replacement of certain machines which are destroyed or rendered inoperable; 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. 286—
BY REPRESENTATIVES MORRELL, ABRAMSON, ARNOLD, AUBERT, BALDONE, BILLIOT, HENRY BURNS, CHANDLER, CONNICK, DIXON, FANNIN, GISCLAIR, HARDY, HARRISON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, LEGER, LIGI, LOPINTO, LORUSSO, PETERSON, POPE, RICHARDSON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND TEMPLET
AN ACT

To amend and reenact R.S. 14:102.5(C) and (D) and to repeal R.S. 14:102.5(E), relative to dogfighting; to provide for penalties; 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. 353—
BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 33:2737.80, relative to the Central Community School Board; to authorize the school board to levy and collect an additional sales and use tax within the boundaries of the Central community school system; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

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

Senator Walsworth in the Chair

HOUSE BILL NO. 366—
BY REPRESENTATIVES KATZ, BURFORD, DOERGE, HILL, HINES, JOHNSON, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE, SIMON, AND WILLIAMS AND SENATOR GRAY
AN ACT

To enact R.S. 46:450.6, relative to Medicaid benefits for former foster children; to allow the Department of Health and Hospitals to exercise its option to extend an alternative benefits package under the Medical Assistance Plan to independent foster care adolescents; to provide for the components of an alternative benefits package; to authorize the department to choose between regular Medicaid benefits or the alternative benefits package on behalf of participants; to provide for the promulgation of rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 606—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 22:1404(E) and (F) and to enact R.S. 22:1404(G), relative to automobile insurance rate reductions; to provide with respect to a rate reduction for automobiles that have technology that aids in the recovery of stolen vehicles; and to provide for related matters.

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

HOUSE BILL NO. 631—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 15:440.5(C), relative to videotapes of protected persons in criminal prosecutions; to provide for the discovery, delivery, custody, and retention of videotaped statements of protected persons; to provide for damages for unauthorized disclosures; 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. 632—

BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for definitions; to provide for penalties; 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. 671—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 17:1964(D)(17), relative to the Louisiana School of Math, Science, and the Arts; to require the board of directors of the school to develop and adopt a policy for sabbatical leave for certain employees; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 719—

BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:437.1, relative to training for certain public school employees; to provide for in-service training for teachers, school counselors, principals, and certain other school administrators in suicide prevention; to provide for the responsibilities of the State Board of Elementary and Secondary Education; and to provide for related matters.

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

HOUSE BILL NO. 1062—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:1058.3(C), relative to methadone maintenance programs; to extend the moratorium on methadone maintenance programs; to provide that the Department of Health and Hospitals may license a new or additional methadone maintenance program if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide for a special effective date; and to provide for related matters.

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

HOUSE BILL NO. 1130— (Substitute for House Bill No. 1095 by Representative Robideaux)

BY REPRESENTATIVES ROBIDEAUX AND CORTEZ
AN ACT

To amend and reenact R.S. 22:1474(B)(5) and (D)(3) and to enact R.S. 22:1474(D)(4), relative to life insurance, disability income, long-term care and annuity policies; to provide relative to exclusive use of certain records and information for individual life insurance, disability income, long-term care and annuity policies; to provide relative to ownership of life insurance, disability income, long-term care and annuity files; to provide relative to the right to retain files upon termination of affiliation between insurance company and producer; to provide relative to all written or electronic records gathered and maintained by the producer; to provide relative to exclusion of real-time policy data and updates maintained on the insurance company computer system or any data protected by the Gramm-Leach-Bliley Act or the security laws; and to provide for related matters.

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

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 21, 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. 5—

BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the law regarding successions and the inconsistencies which exist due to the phase out of inheritance taxes, and to report its findings to the House of Representatives prior to the convening of the 2009 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVE HILL
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to designate the portion of Louisiana Highway 165 North from Oakdale city limits to the Rapides Parish line as the "Staff Sergeant Timothy B. Cole, Jr. Memorial Highway" and to erect signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of constructing center turn lanes on certain portions of Louisiana Highway 48 in St. Charles Parish.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE SCHRODER
A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to support the efforts of Discover Films, Inc., and the various drug court programs throughout the state and efforts to secure funding for the production of a series of weekly programs for Louisiana Public Broadcasting which will feature highly qualified guests

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who discuss addiction, treatment, and recovery issues, as well as available mental health services.

HOUSE CONCURRENT RESOLUTION NO. 25— BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:852.1 through 852.22, relative to titling of vessels in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 28— BY REPRESENTATIVE FOIL A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study Bayou Manchac for possible inclusion in the Louisiana Historic and Scenic Rivers system.

HOUSE CONCURRENT RESOLUTION NO. 61— BY REPRESENTATIVES LAFONTA, AUSTIN BADON, BARROW, GALLOT, MARCHAND, AND PATRICIA SMITH AND SENATORS CRAVINS, DUPLESSIS, GRAY, JACKSON, AND MURRAY A CONCURRENT RESOLUTION

To commend and welcome Trent Johnson as the new head coach of the Louisiana State University men's basketball team.

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

House Concurrent Resolutions

Senator Cassidy 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. 5— BY REPRESENTATIVE GREENE A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the law regarding successions and the inconsistencies which exist due to the phase out of inheritance taxes, and to report its findings to the House of Representatives prior to the convening of the 2009 Regular Session.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of representatives and senators and their respective counts for yeas and nays.

Total - 0

ABSENT

Table with 3 columns: Name, Count. Lists absent members: Michot, Morrish, Shepherd, Total - 3.

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

HOUSE CONCURRENT RESOLUTION NO. 11— BY REPRESENTATIVE HILL A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to designate the portion of Louisiana Highway 165 North from Oakdale city limits to the Rapides Parish line as the "Staff Sergeant Timothy B. Cole, Jr. Memorial Highway" and to erect signage along this route reflecting this designation.

The resolution was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 21— BY REPRESENTATIVE GARY SMITH A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of constructing center turn lanes on certain portions of Louisiana Highway 48 in St. Charles Parish.

The resolution was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 25— BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:852.1 through 852.22, relative to titling of vessels in the state of Louisiana.

The resolution was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE CONCURRENT RESOLUTION NO. 28— BY REPRESENTATIVE FOIL A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study Bayou Manchac for possible inclusion in the Louisiana Historic and Scenic Rivers system.

The resolution was read by title and referred by the President to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 59— BY REPRESENTATIVE SCHRODER A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to support the efforts of Discover Films, Inc., and the various drug court programs throughout the state and efforts to secure funding for the production of a series of weekly programs for Louisiana Public Broadcasting which will feature highly qualified guests who discuss addiction, treatment, and recovery issues, as well as available mental health services.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Mount |
| Adley | Gautreaux B | Murray |
| Alario | Gautreaux N | Nevers |
| Amedee | Gray | Quinn |
| Broome | Hebert | Riser |
| Cassidy | Heitmeier | Scalise |
| Cheek | Jackson | Shaw |
| Cravins | Kostelka | Shepherd |
| Crowe | LaFleur | Smith |
| Donahue | Long | Thompson |
| Dorsey | Marionneaux | Walsworth |
| Duplessis | Martiny | |
| Dupre | McPherson | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|---------|
| Michot | Morrish |
| Total - 2 | |

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

HOUSE CONCURRENT RESOLUTION NO. 61—
 BY REPRESENTATIVES LAFONTA, AUSTIN BADON, BARROW, GALLOT, MARCHAND, AND PATRICIA SMITH AND SENATORS CRAVINS, DUPLESSIS, GRAY, JACKSON, AND MURRAY
A CONCURRENT RESOLUTION

To commend and welcome Trent Johnson as the new head coach of the Louisiana State University men's basketball team.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Mount |
| Adley | Gautreaux B | Murray |
| Alario | Gautreaux N | Nevers |
| Amedee | Gray | Quinn |
| Broome | Hebert | Riser |
| Cassidy | Heitmeier | Scalise |
| Cheek | Jackson | Shaw |
| Cravins | Kostelka | Shepherd |
| Crowe | LaFleur | Smith |
| Donahue | Long | Thompson |
| Dorsey | Marionneaux | Walsworth |
| Duplessis | Martiny | |
| Dupre | McPherson | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|---------|
| Michot | Morrish |
| Total - 2 | |

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
 EDUCATION**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

April 17, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 561—
 BY SENATOR NEVERS
AN ACT

To enact R.S. 17:2118, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from discussing certain scientific evidence; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
 BEN W. NEVERS
 Chairman

**REPORT OF COMMITTEE ON
 NATURAL RESOURCES**

Senator Reggie P. Dupre, Jr., Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 17, 2008

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 24—
 BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES DOVE, ST. GERMAIN AND HUTTER
A CONCURRENT RESOLUTION

To approve the annual Coastal Protection Plan for Fiscal Year 2008-2009, as adopted by the Coastal Protection and Restoration Authority.

Reported favorably.

