

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

TWENTY-SECOND 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

Tuesday, May 6, 2008

The Senate was called to order at 2:05 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	Duplessis	Morrish
Adley	Erdey	Murray
Alario	Gautreaux B	Nevers
Broome	Gray	Shaw
Cheek	Heitmeier	Shepherd
Cravins	Jackson	Smith
Crowe	Long	Walsworth
Donahue	Martiny	
Dorsey	Michot	
Total - 25		

ABSENT

Amedee	Kostelka	Quinn
Cassidy	LaFleur	Riser
Dupre	Marionneaux	Thompson
Gautreaux N	McPherson	
Hebert	Mount	
Total - 13		

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

Prayer

The prayer was offered by Pastor Brian Kershaw, 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 Cheek, the reading of the Journal was dispensed with and the Journal of May 5, 2008, was adopted.

Messages from the House

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

**Message from the House
CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 5, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend United States Marine Corps Major Kevin R. Scott for being awarded the Bronze Star Medal for his brave and outstanding service in the Global War on Terrorism.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Judy Lirette.

Reported without amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 53—

BY SENATOR CASSIDY

A RESOLUTION

To commend the efforts of the American Heart Association, the Louisiana Association for Health, Physical Education, Recreation and Dance, the Louisiana Council on Obesity Prevention and Management, the Louisiana Dietetic Association, and the Louisiana Governor's Council on physical Fitness and Sports and to recognize May 6, 2008, as "Legislative Wellness Day" at the Louisiana Senate.

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

SENATE RESOLUTION NO. 54—

BY SENATOR SMITH

A RESOLUTION

To acknowledge the class of Ashton Grace Montessori Elementary School students on its visit to the state capitol on Wednesday, May 7, 2008.

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

SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend Dr. E. Joseph Savoie for his exemplary service and leadership as Louisiana's Commissioner of Higher Education and to extend sincere congratulations upon his selection to serve as president of the University of Louisiana at Lafayette.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrish
Adley	Erdey	Murray
Alario	Gautreaux B	Nevers
Broome	Gray	Quinn
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Long	Smith
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 28		

NAYS

Total - 0

ABSENT

Amedee	Kostelka	Riser
Cassidy	LaFleur	Thompson
Gautreaux N	Marionneaux	
Hebert	Mount	
Total - 10		

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

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the Board of Regents to collaborate and develop a fair and equitable funding mechanism for students who are dually enrolled in a public secondary school and in a university, college, community college, or technical college.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux B	Murray
Broome	Gray	Nevers
Cheek	Heitmeier	Quinn
Cravins	Jackson	Shaw
Crowe	Kostelka	Shepherd
Donahue	Long	Smith
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 29		

NAYS

Total - 0

ABSENT

Amedee	Hebert	Mount
Cassidy	LaFleur	Riser
Gautreaux N	Marionneaux	Thompson
Total - 9		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 5, 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. 495—

BY REPRESENTATIVES LOPINTO, BILLIOT, CONNICK, LABRUZZO, LIGI, TALBOT, AND WOOTON AND SENATORS ALARIO, MARTINY, AND QUINN

AN ACT

To amend and reenact R.S. 29:723(3.1) and to enact R.S. 29:723(3.2), (3.3), and (3.4) and 730.3, relative to providing for evacuations and curfews during a disaster or state of emergency; to provide for definitions for voluntary, mandatory, and forced evacuations, and for essential or critical workforce; to authorize a parish president to issue evacuation orders; to authorize the governor to order evacuations; to provide for exceptions to a mandatory evacuation order; to authorize the forcible removal or arrest of persons in violation; to authorize the implementation of curfews; to authorize the regulation of assembly and sale of specific items; to provide for the lifting of the evacuation order; and to provide for related matters.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:444(B)(3) and (C), relative to the Louisiana State Employees' Retirement System; to provide relative to the computation of retirement benefits; to provide for adjustments to retirement benefits commencing prior to age sixty-two; to provide for an exception to the adjustment of benefits for persons providing police protection, firefighting services, and emergency medical services; to provide for the adjustment of retirement benefits commencing after age sixty-five; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1165—

BY REPRESENTATIVES HONEY, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BURFORD, HENRY BURNS, BURRELL, CHANEY, DIXON, DOWNS, EDWARDS, GALLOT, GISCLAIR, GREENE, HARRISON, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, MONTUCET, MORRELL, MORRIS, NORTON, PERRY, PUGH, RICHARD, RICHARDSON, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, AND WILLIAMS AND SENATOR SCALISE

AN ACT

To amend and reenact R.S. 23:1474(I), 1592(E), and 1595(A) and to enact R.S. 23:1536(E)(4), relative to unemployment compensation weekly benefit amounts; to provide with respect to the unemployment trust fund balance; to provide for an increase in the weekly benefit amount paid; to provide for the duration of benefits; to provide for a reduction in contributions; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Quinn 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. 495— BY REPRESENTATIVES LOPINTO, BILLIOT, CONNICK, LABRUZZO, LIGI, TALBOT, AND WOOTON AND SENATORS ALARIO, MARTINY, AND QUINN

AN ACT

To amend and reenact R.S. 29:723(3.1) and to enact R.S. 29:723(3.2), (3.3), and (3.4) and 730.3, relative to providing for evacuations and curfews during a disaster or state of emergency; to provide for definitions for voluntary, mandatory, and forced evacuations, and for essential or critical workforce; to authorize a parish president to issue evacuation orders; to authorize the governor to order evacuations; to provide for exceptions to a mandatory evacuation order; to authorize the forcible removal or arrest of persons in violation; to authorize the implementation of curfews; to authorize the regulation of assembly and sale of specific items; to provide for the lifting of the evacuation order; 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. 1078— BY REPRESENTATIVE ROBIDEAUX AN ACT

To amend and reenact R.S. 11:444(B)(3) and (C), relative to the Louisiana State Employees' Retirement System; to provide relative to the computation of retirement benefits; to provide for adjustments to retirement benefits commencing prior to age sixty-two; to provide for an exception to the adjustment of benefits for persons providing police protection, firefighting services, and emergency medical services; to provide for the adjustment of retirement benefits commencing after age sixty-five; 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 Retirement.

HOUSE BILL NO. 1165— BY REPRESENTATIVES HONEY, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BURFORD, HENRY BURNS, BURRELL, CHANEY, DIXON, DOWNS, EDWARDS, GALLOT, GISCLAIR, GREENE, HARRISON, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, MONToucET, MORRELL, MORRIS, NORTON, PERRY, PUGH, RICHARD, RICHARDSON, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, AND WILLIAMS AND SENATOR SCALISE

AN ACT

To amend and reenact R.S. 23:1474(I), 1592(E), and 1595(A) and to enact R.S. 23:1536(E)(4), relative to unemployment compensation weekly benefit amounts; to provide with respect to the unemployment trust fund balance; to provide for an increase in the weekly benefit amount paid; to provide for the duration of benefits; to provide for a reduction in contributions; 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.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 5, 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. 109— BY REPRESENTATIVE BALDONE A CONCURRENT RESOLUTION

To commend the states of Arkansas, Mississippi, and Tennessee for their partnership and participation on the Lower Mississippi River Sub-Basin Committee on Hypoxia and to thank them for their ongoing efforts to reduce hypoxia in the Gulf of Mexico off the coast of Louisiana.

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

Senator Broome in the Chair

House Concurrent Resolutions

Senator Dupre 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. 109— BY REPRESENTATIVE BALDONE A CONCURRENT RESOLUTION

To commend the states of Arkansas, Mississippi, and Tennessee for their partnership and participation on the Lower Mississippi River Sub-Basin Committee on Hypoxia and to thank them for their ongoing efforts to reduce hypoxia in the Gulf of Mexico off the coast of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Action (Yeas/Nays/Absent), and Name. Lists names like Mr. President, Dupre, McPherson, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Action (Yeas/Nays/Absent), and Name. Lists names like Amedee, Hebert, Thompson, etc.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

May 6, 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. 1—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:101(A)(1) and (B)(1)(a), (c), and (d) and (F)(1), 102(C), 103(A)(1) and (B)(1), 104(B), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125, to enact R.S. 39:101(F)(3) and (G), and to repeal R.S. 39:105, relative to capital outlay; to provide relative to the priority and funding of projects to be included in the capital outlay bill; to provide relative to the development, enactment, and execution of the capital outlay process; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 288—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 47:1989.1(B) and 1998.1 and to repeal R.S. 47:1835(D)(4), relative to the Louisiana Tax Commission; to limit amounts received by the tax commission from certain audits and to limit the method of employing private counsel; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 329—
BY SENATOR ADLEY

AN ACT

To enact R.S. 47:337.101, relative to the Uniform Local Sales Tax Code; to provide for the board of directors of the Louisiana Association of Tax Administrators to determine whether a rule, regulation, policy, or interpretation of local sales and use tax law, ordinance, rules, or regulations violates the requirement of uniformity of interpretation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 445—
BY SENATOR SMITH

AN ACT

To enact R.S. 47:4307, relative to the Industrial Assistance Program; to provide for refund payments to applicants; to provide for terms and conditions; to provide for time periods of processing and payment of initial refund request; to provide for notification of disallowed items on refund requests; to provide for time periods for reconsideration of refund requests; to provide for interest paid to applicant for failure to timely process rebate request; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 527—
BY SENATORS MARIONNEAUX AND MICHOT
AN ACT

To amend and reenact R.S. 39:101(A)(1) and (B)(1)(a), (c), and (d) and (F)(1), 102(C), 103(A)(1) and (B)(1), 104(B), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125, to enact R.S. 39:101(F)(3) and (G), and to repeal R.S. 39:105, relative to capital outlay; to provide relative to the priority and funding of projects to be included in the capital outlay bill; to provide relative to the development, enactment, and execution of the capital outlay process; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 6, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 410—
BY SENATOR HEBERT

AN ACT

To enact R.S. 14:329.6(H) and R.S. 29:738, relative to the powers of public officials during times of emergency or disaster; to provide that those powers do not authorize the seizure or confiscation of a firearm or weapon from any person if the firearm or weapon is being possessed or used lawfully; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 594—
BY SENATOR GRAY

AN ACT

To enact Code of Criminal Procedure Art. 800.1, relative to the duties of clerks of court; to provide with respect to the collection and reporting of statistical information relating to peremptory challenges; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 600—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 40:1379.3(C)(10), relative to statewide permits for concealed handguns; to provide for certain qualifications; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 682—
BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 15:556(2) and to repeal Chapter 3-C of Title 15 of the Louisiana Revised Statutes of 1950, to provide for the Louisiana Sexual Assault Task Force; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

SENATE BILL NO. 752—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 32:666(B) and (C), to enact R.S. 14:126.4, relative to tests for suspected drunken drivers; to provide relative to electronic signatures of officers; to provide penalties for false certification of arrest documents; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 784—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 27:323(B)(1), relative to gaming; to provide with respect to the Video Draw Poker Devices Control Law; to provide with respect to the Video Draw Poker Device Purse Supplement Fund; to provide with respect to purse supplements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 791—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 4:251.1, relative to racing; to provide with respect to horse racing; to provide for the Horsemen's Self-Help Pension Program; to provide relative to pension benefits; to provide relative to purses and purse supplements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 804—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:28(F), relative to the Louisiana Gaming Control Law; to provide for suitability; to provide for the revocation of a license or permit; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 163—
BY REPRESENTATIVES LIGI AND LEGER

AN ACT

To enact R.S. 14:56.4 and to repeal R.S. 14:59(A)(10), relative to damage to property; to create the crime of criminal damage to property by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
AGRICULTURE, FORESTRY,
AQUACULTURE, AND RURAL DEVELOPMENT**

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

May 6, 2008

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

SENATE BILL NO. 783—
BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 3:2364(F), relative to the Louisiana Animal Welfare Commission; to provide relative to powers of the chairman of the commission; to permit the chairman to appoint an agent to obtain records and inspect facilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 798—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3410.1(B), (C), and (D) and 3411(F), (G), (H), (I), and (J) and R.S. 9:4770(A) and 5021 and to enact R.S. 3:3410.1(E) and 3411(K) and (L), relative to grain dealer licenses; to provide for surety bond requirements; to provide for a formula in determining the amount of the surety bond; to provide relative to the self-insurance fund; to provide relative to privileges for producers of agricultural and dairy products; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 801—
BY REPRESENTATIVE ANDERS

AN ACT

To enact R.S. 3:3414(C), relative to contracts for the sale of grain; to provide for oral contracts or agreements as written evidence; to provide for confirmation notification of a sale; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. THOMPSON
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

Senator Troy Hebert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 6, 2008

To the President and Members of the Senate:

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

May 6, 2008

SENATE BILL NO. 383—
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:2159, relative to landfill sites in certain parishes; to provide for certain restrictions and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 384—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2054(B)(2)(b)(ix), relative to the powers and duties of the secretary of the Department of Environmental Quality; to provide for record keeping requirements for certain persons who discharge toxic air pollutants into the atmosphere of Louisiana; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 754—
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:4(K) and 4.1(K), and R.S. 38:3097.3(E), relative to uses of ground water; to provide for the powers and duties of the assistant secretary and the commissioner of conservation; to prohibit certain uses of ground water; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TROY HEBERT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 6, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 139—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 20:1(A)(2), relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 220—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:374(E), relative to divorce; to provide relative to possession and use of the family residence or community movables or immovables; to provide terms, conditions, procedures, and requirements, and to provide for related matters.

Reported favorably.