SENATE BILL NO. 12—
 BY SENATOR N. GAUTREAU AND REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 56:799.4(B)(7) and to enact R.S. 56:799.4(B)(9), relative to the White Lake Property Advisory Board; to revise the composition of the White Lake Property

Advisory Board; to provide Vermilion Parish School Board with one at-large member on the White Lake Property Advisory Board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 47—
BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state property in Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 165—
BY SENATOR THOMPSON AND REPRESENTATIVES WADDELL,
SCHRODER, BOBBY BADON AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:103(C)(2), 103.1(B)(2), 104(A)(3) and (4), 104(B)(4), 104.1(A), 116(B) and (C), 302.1(G), 643(B)(2)(a), 646, 649.1(A), 699.8(B) and (D), relative to deer hunting; to authorize the Louisiana Wildlife and Fisheries commission to establish special deer hunting seasons for primitive firearms and crossbows; to authorize the Louisiana Wildlife and Fisheries Commission to define the weapons eligible for use during such special seasons; to authorize special licenses for the use of primitive firearms; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 352—
BY SENATOR N. GAUTREAUX AND REPRESENTATIVE PERRY

AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 471—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:266 and 279; relative to funding certain wildlife resources programs; to provide relative to the Louisiana Fur and Alligator Public Education and Marketing Fund and the allocation of monies thereto and the use of such monies; the Louisiana Alligator Resource Fund and the allocation of monies thereto and the use of such monies; to provide relative to the Louisiana Fur and Alligator Advisory Council and its membership, power, duties and functions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 486—
BY SENATOR MARIONNEAUX

AN ACT

To authorize and provide for the transfer of certain state property in Iberville Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
REGGIE P. DUPRE, JR.
Chairman

**REPORT OF COMMITTEE ON
TRANSPORTATION, HIGHWAYS AND
PUBLIC WORKS**

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

April 17, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 158—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 32:66, relative to motor vehicles; to prohibit the use of a radar detection device or similar mechanism while operating a motor vehicle upon public highways; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 159—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 32:300.5 and 398.10(A)(6), relative to driver distractions; to prohibit the use of any wireless telecommunications device by certain persons while operating a motor vehicle; to provide exceptions; to provide penalties for violation; to require the compilation of statistical information on crashes involving the use of a wireless telecommunication device by any driver; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 226—
BY SENATOR SHEPHERD

AN ACT

To name the tunnel in Harvey, Louisiana, the Crosby Tunnel; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 243—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 48:394, relative to private railroad crossings; to provide a procedure relative to the closure or removal of private farm crossings; to provide for notice to the respective governing authority and owner of record; to provide for a public hearing; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 407—
BY SENATOR DONAHUE AND REPRESENTATIVES SCHRODER AND PEARSON

AN ACT

To enact R.S. 48:1093.1, relative to public bridges; to prohibit the sale, lease, or contract for operations of certain bridges without legislative approval; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 657—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:(1) and (10), 141(C), 296(A), 471(1) and (2), and 473.1(A) and (B), to enact Subpart E-1 of Part IV of Chapter 1 of Title 32 of the Revised Statutes of 1950, to be comprised of R.S. 32:151 through 153, and 296(C), and to repeal R.S. 32:475, all relative to motor vehicles; to create and

provide relative to the Open Roads Law; to provide for definitions; to provide relative to motor vehicles stopping, standing, or parking on state roadways and shoulder of roadways; to create and provide relative to the Instant Tow Dispatch Pilot Program and the Expedited Towing Pilot Program; to require submission of reports from pilot programs; to require removal of abandoned vehicles from roadways within a certain time; to repeal certain provisions relating to disposal of vehicles; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

**REPORT OF COMMITTEE ON
RETIREMENT**

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 21, 2008

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR B. GAUTREAUX AND REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION**

To authorize the board of trustees of the Teachers' Retirement System of Louisiana to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

Reported favorably.

**SENATE BILL NO. 27—
BY SENATOR B. GAUTREAUX
AN ACT**

To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of pension or retirement benefits; to provide for garnishment or seizure of benefits from public retirement or pension systems, plans, or funds; to provide relative to the applicability of certain court orders to such benefits; to provide for garnishment or seizure of such benefits to pay any fine or restitution ordered for certain felony convictions associated with service as an elected official; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 42—
BY SENATOR B. GAUTREAUX AND REPRESENTATIVE ROBIDEAUX
AN ACT**

To amend and reenact R.S. 11:102(B)(3)(introductory paragraph) and (d)(introductory paragraph), (i), (ii), (iii), and (iv) and to enact R.S. 11:102(B)(3)(d)(viii), relative to employer contributions for the State Police Pension and Retirement System; to provide for the annual amortization payments to the system; to specify that the amortization period for certain changes, gains, and losses shall be thirty years from the year in which the change, gain, or loss occurs; to provide for amortization of outstanding balances of previously established amortization bases; to provide for level dollar payments; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 99—
BY SENATOR B. GAUTREAUX
AN ACT**

To amend and reenact R.S. 11:1733(C) and to enact R.S. 11:1903(C)(3), relative to employer contributions of certain statewide retirement systems; to prohibit the transfer of employer contributions from the Municipal Employees' Retirement System and from the Parochial Employees' Retirement System; to provide an exception to such prohibition for the transfer of funds from either system in association with the transfer of a member's service credit from such system to another public retirement or pension system, plan, or fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 120—
BY SENATOR B. GAUTREAUX
AN ACT**

To enact R.S. 11:1456.1 and 1456.2 and to repeal R.S. 11:1456, relative to the Assessors' Retirement Fund; to create the Back-Deferred Retirement Option Program; to provide for eligibility, procedures for application, and calculation of benefits of such program; to provide for rescission of participation in the Deferred Retirement Option Plan; to provide for effective dates; and to provide for related matters.

Reported with amendments.

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

Rules Suspended

Senator Gray asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**Senate Current Resolutions on
Third Reading
and Final Passage**

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

**SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR GRAY
A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2008 Regular Session of the Legislature certain provisions of R.S. 40:2116(J)(1) and R.S. 40:2116(J)(1)(c), relative to the date upon which the facility need review approval for licensed nursing homes and intermediate care facilities for people with developmental disabilities (ICF/DD) which were located in an area which was affected by an executive order or proclamation of emergency or disaster will be deemed terminated, expired, or revoked.

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

Mr. President in the Chair

Rules Suspended

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

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

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

April 21, 2008

SENATE BILL NO. 493—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 44:23.1, relative to records of safety sensitive infrastructure of the Department of Transportation and Development; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 493 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "records of safety sensitive infrastructure" to "certain records"

AMENDMENT NO. 2

On page 1, lines 6 and 7, change "safety sensitive infrastructure" to "sensitive security information or critical infrastructure information"

AMENDMENT NO. 3

On page 1, lines 8 and 9, change "safety sensitive infrastructure" to "sensitive security information or critical infrastructure information pursuant to federal law and regulations"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 503—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 48:282 and to repeal R.S. 30:2534, relative to adopt-a-road program; to authorize the Department of Transportation and Development to establish the adopt-a-road program; to repeal the adopt-a-road program in the Department of Environmental Quality; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 503 by Senator McPherson

AMENDMENT NO. 1

On page 1, lines 2 and 7, change "282" to "283"

AMENDMENT NO. 2

On page 1, line 8, change "282" to "283"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 525—
BY SENATOR ERDEY
AN ACT

To enact R.S. 38:84(C), relative to authorization to comply with the federal flood insurance act; to require that parishes and municipalities participate in and comply with federal flood plain management and flood insurance programs before construction of local flood protection or storm damage reduction projects; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 528—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:9029(B), relative to the Compulsive and Problem Gaming Fund; to provide that the treasurer shall annually transfer five hundred thousand dollars from the Louisiana Lottery Proceeds Fund to the Compulsive and Problem Gaming Fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 575—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:98.4(C)(2), relative to the Louisiana Fund; to provide relative to the date for submission of the governor's plan of expenditures from such fund; to change such date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 612—

BY SENATORS CHAISSON, NEVERS, RISER, SCALISE, THOMPSON AND WALSWORTH AND REPRESENTATIVES HONEY AND TUCKER
AN ACT

To amend and reenact R.S. 23:1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14(A), 15, 16, 71, 72, 73(A)(1)(introductory paragraph) and (2), (B), (C), (D), and (E)(2), 74, 75(D), 76(C), 1472(I), 2042, 2043, 2044, 2045, 2046, 2047(A), 2048 through 2056, 2061, 2062, 2063, 2065, 2066, 2067, 2069(A), 2070, 2091(A), (B)(introductory paragraph) and (8), and (C), 2092, 2100, 2151(A), (B), and (E), 2152, 2153, 2191, and 2192, and R.S. 36:3(2), (3), (4), (6), and (7), 4(A)(6) and (B)(1), and 8(E)(1), 301, 302, 303, 304, 305, 306, 307, 308(A) and (D), 309(B), (C)(introductory paragraph) and (4), (D), (E), and (F), 310(A), and 313, to enact R.S. 23:17, 18, 19, 20, 33, 34, 73(A)(1)(d), 75(E), 77, 78, 2193 through 2213 and R.S. 36:8(E)(2)(j), and to repeal R.S. 23:2061(8), 2064, 2068, 2093, 2094, 2095, 2096, 2097, 2098, 2099, and 2192 and R.S. 36:4(B)(14), 310, 311, 312, relative to the Department of Labor; to change the name of the Department of Labor to the Louisiana Workforce Commission; to provide for the creation of the commission; to provide for the executive director of the commission; to establish the purpose of the commission; to establish the powers and duties of the commission; to provide for employee performance evaluations; to require the integration of certain workforce development programs; to provide for client accessibility; to authorize the executive director to delegate certain functions; to require the design and implementation of a

April 21, 2008

plan for workforce training and services; to provide for the administration of funding; to provide relative to block grants for local workforce development areas; to establish legislative intent; to provide for definitions; to require the maintenance of a comprehensive labor market information system; to require entities to cooperate with the commission; to provide for the availability of consumer information; to provide with respect to data exchange; to provide for the Occupational Forecasting Conference and its duties; to provide for the development and management of workforce system information resources; to change the name of the Louisiana Workforce Commission to the Louisiana Workforce Investment Council and to establish its purposes; to provide for the membership of the council; to provide procedures to select the chairman and vice chairman; to provide for the terms of the membership; to authorize the removal of members under certain circumstances; to provide for designees of the council members; to establish the goals of the commission; to require the adoption of a strategic plan; to establish the duties and functions of the council; to establish the organizational structure of the council; to provide for workforce investment boards; to authorize the governor to designate workforce development areas; to authorize the creation of local workforce development boards; to provide for the training for local workforce development board members; to authorize the governor to certify boards; to provide the membership of boards; to provide for the removal of workforce investment board members; to provide for the responsibilities of the board; to establish the board's duties; to provide for the components of the local workforce development system; to require the adoption of local and regional workforce development plans; to require the adoption of a budget; to require the submission of a report; to require approval of the board's fiscal agent; to provide for contracting service delivery; to provide relative to conflicts of interests; to provide for the eligibility of incentives and waivers; to allow the application for nonprofit status; to authorize the employment of staff; to include the Louisiana Workforce Commission as a department within the executive branch of government; to provide for its officers, duties and offices; and to provide for related matters.

Motion

On motion of Senator Chaisson, Senate Bill No. 612 was made Special Order of the Day No. 1 on Wednesday, April 23, 2008, immediately following the Morning Hour.

SENATE BILL NO. 653— BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 24:31.4(A) and (C) and 31.5, relative to the legislature; to provide with respect to the funds available for legislative assistants of members of the legislature; to provide for additional office clerical staff for senators; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 653 by Senator Duplessis

AMENDMENT NO. 1

On page 3, line 5, following "staff" insert "members"

AMENDMENT NO. 2

On page 3, line 23, following "Consumers" and before line 24 insert ":",

AMENDMENT NO. 3

On page 4, line 5, following "staff" insert "member"

AMENDMENT NO. 4

On page 4, line 8, following "staff" insert "member"

AMENDMENT NO. 5

On page 4, line 10, following "staff" insert "member"

AMENDMENT NO. 6

On page 4, line 13, following "staff" insert "member"

AMENDMENT NO. 7

On page 4, line 16, following "staff" insert "member"

AMENDMENT NO. 8

On page 4, line 20, following "staff" insert "member"

AMENDMENT NO. 9

On page 4, line 22, following "staff" insert "member"

AMENDMENT NO. 10

On page 4, line 25, following "staff" insert "member"

AMENDMENT NO. 11

On page 5, line 11, following "staff" insert "member"

AMENDMENT NO. 12

On page 5, line 24, following "staff" insert "member"

AMENDMENT NO. 13

On page 5, line 29, following "staff" insert "member"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 653 by Senator Duplessis

AMENDMENT NO. 1

On page 6, line 5, change "January 1, 2009" to "July 1, 2008"

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed Senate Bill No. 653 by Senator Duplessis

AMENDMENT NO. 1

On page 2 delete lines 21 thru 29

AMENDMENT NO. 2

On page 2, delete lines 21 and 29 and insert the following:

| | |
|----------------|----------------|
| Base | \$3,500 |
| First | \$3,583 |
| Second | \$3,669 |
| Third | \$3,759 |
| Fourth | \$3,852 |
| Fifth | \$3,950 |
| Sixth | \$4,051 |
| Seventh | \$4,157 |

| | |
|----------------|-----------------|
| <u>Eighth</u> | <u>\$4,267</u> |
| <u>Ninth</u> | <u>\$4,381</u> |
| <u>Maximum</u> | <u>\$4,500"</u> |

AMENDMENT NO. 3
On page 3, delete lines 1 and 2

AMENDMENT NO. 4
On page 3, delete lines 10 thru 20 and insert the following:

| | | |
|---------|----------------|-----------------|
| "STEP | MONTHLY SALARY | |
| Base | \$ 2,000 | <u>\$3,500</u> |
| First | \$ 2,083 | <u>\$3,583</u> |
| Second | \$ 2,169 | <u>\$3,669</u> |
| Third | \$ 2,259 | <u>\$3,759</u> |
| Fourth | \$ 2,352 | <u>\$3,852</u> |
| Fifth | \$ 2,450 | <u>\$3,950</u> |
| Sixth | \$ 2,551 | <u>\$4,051</u> |
| Seventh | \$ 2,657 | <u>\$4,157</u> |
| Eighth | \$ 2,767 | <u>\$4,267</u> |
| Ninth | \$ 2,881 | <u>\$4,381</u> |
| Maximum | \$ 3,000 | <u>\$4,500"</u> |

On motion of Senator Shepherd, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 653 by Senator Duplessis

AMENDMENT NO. 1
Delete Senate Floor Amendments Nos. 1 through 4 proposed by Senator Shepherd and adopted by the Senate on April 21, 2008.

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Martiny |
| Adley | Gautreaux B | Michot |
| Alario | Gautreaux N | Murray |
| Amedee | Gray | Nevers |
| Broome | Hebert | Quinn |
| Cheek | Heitmeier | Riser |
| Cravins | Jackson | Shaw |
| Donahue | Kostelka | Shepherd |
| Dorsey | LaFleur | Smith |
| Duplessis | Long | Thompson |
| Dupre | Marionneaux | Walsworth |
| Total - 33 | | |

NAYS

| | | |
|-----------|-----------|---------|
| Cassidy | McPherson | Scalise |
| Crowe | Mount | |
| Total - 5 | | |

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 676—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 56:1685.2, relative to state preservation areas; to name the visitor center at the Louisiana State Arboretum State Preservation Area; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Mount |
| Alario | Gautreaux N | Murray |
| Amedee | Gray | Nevers |
| Broome | Hebert | Quinn |
| Cassidy | Heitmeier | Riser |
| Cheek | Jackson | Scalise |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 678—
BY SENATOR ADLEY

AN ACT

To enact Subpart P of Part II-A of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71, relative to the FEMA Mobile Home Reimbursement Fund; to provide for the deposit and credit of certain money to the fund; to require appropriations for refunding certain tax, penalty, and interest paid on certain mobile or manufactured homes; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 678 by Senator Adley

AMENDMENT NO. 1
On page 2, line 2, between "Agency" and "and" insert ", referred to in this Subpart as "FEMA,""

AMENDMENT NO. 2
On page 2, line 6, change "the Federal Emergency Management Agency" to "FEMA"

April 21, 2008

AMENDMENT NO. 3

On page 3, lines 3 and 4, change "the Federal Emergency Management Agency" to "FEMA"

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 678 by Senator Adley

AMENDMENT NO. 1

On page 2, line 1, after "homes" insert: "provided"

AMENDMENT NO. 2

On page 2, line 2, after "Agency" delete the remainder of the line, and insert: "or the General Services Administration (GSA) and used or"

AMENDMENT NO. 3

On page 2, line 3, after "housing" insert "and returned thereafter to such agencies"

AMENDMENT NO. 4

On page 2, line 6, after "Agency" insert: "or the General Services Administration (GSA)"

AMENDMENT NO. 5

On page 2, line 8, after "Section" insert "and returned thereafter to such agencies"

AMENDMENT NO. 6

On page 3, line 4, after "Agency" insert: "or the General Services Administration (GSA)"

AMENDMENT NO. 7

On page 3, line 5, after "housing" insert "and returned thereafter to such agencies"

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 678 by Senator Adley

AMENDMENT NO. 1

On page 2, line 2, after "Agency" insert "or the General Services Administration"

AMENDMENT NO. 2

On page 2, line 2, after "FEMA" insert "or the General Services Administration"

AMENDMENT NO. 3

On page 2, line 6, after "Agency" insert "or the General Services Administration"

AMENDMENT NO. 4

On page 3, line 4, after "Agency" insert "or the General Services Administration"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, etc.