SENATE BILL NO. 308—
BY SENATOR DONAHUE

AN ACT

To amend and reenact Code of Civil Procedure Art. 1425(C) and to enact Code of Civil Procedure Art. 1425(F), relative to discovery and experts; to extend the deadline for filing expert witness disclosures; to provide for a pre-trial hearing regarding the qualifications and admissibility of testimony of an expert witness; to provide procedures for conducting the hearing and appealing the decision of the judge; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

SENATE BILL NO. 758—
BY SENATOR BROOME

AN ACT

To amend and reenact Children's Code Articles 1245 and 1255(A) and to enact Children's Code Articles 1243.3, 1245.1, 1248.1, and 1256(E), relative to intrafamily adoptions; to provide for a burden of proof; to provide for the appointment of counsel; to provide for notice of rights of natural parent; to provide for the terms and effects of a final decree; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 781—
BY SENATOR JACKSON

AN ACT

To enact Children's Code Art. 554, relative to legal representation of children; to provide with respect to multi-disciplinary interaction of an attorney representing a child in a child abuse and neglect case, together with other professionals involved with the child; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JULIE QUINN
Chairman

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

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

SENATE BILL NO. 2—
BY SENATOR CROWE

AN ACT

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

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 2 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 13, delete "except those" and insert "except those"

AMENDMENT NO. 2

On page 1, line 14, delete "pipelines" and insert "**pipelines in operation on May 1, 2008**"

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

SENATE BILL NO. 78—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 11:1530(A)(3), relative to the Clerks' of Court Retirement and Relief Fund; to provide for eligibility to participate in the Deferred Retirement Option Plan; to make such eligibility concurrent with eligibility for retirement; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 120—

BY SENATOR B. GAUTREAU

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

SENATE BILL NO. 147—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:441(B), relative to Lawrason Act municipalities; to authorize the board of alderman, upon the mayor's request, to appoint one or more magistrates and one or more prosecutors for the mayor's court; and to provide for related matters.

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

SENATE BILL NO. 181—

BY SENATOR CASSIDY

AN ACT

To amend and reenact R.S. 11:106(A) and (B) and 107, relative to employer contribution rates of statewide public retirement systems; to authorize the boards of trustees of certain systems to require payment of additional employer contributions; to provide for conditions for requiring such additional contributions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 195—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 11:1522 and to repeal R.S. 11:201, relative to the Clerks' of Court Retirement and Relief Fund; to provide relative to disability benefits for members of such fund; to provide for eligibility for and calculation of such benefits; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 212—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 42:1123(20) and to repeal Chapter 5 of Title 2 of the Louisiana Revised Statutes of 1950, comprised of R.S. 2:650 through 661; to abolish the Louisiana Airport Authority; to provide for the transfer of all property; and to provide for related matters.

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

SENATE BILL NO. 291—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 33:9039.1 and 9039.2(A), relative to the East Florida Parishes Retirement District; to provide for the name of such district; to change the name of the district; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 291 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 2, between "reenact" and "R.S. 33:9039.1" insert "the title of Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950 and"

AMENDMENT NO. 2

On page 1, line 7, between "Section 1." and "R.S. 33:9039.1" insert "The title of Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950 and"

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

SENATE BILL NO. 292—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2791.1, relative to access on navigable waters; to allow access to the ordinary high stage of navigable waters for the purposes of certain recreational activities; to provide definitions, terms, and conditions; to provide relative to liability; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 292 by Senator McPherson

May 6, 2008

AMENDMENT NO. 1

On page 1, line 3, delete "ordinary high stage" and insert "overflow waters" and delete "recreational"

AMENDMENT NO. 2

On page 1, delete line 9, and insert

"A. When the waters from a state-claimed navigable waterway overflows its bank or shore, a person shall have access by boat to such overflow"

AMENDMENT NO. 3

On page 1, at the end of line 10, insert "A person shall have access to the ordinary high stage of navigable waters in the Atchafalaya Basin for the purpose of commercial fishing."

AMENDMENT NO. 4

On page 1, after line 15, insert

"D. The provisions of this Section shall not apply to private marshlands that are inundated with high tides, or to private canals inundated with overflow waters from a state-claimed navigable waterway."

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

SENATE BILL NO. 349—

BY SENATOR DUPRE

AN ACT

To enact R.S. 31:149(I) and R.S. 41:1702(K), relative to lands acquired by the state or political subdivision; to provide relative to mineral rights; to provide for the reservation of mineral rights under certain circumstances; to provide terms, conditions, procedures, and requirements; to provide certain exceptions; to provide relative to certain agreements and certain mineral agreements; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 349 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete line 2 and insert

"To amend and reenact R.S. 41:1702(D)(2)(a)(i) and (e) and (f) and to enact R.S. 31:149(I) and R.S. 41:1702(D)(2)(g) and (K), relative to lands acquired by the state or"

AMENDMENT NO. 2

On page 1, delete lines 13 through 17

AMENDMENT NO. 3

On page 2, delete lines 1 through 8

AMENDMENT NO. 4

On page 2, line 9, change "(2)" to "I.(1)" and after "property" insert "lying in a parish where any portion of the parish is in the coastal zone and consisting of at least five hundred acres"

AMENDMENT NO. 5

On page 2, line 10, delete "pursuant to Paragraph (1)"

AMENDMENT NO. 6

On page 2, line 11, delete "governor" and insert "state, acting through the governor,"

AMENDMENT NO. 7

On page 2, line 12, change "transferring person" to "donor"

AMENDMENT NO. 8

On page 2, line 13, delete "other minerals" and insert "other hydrocarbons" and delete the remainder of the line

AMENDMENT NO. 9

On page 2, delete line 14

AMENDMENT NO. 10

On page 2, line 15, delete "reserved mineral rights"

AMENDMENT NO. 11

On page 2, line 17, change "transferring person" to "donor"

AMENDMENT NO. 12

On page 2, between lines 19 and 20, insert

"(2) An apportionment agreement shall require the concurrence of the Attorney General, the Coastal Protection and Restoration Authority, the Department of Natural Resources, the State Land Office, and the department or political subdivision receiving or managing the property.

(3) An apportionment agreement shall provide that the donor of the property shall pay to the political subdivision or parish governing authority a certain amount in lieu of taxes previously paid by the donor upon the property, which amount shall be not less than the amount of taxes previously paid by the donor, and shall include an amount to be adjusted for inflation in accordance with the Consumer Price Index. The amount and duration of the payments shall be determined by the parties with the approval of the political subdivision or parish governing authority."

AMENDMENT NO. 13

On page 2, delete line 20 and insert

"Section 2. R.S. 41:1702(D)(2)(a)(i) and (e) and (f) are hereby amended and reenacted and R.S. 41:1702(D)(2)(g) and (K) are hereby enacted to read as follows:"

AMENDMENT NO. 14

On page 2, between lines 23 and 24, insert

"D. In all cases in which a definitive boundary may be arrived at by mutual consent or through the procedures applicable to contested boundaries, the administrator of the State Land Office, as provided in Paragraph (D)(1) of this Section, or the secretary of the Department of Natural Resources, as provided in Paragraph (D)(2) of this Section, may allow reclamation.

(1) * * *
(2)(a) (i) To facilitate the development, design, and implementation of coastal conservation, restoration and protection plans and projects, including hurricane protection and flood control, pursuant to R.S. 49:214.1 et seq., the secretary of the Department of Natural Resources may enter into agreements with owners of land within the coastal zone contiguous to and abutting navigable water bottoms belonging to the state who have the right to reclaim or recover such land, including all oil and gas mineral rights, as provided in Subsection B of this Section, which agreements may establish in such owner and his heirs, successors or assigns the perpetual, transferrable ownership of all subsurface mineral rights to the then existing coast or shore line along lakes, bays, the sea and arms of the sea and to the then existing bank line along rivers and streams in exchange for the owner's agreement to permit the land to be used by the state, its agents, consultants and contractors to facilitate the development, design and implementation of coastal conservation, restoration, protection or management plans and projects, including hurricane protection and flood control, to the extent deemed reasonably necessary by the secretary. Such agreements may also provide for a limited or perpetual alienation or transfer, in whole or in part, to such owner of subsurface mineral rights owned by the state relating to the emergent submerged lands that emerge from water bottoms that are subject to such owner's right of reclamation in exchange for the owner's compromise of his ownership and reclamation rights within such area and for such time as the secretary deems appropriate and in further exchange for the owner's agreement to allow his existing property to be utilized in connection with the project to the extent deemed permit the land to be used by the state, its agents, consultants and contractors to facilitate the development, design and implementation of coastal conservation, restoration, protection or management plans and projects, including

hurricane protection and flood control, to the extent deemed reasonably necessary by the secretary. Changes in the location of the shore line subsequent to agreements authorized under this Section shall have no effect on the mineral rights established in the owner pursuant to such agreements. The agreements authorized under this Section may encompass such lands within the coastal zone which the secretary determines are reasonably necessary to facilitate the development, design and implementation of coastal conservation, restoration, protection or management plans and projects, including hurricane protection and flood control, based upon the long term goals and objectives incorporated in the state's comprehensive coastal restoration, protection and conservation plans, as provided under Act 8 of the First Extraordinary Session of 2005, as modified from time to time and shall not be limited to lands currently required for a particular project.

(e) As used in this Section, the term "emergent land" shall mean land that emerges from a public water bottom to an elevation sufficient to support emergent vegetation, except that in the case of the seaward side of a barrier island the minimum elevation required shall be the lowest elevation sufficient to support emergent vegetation on the landward side of such island. However, no land which lies below the elevation of ordinary low water shall be considered emergent land.

(f) The Department of Natural Resources shall provide an owner granted subsurface mineral rights pursuant to this Paragraph, recordable evidence of the rights transferred, which documents shall include an adequate legal description of the area subject to such owners' rights and a plat thereof. The owner shall be responsible for filing any such document in the conveyance records of the parish in which such property is located, which filing shall be public notice thereof.

(f) Land acquired from any person by an "acquiring authority," as defined in R.S. 31:149, shall not be conveyed or transferred except to another acquiring authority or to the original transferor, his heirs, successors or assigns, and any act purporting to convey the land to a third party who is not an acquiring authority or the original transferor, his heirs, successors or assigns shall be null and void and without legal effect.

(g) In the event land is acquired by a "qualified conservation organization," as defined in R.S. 31:149, and as further defined in the rules and regulations adopted in accordance with the Administrative Procedures Act by the Department of Natural Resources, the subsequent disqualification or decertification of the qualified conservation organization by the secretary pursuant to such rules and regulations shall have no effect on the mineral rights established in the owner pursuant to agreements authorized under this Section.

AMENDMENT NO. 15
On page 2, delete lines 24 through 29

AMENDMENT NO. 16
On page 3, delete lines 1 through 7

AMENDMENT NO. 17
On page 3, line 8, change "(2)" to "K. (1)" and after "property" insert "lying in a parish where any portion of the parish is in the coastal zone and consisting of at least five hundred acres"

AMENDMENT NO. 18
On page 3, line 9, delete "pursuant to Paragraph (1)"

AMENDMENT NO. 19
On page 3, line 10, delete "governor" and insert "state, acting through the governor,"

AMENDMENT NO. 20
On page 3, line 11, change "transferring person" to "donor"

AMENDMENT NO. 21
On page 3, line 12, delete "other minerals" and insert "other hydrocarbons" and delete the remainder of the line

AMENDMENT NO. 22
On page 3, delete line 13

AMENDMENT NO. 23
On page 3, line 14, delete "reserved mineral rights"

AMENDMENT NO. 24
On page 3, line 16, change "transferring person" to "donor"

AMENDMENT NO. 25
On page 3, between lines 18 and 19, insert "(2) An apportionment agreement shall require the concurrence of the attorney general, the Coastal Protection and Restoration Authority, the Department of Natural Resources, the State Land Office, and the department or political subdivision receiving or managing the property."

(3) An apportionment agreement shall provide that the donor of the property shall pay to the political subdivision or parish governing authority a certain amount in lieu of taxes previously paid by the donor upon the property, which amount shall be not less than the amount of taxes previously paid by the donor, and shall include an amount to be adjusted for inflation in accordance with the Consumer Price Index. The amount and duration of the payments shall be determined by the parties with the approval of the political subdivision or parish governing authority.

AMENDMENT NO. 26
On page 3, line 19, change "Section 1" to "this Act"

AMENDMENT NO. 27
On page 3, delete lines 24 through 27

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

SENATE BILL NO. 366—
BY SENATOR BROOME
AN ACT
To amend and reenact R.S. 17:3396.4(A), relative to the Research Park Corporation; to revise the membership of the Research Park Corporation's board of directors; and to provide for related matters.

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

SENATE BILL NO. 405—
BY SENATORS BROOME, DORSEY, DUPLESSIS, GRAY, LONG AND NEVERS
AN ACT
To enact Chapter 20 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1371 through 1374, to establish the Financial Literacy and Education Commission; to provide for purpose; to provide for membership; to provide for powers and duties; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 405 by Senator Broome

AMENDMENT NO. 1
On page 1, line 3, change "1374" to "1375"

May 6, 2008

AMENDMENT NO. 2

On page 1, line 5, between "duties;" and "and" insert "to provide for funding and effectiveness;"

AMENDMENT NO. 3

On page 1, line 8, change "1374" to "1375"

AMENDMENT NO. 4

On page 2, line 20, change "chosen" to "selected"

AMENDMENT NO. 5

On page 3, line 1, after "no later than" delete the remainder of the line and on line 2, delete "Chapter." and insert "October 15, 2008."

AMENDMENT NO. 6

On page 4, line 6, between "financial" and "and" insert "literacy"

AMENDMENT NO. 7

On page 4, after line 20, insert the following:

"(7) Appoint, employ, or contract with such employees as the commission deems necessary to carry out the functions of the commission and to fix the compensation of such individuals.

§1375. Funding; implementation

Implementation of the provisions of this Chapter shall be subject to the appropriation of funds for this purpose. In addition to funds provided by the legislature, the authority may seek and accept gifts, grants, and donations, including federal commission funds, from any available source."

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

SENATE BILL NO. 415—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 32:391(C) and to enact R.S. 32:391(D) and (E), and to enact Code of Criminal Procedure Article 211.5, relative to arrest; to provide for the issuance of a summons in certain circumstances; to require that certain criteria be satisfied; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 415 by Senator Murray

AMENDMENT NO. 1

On page 2, line 22, after "census" delete the remainder of the line, and delete lines 23 through 29, and on page 3, delete lines 1 through 5, and insert: "when a peace officer serving a subpoena, summons, or notice to appear in court for a misdemeanor traffic offense or a non-violent offense has reasonable grounds to believe that the conduct of an offender constitutes a direct contempt of court because the offender contumaciously fails to comply with such subpoena, summons, or notice to appear in court, and proof of service of the subpoena, summons, or notice appears of record, then either the court may order the offender attached and brought to court or the peace officer may issue a written citation or summons to the offender commanding him to appear and answer the direct contempt charge.