Total - 38

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 38—
BY SENATOR GRAY

AN ACT

To amend and reenact Children's Code Articles 834, 834.1(A)(Introductory Paragraph), (B), and (C), 835(A) and (C)(Introductory Paragraph), 836, 837(B) (Introductory Paragraph), (C)(Introductory Paragraph), (D)(Introductory Paragraph), and (F)(3), 837.1(A)(1), 838(A) and (B), and 869 and to enact Children's Code Articles 305(E), 869.1, 869.2, and 869.3, relative to competency commissions and sanity commissions; to provide for future proceedings in the case of a child, when a sanity or competency commission is ordered; to provide for the appointment of the competency commission, its composition and its authority; to provide for the documentation to be provided to the commission; to provide for the filing and content of the commission's report; to provide for the contradictory hearing to determine competency and for the admissibility of the commission's report and testimony by the commissioners; to provide for the procedure after determination of capacity and the burden of proof; to provide for restoration service providers; to provide for the procedure when capacity is regained; to provide for the appointment of a sanity commission; to provide for the commission's composition, qualifications and authority; to provide for the documents which shall be provided to the commission; to provide for the content and filing of the commission's report; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 38 by Senator Gray

AMENDMENT NO. 1

On page 3, line 5, following "psychologists" and before the end of the line, delete "or" and on line 6, delete "any combination thereof"

AMENDMENT NO. 2

On page 4, line 8, following "mental" and before "examination" insert "competency"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Mount |
| Alario | Gautreaux N | Murray |
| Amedee | Gray | Nevers |
| Broome | Hebert | Quinn |
| Cassidy | Heitmeier | Riser |
| Cheek | Jackson | Scalise |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE BILL NO. 57—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 14:403.2 and to enact Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1501 through 1511, relative to abuse and neglect of adults; to provide with respect to the failure to report incidents of adult abuse and the filing of false reports; to provide relative to acts of retaliation against persons who in good faith report suspected abuse or neglect of adults; to provide for immunities associated with good faith reporting; to provide for reporting of adult abuse and neglect, and the assignment, investigation, and disposition of such reports by appropriate state agencies; to provide penalties; and to provide for related matters.

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

YEAS

| | | |
|---------------|-------------|---------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Mount |
| Alario | Gautreaux N | Murray |
| Amedee | Gray | Nevers |
| Broome | Hebert | Quinn |
| Cassidy | Heitmeier | Riser |
| Cheek | Jackson | Scalise |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Smith |

| | | |
|------------|-------------|-----------|
| Donahue | Long | Thompson |
| Dorsey | Marionneaux | Walsworth |
| Duplessis | Martiny | |
| Dupre | McPherson | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

Morrish
Total - 2

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

SENATE BILL NO. 71—
BY SENATOR MARTINY

AN ACT

To enact the Code of Criminal Procedure Article 211.5, relative to arrest; to provide for the issuance of a summons in certain circumstances; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Dupre | Martiny |
| Adley | Erdey | McPherson |
| Alario | Gautreaux B | Michot |
| Amedee | Gautreaux N | Mount |
| Broome | Gray | Murray |
| Cassidy | Hebert | Nevers |
| Cheek | Heitmeier | Quinn |
| Cravins | Jackson | Riser |
| Crowe | Kostelka | Shaw |
| Donahue | LaFleur | Smith |
| Dorsey | Long | Thompson |
| Duplessis | Marionneaux | Walsworth |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

Morrish
Total - 3

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

SENATE BILL NO. 73—
BY SENATOR GRAY

AN ACT

To amend and reenact Children's Code Articles 625(B)(2), 675(B)(2), and 685, and R.S. 46: 51.1(A) and to enact Children's Code Article 682(B)(5), relative to parental contributions for care and treatment; to provide for advising parents of their obligation to care for their children; to provide for the case plan for children in foster care; to provide for the relation between contributions for care and child support; to provide for duties of the department; and to provide for related matters.

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

April 21, 2008

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Erdey, Michot, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Gray, Nevers, Broome, Hebert, Quinn, Cassidy, Heitmeier, Riser, Cheek, Jackson, Scalise, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneau, Walsworth, Duplessis, Martiny, Dupre, McPherson.

NAYS

Total - 0

ABSENT

Morrish Shepherd
Total - 2

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

SENATE BILL NO. 76—

BY SENATORS GRAY, DONAHUE, N. GAUTREAUX, KOSTELKA, MICHOT, MURRAY AND QUINN
AN ACT

To enact Chapter 11 of Title X of the Children's Code, to be comprised of Articles 1051 through 1053, and Article 1146(E), relative to the restoration of parental rights after termination; to provide for the motion to restore parental rights; to provide for the duties of the department; to provide for the hearing; to provide for the permanency hearing; to provide for the review hearing; and to provide for related matters.

Floor Amendments Sent Up

Senator Gray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gray to Engrossed Senate Bill No. 76 by Senator Gray

AMENDMENT NO. 1

On page 4, line 12, change "Article 1051 et seq." to "Chapter 11 of Title X of this Code"

On motion of Senator Gray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn.

Table with 3 columns: Name, Yeas, Nays. Includes Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneau, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Scalise
Total - 1

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

SENATE BILL NO. 77—

BY SENATORS GRAY, DONAHUE, N. GAUTREAUX, KOSTELKA, MICHOT, MURRAY AND QUINN

AN ACT

To enact Children's Code Article 603(13)(i), relative to child abuse; to provide for mandatory reporting by court appointed special advocates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneau, Walsworth, Duplessis, Martiny, Dupre, McPherson.

Total - 37

NAYS

Total - 0

ABSENT

Scalise Shepherd
Total - 2

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

Senator Broome in the Chair

SENATE BILL NO. 86—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:572.1(A), relative to the Board of Pardons; to provide for membership on the Board of Pardons; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Amedee | Gray | Murray |
| Broome | Hebert | Nevers |
| Cassidy | Heitmeier | Quinn |
| Cheek | Jackson | Riser |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Scalise
Total - 1

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

Mr. President in the Chair

SENATE BILL NO. 166—
BY SENATOR MURRAY

AN ACT

To enact R.S. 13:621.48, relative to the Forty-First Judicial District Court; to provide relative to judges and magistrates of the Forty-First Judicial District Court; to provide for the reversion by certain judges and magistrates to their office, division, or section in civil and criminal district courts for the parish of Orleans if Act 621 of the 2006 Regular Session of the Louisiana Legislature is held unconstitutional; to provide certain terms, conditions, and procedures; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 166 by Senator Murray

AMENDMENT NO. 1

On page 1, line 17, following "at the time of" and before "qualifying" delete "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Amedee | Gray | Murray |
| Broome | Hebert | Nevers |
| Cassidy | Heitmeier | Quinn |
| Cheek | Jackson | Riser |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Scalise
Total - 1

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

SENATE BILL NO. 303—
BY SENATOR LAFLEUR

AN ACT

To enact Code of Evidence Art. 803.1, relative to hearsay; to provide for exceptions to hearsay evidence; to provide relative to certain foreign records as evidence; to provide for definitions; to provide terms and conditions; to provide for certain criteria; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 303 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 13, before "Such Record" change "(i)" to "(a)"

AMENDMENT NO. 2

On page 1, line 16, before "Such Record" change "(ii)" to "(b)"

AMENDMENT NO. 3

On page 2, line 1, before "The business" change "(iii)" to "(c)"

AMENDMENT NO. 4

On page 2, line 2, before "If such" change "(iv)" to "(d)"

On motion of Senator Marionneaux, the amendments were adopted.

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

April 21, 2008

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Amedee | Gray | Murray |
| Broome | Hebert | Nevers |
| Cassidy | Heitmeier | Quinn |
| Cheek | Jackson | Riser |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Scalise
Total - 1

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

SENATE BILL NO. 404—
BY SENATOR MARTINY

AN ACT

To enact R.S. 27:311.10 and to repeal R.S. 27:311.9, relative to the Video Draw Poker Devices Control Law; to provide for a reduction in processing fees for video draw poker licenses issued to qualified truck stop facilities under certain circumstances; to provide for restrictions; to authorize the promulgation of rules; to repeal the exemption from the video poker processing fee when the Louisiana Gaming Control Board determines certain facts are applicable; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Duplessis | LaFleur |
| Alario | Dupre | Marionneaux |
| Cassidy | Gautreaux B | Martiny |
| Cheek | Gray | Morrish |
| Cravins | Heitmeier | Murray |
| Dorsey | Jackson | |
| Total - 17 | | |

NAYS

| | | |
|------------|-------------|-----------|
| Adley | Gautreaux N | Mount |
| Amedee | Hebert | Quinn |
| Broome | Kostelka | Riser |
| Crowe | Long | Smith |
| Donahue | McPherson | Thompson |
| Erdey | Michot | Walsworth |
| Total - 18 | | |

ABSENT

Nevers
Scalise
Total - 4
Shaw
Shepherd

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 573—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:1490(B)(5), 1522, and 1526(A), relative to procurement; to provide for appeals under the Professional, Personal, Consulting, and Social Services Procedure Code; to clarify that an appeal to the First Circuit Court of Appeal or the Louisiana Supreme Court is authorized by law under the code; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Amedee | Gray | Murray |
| Broome | Hebert | Nevers |
| Cassidy | Heitmeier | Quinn |
| Cheek | Jackson | Riser |
| Cravins | Kostelka | Shaw |
| Crowe | LaFleur | Shepherd |
| Donahue | Long | Smith |
| Dorsey | Marionneaux | Thompson |
| Duplessis | Martiny | Walsworth |
| Dupre | McPherson | |
| Total - 38 | | |

NAYS

Total - 0

ABSENT

Scalise
Total - 1

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

SENATE BILL NO. 574—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:1691(E), relative to actions by or against the state in connection with contracts; to provide for appeals; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Morrish |
| Adley | Gautreaux B | Mount |
| Alario | Gautreaux N | Murray |
| Amedee | Gray | Nevers |
| Broome | Heitmeier | Quinn |
| Cassidy | Jackson | Riser |
| Cheek | Kostelka | Shaw |
| Cravins | LaFleur | Shepherd |
| Crowe | Long | Smith |
| Donahue | Marionneaux | Thompson |
| Dorsey | Martiny | Walsworth |
| Duplessis | McPherson | |
| Dupre | Michot | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|---------|
| Hebert | Scalise |
| Total - 2 | |

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

SENATE BILL NO. 624—
BY SENATOR MURRAY

AN ACT

To enact R.S. 13:621.41.1, relative to Forty-First Judicial District Court; to provide for an environmental docket for the Forty-First Judicial District Court; to provide terms, conditions, and procedures; to provide with respect to enforcing ordinances and regulations relating to violations which endanger the public welfare or safety; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 624 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:621.41.1" and before the comma insert "and R.S. 33:1374"

AMENDMENT NO. 2

On page 1, delete line 5 and insert "regulations relating to violations with respect to enforcing health, safety and welfare ordinances in Orleans Parish, or otherwise enforcing ordinances relating to violations of public health, housing, fire code, environmental, building code, zoning, historic district, permitting, vegetation and nuisance ordinances in Orleans Parish; to provide for definitions; to"

AMENDMENT NO. 3

On page 1, delete lines 13 through 15 and insert "**into which the public authority, as defined in R.S. 33:1374, or other party may request allotment or transfer of cases brought pursuant to R.S. 33:1374.**"

AMENDMENT NO. 4

On page 1, between lines 15 and 16, insert

"Section 2. R.S. 33:1374 is hereby enacted to read as follows:

§1374. Enforcement of health, safety and welfare ordinances in Orleans Parish

A. In addition to the authority for criminal prosecutions provided in R.S. 14:107.3 and other authority provided by law or home rule charter for civil enforcement of health, safety, and welfare ordinances, including but not limited to the authority provided in R.S. 13:2575, for administrative adjudication for violations of public health, housing, fire code, environmental, building code, zoning, historic district, permitting, vegetation and nuisance ordinance, in Orleans Parish the public authority may enforce health, safety and welfare statutes or ordinances or otherwise seek to eliminate blighted property, unsafe structures and equipment, unlawful structures and structures unfit for human occupancy, housing violations or public nuisances in any court of competent jurisdiction in accordance with this Section.

B. The following terms, whenever used or referred to in any proceedings pursuant to this Section or in R.S. 13:2575, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(1) "Blighted property" means commercial or residential premises, including lots, which are vacant, uninhabitable, and hazardous and because of their physical condition, are considered hazardous to persons or property, or have been declared or certified blighted, and have been declared to be a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to competent jurisdiction or by an administrative hearing officer acting pursuant to R.S. 13:2575 et seq., or any other applicable law.

(2) "Deleterious premises" means any property, including any yard, garden, outhouses, accessory structures and appurtenances belonging thereto, upon which is located any structure which is deemed an "unsafe structure," an "unlawful structure," a "structure unfit for human occupancy," or a structure that contains "unsafe equipment" or "housing violations," or is otherwise defined as "blighted property," or a "public nuisance."

(3) "Housing violations" means those conditions in privately owned structures which contravene the provisions of state statute or local ordinances and are determined to constitute a threat or danger to the public health, safety, and welfare or to the environment by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to R.S. 13:2575 et seq., or any other applicable law.

(4) "Owner" means the holder of the title or a mortgagee of premises, whose interest is shown on the public record, or any person who is in possession of premises, or in control of the premises, including a tenant or the agent of any such person.

(5) "Parties in interest" means a person(s) who has an interest in premises as shown on the public record or who is in possession of premises or in control of the premises, including a tenant or the agent of any such person.

(6) "Public authority" means state or local government or any department, agency or branch thereof charged with the enforcement of health, fire, permitting, or building regulations, or otherwise charged with the regulation of activities concerning property maintenance.

(7) "Public nuisance" means any garage, shed, barn, house, building, or structure, that by reason of the condition in which it is permitted to remain, may endanger the health, life, limb, or property of any person, or cause any hurt, harm, damages, injury, or loss to any person in any one or more of the following conditions:

(a) The property is dilapidated, decayed, unsafe, or unsanitary, is detrimental to health, morals, safety, public welfare and the well-being of the community, endangers life or property, or is conducive to ill health, delinquency and crime.

(b) The property is a fire hazard.

(c) The conditions present on the property and its surrounding grounds are not reasonably or adequately maintained, thereby causing deterioration and creating a blighting influence or condition on nearby properties and thereby

depreciating the value, use and enjoyment to such an extent that it is harmful to the public health, welfare, morals, safety and the economic stability of the area, community, or neighborhood in which such public nuisance is located.

(8) "Public officer" means any officer, public officer, public employee, or agent authorized by the state or local government to exercise the powers prescribed in the laws and ordinances governed by the provisions of this Section.

(9) "Unfit for human occupancy structure" means any structure which is an unsafe structure, an unlawful structure or otherwise is in such a degree of disrepair, lack of maintenance, is unsanitary, vermin or rat infested, contains filth and contamination or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by state statute or local ordinances, or because of the location of the structure constitutes a hazard to the occupants of the structure or to the public.

(10) "Unlawful structure" means any structure, in whole or in part, that is occupied by more persons than permitted under state statute or local ordinances or was erected, altered or occupied contrary to state statute or local ordinances.

(11) "Unsafe equipment" means any unsafe equipment, including but not limited to any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within a structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(12) "Unsafe structure" means a structure that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing the minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment, or because such structure is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that a partial or complete collapse is possible.

C. Local ordinances in Orleans Parish may authorize public officers to exercise any powers necessary or convenient to carry out and effectuate the purposes and provisions of ordinances governed by this Section. Additionally, public officers shall have the authority pursuant to this Section to:

(1) Investigate the conditions of premises to determine whether said premises are unfit for human habitation and to request and obtain search warrants for entry if necessary.

(2) Obtain and receive evidence.

(3) Enter upon any premises for the purpose of making examinations provided the entries are made in such manner as to cause the least possible inconvenience to the persons in possession.

D. Any civil judicial proceeding instituted in accordance with this Section that is on the environmental docket of the Forty-First Judicial District Court may be heard by summary proceeding.

E. The court may order remedial action be taken, including but not limited to repair of the premises to appropriate standards, securing premises from entry by others and demolition of any unsafe structures unfit for human occupancy."

AMENDMENT NO. 5

On page 1, line 16, change "Section 2." to "Section 3."

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Mount

Amedee Gray Murray
Broome Hebert Nevers
Cassidy Heitmeier Quinn
Cheek Jackson Riser
Cravins Kostelka Shaw
Crowe LaFleur Shepherd
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre McPherson

Total - 38

NAYS

Total - 0

ABSENT

Scalise

Total - 1

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

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill 588 out of its regular order.

SENATE BILL NO. 588—

BY SENATORS CRAVINS, DUPRE, HEBERT, LONG AND MORRISH AND REPRESENTATIVE KLECKLEY AN ACT

To amend and reenact R.S. 22:3304(D) and (F) and R.S. 36:696(B) and to enact R.S. 22:3312, relative to the Insure Louisiana Incentive Program; to provide for use of unused monies in the program to assist qualified individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for eligibility and participation in the premium program; to provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 588 by Senator Cravins

AMENDMENT NO. 1

On page 2, between lines 24 and 25, insert the following:

"D. Rules and regulations promulgated by the commissioner under this Section shall require that any credit or rebate applicable to a policy list on the premium statement the amount of the premium reduction due to the assistance credit provided in this Section and that it be listed on the premium statement as the Louisiana Property Insurance Premium Credit."

On motion of Senator Cravins, the amendments were adopted.

Motion

On motion of Senator Cravins Senate Bill No. 588, as amended, was made Special Order of the Day No. 1 on Tuesday, April 22, 2008, immediately following the Morning Hour.

Rules Suspended

Senator Mount 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 Long 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. 702—
BY SENATOR LONG

AN ACT

To enact R.S. 33:2740.69, relative to the hotel occupancy tax; to authorize the city of Natchitoches to levy and collect an additional hotel occupancy tax within the city; to provide relative to the purposes for which the proceeds of the tax may be used; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 703—
BY SENATOR DORSEY

AN ACT

To enact R.S. 17:1807.1, relative to financial assistance for certain persons attending public colleges and universities; to establish the Golden Scholars Award; to provide for the payment of tuition and certain other costs for persons who are fifty-five years of age or older; to provide for limitations; to provide for implementation; to provide for the adoption of rules; to retain effectiveness of the tuition exemption program available to such persons; and to provide for related matters.