B. If an order of attachment is issued, it may be executed in any parish by the sheriff of the parish from which the attachment was issued, or by the sheriff of the parish where the offender is found."

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

SENATE BILL NO. 458—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(a), relative to membership in the Parochial Employees' Retirement System; to allow certain elected justices of the peace to elect to become system members; to allow purchase of service credit; to provide for calculation of payment for such purchase; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 458 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, line 3 between "peace" and "who" insert "in a parish with a population of between 23,350 and 23,400, based upon the latest federal decennial census."

AMENDMENT NO. 2

On page 2, line 7 after "paying" and before "an amount" insert "to the system on or before December 31, 2008."

AMENDMENT NO. 3

On page 2, line 9 after "employer" and before the period ";" insert "as defined in R.S. 11:1902"

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

SENATE BILL NO. 530—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:461.3(A) and (B), relative to the interim emergency board; to provide for agency notification; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 548—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:7(27), relative to duties and functions of the State Board of Elementary and Secondary Education; to require the board to develop a teacher exit interview system for school boards; to provide for forms and interview questions; to provide for reporting data; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 564—

BY SENATOR GRAY

AN ACT

To enact R.S. 33:9091.12, relative to the Maple Area Residents Security Tax District in Orleans Parish; to create and provide relative to such district, including provisions for the district and its board of commissioners and their powers, duties, functions and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide relative to liability of board members and officers; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 564 by Senator Gray

AMENDMENT NO. 1

On page 2, line 4, after "to" insert "the middle of"

AMENDMENT NO. 2

On page 5, line 8, after "flat fee" delete the remainder of the line, delete lines 9 through 11 and insert the following: "not to exceed:

(a) Four hundred dollars per parcel per year for each residential or commercial structure.

(b) Two hundred dollars per parcel per year for each unit in a condominium, or in a residential or commercial structure with three or more units.

(c) This fee shall be imposed starting in calendar year 2009, provided that the maximum shall be increased by twenty-five dollars per year for each calendar year after 2009."

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

SENATE BILL NO. 592—

BY SENATOR RISER

AN ACT

To enact R.S. 48:390(G), relative to railroads; to require a railroad corporation to make and keep in good repair a private farm crossing when ordered by the secretary of the Department of Transportation and Development; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 592 by Senator Riser

AMENDMENT NO. 1

On page 1, line 3, change "farm" to "rural residence or agricultural" and change "secretary" to "commissioner"

AMENDMENT NO. 2

On page 1, line 4, change "Transportation and Development" to "Agriculture and Forestry"

AMENDMENT NO. 3

On page 1, at the beginning of line 11, delete "premises" and insert "land of such person"

AMENDMENT NO. 4

On page 1, at the beginning of line 12, change "secretary" to "commissioner of the Department of Agriculture and Forestry" and change "farm" to "rural residence or agricultural"

AMENDMENT NO. 5

On page 1, line 14, delete "department" and insert "Department of Agriculture and Forestry"

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

SENATE BILL NO. 674—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to authorize certain public entities to utilize the design-build method for the construction or repair of any public building or structure in certain circumstances; and to provide for related matters.

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

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.

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

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.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 711 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 2, change "repeal" to "amend and reenact" and change "remove" to "modify"

AMENDMENT NO. 2

On page 1, delete line 9, and insert: "Section 1. R.S. 32:387.17(A)(5) is hereby amended and reenacted to read as follows:

§387.17. Special permit; containerized cargo intended for export; rules and regulations; ports in Ouachita Parish

A. Provided there are no written objections raised by the Federal Highway Administration, the secretary of the Department of Transportation and Development may issue special annual permits for sealed containerized cargo in international trade intended for exportation within a fifty mile radius of the Port of Ouachita. These special permits shall be issued in accordance with the following provisions:

* * *

(5) The authority of the secretary to issue this special permit shall terminate effective July 1, 2008 2012.

* * *

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

SENATE BILL NO. 731—

BY SENATOR DUPRE

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for transfer of certain state properties in the parish of East Baton Rouge; 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 by the Committee on Natural Resources. On motion of Senator Dupre, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 732—
BY SENATOR GRAY

AN ACT

To enact Chapter 31-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1271.1 through 1271.4, relative to residential neighborhood enhancement programs; to establish the residential neighborhood enhancement program; to provide for definitions; to provide with respect to program requirements and limitations; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 732 by Senator Gray

AMENDMENT NO. 1

On page 2, line 6, after "a" and before "nonprofit" add "part of city government or a"

AMENDMENT NO. 2

On page 3, between lines 4 and 5, insert "(a) Salaries of local program managers, which may be either full-time or part-time."

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 3, line 6, change "(b)" to "(c)"

AMENDMENT NO. 5

On page 3, line 7, change "(c)" to "(d)"

AMENDMENT NO. 6

On page 3, line 8, change "(d)" to "(e)"

AMENDMENT NO. 7

On page 3, line 10, change "(e)" to "(f)"

AMENDMENT NO. 8

On page 3, line 25, delete "ten" and add "thirty"

AMENDMENT NO. 9

On page 5, line 20, delete "June 30, 2011" and add "June 30, 2013 or five years from the first year of funding, whichever occurs last,"

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

SENATE BILL NO. 734—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 33:2740.38(B) and (C)(1)(f), relative to the Shreveport Downtown Development District; to provide for the boundaries of the Shreveport Downtown Development District; to provide for the composition of the governing board; and to provide for related matters.

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

SENATE BILL NO. 737—
BY SENATOR MORRISH

AN ACT

To designate Louisiana Highway 385 as the "Wilson Anthony 'Boozoo' Chavis Memorial Highway."

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 737 by Senator Morrish

AMENDMENT NO. 1

On page 1, delete line 3 and insert: "Highway" and Louisiana Highway 82 in Cameron Parish as the "Rodney Guilbeaux Memorial Highway."

AMENDMENT NO. 2

On page 1, after line 7, insert the following:

"Section 2. Louisiana Highway 82 in Cameron Parish shall be hereinafter known and designated as the "Rodney Guilbeaux Memorial Highway." The Department of Transportation and Development shall erect appropriate signage reflecting this designation."

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

SENATE BILL NO. 744—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:302.9(H) and to enact R.S. 56:302.9(I), relative to charter boat fishing guide licensees; to require licensees to provide landing reports and information to the Department of Wildlife and Fisheries; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 763—
BY SENATOR DONAHUE

AN ACT

To authorize and provide for the transfer of certain state property; to provide for the transfer of state property in St. Tammany 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 763 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 11, after "of" and before "the" insert "unimproved land included in any of"

AMENDMENT NO. 2

On page 3, line 19, after "any" insert "portion" and after "property" insert "to the parish governing authority of St. Tammany, in exchange of consideration proportionate to the appraised value of the property. If such parish governing authority does not purchase said property, the secretary of the Department of Health and Hospitals, and the commissioner of administration shall convey all or any portion of the above parcels of property"

AMENDMENT NO. 3

On page 3, line 29, after "sale of" insert "all or any portion of"

AMENDMENT NO. 4

On page 4, delete line 1, and insert "**paid into the Department of Health and Hospitals Facility Support Fund and dedicated to the restoration, renovation, construction, or maintenance of the Southeast Louisiana Hospital.**"

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

SENATE BILL NO. 795—
BY SENATOR DUPLISSIS

AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4011 through 4026, relative to educational choice; to establish and provide for the implementation of the Student Scholarships for Educational Excellence Program; to provide for legislative findings; to provide for definitions; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education and the state Department of Education; to provide relative to eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and scholarship payments to eligible schools; to provide relative to testing; to provide for reports; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 795 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 3, change "4026," to "4025," and between "educational" and "to establish" change "choice;" to "options for parents and other legal guardians;"

AMENDMENT NO. 2

On page 1, line 14, change "4026" to "4025"

AMENDMENT NO. 3

On page 2, at the beginning of line 2, change "**Scholarship**" to "**Scholarships**"

AMENDMENT NO. 4

On page 2, at the beginning of line 12, change "**education**" to "**schools**" and between "**Louisiana**" and "**a**" change "**makes**" to "**make**"

AMENDMENT NO. 5

On page 2, line 17, between "**Louisiana's**" and "**school**" delete "**urban**"

AMENDMENT NO. 6

On page 2, at the end of line 19, delete "**urban**"

AMENDMENT NO. 7

On page 2, line 20, between "**are**" and "**academically**" delete "**currently**"

AMENDMENT NO. 8

On page 2, between lines 23 and 24, insert the following:
"**(5) Academically acceptable public schools can serve as quality alternatives for students attending low-performing public schools.**"

AMENDMENT NO. 9

On page 2, line 25, after "**indicated.**" delete the remainder of the line, delete line 26 in its entirety and insert "**the following terms shall mean:**"

AMENDMENT NO. 10

On page 2, delete lines 27 through 29 in their entirety and on page 3 delete lines 1 and 2 in their entirety, and insert the following:

"**(1) "Covered district" means a local public school system which meets all of the following criteria:**

(a) Has been found to be academically in crisis pursuant to R.S. 17:10.6.

(b) Has had schools transferred to the jurisdiction of the Recovery School District pursuant to R.S. 17:10.7.

(c) Is located in a parish with a population of at least four hundred seventy-five thousand persons according to the latest federal decennial census."

AMENDMENT NO. 11

On page 3, line 6, between "**exceed**" and "**percent**" change "**three hundred**" to "**two hundred fifty**"

AMENDMENT NO. 12

On page 3, line 7, between "**budget.**" and "**and**" insert "**is eligible to participate in the federal free and reduced cost lunch program.**"

AMENDMENT NO. 13

On page 3, line 8, after "**who**" delete the remainder of the line and delete lines 9 through 11 in their entirety and insert the following:
"**meets any one of the following criteria:**

(a) Is entering kindergarten.
(b) Was enrolled in a public school located within a covered district during the previous school year in a program eligible grade.

(c) Received a scholarship pursuant to this Chapter in the previous school year and remains otherwise eligible."

AMENDMENT NO. 14

On page 3, line 13, change "**students receiving scholarships**" to "**eligible students**"

AMENDMENT NO. 15

On page 3, delete line 14, and insert "**this Chapter or a public school located within the geographic boundaries of**"

AMENDMENT NO. 16

On page 3, at the beginning of line 15, change "**to the**" to "**a**"

AMENDMENT NO. 17

On page 3, at the beginning of line 16, change "**students receiving scholarships**" to "**eligible students**"

AMENDMENT NO. 18

On page 3, line 19, between "**awarded to**" and "**an**" insert "**a parent or other legal guardian on behalf of**"

AMENDMENT NO. 19

On page 3, at the end of line 20, change "**the program.**" to "**this Chapter.**"

AMENDMENT NO. 20

On page 3, line 23, after "**Education**" change the comma "," to a period "." and delete the remainder of the line and delete line 24 in its entirety

AMENDMENT NO. 21

On page 3, at the beginning of line 26, change "**The**" to "**In administering the program pursuant to this Chapter, the**"

AMENDMENT NO. 22

On page 3, line 28, between "**to**" and "**eligible**" insert "**parents or other legal guardians of**"

AMENDMENT NO. 23

On page 4, at the beginning of line 6, between "**(5)**" and "**scholarship**" change "**Make**" to "**Remit**"

AMENDMENT NO. 24

On page 4, at the end of line 8, change "**non-public**" to "**nonpublic**"

AMENDMENT NO. 25

On page 4, delete lines 15 and 16 in their entirety and insert the following:

"(8) For students enrolled in the program, annually verify the eligibility status of each student and notify his parent or other legal guardian of his status by not later than June thirtieth."

AMENDMENT NO. 26

On page 4, line 22, between "district" and "from" change "would have received for the eligible student" to "receives"

AMENDMENT NO. 27

On page 4, line 23, between "educating" and "student" change "the" to "a"

AMENDMENT NO. 28

On page 4, at the end of line 24, insert "**However, the amount of the scholarship provided on behalf of an eligible student enrolled in a participating school shall not exceed the amount of tuition charged to a non-scholarship student enrolled in such school.**"

AMENDMENT NO. 29

On page 4, delete lines 27 through 29 in their entirety and insert "**equivalent to special education funding provided to a covered district for such a student from federal sources. A participating**"

AMENDMENT NO. 30

On page 5, line 2, between "this" and "shall" change "program" to "Chapter"

AMENDMENT NO. 31

On page 5, line 4, between "awarded to" and "eligible" insert "parents or other legal guardians of"

AMENDMENT NO. 32

On page 5, line 10, between "eligible" and "shall" change "student, who" to "student. The parent or other legal guardian"

AMENDMENT NO. 33

On page 5, at the end of line 14, add the following:

"Payments shall be based on per pupil count dates as determined by the department. No refunds shall be made to the department or to the parent or other legal guardian if the eligible student withdraws from the program or is otherwise not enrolled prior to the next count date."

AMENDMENT NO. 34

On page 5, at the beginning of line 16, between "A." and "eligible" change "Students are" to "For the 2008-2009 academic year, students shall be"

AMENDMENT NO. 35

On page 5, line 17, between "kindergarten" and "or" delete the comma " , "

AMENDMENT NO. 36

On page 5, line 19, between "twelve" and "eligible" change "are" to "shall be"

AMENDMENT NO. 37

On page 5, line 20, between "additional" and "are" change "grades" to "grade levels"

AMENDMENT NO. 38

On page 5, line 23, between "twelve," and "Student" insert the following: "**As the 2008-2009 cohort of eligible students advances in grade level, one additional grade level of eligibility shall be added to the program, beginning in 2009-2010.**"

AMENDMENT NO. 39

On page 6, line 2, between "Chapter" and "not" change "does" to "shall"

AMENDMENT NO. 40

On page 6, line 5, between "of" and "intent" change "their" to "its"

AMENDMENT NO. 41

On page 6, at the end of line 12, delete the colon ":" and add "**meet both of the following criteria:**"

AMENDMENT NO. 42

On page 6, delete lines 18 and 19 in their entirety

AMENDMENT NO. 43

On page 6, line 23, between "a" and "school" insert "**participating**"

AMENDMENT NO. 44

On page 6, at the end of line 25, change the period "." to a comma "," and add "**and such students shall be given preference for enrollment at other participating schools.**"

AMENDMENT NO. 45

On page 6, at the beginning of line 27, change "A" to "**Each**"

AMENDMENT NO. 46

On page 6, line 28, after "days" delete the remainder of the line and at the beginning of line 29, delete "eligible student," and insert "**after the scholarship program admissions period as scheduled by the department,**"

AMENDMENT NO. 47

On page 7, at the beginning of line 2, between "(2)" and "In" insert "**Allow for open admission of eligible students without regard to qualifications in addition to the eligibility criteria set forth in this Chapter.**"

AMENDMENT NO. 48

On page 7, at the end of line 9, add the following: "**Participating schools shall notify the department of any eligible student not selected by random selection so that the department may notify those students of other participating schools with an available seat. In the event that the student not selected does not wish to enroll in another participating school, the school shall add the student to a waiting list so that he may be enrolled when a seat becomes available. Students may remain on more than one participating school's waiting list; however, upon enrolling in a participating school, their names shall be removed from waiting lists maintained by other participating schools.**"

(3) Notify the department of eligible students enrolled."