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

SENATE BILL NO. 704—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 47:6022(E)(2)(b), relative to the commissioner of administration; to delete the requirement that the commissioner of administration approve the issuance of a Louisiana Digital Media Act certification letter; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 705—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 14:43.1(C)(2), 43.2(C)(2), 43.3(C)(2), 78.1(D)(2), 81.1(E)(2), and 81.2(E)(1), relative to certain sex offenses; to provide relative to criminal penalties for certain sex offenses when the victim is under the age of thirteen years; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 706—
BY SENATOR CROWE

AN ACT

To enact R.S. 17:3048.1(B)(4) and (H)(3), relative to the Tuition Opportunity Program for Students; to provide for the TOPS-Tech Plus Award; to provide relative to initial and continuation eligibility requirements; to provide relative to award applications; to provide for award amounts; to provide for the length of eligibility; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 707—
BY SENATOR ERDEY

AN ACT

To enact R.S. 15:1093.1, relative to regional juvenile justice commissions; to provide for immunity from liability; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 708—
BY SENATOR MURRAY

AN ACT

To amend and reenact the introductory paragraphs of R.S. 47:6034(E)(1)(a)(i), (c), and (d), and (E)(1)(e) and (F)(1), relative to the office of the governor and the commissioner of administration; to remove the office of the governor and the commissioner of administration from the tax credit certification process for musical and theatrical productions; and to provide for related matters.

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

SENATE BILL NO. 709—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 35:199(A)(2)(b) and to repeal R.S. 44:184.2, relative to notaries; to provide for the registration of certain immovable property in Orleans Parish; 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.

SENATE BILL NO. 710—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 40:431.1, relative to the Jefferson Parish Housing Authority; to provide with respect to the board of trustees of such authority; to provide for the powers and duties of such board; to authorize the board to levy a tax under certain circumstances; to provide procedures for the imposition of such taxes; to provide for the use of such taxes; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 711—
BY SENATOR WALSWORTH

AN ACT

To repeal R.S. 32:387.17(A)(5), relative to special permits; to remove the provision terminating the authority of the secretary of the Department of Transportation and Development to issue special permits for trucks transporting containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 712—
BY SENATOR SMITH

AN ACT

To enact Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3121 through 3126, relative to the regulation of sexually oriented businesses; to provide for definitions; to provide for regulations; to prohibit the employment of certain sex offenders; to provide for penalties; to provide for severability; to provide for an effective date; and to provide for related matters.

April 21, 2008

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

SENATE BILL NO. 713—
BY SENATOR LONG

AN ACT

To enact Chapter 49 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3491, relative to port commissions; to authorize certain port commissions to enter into contracts, leases, or other agreements for ninety-nine years; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 714—
BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 23:1592(E) and 1595(A) and to enact R.S. 23:1474(I)(4) and 1536(E)(4), relative to workers' compensation benefits; to provide for an increase in the maximum benefit available; to provide an additional procedure for determining such benefit; to provide for a reduction in employer contributions under certain circumstances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 715—
BY SENATOR MARTINY

AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2781 through 2783, relative to the financing of the state Medicaid program; to authorize and provide for certification of certain public expenditures by public, non-state, non-rural hospitals for purposes of the program; to authorize the use of federal monies related to such certifications to provide for an increase in Medicaid rates and uncompensated care payments for public, non-state, non-rural community hospitals; to authorize the submission of a state Medicaid plan amendment; and to provide for related matters.

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

SENATE BILL NO. 716—
BY SENATOR MARTINY

AN ACT

To amend and reenact Children's Code Article 412(J) and to enact Children's Code Article 412(K), relative to records; to provide for the confidentiality of certain records; to provide for the custodian of the records; and to provide for related matters.

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

SENATE BILL NO. 717—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:535(A), (C), and (D) and Children's Code Article 908.1, relative to the sexual offender law; to provide for blood and saliva testing under certain circumstances; to provide for certain criteria; to provide for follow-up tests under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 718—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 42:1124.2(A) and 1124.3(A), relative to financial disclosure; to require certain disclosures by appointed members of boards and commissions; 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.

SENATE BILL NO. 719—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:24.11(A), (C)(3), (D), (E), and (G), relative to the implementation of a pilot program for early screening and intervention services for early elementary school children with characteristics of dyslexia and related disorders; to provide relative to program components; to provide for implementation and reporting dates; to provide relative to funding; and to provide for related matters.

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

SENATE BILL NO. 720—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 47:331(C) and to repeal R.S. 47:331(A) and (B) and (F) through (Q), and 332(B) and 333, relative to sales and use tax of the state; to repeal a portion of such tax except on certain sales of services; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 721—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 13:3714(C), relative to courts, judicial procedure and evidence; to provide for the admissibility of blood alcohol concentration test results from a source other than the office of state police crime laboratory; to authorize judicial rulings on the admissibility of blood alcohol concentration test results when a challenge as to the authenticity, reliability, or accuracy of such results is raised in a timely manner; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 722—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:4734(A) and 4780.52(A), relative to municipal and parish zoning; to provide for advance notice of zoning actions to certain military installations; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 723—
BY SENATOR SMITH

AN ACT

To repeal R.S. 47:1705(B)(2)(c), (d), and (e), relative to ad valorem property tax; to repeal provisions of law which require tax recipient bodies levying additional or increased millages on property without further voter approval to meet certain publication requirements and deadlines; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 724—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 25:341(D) and (E), 342(A)(1), (B)(1) and (2), 343, and 351, and R.S. 36:207(A)(1) and (2), 208(C), and 909, relative to the Louisiana State Museum; to provide for the appointment and service of members of the Board of Directors of the Louisiana State Museum; to provide for appointment of

the museum director and assistant secretary for the office of the state museum; to provide for board meetings and domicile; to provide for lease of certain museum property; to provide for board members serving on the effective date of the Act; 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.

SENATE BILL NO. 725—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:943(A)(9), (10), (11), (12) and (13), relative to the Small Business Entrepreneurship Commission; to provide for voting membership; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 726—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:1517.1, relative to Louisiana State University Health Sciences Center at Shreveport; to provide for utilization of hospital revenues; and to provide for related matters.

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

SENATE BILL NO. 727—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i) and (60), relative to parish governing authorities; to provide for the powers of parish governing authorities; to provide for the imposition of liens and for nonpayment of certain charges and fees for sewage disposal and solid waste fees; to authorize the charges and fees to be added to the ad valorem tax bill; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 728—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 33:4720.151(B)(6), (D), (E), (G)(12), (H)(4)(b), (J)(1), (K), (L)(3) and (4), and (O)(1), to enact R.S. 33:4720.151(H)(23) and 4720.152, and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; to provide authorization for the transfer of adjudicated properties from the city of Baton Rouge to the authority; to provide authorization for the purchase of properties by the authority at tax sales and code line enforcement proceedings; to provide for the authority to conduct expedited quiet title and foreclosure proceedings; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 729—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 27:93(A)(11), relative to gaming; to authorize the governing authority of East Baton Rouge Parish to levy a fee not to exceed six percent of the monthly net gaming proceeds from each riverboat located within its jurisdiction; and to provide for related matters.

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

SENATE BILL NO. 730—
BY SENATOR QUINN

AN ACT

To enact R.S. 41:1702(B)(4), relative to reclamation of lands lost through erosion, compaction, subsidence, and sea level rise; to provide for certain boundary agreements; to provide terms, conditions, and procedures; to provide for retroactivity; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Natural Resources.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To designate May 21, 2008, as Louisiana Housing Council Day.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Broome | Gray | Murray |
| Cassidy | Heitmeier | Nevers |
| Cheek | Jackson | Quinn |
| Cravins | Kostelka | Riser |
| Crowe | LaFleur | Shaw |
| Donahue | Long | Shepherd |
| Dorsey | Marionneaux | Smith |
| Duplessis | Martiny | Thompson |
| Dupre | McPherson | Walsworth |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|--------|---------|
| Amedee | Hebert | Scalise |
| Total - 3 | | |

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

Messages from the House

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

Message from the House

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

April 21, 2008

April 21, 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. 139—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact Children's Code Article 415(B) and to enact Children's Code Article 415(A)(3), relative to the destruction of inactive and closed files; to provide for destruction of certain domestic relations and adoption reports and records; to provide guidelines for electronic reproduction; and to provide for related matters.

HOUSE BILL NO. 156—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 37:3395.1, relative to the Louisiana Real Estate Appraisers Board; to create the Peer Review Committee within the Louisiana Real Estate Appraisers Board; to provide for powers and duties of the committee; to provide for reimbursement of expenses and mileage; to provide for exclusion from liability or damages; and to provide for related matters.

HOUSE BILL NO. 445—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:2193, relative to tax sales; to provide that the listing of property in the name of the tax sale purchaser shall occur in the same manner as the listing of non-tax sale properties; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 579—

BY REPRESENTATIVES JANE SMITH AND GREENE
AN ACT

To amend and reenact R.S. 47:1621(H) and to enact R.S. 47:1621(D)(3), relative to refunds of overpayment; to provide for a time limit for certain refunds; to require the secretary to report any refunds which were not timely paid; and to provide for related matters.

HOUSE BILL NO. 590—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 34:1708(A), relative to the St. Bernard Port, Harbor, and Terminal District; to provide relative to the authority of the board of commissioners to acquire certain property; and to provide for related matters.

HOUSE BILL NO. 768—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 2293(D), relative to notice of seizure in judgment debtor cases; to delete provisions requiring the automatic cancellation of the notice of seizure of property; to provide that a notice of seizure shall prescribe ten years after the date of recordation; to authorize a method of reinscription; and to provide for related matters.

HOUSE BILL NO. 815—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5681(A) and (D), relative to prescription; to provide time periods for setting aside the sale of certain immovable property; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 839—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 32:361.2(D) and 361.3(C), relative to the tinting of motor vehicle windows; to prohibit holders of security and medical exemptions from tinting the area below the top six inches of the windshield; and to provide for related matters.

HOUSE BILL NO. 863—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5682, relative to power of attorney; to provide for prescription of actions to set aside a document or instrument on the ground that a power of attorney was unauthorized or invalid; to provide for prescription of actions involving documents recorded prior to August 15, 2008; and to provide for related matters.

HOUSE BILL NO. 910—

BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 39:1517.1, relative to state contracts; to require the reporting of certain information relating to the contract between the division of administration, office of community development, and ICF Emergency Management Services for management of The Road Home Program; to require oversight by the Legislative Audit Advisory Council; and to provide for related matters.

HOUSE BILL NO. 1008—

BY REPRESENTATIVE ABRAMSON
AN ACT

To enact R.S. 9:1149.4(C) and R.S. 32:412.1(A)(3)(y), relative to the immobilization of manufactured homes; to require the filing of the recorded act of immobilization with the secretary of the Department of Public Safety and Corrections; to require the secretary to create a public record of the filings; to provide for a filing fee; to provide for a notice of the filing; to provide for the content of the filings; to provide for prospective application; and to provide for related matters.

HOUSE BILL NO. 1043—

BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 40:1730.23(E), relative to the documentation of new residential construction being in compliance with the state uniform construction code; to provide for documentation of new residential construction as being in compliance with the building code; to provide for costs charged by a lender; and to provide for related matters.

HOUSE BILL NO. 1067—

BY REPRESENTATIVES EDWARDS AND DOWNS
AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges; to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize the filing of cancellations of mortgages and vendor's privileges; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide a limitation of liability for clerks of court and recorders of mortgages; to provide for the indemnification of persons relying on the affidavit of cancellation; and to provide for related matters.

HOUSE BILL NO. 393—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 1702(E), relative to default judgments; to provide for the confirmation of default judgments in a demand for divorce; to require certification of service; to provide for a certification by the clerk of court; and to provide for related matters.

HOUSE BILL NO. 424—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 74.4, relative to venue; to provide for venue for a suit on a promissory note; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Long 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. 139—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact Children's Code Article 415(B) and to enact Children's Code Article 415(A)(3), relative to the destruction of inactive and closed files; to provide for destruction of certain domestic relations and adoption reports and records; to provide guidelines for electronic reproduction; and to provide for related matters.

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

HOUSE BILL NO. 156—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 37:3395.1, relative to the Louisiana Real Estate Appraisers Board; to create the Peer Review Committee within the Louisiana Real Estate Appraisers Board; to provide for powers and duties of the committee; to provide for reimbursement of expenses and mileage; to provide for exclusion from liability or damages; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 393—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 1702(E), relative to default judgments; to provide for the confirmation of default judgments in a demand for divorce; to require certification of service; to provide for a certification by the clerk of court; and to provide for related matters.

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

HOUSE BILL NO. 424—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 74.4, relative to venue; to provide for venue for a suit on a promissory note; and to provide for related matters.

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

HOUSE BILL NO. 445—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:2193, relative to tax sales; to provide that the listing of property in the name of the tax sale purchaser shall occur in the same manner as the listing of non-tax sale properties; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 579—

BY REPRESENTATIVES JANE SMITH AND GREENE
AN ACT

To amend and reenact R.S. 47:1621(H) and to enact R.S. 47:1621(D)(3), relative to refunds of overpayment; to provide for a time limit for certain refunds; to require the secretary to report any refunds which were not timely paid; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 590—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 34:1708(A), relative to the St. Bernard Port, Harbor, and Terminal District; to provide relative to the authority of the board of commissioners to acquire certain property; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 768—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 2293(D), relative to notice of seizure in judgment debtor cases; to delete provisions requiring the automatic cancellation of the notice of seizure of property; to provide that a notice of seizure shall prescribe ten years after the date of recordation; to authorize a method of reinscription; and to provide for related matters.

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

HOUSE BILL NO. 815—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5681(A) and (D), relative to prescription; to provide time periods for setting aside the sale of certain immovable property; to provide exceptions; and to provide for related matters.

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

HOUSE BILL NO. 839—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 32:361.2(D) and 361.3(C), relative to the tinting of motor vehicle windows; to prohibit holders of security and medical exemptions from tinting the area below the top six inches of the windshield; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 863—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5682, relative to power of attorney; to provide for prescription of actions to set aside a document or instrument on the ground that a power of attorney was unauthorized or invalid; to provide for prescription of actions involving documents recorded prior to August 15, 2008; and to provide for related matters.

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

April 21, 2008

HOUSE BILL NO. 910—
BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 39:1517.1, relative to state contracts; to require the reporting of certain information relating to the contract between the division of administration, office of community development, and ICF Emergency Management Services for management of The Road Home Program; to require oversight by the Legislative Audit Advisory Council; and to provide for related matters.

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

HOUSE BILL NO. 1008—
BY REPRESENTATIVE ABRAMSON
AN ACT

To enact R.S. 9:1149.4(C) and R.S. 32:412.1(A)(3)(y), relative to the immobilization of manufactured homes; to require the filing of the recorded act of immobilization with the secretary of the Department of Public Safety and Corrections; to require the secretary to create a public record of the filings; to provide for a filing fee; to provide for a notice of the filing; to provide for the content of the filings; to provide for prospective application; and to provide for related matters.

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

HOUSE BILL NO. 1043—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 40:1730.23(E), relative to the documentation of new residential construction being in compliance with the state uniform construction code; to provide for documentation of new residential construction as being in compliance with the building code; to provide for costs charged by a lender; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1067—
BY REPRESENTATIVES EDWARDS AND DOWNS
AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges; to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize the filing of cancellations of mortgages and vendor's privileges; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide a limitation of liability for clerks of court and recorders of mortgages; to provide for the indemnification of persons relying on the affidavit of cancellation; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

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

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

HOUSE BILL NO. 370—
BY REPRESENTATIVES HENRY, AUSTIN BADON, BOBBY BADON, BARRAS, BARROW, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, EDWARDS, ELLINGTON, FANNIN, GEYMANN, GREENE, GUINN, HARRISON, HAZEL, HINES, HOFFMANN, HOWARD, HUTTER, JOHNSON, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LIGL LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, GARY

SMITH, JANE SMITH, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS DONAHUE, MARTINY, MICHOT, MORRISH, NEVERS, AND SCALISE

AN ACT

To enact R.S. 40:1299.36, relative to human cloning; to prohibit the expenditure of public funding for the purpose of human cloning; to provide for exceptions; to provide for an effective date; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

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

Senator Robert M. Marionneaux, Jr., Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 21, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 87—
BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 47:32(A), relative to individual income tax; to provide for a reduction of rates and brackets; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 542—
BY SENATOR SMITH
AN ACT

To enact R.S. 47:302.5(E)(5) and 302.54, relative to the dispositions of certain collections in Vernon Parish; to create the Vernon Parish Legislative Improvement Fund No. 2 as a special fund in the state treasury; to provide for the deposit of and use of monies in the fund; to provide for the transfer of certain funds; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 591—
BY SENATOR ADLEY
AN ACT

To enact R.S. 39:1405.4, relative to the State Bond Commission; to require certain issuers of bonds to report the costs of issuance to the State Bond Commission; to provide for the contents of the costs of issuance reports; to provide for the report to be filed with the issuer; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

**REPORT OF COMMITTEE ON
FINANCE**

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

April 21, 2008

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR SCALISE

A CONCURRENT RESOLUTION

To direct ICF International, Road Home contractor, to seek and obtain approval of the Joint Legislative Committee on the Budget prior to the implementation of any plan or the granting of any contract to recoup Road Home grant monies from any source.

Reported with amendments.

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; to provide for employment of two or more legislative assistants or constituent services managers and provide for their compensation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 287—

BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY, GRAY AND NEVERS

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 favorably.

SENATE BILL NO. 541—

BY SENATOR SMITH

AN ACT

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

Reported favorably.