AMENDMENT NO. 49

On page 7, at the beginning of line 10, change "(3) Submit" to "(4) Submit to the department"

AMENDMENT NO. 50

On page 7, line 11, between "accountant" and the comma " , " insert "**approved by the legislative auditor**"

AMENDMENT NO. 51

On page 7, line 12, after "presents" delete the remainder of the line and at the beginning of line 13, delete "Department of Education," and insert "**the participating school's actual cost of educating a student.**"

AMENDMENT NO. 52

On page 7, at the end of line 15, insert "**Such audit shall be submitted to the legislative auditor for review and investigation of any irregularities or audit findings. The participating school shall remit back to the state any funds determined by the legislative auditor to have been expended in a manner inconsistent with state law or program regulations.**"

AMENDMENT NO. 53

On page 7, at the beginning of line 16, change "(4)" to "(5)"

AMENDMENT NO. 54

On page 7, between lines 19 and 20 insert the following:

"(6) Upon enrolling eligible students pursuant to this Chapter, allow such students to remain enrolled in the school if the school voluntarily withdraws from the program, provided that continued funding is available for the program. However, students may be expelled from the school according to the school's discipline policy or disqualified from enrollment in subsequent years if the student is no longer eligible for the program as determined by the department.

(7) Prior to enrollment, inform the parent or other legal guardian of an eligible student of any and all rules, policies, and procedures of such school, including but not limited to academic policies, disciplinary rules, and procedures of the school. Enrollment of an eligible student in a participating school constitutes acceptance of any such rules, policies, and procedures of such school."

AMENDMENT NO. 55

On page 7, line 20, after "**§4023.**" delete the remainder of the line and insert "**Testing**"

AMENDMENT NO. 56

On page 7, delete lines 21 through 29 in their entirety and on page 8, delete lines 1 through 22 in their entirety and insert "**A**"

AMENDMENT NO. 57

On page 8, line 23, between "**school**" and "**administer**" change "**may**" to "**shall**"

AMENDMENT NO. 58

On page 8, line 24, after "**in the**" delete the remainder of the line and insert "**third through twelfth grades. The participating nonpublic school shall ensure that eligible students are administered all examinations required pursuant to the Louisiana School and District Accountability System at the prescribed grade levels, including the Louisiana Educational Assessment Program (LEAP) and Graduate Exit Examinations.**"

AMENDMENT NO. 59

On page 8, at the beginning of line 25, change "**§4025.**" to "**§4024.**"

AMENDMENT NO. 60

On page 9, at the beginning of line 3, change "**§4026.**" to "**§4025.**"

AMENDMENT NO. 61

On page 9, line 5, between "**promulgate**" and "**rules**" delete "**such**" and between "**regulations**" and "**to**" change "**as are necessary**" to "**in accordance with the Administrative Procedure Act**"

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

SENATE BILL NO. 800—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 41:1217.1, relative to leases of public lands; to provide for the powers and duties of the commissioner of administration and department secretaries; to provide relative to the renewal of certain leases; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 800 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 5, after "**Fisheries**" insert "**, or to any lease entered into by the State Mineral Board**"

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

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

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

HOUSE BILL NO. 175—

BY REPRESENTATIVE MILLS

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Martin Parish from the division of administration to the adjacent landowners, and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 476—

BY REPRESENTATIVES FANNIN AND DIXON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Bienville Parish to the Department of Transportation and Development from the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

HOUSE BILL NO. 477—

BY REPRESENTATIVE DIXON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 615—

BY REPRESENTATIVE DIXON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; and to provide for related matters.

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

May 6, 2008

HOUSE BILL NO. 1046—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To authorize and provide for the transfer or lease of certain state properties located in Iberville Parish, from the state of Louisiana, division of administration, office of state lands, to the Department of Transportation and Development; and to provide for related matters.

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

HOUSE BILL NO. 1142—
BY REPRESENTATIVES ST. GERMAIN, BILLIOT, AND HENDERSON
AND SENATOR DUPRE
AN ACT

To enact R.S. 56:422(E), relative to harvest of oysters; to authorize the Wildlife and Fisheries Commission to promulgate rules and regulations that allow the operation of oyster cargo vessels; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1142 by Representative St. Germain

AMENDMENT NO. 1
On page 1, line 10, after "regulations" insert ", including emergency rules."

AMENDMENT NO. 2
On page 2, line 3, change "Violations" to "A violation"

AMENDMENT NO. 3
On page 2, delete line 4, and insert "Subsection shall be a Class Four violation."

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

Motion to Recommit

Senator Michot asked for and obtained a suspension of the rules and recommitted Senate Bill No. 776 from the Committee on Judiciary A to the Committee on Finance.

Special Order of the Day

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

SENATE BILL NO. 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(1), 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, 2191(C), 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 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.

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 Reengrossed Senate Bill No. 612 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 2, following "71," and before "," change "72" to "72(1)"

AMENDMENT NO. 2
On page 1, line 6, following "2153," change "2191, and 2192," to "and 2191,"

AMENDMENT NO. 3
On page 1, line 7, following "4(A)(6)" and before ", and 8(E)(1)," change "and (B)(1)" to "and (B)(14)"

AMENDMENT NO. 4

On page 1, line 8, following "and (D)," delete the remainder of the line and insert "309"

AMENDMENT NO. 5

On page 1, line 9, before "310(A)" delete "(D), (E), and (F)"

AMENDMENT NO. 6

On page 1, line 9, following "to enact" and before "19" change "R.S. 23:17, 18," to "R.S. 23:18,"

AMENDMENT NO. 7

On page 1, line 9, following "20" insert "21,"

AMENDMENT NO. 8

On page 1, line 9, following "34," insert "72(2.1)"

AMENDMENT NO. 9

On page 3, line 5, following "71," and before "," change "72" to "72(1)"

AMENDMENT NO. 10

On page 3, line 9, following "2153" change "2191, and 2192" to "and 2191"

AMENDMENT NO. 11

On page 3, line 10, following "reenacted and" and before "19" change "R.S. 23:17, 18," to "R. S. 23:18,"

AMENDMENT NO. 12

On page 3, line 10, following "20," insert "21,"

AMENDMENT NO. 13

On page 3, line 10, following "34," and before "73(A)(1)(d)" insert "72(2.1),"

AMENDMENT NO. 14

On page 6, line 15, following "apprenticeship" and before "and" insert "1,"

AMENDMENT NO. 15

On page 13, line 10, following "E" insert "of this Section"

AMENDMENT NO. 16

On page 13, line 17, following "E" insert "of this Section"

AMENDMENT NO. 17

On page 13, line 26, following "statistically" and before "based" insert "r-"

AMENDMENT NO. 18

On page 14, line 22, at the beginning of the line change "(~~3~~) (3.1)" to "(2.1)"

AMENDMENT NO. 19

On page 16, line 1, following "the" and before "may use" change "department" to "commission"

AMENDMENT NO. 20

On page 16, line 20, following "Corrections" and before ", and in" change "and Social Services" to "Social Services, and Veterans Affairs"

AMENDMENT NO. 21

On page 16, line 22, following "Development," and before "and the State Board" delete "and the Department of Veterans Affairs,"

AMENDMENT NO. 22

On page 20, line 2, following "by the" delete the remainder of the line and insert "Louisiana AFL-CIO."

AMENDMENT NO. 23

On page 20, delete line 3 in its entirety

AMENDMENT NO. 24

On page 29, line 4, before "sector," change "biotechnical" to "biotechnology"

AMENDMENT NO. 25

On page 29, line 21, following "Louisiana" and before "Dealers" change "Auto" to "Automobile"

AMENDMENT NO. 26

On page 29, line 23, following "Louisiana" and before "Oil" delete "Independent"

AMENDMENT NO. 27

On page 30, line 7, following "Industry" and before "Louisiana" change "Association," to "Alliance,"

AMENDMENT NO. 28

On page 30, line 10, following "Louisiana" and before "Association" change "Homebuilders" to "Home Builders"

AMENDMENT NO. 29

On page 30, line 11, following "Farm" change "Bureau" to "Bureau Federation"

AMENDMENT NO. 30

On page 30, line 14, following "Agents" and before "of" insert "and Brokers"

AMENDMENT NO. 31

On page 30, line 17, following "Motor" change "Transportation" to "Transport"

AMENDMENT NO. 32

On page 30, line 18, following "Marine" change "Services" to "Service"

AMENDMENT NO. 33

On page 30, line 19, following "Association," and before "Association" change "Port" to "Ports"

AMENDMENT NO. 34

On page 30, line 23, following "Society" and before "Human" change "of" to "for"

AMENDMENT NO. 35

On page 30, line 24, following "Independent" and before "," change "Businesses" to "Business"

AMENDMENT NO. 36

On page 35, between lines 25 and 26, insert " * * * "

AMENDMENT NO. 37

On page 44, line 27, following "U.S.C." and before "et seq." change "1501" to "2801"

AMENDMENT NO. 38

On page 62, line 16, following "4(A)(6)" and before ", and 8(E)(1)," change "and (B)(1)" to "and (B)(14)"

AMENDMENT NO. 39

On page 62, line 17, following "and (D)," delete the remainder of the line and insert "309"

AMENDMENT NO. 40

On page 62, line 18, at the beginning of the line, delete "(D), (E), and (F)"

AMENDMENT NO. 41

On page 62, line 24, following "Assistant" and before "means" change "secretary director" to "secretary"

AMENDMENT NO. 42

On page 67, line 28, following "Administrative" and before "Act" change "Procedures" to "Procedure"

May 6, 2008

AMENDMENT NO. 43

On page 68, line 26, following "budget" change "statement" to "request"

AMENDMENT NO. 44

On page 68, line 27, following "R. S." and before "." change "39:45" to "39:33"

AMENDMENT NO. 45

On page 69, line 18, following "as" change "is" to "are"

AMENDMENT NO. 46

On page 71, line 14, following "personnel as" and before "necessary" change "is" to "are"

AMENDMENT NO. 47

On page 73, line 1, following "Louisiana" and before "Compensation" change "Worker's" to "Workers"

AMENDMENT NO. 48

On page 73, line 15, following "(2)" and before "(R. S. 37:1361-1379)" change "State Board of Examiners of Journeyman Plumbers" to "State Plumbing Board"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed Senate Bill No. 612 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, change "72" to "72(1)"

AMENDMENT NO. 2

On page 1, line 4, change "through 2056" to ", 2049(A), (B), (C) and (D), 2050, 2051, 2052, 2053, 2054, 2055, 2056"

AMENDMENT NO. 3

On page 1, line 5, change "2091(A)" to "2091(A)(introductory paragraph) and (1)"

AMENDMENT NO. 4

On page 1, line 7, change "(B)(1)" to "(B)(14)"

AMENDMENT NO. 5

On page 1, line 9, change "and 313" to "313, and 805" and change "23:17, 18, 19, 20, 33, 34," to "23:18, 19, 20, 21, 33, 34, 72(2.1),"

AMENDMENT NO. 6

On page 1, line 11, change "23:2061(8), 2064" to "R.S. 23:2064"

AMENDMENT NO. 7

On page 1, line 12, change "36:4(B)(14), 310" to "36:310"

AMENDMENT NO. 8

On page 3, line 5, change "72" to "72(1)"

AMENDMENT NO. 9

On page 3, line 7, change "through 2056" to ", 2049(A), (B), (C) and (D), 2050, 2051, 2052, 2053, 2054, 2055, 2056"

AMENDMENT NO. 10

On page 3, line 8, change "2091(A)" to "2091(A)(introductory paragraph) and (1)"

AMENDMENT NO. 11

On page 3, line 10, change "23:17, 18, 19, 20, 33, 34," to "23:18, 19, 20, 21, 33, 34,72(2.1),"

AMENDMENT NO. 12

On page 6, line 5, change "Section" to "Chapter"

AMENDMENT NO. 13

On page 15, line 8, change "creations" to "creation"

AMENDMENT NO. 14

On page 29, line 29 and on page 30, line 1, change "Louisiana Film Industry Association" to "Motion Picture Association of Louisiana"

AMENDMENT NO. 15

On page 36, line 5, change "(1.1)" to "(2)"

AMENDMENT NO. 16

On page 36, line 8, change "(1.2)" to "(3)"

AMENDMENT NO. 17

On page 36, line 12, change "(1.3)" to "(4)"

AMENDMENT NO. 18

On page 36, line 14, change "(2)" to "~~(2)~~(5)"

AMENDMENT NO. 19

On page 36, line 15, change "(2.1)" to "(6)"

AMENDMENT NO. 20

On page 36, line 16, change "(3)" to "~~(3)~~(7)"

AMENDMENT NO. 21

On page 36, line 19, change "(4)" to "~~(4)~~(8)"

AMENDMENT NO. 22

On page 36, line 21, change "(5)" to "~~(5)~~(9)"

AMENDMENT NO. 23

On page 36, line 22, change "(6)" to "~~(6)~~(10)"

AMENDMENT NO. 24

On page 36, line 28, change "(7)" to "~~(7)~~(11)"

AMENDMENT NO. 25

On page 37, line 9, change "~~(9)~~(8)" to "~~(9)~~(12)"

AMENDMENT NO. 26

On page 37, line 19, change "~~(10)~~(9)" to "~~(10)~~(13)"

AMENDMENT NO. 27

On page 62, line 16, change "(B)(1)" to "(B)(14)"

AMENDMENT NO. 28

On page 62, line 18, change "and 313" to "313, and 805"

AMENDMENT NO. 29

On page 68, line 27, change "R.S. 39:45" to "**R.S. 39:33**"

AMENDMENT NO. 30

On page 72, delete lines 24 and 25, and insert "* * *

AMENDMENT NO. 31

On page 73, delete lines 6 through 9, and insert "* * *

AMENDMENT NO. 32

On page 74, between lines 13 and 14, insert the following:
" * * "

§805. Transfer; Department of Employment Security Louisiana Workforce Commission

The Department of Employment Security Louisiana Workforce Commission, transferred by the provisions of R.S. 36:309(E), shall be transferred as provided in R.S. 36:802, except that, to the extent required by federal law or regulations, the department commission shall remain in existence as an agency within the executive branch of state government and, to the full extent required by any federal law

or regulation, shall serve as the sole agency of the state to accept federal funds and to administer such funds and the laws pertaining to the functions of the department commission, as provided by law."

AMENDMENT NO. 33

On page 74, line 15, change "36:4(B)(14), 310" to "36:310"

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed Senate Bill No. 612 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 6 delete "2191, and 2192," and insert "and 2191"

AMENDMENT NO. 2

On page 1, delete line 9 and insert "310(A), and 313, and R.S. 49:191(3)(g), 968(B)(5) and (21)(b), to enact R.S. 23:18, 19, 20, 21, 33, 34,"

AMENDMENT NO. 3

On page 2, line 5 delete "establish" and insert "provide for"

AMENDMENT NO. 4

On page 2, line 12 delete "establish its purposes" and insert "provide for a purpose"

AMENDMENT NO. 5

On page 2, line 16 delete "commission" and insert "council"

AMENDMENT NO. 6

On page 2, line 21 after "to provide" and before "the" insert "for"

AMENDMENT NO. 7

On page 2, delete line 23 and insert "members; to provide for the responsibilities of the boards; to provide for duties of the boards"

AMENDMENT NO. 8

On page 2, line 24 delete "duties"

AMENDMENT NO. 9

On page 2, line 27 delete "the" and insert "a"

AMENDMENT NO. 10

On page 2, line 28 after "eligibility" delete "of" and insert "for"

AMENDMENT NO. 11

On page 3, delete line 2 and insert "executive branch of government; to provide for its officers, duties, and offices; to provide relative to the termination of legislative authority for the existence of statutory entities; to provide relative to agency rules; to provide for an effective date; and"

AMENDMENT NO. 12

On page 3, line 9 delete "2191, and 2192" and insert "and 2191"

AMENDMENT NO. 13

On page 3, line 10 after "20," insert "21,"

AMENDMENT NO. 14

On page 3, line 20 after "training" insert "and"

AMENDMENT NO. 15

On page 4, line 24 delete "assistants" and insert "assistants directors"

AMENDMENT NO. 16

On page 5, line 11 after "he" insert "or the commission"

AMENDMENT NO. 17

On page 5, line 27 delete "under" and insert "pursuant to"

AMENDMENT NO. 18

On page 6, delete line 1 and insert "state legislation consolidated pursuant to the authority of the commission contained in this Title"

AMENDMENT NO. 19

On page 6, line 5 delete "under" and insert "pursuant to"

AMENDMENT NO. 20

On page 6, line 14 at the end of the line delete the comma "," and insert "and"

AMENDMENT NO. 21

On page 6, line 15 after "apprenticeship" insert a comma ","

AMENDMENT NO. 22

On page 6, line 27 at the end of the line insert a comma "," and "policies,"

AMENDMENT NO. 23

On page 6, line 29 after "rules," insert "policies,"

AMENDMENT NO. 24

On page 7, delete line 15 and insert "to and the right to copy any book, account, record, payroll, paper, ~~or~~ document, or information contained in data processing equipment"

AMENDMENT NO. 25

On page 9, line 15 delete "microfilm or"

AMENDMENT NO. 26

On page 10, line 26 delete "under" and insert "pursuant to"

AMENDMENT NO. 27

On page 11, at the end of line 5 insert "the"

AMENDMENT NO. 28

On page 11, line 10 delete "under" and insert "pursuant to"

AMENDMENT NO. 29

On page 11, line 16 after "plan" and before "approved" insert "not"

AMENDMENT NO. 30

On page 12, line 6 delete "under" and insert "pursuant to"

AMENDMENT NO. 31

On page 12, line 10 delete "under" and insert "pursuant to"

AMENDMENT NO. 32

On page 13, line 7 delete "under" and insert "pursuant to"

AMENDMENT NO. 33

On page 13, line 9 delete "under" and insert "pursuant to"

AMENDMENT NO. 34

On page 13, delete line 10 and insert "Subsection E of this Section."

AMENDMENT NO. 35

On page 13, line 15 delete "under" and insert "pursuant to"

AMENDMENT NO. 36

On page 13, line 17 delete "under Subsection E" and insert "pursuant to Subsection E of this Section"

AMENDMENT NO. 37

On page 16, delete line 20 and insert "Public Safety and Corrections, ~~and Social Services~~ Social Services, and Veterans Affairs and in the governor's office, the"

AMENDMENT NO. 38

On page 16, delete line 22 and insert "Development, ~~and the Department of Veterans Affairs,~~ and the State Board of"

AMENDMENT NO. 39

On page 20, delete lines 2 and 3 and insert "submitted by the ~~American Federation of Labor and Congress of Industrial Organizations.~~ **Louisiana AFL-CIO.**"

AMENDMENT NO. 40

On page 23, line 2 delete "**should**" and insert "**shall**"

AMENDMENT NO. 41

On page 23, line 6 delete "**should**" and insert "**shall**"

AMENDMENT NO. 42

On page 23, line 11 delete "**should**" and insert "**shall**"

AMENDMENT NO. 43

On page 23, line 12 delete "**should**" and insert "**shall**"

AMENDMENT NO. 44

On page 23, line 15 delete "**should**" and insert "**shall**"

AMENDMENT NO. 45

On page 23, line 17 delete "**should**" and insert "**shall**"

AMENDMENT NO. 46

On page 23, line 22 delete "**must**" and insert "**shall**"

AMENDMENT NO. 47

On page 28, line 7 delete "**thirty-nine**" and insert "**forty-one**"

AMENDMENT NO. 48

On page 28, delete lines 18 through 24 and insert the following:

(8) The secretary of the Department of Public Safety and Corrections.

(9) The executive director of the office of elderly affairs.

(10) One member appointed by the governor who is a chief executive officer of a community-based organization.

(11)(a) Twenty-one members representing business and industry appointed by the governor, at least one of whom shall represent a woman-owned business and at least two of whom shall represent racial minorities. Members"

AMENDMENT NO. 49

On page 29, line 16 delete "**Ten**" and insert "**Eleven**"

AMENDMENT NO. 50

On page 29, line 21 delete "**Auto**" and insert "**Automobile**"

AMENDMENT NO. 51

On page 29, line 23 delete "**Independent**"

AMENDMENT NO. 52

On page 30, line 7 delete "**Association**" and insert "**Alliance**"

AMENDMENT NO. 53

On page 30, line 10 delete "**Homebuilders**" and insert "**Home Builders**"

AMENDMENT NO. 54

On page 30, line 14 after "**Agents**" and before "**of Louisiana**" insert "**and Brokers**"

AMENDMENT NO. 55

On page 30, line 17 delete "**Transportation**" and insert "**Transport**"

AMENDMENT NO. 56

On page 30, line 18 delete "**Services**" and insert "**Service**"

AMENDMENT NO. 57

On page 30, line 23 delete "**of**" and insert "**for**"

AMENDMENT NO. 58

On page 30, line 25 delete "**(11)**" and insert "**(12)**"

AMENDMENT NO. 59

On page 31, line 5 delete "**(12)**" and insert "**(13)**"

AMENDMENT NO. 60

On page 31, line 12 delete "**(13)**" and insert "**(14)**"

AMENDMENT NO. 61

On page 31, delete line 17 and insert "the state **and shall consider factors including but not limited to race, color, religion, gender, and national origin.**"

AMENDMENT NO. 62

On page 32, line 7 delete "**23:2043(10)**" and insert "**23:2043(11)**"

AMENDMENT NO. 63

On page 32, line 15 delete "**R.S. 23:2043(A)(9), (10)**" and insert "**R.S. 23:2043(A)(10), (11), (12), and (13)**"

AMENDMENT NO. 64

On page 32, line 16 delete "**(11), and (12)**"

AMENDMENT NO. 65

On page 32, line 24 delete "**, (5), (6), (7), and (8)**" and insert "**, (5), (6), (7), (8), and (9)**"

AMENDMENT NO. 66

On page 34, line 2 after "**commission**" insert "**ex officio**"

AMENDMENT NO. 67

On page 34, line 3 after "**commission**" insert "**ex officio**"

AMENDMENT NO. 68

On page 34, line 6 after both occurrences of "**commission**" insert "**ex officio**"

AMENDMENT NO. 69

On page 34, line 21 delete "for" and insert "**for to**"

AMENDMENT NO. 70

On page 34, delete line 22 and insert "from his existing personnel. In addition, if funding is made available, the"

AMENDMENT NO. 71

On page 34, line 29 delete "**may shall**" and insert "may"

AMENDMENT NO. 72

On page 35, delete line 5 and insert "**commission's its** duties and responsibilities **under pursuant to**" this Chapter. The **commission**"

AMENDMENT NO. 73

On page 35, delete line 12 and insert "implementation of a workforce development program **under subject to** the jurisdiction of the"

AMENDMENT NO. 74

On page 41, line 18 delete "under" and insert "**pursuant to**"

AMENDMENT NO. 75

On page 41, delete lines 27 and 28 and insert "advisory councils **under pursuant to** applicable federal and state workforce development programs **laws and rules.**"

AMENDMENT NO. 76

On page 42, line 6 delete "**under**" and insert "**pursuant to**"

AMENDMENT NO. 77

On page 43, line 13 delete "under" and insert "**pursuant to**"

AMENDMENT NO. 78

On page 44, line 25 delete "under" and insert "**pursuant to**"

AMENDMENT NO. 79
On page 44, line 27 delete "1501" and insert "2801"

AMENDMENT NO. 80
On page 46, line 9 delete "under" and insert "pursuant to"

AMENDMENT NO. 81
On page 48, line 26 delete "development" and insert "investment"

AMENDMENT NO. 82
On page 49, line 11 delete "more than one" and insert "one or more"

AMENDMENT NO. 83
On page 49, line 24 delete "development" and insert "investment"

AMENDMENT NO. 84
On page 50, line 3 delete "under" and insert "pursuant to"

AMENDMENT NO. 85
On page 51, line 16 delete "under" and insert "pursuant to"

AMENDMENT NO. 86
On page 53, line 14 delete "under" and insert "pursuant to"

AMENDMENT NO. 87
On page 55, line 17 delete "under" and insert "pursuant to"

AMENDMENT NO. 88
On page 56, line 23 delete "under" and insert "pursuant to"

AMENDMENT NO. 89
On page 56, line 29 delete "under" and insert "pursuant to"

AMENDMENT NO. 90
On page 59, line 24 delete "under" and insert "pursuant to"

AMENDMENT NO. 91
On page 59, line 27 delete "under" and insert "pursuant to"

AMENDMENT NO. 92
On page 60, line 2 delete "under" and insert "pursuant to"

AMENDMENT NO. 93
On page 61, line 12 delete "under" and insert "by"

AMENDMENT NO. 94
On page 61, line 19 delete "under" and insert "pursuant to"

AMENDMENT NO. 95
On page 62, line 10 delete "under" and insert "pursuant to"

AMENDMENT NO. 96
On page 74, between lines 13 and 14 insert the following: "Section 3. R.S. 49:191(3)(g), 968(B)(5) and (21)(b) are hereby amended and reenacted to read as follows:
§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates
Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:
* * *
(3) July 1, 2010: * * *
(g) The ~~Department of Labor~~ Louisiana Workforce Commission and all statutory entities made a part of the department by law.
* * *
§968. Review of agency rules; fees
* * *
B. Prior to the adoption, amendment, or repeal of any rule or the adoption, increasing, or decreasing of any fee, the agency shall

submit a report relative to such proposed rule change or fee adoption, increase, or decrease to the appropriate standing committees of the legislature and the presiding officers of the respective houses as provided in this Section. The report shall be so submitted on the same day the notice of the intended action is submitted to the Louisiana Register for publication in accordance with R.S. 49:953(A)(1). The report shall be submitted to each standing committee at the committee's office in the state capitol by certified mail with return receipt requested or by messenger who shall provide a receipt for signature. The return receipt or the messenger's receipt shall be proof of receipt of the report by the committee.
* * *

(5) The ~~Department of Labor~~ Louisiana Workforce Commission and all of the agencies made a part of it shall submit the report to the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations.
* * *

(21)(a) * * *
(b) The Louisiana Workforce ~~Commission~~ Investment Council shall submit the report to the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations.
* * *

AMENDMENT NO. 97
On page 74, line 14 delete "Section 3." and insert "Section 4."

AMENDMENT NO. 98
On page 74, line 16 delete "Section 4." and insert "Section 5."

AMENDMENT NO. 99
On page 74, line 20 delete "Section 5." and insert "Section 6."

AMENDMENT NO. 100
On page 75, line 2 delete "Section 6." and insert "Section 7."

AMENDMENT NO. 101
On page 75, after line 6 insert the following:
"Section 8. It is the intent of the legislature that each local workforce investment board functioning under current law at the time of the enactment of this Act, shall continue to exercise all of the powers, duties, functions, and responsibilities as provided in R.S. 23:2191 through 2192 and as provided in this Act, until such time as a successor workforce investment board is chartered and certified as provided in this Act or until January 1, 2009, whichever occurs first. The officers and employees of the Louisiana Workforce Commission shall be charged with the responsibility for carrying out this intent."

On motion of Senator Chaisson, 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 Reengrossed Senate Bill No. 612 by Senator Chaisson

AMENDMENT NO. 1
On page 8, at the end of line 3 insert the following: "All proposed rules shall be submitted for approval to the Joint Legislative Committee on the Budget."

AMENDMENT NO. 2
On page 11, at the end of line 3 insert the following: "All proposed rules shall be submitted for approval to the Joint Legislative Committee on the Budget."

AMENDMENT NO. 3
On page 35, at the end of line 21 insert the following: "All proposed rules shall be submitted for approval to the Joint Legislative Committee on the Budget."

May 6, 2008

AMENDMENT NO. 4

On page 68, at the end of line 1 insert the following: "All proposed rules shall be submitted for approval to the Joint Legislative Committee on the Budget."

AMENDMENT NO. 5

On page 74, at the end of line 3 insert the following: "All proposed rules shall be submitted for approval to the Joint Legislative Committee on the Budget."

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Mr. President, Adley, Alario, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gray, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Shepherd, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table listing absent: Amedee, Gautreaux N, Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 429— BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:477(24) and 621.24, relative to judges; to provide relative to certain election procedures; to provide relative to certain elections and judicial vacancies in the Twenty-Fourth Judicial District Court; to provide certain terms, conditions, procedures and requirements; and to provide for related matters.

On motion of Senator Shepherd, Senate Bill No. 429 was made Special Order of the Day No. 1 on Tuesday, May 13, 2008, immediately following the Morning Hour.

SENATE BILL NO. 51— BY SENATORS MCPHERSON, ERDEY, B. GAUTREAUX AND SHAW AN ACT

To enact R.S. 32:292.1, relative to motor vehicles; to authorize the transportation and storage of lawfully possessed firearms in

privately owned motor vehicles; to provide exceptions; 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. 51 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 15, following "if" and before ":" delete "the parking area is"

AMENDMENT NO. 2

On page 2, line 16, following "(a)" and before "surrounded" change "Completely" to "The parking area is completely"

On motion of Senator Marionneaux, 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 listing yeas: Adley, Alario, Cheek, Cravins, Donahue, Dorsey, Total - 18; Erdey, Gautreaux B, Hebert, LaFleur, Long, Martiny; McPherson, Riser, Shepherd, Smith, Thompson, Walsworth.

NAYS

Table listing nays: Mr. President, Broome, Cassidy, Crowe, Duplessis, Dupre, Total - 16; Gray, Heitmeier, Jackson, Marionneaux, Michot, Morrish; Mount, Murray, Nevers, Quinn.

ABSENT

Table listing absent: Amedee, Gautreaux N, Total - 4; Kostelka, Shaw.

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator McPherson, 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 amended bill failed to pass.

Notice Regarding Vote

Senator Kostelka stated he appeared as absent on the vote on Senate Bill No. 51. He had intended to vote nay on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 137—
BY SENATOR QUINN

AN ACT

To enact R.S. 32:300.5, 300.6, and 398.10(A)(6), relative to driver distractions; to prohibit text messaging by any person while operating a motor vehicle; to prohibit the use of cellular telephones by certain drivers while operating a motor vehicle; to provide exceptions; to provide penalties for violation; to require law enforcement officers to record certain information at traffic stops; to require the compilation of statistical information on crashes involving the use of cellular telephones and other wireless telecommunications devices; and to provide for related matters.

Floor Amendments Sent Up

Senator Quinn 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. 137 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 5, following "wireless" and before "device" change "communications" to "telecommunications"

AMENDMENT NO. 2

On page 2, line 7, following "send" and before "or read" insert "1"

On motion of Senator Quinn, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 137 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 32:398.10(A)(introductory paragraph) and to"

AMENDMENT NO. 2

On page 1, line 10, between "Section 1." and "R.S." insert "R.S. 32:398.10(A)(introductory paragraph) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 3, line 6, between "emergency" and "as" insert "and"

AMENDMENT NO. 4

On page 4, line 5, change "as defined" to "as defined as a peace officer"

On motion of Senator Quinn, 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. 137 by Senator Quinn

AMENDMENT NO. 1

On page 1, at the end of line 3, after "use of" insert "certain"

AMENDMENT NO. 2

On page 3, at the end of line 9, after "call" delete the period "." and insert ", unless the cellular telephone is a hands-free wireless telephone."

AMENDMENT NO. 3

On page 3, between lines 10 and 11, insert as follows:

"(c) "Hands-free wireless telephone" means a cellular telephone that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such telephone, by which a user engages in a conversation without the use of either hand, provided, however, this definition shall not preclude the use of either hand to activate, deactivate, or initiate a function of the telephone."

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 137 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 12, after "officer" delete the remainder of the line and delete line 13 and insert the following: "shall enforce the provisions of this Section only as a secondary action when the officer detains a driver for an alleged violation of another provision of this Chapter."

AMENDMENT NO. 2

On page 3, line 12, after "officer" delete the remainder of the line and delete line 13 and insert the following: "shall enforce the provisions of this Section only as a secondary action when the officer detains a driver for an alleged violation of another provision of this Chapter."

On motion of Senator Quinn, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Quinn
Alario	Gautreaux B	Riser
Cheek	Gray	Shaw
Cravins	Heitmeier	Shepherd
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Dupre	Morrish	
Total - 25		

NAYS

Broome	Kostelka	Murray
Cassidy	LaFleur	Nevers
Hebert	Long	
Jackson	Mount	
Total - 10		

ABSENT

Mr. President	Amedee	Gautreaux N
Total - 3		

May 6, 2008

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

SENATE BILL NO. 224— BY SENATOR SHEPHERD

AN ACT

To enact R.S. 40:531(E), and (F) relative to commissioners for local housing authorities; to provide for the appointment of tenant commissioners to local housing authorities; to prohibit certain persons from serving as a commissioner; to authorize the payment of per diem to commissioners; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed Senate Bill No. 224 by Senator Shepherd

AMENDMENT NO. 1

On page 2, line 3 delete "governing" and insert "appointing"

On motion of Senator Shepherd, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 224 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 2, after "(E)" delete "and (F)" and insert ", (F) and (G),"

AMENDMENT NO. 2

On page 1, line 8, after "(E)" delete "and (F)" and insert ", (F) and (G),"

AMENDMENT NO. 3

On page 2, after line 10, insert the following:

"G. Notwithstanding any provision of law to the contrary, a local housing authority in any municipality with a population of more than sixty-five thousand but less than seventy-one thousand shall be governed by a five member board of commissioners appointed by the mayor."

Senator Martiny moved adoption of the amendments.

Senator Shepherd objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Heitmeier Nevers
Alario Kostelka Quinn
Cassidy LaFleur Riser
Cheek Long Shaw
Crowe Martiny Smith
Donahue Michot Thompson
Dorsey Morrish Walsworth
Dupre Mount
Erdey Murray
Total - 25

NAYS

Broome Hebert Shepherd
Duplessis Jackson
Total - 5

ABSENT

Mr. President Gautreaux B Marionneaux
Amedee Gautreaux N McPherson
Cravins Gray
Total - 8

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Alario Gautreaux N Murray
Broome Gray Shepherd
Cheek Hebert Smith
Cravins Heitmeier Thompson
Dorsey Jackson
Duplessis LaFleur
Total - 19

NAYS

Adley Long Quinn
Cassidy Martiny Riser
Crowe Michot Shaw
Donahue Morrish Walsworth
Erdey Mount
Kostelka Nevers
Total - 16

ABSENT

Amedee Gautreaux B Marionneaux
Total - 3

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Shepherd, 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 amended bill failed to pass.

SENATE BILL NO. 342— BY SENATOR ERDEY

AN ACT

To enact R.S. 32:289 and 398.10(A)(6), relative to operating motor vehicles; to prohibit certain persons from using a cellular telephone while operating a motor vehicle; to provide for certain exceptions; to provide relative for violations; 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. 342 by Senator Erdey

AMENDMENT NO. 1

On page 2, line 8, following "For" and before "each" delete "a second and"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 342 by Senator Erdey

AMENDMENT NO. 1

On page 2, line 21, change "as defined" to "as defined as a peace officer"

On motion of Senator Erdey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, Michot, Adley, Erdey, Morrish, Alario, Gautreaux B, Mount, Broome, Heitmeier, Murray, Cassidy, Jackson, Nevers, Cheek, Kostelka, Quinn, Cravins, LaFleur, Riser, Crowe, Long, Shaw, Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Total - 33

NAYS

Table with 2 columns: Hebert, Shepherd, Total - 2

ABSENT

Table with 3 columns: Amedee, Gautreaux N, Gray, Total - 3

The Chair declared the amended bill was passed ordered reengrossed, 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. 448— BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 40:1149(A) and (C) and to enact R.S. 40:1149(D), relative to water supply and sewerage systems; to provide for certified operators; and to provide for related matters.

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

SENATE BILL NO. 475— BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 17:3991(D), relative to charter schools; to provide relative to reimbursement for transportation services; 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. 475 by Senator Gray

AMENDMENT NO. 1

On page 1, line 8, between "D." and "A" insert "(1)"

AMENDMENT NO. 2

On page 1, line 11, delete "If the local school board is requested to"

AMENDMENT NO. 3

On page 1, at the beginning of line 12, add the following: "(2)(a) Notwithstanding the provisions of R.S. 17:158(A), if the local school board is requested to"

AMENDMENT NO. 4

On page 1, between lines 14 and 15, insert the following: "(b) The provisions of this Paragraph shall not apply to any contract or agreement for providing transportation services between a charter school and the local school board which is in effect on August 15, 2007."

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 of names: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Broome, Gray, Nevers, Cassidy, Hebert, Quinn, Cheek, Heitmeier, Riser, Cravins, Jackson, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneaux, Walsworth, Duplessis, McPherson, Dupre, Michot, Total - 34

NAYS

Table with 2 columns: Kostelka, Total - 1

ABSENT

Table with 3 columns: Amedee, Martiny, Shepherd, Total - 3

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. 632— BY SENATOR GRAY

AN ACT

To enact Part XII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of Louisiana of 1950, to be comprised of R.S. 17:409 through 409.6, and to enact R.S. 36:651(AA), relative to school facilities; to create and provide for the Louisiana Statewide Educational Facilities Authority in the Department of

May 6, 2008

Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for rules; to provide relative to program participation; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; 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. 632 by Senator Gray

AMENDMENT NO. 1
On page 7, line 12, delete "***"

On motion of Senator Marionneaux, the amendments were adopted.

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. 632 by Senator Gray

AMENDMENT NO. 1
On page 3, line 2, between "(2)" and "members" change "Three" to "Two"

AMENDMENT NO. 2
On page 3, line 3, Between "Senate" and the period "." insert ", who shall have a background in construction, architecture, or finance"

AMENDMENT NO. 3
On page 3, between lines 4 and 5, insert the following:
"(4) One member shall be appointed by the Louisiana School Boards Association, subject to confirmation by the Senate."

AMENDMENT NO. 4
On page 4, between lines 16 and 17, insert the following:
"(c) Develop a means for determining the amount of local funds that must be contributed by a city, parish, or other local public school system for each project funded by the authority which emphasizes the school system's ability to fund projects locally. The authority may not fund any project at one hundred percent of the cost of the project, except as provided in Paragraph (B)(5) of this Section."

AMENDMENT NO. 5
On page 5, line 1, between "Commission" and the period "." insert "and the Joint Legislative Committee on the Budget"

AMENDMENT NO. 6
On page 5, at the beginning of line 6, change "(5)" to "(5)(a)"

AMENDMENT NO. 7
On page 5, between lines 8 and 9, insert the following:
"(b) Notwithstanding the provisions of Subparagraph (A)(4)(c) of this Section, the authority may fund projects pursuant to this Paragraph at one hundred percent of the cost of the project."

AMENDMENT NO. 8
On page 5, line 17, change "thirteen" to "twelve"

AMENDMENT NO. 9
On page 6, delete lines 3 and 4 in their entirety

AMENDMENT NO. 10
On page 6, at the beginning of line 5, change "(12)" to "(11)"

AMENDMENT NO. 11
On page 6, at the beginning of line 7, change "(13)" to "(12)"

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. Lists names like Mr. President, Erdey, McPherson, etc.

Total - 36

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names like Amedee, Shepherd.

Total - 2

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. 807— (Substitute of Senate Bill No. 422 by Senator Duplessis)

BY SENATOR DUPLESSIS

AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1361 through 1377, relative to cable services and video services; to create the "Consumer Choice for Television Act"; to provide guidelines for cable services and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable services or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regard to cable services or video services; to provide for public, educational, and governmental access programming streams and support; to provide for effect on local franchise agreements; to provide for a prohibition of in-kind contributions or grants; to provide for customer service standards; to provide for emergency alert services; and to provide for related matters.

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. 807 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 3, change "1377" to "1378"

AMENDMENT NO. 2

On page 1, line 14, after "services;" and before "and" insert "to provide for indemnity;"

AMENDMENT NO. 3

On page 7, line 19, after "Section" and before the period ".", insert "and shall provide a copy of such application simultaneously to each local governmental subdivision listed in R.S. 45:1364(B)(2)"

AMENDMENT NO. 4

On page 7, line 21, change "ten" to "thirty"

AMENDMENT NO. 5

On page 7, at the beginning of line 22, before "an affidavit" add "an application, which shall consist of"

AMENDMENT NO. 6

On page 8, between lines 2 and 3, insert the following:
"(4) The applicant agrees to maintain insurance in an amount not less than one million dollars either through a policy of public liability insurance or through self-insurance."

AMENDMENT NO. 7

On page 8, line 3, after "shall" and before "contain" insert "be effective thirty days after issuance and shall"

AMENDMENT NO. 8

On page 8, line 7, after "(2)" and before "A grant" insert "(a)"

AMENDMENT NO. 9

On page 8, between lines 12 and 13, insert the following:
"(b) With respect to any area that is privately owned, the grant in this Chapter provides the holder of a state-issued certificate of franchise authority with the same, but no greater, rights for the placement of facilities pursuant to this Chapter as those rights currently existing pursuant to Louisiana Revised Statutes for the placement of facilities for any company formed for the purpose of transmitting intelligence by telephone or telegraph or other system of transmitting intelligence."

AMENDMENT NO. 10

On page 8, line 24, after "served" and before the period ".", insert "and shall provide a copy of such amended application simultaneously to any affected local governmental subdivision within the new service area"

AMENDMENT NO. 11

On page 10, line 6, change "issuance of a" to "the effective date of the"

AMENDMENT NO. 12

On page 13, delete lines 16 through 22

AMENDMENT NO. 13

On page 13, line 23, change "E." to "D."

AMENDMENT NO. 14

On page 13, line 26, change "F." to "E."

AMENDMENT NO. 15

On page 16, line 23, change "a holder" to "all holders"

AMENDMENT NO. 16

On page 16, at the end of line 28, add the following: "The fee shall be uniformly applied to all holders of a state-issued certificate of franchise authority within the local governmental subdivision."

AMENDMENT NO. 17

On page 17, between lines 24 and 25, insert the following:

"§ 1373. Indemnification

A holder of a certificate of statewide franchise authority shall indemnify, defend and hold harmless a local governmental subdivision, its officers, agents, and employees from and against any liability for damages and for any liability or claims resulting from tangible property damage or bodily injury, including accidental death, to the extent proximately caused by the holder's negligent construction, operation, or maintenance of its cable system or wireline facilities used to distribute video programming services, provided that the local governmental subdivision shall give the holder written notice of its obligation to indemnify the local governmental subdivision within thirty days of receipt of a claim or action pursuant to this subsection and provided that the holder shall have the right to select counsel of the holder's choice to defend the claim. Notwithstanding the foregoing, the holder shall not indemnify the local governmental subdivision for any damages, liability, or claims resulting from the negligence or willful misconduct of the local governmental subdivision, its officers, agents, employees, attorneys, consultants, independent contractors or third parties or for any activity or function conducted by any person or entity other than the holder in connection with PEG programming."

AMENDMENT NO. 18

On page 17, line 25, change "1373." to "1374."

AMENDMENT NO. 19

On page 18, line 22, change "1374." to "1375."

AMENDMENT NO. 20

On page 19, line 9, change "1375." to "1376."

AMENDMENT NO. 21

On page 19, at the end of line 13, add the following: "If the holder fails to cure in accordance with the court's order, the court may remedy such non-compliance."

AMENDMENT NO. 22

On page 19, line 14, change "1376." to "1377."

AMENDMENT NO. 23

On page 20, line 2, change "1377." to "1378."

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	Gautreaux B	McPherson
Alario	Gautreaux N	Michot
Broome	Gray	Mount
Cassidy	Hebert	Murray
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Dorsey	Kostelka	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 27		

NAYS

Adeley	Erdey	Nevers
Crowe	LaFleur	Shaw
Donahue	Long	
Total - 8		

May 6, 2008

ABSENT

Amedee Morrish Shepherd
Total - 3

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. 187— BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 4:211(5) and R.S. 27:353(4) and to enact R.S. 18:1300.24, relative to conducting live horse racing and pari-mutuel wagering in Iberville Parish; to provide for the calling and conducting of certain referendum elections in Iberville Parish, relative to authorizing the conducting of horse racing and pari-mutuel wagering in the parish, authorizing the operation of an offtrack wagering facility in Iberville Parish, and authorizing an eligible horse racing facility in Iberville Parish to conduct slot machine gaming; to provide for the submission of propositions by the governing authority of Iberville Parish; to provide relative to the approval of the propositions by the voters; to provide for applicability; to amend the definition of eligible facility for the purposes of conducting slot machine gaming; to amend the definition of pari-mutuel facility for the purpose of offtrack wagering; 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. 187 by Senator Marionneaux

AMENDMENT NO. 1

On page 4, line 19, following "provisions of" change "R. S. 18:1300.24(A)" to "Subsection A of this Section"

AMENDMENT NO. 2

On page 4, line 26, following "provisions of" change "R. S. 18:1300.24(A)" to "Subsections A and B of this Section"

AMENDMENT NO. 3

On page 4, line 27, before "are held" delete "and (B)"

AMENDMENT NO. 4

On page 5, line 4, following "provisions of" change "R. S. 18:1300.24(A)" to "Subsections A and C of this Section"

AMENDMENT NO. 5

On page 5, line 5, before "are held" delete "and (C)"

On motion of Senator Marionneaux, the amendments were adopted.

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

SENATE BILL NO. 330— BY SENATOR CHAISSON AN ACT

To enact R.S. 37:1731.1, relative to limitation of liability; to provide relative to medical services performed during a declared state of emergency; to provide certain limitations of liability; to provide definitions, terms, and conditions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Chaisson 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
Broome Gray Nevers
Cassidy Hebert Quinn
Cheek Heitmeier Riser
Cravins Jackson Shaw
Crowe Kostelka Shepherd
Donahue LaFleur Smith
Dorsey Long Thompson
Duplessis Marionneaux Walsworth
Dupre Martiny
Total - 35

NAYS

Total - 0

ABSENT

Amedee McPherson Morrish
Total - 3

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

SENATE BILL NO. 381— BY SENATOR MARTINY AN ACT

To enact R.S. 27:306(I), relative to the Video Draw Poker Devices Control Law; to provide for a license to operate video draw poker devices in a qualified truck stop facility; to provide for duties of the Louisiana Gaming Control Board; 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 Gautreaux B Martiny
Alario Gray Morrish
Cheek Hebert Murray
Cravins Heitmeier Quinn
Dorsey Jackson Shaw
Duplessis LaFleur Shepherd
Dupre Marionneaux
Total - 20

NAYS

Adley Erdey Riser
Broome Kostelka Smith
Cassidy Long Thompson
Crowe Mount Walsworth
Donahue Nevers

Total - 14

ABSENT

Amedee McPherson
Gautreaux N Michot
Total - 4

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. 382—
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 895(B); R.S. 14:30.1(A)(2), 32.1(A)(Introductory Paragraph), 32.8(A)(2)(Introductory Paragraph) and (c), 40.1(B), and 98(F)(2) and to enact Code of Criminal Procedure Article 894(A)(6); R.S. 14:32.8(A)(2)(d), (e), and (f), and 40.1(C), relative to the continuous revision of the Criminal Code and the Code of Criminal Procedure; to provide for probation in felony and misdemeanor cases assigned to the drug division probations program; to provide for second degree murder; to provide for vehicular homicide; to provide for third degree feticide; to provide for terrorizing; to provide for operating a vehicle while intoxicated; 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. 382 by Senator Martiny

AMENDMENT NO. 1

On page 4, between lines 13 and 14, insert " * * * "

AMENDMENT NO. 2

On page 4, between lines 23 and 24, insert " * * * "

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Adley	Gautreaux N	Murray
Alario	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Erdey	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Gray
Cassidy	Marionneaux
Total - 4	

The Chair declared the amended bill was passed, ordered reengrossed, 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. 398—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:391(A) and to enact R.S. 27:391(D) and 392(B)(3)(e), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing facilities; to provide for the distribution of proceeds derived from the taxes levied by the local governing authority of Iberville Parish on taxable net slot machine proceeds operated in Iberville Parish; to create the Iberville Parish Excellence Fund and require certain deposits to the fund; to provide for the operation of the fund; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 636—
BY SENATOR MURRAY

AN ACT

To enact R.S.40:600.66(A)(7) through (10), relative to the Road Home Corporation; to provide relative to appeal from certain decisions; to provide relative to the right of a property owner to appeal an adverse decision of the office of community development on Road Home claims; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	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	
Erdey	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee
Total - 1

The Chair declared the bill was passed 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. 689—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:391(A) and to enact R.S. 27:391(D), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing facilities; to provide for the distribution of proceeds derived from the taxes levied by the local governing authority of Orleans Parish on taxable net slot machine proceeds operating in Orleans Parish; and to provide for related matters.

May 6, 2008

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

SENATE BILL NO. 33— BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:446.6(B)(3), the introductory paragraph of (4), (5), and (6), and to enact R.S. 46:446.6(B)(7) and (C), relative to medical assistance payments; to provide for the period of time within which a health care provider must submit payment to the Department of Health and Hospitals; to provide for reimbursements of monies paid erroneously under the Louisiana Medical Assistance Program; and to provide for related matters.

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

SENATE BILL NO. 64— BY SENATORS KOSTELKA, DONAHUE AND WALSWORTH

AN ACT

To amend and reenact R.S. 18:134(E), 541, and 542, relative to election day hours of operation; to shorten the time that polls are open on election day; to change the hours that each registrar of voter's office is required to be open on election day; and to provide for related matters.

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

Senator N. Gautreaux in the Chair

SENATE BILL NO. 232— BY SENATOR MOUNT

A JOINT RESOLUTION

Proposing to amend Article IV, Section 21(A), Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X, Sections 3(B) and 43(B) of the Constitution of Louisiana, relative to term limits for positions on certain boards and commissions; to provide a three-consecutive-term limit for positions on the Public Service Commission, the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, the Louisiana Forestry Commission, the State Civil Service Commission, and the State Police Commission; to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 232 by Senator Mount

AMENDMENT NO. 1

On page 4, following line 17 and before line 18, insert "****"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Mount 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 Mr. President, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Dupre, Erdey, Gautreaux B, Total - 31.

NAYS

Table with 2 columns: Name, Nays. Lists Adley, Alario, Total - 4.

ABSENT

Table with 3 columns: Name, Absent, Total. Lists Amedee, Duplessis, McPherson, Total - 3.

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

SENATE BILL NO. 233— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 17:2(C), 1453(A), 1851(C), the introductory paragraph of 1871(A)(1)(a), and 3121(C), R.S. 42:2, and R.S. 45:1161.1(B), and to enact R.S. 3:4272(D) and R.S. 42:3.2, relative to term limits for members of certain boards and commissions; to prohibit any person appointed or elected to a board or commission within the executive branch of state government to serve in such position for more than three consecutive terms; to prohibit the term of any person serving at the pleasure of an appointing authority to extend beyond twelve consecutive years; to provide for continuation of service for certain members exceeding the three terms or twelve year limits; to exclude persons serving on boards and commissions by virtue of their position or office held; and to provide for related matters.

The bill was read by title. Senator Mount 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. Lists Mr. President, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Duplessis, Dupre, Erdey, Total - 29.

NAYS

Adley Murray
Alario Thompson
Total - 4

ABSENT

Amedee Jackson McPherson
Dorsey Kostelka
Total - 5

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

SENATE BILL NO. 312— BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY AND NEVERS AN ACT

To amend and reenact R.S. 40:5.11(B), relative to the water fluoridation program; to provide for funding; to provide for reporting; to provide for exemptions; 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. 312 by Senator Mount

AMENDMENT NO. 1 On page 2, line 11, following "similar" and before ", as available" insert "source of funds"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 312 by Senator Mount

AMENDMENT NO. 1 On page 1, line 2, after "(B)" insert "and (G)"

AMENDMENT NO. 2 On page 1, line 6, change "is" to "and (G) are"

AMENDMENT NO. 3 On page 3, between lines 7 and 8, insert the following: "G. The office of public health, through the department, shall promulgate rules and regulations in accordance with the Administrative Procedure Act relating to the fluoridation of public water systems, including but not limited to, minimum levels of fluoride required in public water systems."

On motion of Senator Mount, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 312 by Senator Mount

AMENDMENT NO. 1 On page 2, line 11, after "similar" and before "1" insert "means or"

On motion of Senator Mount, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 312 by Senator Mount

AMENDMENT NO. 1 On page 1, line 2, after "(B)" insert "and (G)"

AMENDMENT NO. 2 On page 1, line 6, change "is" to "and (G) are"

AMENDMENT NO. 3 On page 3, between lines 7 and 8, insert "G. The office of public health, through the department, shall promulgate rules and regulations in accordance with the Administrative Procedure Act relating to fluoridation of public water systems, including but not limited to, minimum levels of fluoride required in public water systems."

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount 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
Broome Gray Murray
Cassidy Hebert Nevers
Cheek Heitmeier Quinn
Cravins Jackson Riser
Crowe LaFleur Shaw
Donahue Long Shepherd
Dorsey Marionneaux Smith
Duplessis Martiny Thompson
Dupre McPherson Walsworth
Total - 36

NAYS

Total - 0

ABSENT

Amedee Kostelka
Total - 2

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

SENATE BILL NO. 402— BY SENATOR CASSIDY AN ACT

To amend and reenact R.S. 46:2761 and to enact R.S. 46:2762, relative to uncompensated care payments; to provide for a methodology for allocation of uncompensated care payments; to provide for implementation; to provide for regions; and to provide for related matters.

May 6, 2008

On motion of Senator Cassidy, Senate Bill No. 402 was made Special Order of the Day No. 1 on Monday, May 12, 2008, immediately following the Morning Hour.

SENATE BILL NO. 502—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 22:226(A)(2) and to enact R.S. 22:226(A)(3), relative to employer-provided health plans; to provide for an exception for the office of group benefits programs to the requirement that employers not impose a co-payment fee or other condition on individuals who do not utilize a designated mail order pharmacy; 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. 502 by Senator Crowe

AMENDMENT NO. 1

On page 2, line 3, following "the" and before the end of the line, change "office of group benefits" to "Office of Group Benefits"

On motion of Senator Marionneaux, the amendments were adopted.

Motion

Senator McPherson moved to return the amended bill to the Involuntary Calendar.

Senator Crowe objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Erdey Morrish
Alario Gautreaux B Mount
Broome Heitmeier Murray
Cassidy Jackson Nevers
Cheek Kostelka Quinn
Cravins LaFleur Riser
Donahue Long Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Dupre Michot
Total - 29

NAYS

Crowe Shaw
Total - 2

ABSENT

Mr. President Gray Shepherd
Amedee Hebert
Gautreaux N Marionneaux
Total - 7

The Chair declared the amended bill was returned to the Involuntary Calendar.

SENATE BILL NO. 519—

BY SENATOR AMEDEE

AN ACT

To enact R.S. 37:3507.2(A)(4), relative to private investigators; to provide with respect to the types of licenses issued by the board; and to provide for related matters.

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

SENATE BILL NO. 540—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:2183(E), relative to hospices; to provide for the moratorium on the issuance of hospice licenses; to provide for an application process for the issuance of new hospice licenses; 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. 540 by Senator Mount

AMENDMENT NO. 1

On page 1, line 7, following "fees" insert "; moratorium"

AMENDMENT NO. 2

On page 1, line 10, following "a" and before "moratorium" delete "current"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee LaFleur Martiny
Gray Marionneaux Morrish
Total - 6

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Mount 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. 629—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 44:5 and to enact R.S. 44:5.1, relative to public records; to provide for the application of the laws relative to public records to the office of the governor; to provide for definitions; to provide for the application of the laws relative to public records to the legislature; and to provide for related matters.

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

SENATE BILL NO. 701—
BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY, GRAY, HEITMEIER AND NEVERS

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.

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. 701 by Senator Mount

AMENDMENT NO. 1
On page 3, line 22, delete "***"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 701 by Senator Mount

AMENDMENT NO. 1
On page 1, at the end of line 4, delete "pilot"

AMENDMENT NO. 2
On page 1, line 5, after "the" and before "program" delete "pilot"

AMENDMENT NO. 3
On page 2, at the end of line 7, insert the following: "All delivery of integrated services shall be in accordance with the statutory authority of each agency or department."

AMENDMENT NO. 4
On page 5, delete lines 2 and 3 in their entirety

AMENDMENT NO. 5
On page 5, line 4, change "3" to "2"

On motion of Senator Mount, the amendments were adopted.

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. 701 by Senator Mount

AMENDMENT NO. 1
On page 3, between lines 21 and 22, insert the following: "(9) Prevent fraud and abuse to ensure funds are appropriately utilized."

AMENDMENT NO. 2
On page 4, between lines 15 and 16, insert the following: "(d) To prevent fraud and abuse to ensure funds are appropriately utilized."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Erdey, Mount, Adley, Gautreaux B, Murray, Alario, Gautreaux N, Nevers, Broome, Hebert, Quinn, Cassidy, Heitmeier, Riser, Cheek, Jackson, Shaw, Cravins, Kostelka, Shepherd, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, McPherson, Walsworth, Duplessis, Michot, Dupre, Morrish.

Total - 34

NAYS

Total - 0

ABSENT

Table listing names of members voting ABSENT: Amedee, Marionneaux, Gray, Martiny.

Total - 4

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

SENATE BILL NO. 788—
BY SENATOR WALSWORTH
AN ACT

To enact R.S. 29:723(7), (8), (9), (10), (11) and (12) and 725.3 through 725.6, relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for definitions; to provide for the creation of the office of interoperability; to provide for an assistant deputy director of interoperability; to establish the interoperability committee, regional parish office of emergency preparedness directors committee, and first responders committee under the unified command group to design, construct, administer, and maintain a statewide shared communications system for first responders and to design, construct, administer, and maintain a statewide communication interoperability plan; and to provide for related matters.

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

Rules Suspended

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 6, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 55— BY SENATORS DUPLESSIS, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES AUSTIN BADON, LEGER AND RICHMOND

A CONCURRENT RESOLUTION

To commend and congratulate Byron Scott, head coach of the New Orleans Hornets Basketball Team, on being honored as the National Basketball Association Coach of the Year for the 2007-2008 season.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 56— BY SENATOR CASSIDY AND REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To commend and congratulate Glasgow Middle School on being designated as a Blue Ribbon School of Excellence in 2007.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 57— BY SENATORS WALSWORTH, 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, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH AND THOMPSON AND REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To commend Senator Steven J. Scalise for his dedication and continued faithful service to the citizens of the state of Louisiana and his colleagues in the Louisiana Senate and Louisiana House of Representatives.

Reported without amendments.

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 55—

BY SENATOR THOMPSON A RESOLUTION

To designate May 7, 2008, as "FFA Day" at the legislature.

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

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR MURRAY A CONCURRENT RESOLUTION

To proclaim May 13, 2008, as "New Orleans Day at the Legislature."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Duplessis, Morrish, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names like Amedee, Hebert, Martiny, etc.

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

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATOR JACKSON A CONCURRENT RESOLUTION

To recognize May 12, 2008, as "Fibromyalgia Awareness Day" in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Erdey, Morrish, etc.

Cheek	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Duplessis	McPherson	Thompson
Dupre	Michot	Walsworth

Total - 30

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Martiny
Cravins	Hebert	Shepherd
Dorsey	Marionneaux	

Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 62—
 BY SENATORS CROWE AND DONAHUE AND REPRESENTATIVES CROMER AND PEARSON

A CONCURRENT RESOLUTION

To commend a lifetime of contributions made on behalf of public education by the late Robert C. Brooks, Jr., M. Ed., the first African-American principal at St. Tammany High School.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Mount
Adley	Erdey	Murray
Alario	Gautreaux N	Nevers
Broome	Gray	Quinn
Cassidy	Heitmeier	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Smith
Crowe	LaFleur	Thompson
Donahue	Long	Walsworth
Dorsey	McPherson	
Duplessis	Michot	

Total - 31

NAYS

Total - 0

ABSENT

Amedee	Marionneaux	Shepherd
Gautreaux B	Martiny	
Hebert	Morrish	

Total - 7

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 6, 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. 339—
 BY REPRESENTATIVE LOPINTO
 AN ACT

To amend and reenact R.S. 9:315.1(C)(1)(b), 315.6, and 315.13(B), relative to child support; to provide for the placement of child support in a trust; to provide for the addition of special expenses; and to provide for related matters.

HOUSE BILL NO. 341—
 BY REPRESENTATIVES JOHNSON, LOPINTO, AND WILLMOTT
 AN ACT

To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1, relative to child support guidelines; to provide for the determination of income; to provide for the admissibility of evidence of income; to provide for required documentation; and to provide for related matters.

HOUSE BILL NO. 444—
 BY REPRESENTATIVE TEMPLET
 AN ACT

To amend and reenact Children's Code Articles 1123(B) and (C), 1124, 1125, 1126, 1127, 1127.1, 1137(D), 1172, 1173(A)(2), 1185, 1186(A) and (B), 1188, 1189, 1190(A) and (C), 1191, 1192, 1269.1, 1269.2(B), 1269.6, 1270(A) and (C), 1272(C) and (D), and 1276 and to enact Children's Code Articles 1122(B)(12), (13), and (14), (F)(18), (19), and (20), (G)(18) and (19), and (H), 1123(D), 1190(D), 1269.1.1, and 1270(F), relative to the adoption of children; to provide for the act of surrender; to provide for the statement of family history; to provide for the age of a child eligible for adoption; to provide for the validity of continued contact agreements; to provide for the preplacement home study; to provide for counseling; and to provide for related matters.

HOUSE BILL NO. 809—
 BY REPRESENTATIVE LOPINTO
 AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(ii) and 707(B) and to enact R.S. 47:501(C), relative to requirements for driver's licenses, motor vehicle registrations, and certificates of title; to provide for the definition of full legal name; to provide relative to application requirements for motor vehicle registrations and certificates of title; and to provide for related matters.

HOUSE BILL NO. 1355— (Substitute for House Bill No. 1045 by Representative Ellington)
 BY REPRESENTATIVE ELLINGTON
 AN ACT

To amend and reenact R.S. 3:559.28 and to repeal R.S. 3:559.25(C), relative to the Aquatic Chelonian Research and Promotion Board; to provide for the powers of the board; to provide for deposit and disbursements of assessments into a special fund; and to provide for related matters.

HOUSE BILL NO. 363—
 BY REPRESENTATIVE LEBAS
 AN ACT

To amend and reenact R.S. 37:1479(A) and (B), relative to the licensing of home inspectors; to provide for the expiration of licenses; to provide for the renewal of licenses; and to provide for related matters.

May 6, 2008

HOUSE BILL NO. 374—
BY REPRESENTATIVE CHANDLER
AN ACT

To amend and reenact R.S. 9:334(B)(2) and (E) and Children's Code Article 439, relative to mediation; to provide for the qualifications of child custody mediators; and to provide for related matters.

HOUSE BILL NO. 601—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 33:2002(A)(4)(a) and 2218.2(A)(2)(a), relative to state supplemental pay; to provide relative to supplemental pay for certain commissioned law enforcement officers; to provide relative to supplemental pay for certain fire protection officers; to provide for the locations of headquarters of agencies employing such officers; and to provide for related matters.

HOUSE BILL NO. 747—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 47:337.26(B), (C), (D), and (E), 337.75(A), and 1605(A) and (B)(1) and to repeal R.S. 47:337.75(E), relative to use of private auditing firms and private counsel; to prohibit contingency fee contracts with private auditing firms; to require certification of auditing firms; to limit the services that an auditing firm may provide; to limit taxpayer costs with respect to additional taxes due as a result of certain audits; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Mount 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. 339—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 9:315.1(C)(1)(b), 315.6, and 315.13(B), relative to child support; to provide for the placement of child support in a trust; to provide for the addition of special expenses; 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. 341—
BY REPRESENTATIVES JOHNSON, LOPINTO, AND WILLMOTT
AN ACT

To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1, relative to child support guidelines; to provide for the determination of income; to provide for the admissibility of evidence of income; to provide for required documentation; 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. 363—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 37:1479(A) and (B), relative to the licensing of home inspectors; to provide for the expiration of licenses; to provide for the renewal of licenses; 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. 374—
BY REPRESENTATIVE CHANDLER
AN ACT

To amend and reenact R.S. 9:334(B)(2) and (E) and Children's Code Article 439, relative to mediation; to provide for the qualifications of child custody mediators; 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. 444—
BY REPRESENTATIVE TEMPLET
AN ACT

To amend and reenact Children's Code Articles 1123(B) and (C), 1124, 1125, 1126, 1127, 1127.1, 1137(D), 1172, 1173(A)(2), 1185, 1186(A) and (B), 1188, 1189, 1190(A) and (C), 1191, 1192, 1269.1, 1269.2(B), 1269.6, 1270(A) and (C), 1272(C) and (D), and 1276 and to enact Children's Code Articles 1122(B)(12), (13), and (14), (F)(18), (19), and (20), (G)(18) and (19), and (H), 1123(D), 1190(D), 1269.1.1, and 1270(F), relative to the adoption of children; to provide for the act of surrender; to provide for the statement of family history; to provide for the age of a child eligible for adoption; to provide for the validity of continued contact agreements; to provide for the preplacement home study; to provide for counseling; 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. 601—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 33:2002(A)(4)(a) and 2218.2(A)(2)(a), relative to state supplemental pay; to provide relative to supplemental pay for certain commissioned law enforcement officers; to provide relative to supplemental pay for certain fire protection officers; to provide for the locations of headquarters of agencies employing such officers; 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. 747—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 47:337.26(B), (C), (D), and (E), 337.75(A), and 1605(A) and (B)(1) and to repeal R.S. 47:337.75(E), relative to use of private auditing firms and private counsel; to prohibit contingency fee contracts with private auditing firms; to require certification of auditing firms; to limit the services that an auditing firm may provide; to limit taxpayer costs with respect to additional taxes due as a result of certain audits; 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. 809—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(ii) and 707(B) and to enact R.S. 47:501(C), relative to requirements for driver's licenses, motor vehicle registrations, and certificates of title; to provide for the definition of full legal name; to provide relative to application requirements for motor vehicle registrations and certificates of title; 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. 1355— (Substitute for House Bill No. 1045 by Representative Ellington)
 BY REPRESENTATIVE ELLINGTON
 AN ACT

To amend and reenact R.S. 3:559.28 and to repeal R.S. 3:559.25(C), relative to the Aquatic Chelonian Research and Promotion Board; to provide for the powers of the board; to provide for deposit and disbursements of assessments into a special fund; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 6, 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. 98—
 BY REPRESENTATIVE LAFONTA
 A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review EnergySolutions' license application to the United States Nuclear Regulatory Commission to import and export foreign nuclear waste through the Port of New Orleans and to monitor such activity, if such license is granted, to ensure compliance with all rules and regulations and necessary permitting and to take all legal action to stop such activity in the absence of compliance.

HOUSE CONCURRENT RESOLUTION NO. 111—
 BY REPRESENTATIVES JANE SMITH, HUTTER, AND KATZ AND SENATORS CHEEK AND QUINN
 A CONCURRENT RESOLUTION

To commend the Louisiana Federation of Republican Women and to welcome its members to the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 113—
 BY REPRESENTATIVE HARRISON
 A CONCURRENT RESOLUTION

To commend Special Agent in Charge William J. Renton, Jr., upon his retirement from the United States Drug Enforcement Administration.

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

House Concurrent Resolutions

Senator Murray 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. 98—
 BY REPRESENTATIVE LAFONTA
 A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review EnergySolutions' license application to the United States Nuclear Regulatory Commission to import and export foreign

nuclear waste through the Port of New Orleans and to monitor such activity, if such license is granted, to ensure compliance with all rules and regulations and necessary permitting and to take all legal action to stop such activity in the absence of compliance.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Broome	Heitmeier	Nevers
Cassidy	Jackson	Quinn
Cravins	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Marionneaux
Cheek	Hebert	Shepherd
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 111—
 BY REPRESENTATIVES JANE SMITH, HUTTER, AND KATZ AND SENATORS CHEEK AND QUINN
 A CONCURRENT RESOLUTION

To commend the Louisiana Federation of Republican Women and to welcome its members to the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Gray	Mount
Alario	Heitmeier	Murray
Broome	Jackson	Nevers
Cassidy	Kostelka	Quinn
Cheek	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Erdey	Michot	
Total - 32		

NAYS

Total - 0

May 6, 2008

ABSENT

Amedee	Dorsey	Hebert
Cravins	Gautreaux B	Shepherd
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To commend Special Agent in Charge William J. Renton, Jr., upon his retirement from the United States Drug Enforcement Administration.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Hebert	Shepherd
Total - 3		

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

Motion to Recommit

Senator Cheek asked for and obtained a suspension of the rules and recommitted Senate Bill No. 633 from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Health and Welfare.

Motion to Recommit

Senator Dupre asked for and obtained a suspension of the rules and recommitted House Bill No. 697 from the Committee on Transportation, Highways and Public Works to the Committee on Natural Resources.

Motion to Recommit

Senator Dupre asked for and obtained a suspension of the rules and recommitted House Concurrent Resolution No. 25 from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Natural Resources.

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 6, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend Dr. E. Joseph Savoie for his exemplary service and leadership as Louisiana's Commissioner of Higher Education and to extend sincere congratulations upon his selection to serve as president of the University of Louisiana at Lafayette.

Reported without amendments.

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

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:

May 6, 2008

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR SCALISE

A CONCURRENT RESOLUTION

To direct the Louisiana Recovery Authority to develop a plan for the review and approval of the Joint Legislative Committee on the Budget relative to the recoupment of Road Home monies from any source.

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to oppose the authorization of