SENATE BILL NO. 598—

BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 39:33.1(B), relative to the expenditure of state funds; to provide for determination of the expenditure limit; to provide for the factors and method of calculation of the expenditure limit; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 601—

BY SENATOR MICHOT

AN ACT

To enact Subpart P of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71 through 100.77, relative to special treasury funds; to create the Post Employment Benefits Trust Fund as a special permanent trust in the state treasury; to establish sources of funding for the trust; to provide for the deposit, investment, and use of monies in the fund; to establish the Board of Trustees of the Post Employment Benefits Trust Fund; to provide for the

composition and powers, duties, and functions of the board; to provide for reports; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1116—

BY REPRESENTATIVES ELLINGTON AND MORRIS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2007-2008 to the Department of Agriculture and Forestry for boll weevil eradication; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 21—

BY SENATOR GRAY

A RESOLUTION

To create a task force to study and make recommendations to the legislature on the future use of the former charity hospital facility in New Orleans.

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

SENATE RESOLUTION NO. 22—

BY SENATOR GRAY

A RESOLUTION

To commend Pastor Emanuel Smith, Jr., upon his many years of service and leadership to his community.

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

SENATE RESOLUTION NO. 23—

BY SENATOR GRAY

A RESOLUTION

To commend and congratulate Dr. Willie Gable, Jr., pastor of the Progressive Baptist Church of New Orleans on the joyous occasion of his twentieth anniversary of service to the church family.

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

SENATE RESOLUTION NO. 24—

BY SENATOR SHAW

A RESOLUTION

To urge and request the President of the United States of America, the Honorable George W. Bush, to speak to a joint session of the Louisiana Legislature on April 22, 2008.

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

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS

April 21, 2008

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATORS NEVERS, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
A CONCURRENT RESOLUTION
To express the support of the Legislature of Louisiana, for and to urge and request continued participation in the America's Legislators Back to School Program, sponsored by the National Conference of State Legislatures.

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR QUINN
A CONCURRENT RESOLUTION
To designate October of each year as Cochlear Implant Awareness Month in support of raising awareness of an implantable hearing solution for individuals with severe hearing loss.

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION
To recognize and designate the third full week of September in each year as Mitochondrial Disease Awareness Week.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR CROWE
A CONCURRENT RESOLUTION
To recognize April 6 through April 12, 2008, as Junior Auxiliary of Slidell Week.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR BROOME AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION
To urge and to request the city-parish government of East Baton Rouge Parish to rename the Scotlandville Fire Station in honor of former district fire chief, Leffie B. Barnes.

SENATE CONCURRENT RESOLUTION NO. 11—
BY SENATOR LONG AND REPRESENTATIVE HOWARD
A CONCURRENT RESOLUTION
To commend retired Brigadier General James Kenneth Corley of the Louisiana Army National Guard, upon his induction into the Sabine Parish Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To commend and support the efforts of the cancer program of Our Lady of the Lake and Mary Bird Perkins Cancer Center as it celebrates National Minority Cancer Awareness Week through the provision of free cancer screening and education and awareness programs to minority populations.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To proclaim April 16, 2008, as Junior League of Louisiana Day.

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To designate May 12, 2008, as "Obesity Awareness Day" at the legislature.

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATORS NEVERS AND WALSWORTH AND REPRESENTATIVES HOFFMANN AND RITCHIE
A CONCURRENT RESOLUTION
To honor and commend Dr. James Stafford for his many years of dedicated and distinguished service and his notable accomplishments and contributions to Louisiana's educational system upon the occasion of his retirement from the State Board of Elementary and Secondary Education.

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To designate April 26 through May 4, 2008, as National Safe Kids Week throughout the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION
To highly and sincerely commend Leslie R. Jacobs for her service, dedication, and commitment to educational excellence and to developing and sustaining a high quality educational system that will afford every child in Louisiana the opportunity to learn and achieve at the highest possible level.

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR CHAISSON
A CONCURRENT RESOLUTION
To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2008, as the tenth annual PAISA Day in the state of Louisiana.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

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 21, 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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 3—

BY SENATOR LAFLEUR

A RESOLUTION

To commend and congratulate Matthew Paul Pavy of Boy Scouts of America Troop 165 upon achieving the rank of Eagle Scout.

SENATE RESOLUTION NO. 4—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of former state representative, Eddie A. Doucet.

SENATE RESOLUTION NO. 5—

BY SENATOR HEITMEIER

A RESOLUTION

To commend and to congratulate the Old Algiers Main Street Corporation on its efforts to preserve jazz music's, history, and culture through its presentation of the fourth annual Old Algiers RiverFest.

SENATE RESOLUTION NO. 7—

BY SENATOR DUPLESSIS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of John Henry "Daddy Baker" Baker, Jr.

SENATE RESOLUTION NO. 8—

BY SENATOR CHAISSON

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana, upon the death of Wade Luke Ledet, Ed. D.

SENATE RESOLUTION NO. 9—

BY SENATOR MURRAY

A RESOLUTION

To commend Daughter Iris L. Moore for being installed as the forty-first Imperial Commandress of the Imperial Court.

SENATE RESOLUTION NO. 10—

BY SENATOR DONAHUE

A RESOLUTION

To commend and congratulate Sean Phillip Brown on being selected as Louisiana's 2007 Outstanding Eagle Scout.

SENATE RESOLUTION NO. 11—

BY SENATOR MURRAY

A RESOLUTION

To commend and congratulate John P. Metzler upon achieving the rank of Eagle Scout.

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.

SENATE RESOLUTION NO. 13—

BY SENATOR SMITH

A RESOLUTION

To recognize DeRidder, Louisiana, as a site for the "Moving Wall" in 2008.

SENATE RESOLUTION NO. 14—

BY SENATOR BROOME

A RESOLUTION

To commend the J. K. Haynes Elementary Charter School on its tenth year anniversary.

SENATE RESOLUTION NO. 15—

BY SENATORS ADLEY, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPRE, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To commend and congratulate Major General (ret.) Ansel M. Stroud, Jr., of the Louisiana National Guard on his contributions of military professionalism, leadership, and service that he has bestowed upon the citizens of the state of Louisiana and of the United States of America.

SENATE RESOLUTION NO. 16—

BY SENATOR GRAY

A RESOLUTION

To commend the National Bar Association Commercial Law Section for contributions to rebuild three homes in New Orleans.

SENATE RESOLUTION NO. 17—

BY SENATOR MICHOT

A RESOLUTION

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

SENATE RESOLUTION NO. 18—

BY SENATOR MURRAY

A RESOLUTION

To commend the First Academy Early Learning Center located at First Baptist Church in New Orleans on the grand opening of a full-time daycare service.

SENATE RESOLUTION NO. 19—

BY SENATOR GRAY

A RESOLUTION

To commend the Living Hope Baptist Church in College Station, Texas for the work performed at Pleasant Hill Baptist Church in New Orleans.

SENATE RESOLUTION NO. 20—

BY SENATOR CASSIDY

A RESOLUTION

To designate April 16, 2008, as YMCA Day in Louisiana.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 17, 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:

April 21, 2008

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE MICKEY GUILLORY
A CONCURRENT RESOLUTION

To urge and request the state health officer of the Department of Health and Hospitals to amend Part XIV (Plumbing) of the state sanitary code to require privacy partitions between urinals in male restrooms consistent with the International Plumbing Code.

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION

To recognize September 2008 as Parent Teacher Association Month in Louisiana, to commend those involved in their schools and communities, and to encourage school and community participation.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To commend Don Gomez of Houma for a prolific and highly distinguished career in the fine art of wood sculpting and to recognize his outstanding contributions to the arts in Louisiana and his dedication to capturing the beauty of Louisiana's birds through his masterful representations.

HOUSE CONCURRENT RESOLUTION NO. 55—
BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To recognize each March as Childhood Illness Awareness Month and to encourage parents, caregivers, and legal guardians to set aside the period of March twentieth through March thirty-first of each year to pay special attention to children's health by scheduling their annual physical and dental examinations, ensuring that their immunizations are up to date, and having them screened for childhood illnesses.

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVES HONEY AND PETERSON
A CONCURRENT RESOLUTION

To recognize April 16, 2008, as YMCA Day in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To urge and request the secretary of state's voter outreach division to strengthen its efforts relative to voter education and promoting and facilitating voter registration throughout the state.

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.

ATTENDANCE ROLL CALL

PRESENT

| | | |
|---------------|-------------|----------|
| Mr. President | Erdey | Michot |
| Adley | Gautreaux B | Morrish |
| Alario | Gautreaux N | Mount |
| Amedee | Gray | Murray |
| Broome | Hebert | Nevers |
| Cassidy | Heitmeier | Quinn |
| Cheek | Jackson | Riser |
| Cravins | Kostelka | Scalise |
| Crowe | LaFleur | Shaw |
| Donahue | Long | Shepherd |

Dorsey
Duplessis
Dupre
Total - 39

Marionneaux
Martiny
McPherson

Smith
Thompson
Walsworth

ABSENT

Total - 0

Adjournment

Senator Broome moved that the Senate adjourn until Tuesday, April 22, 2008, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Tuesday, April 22, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk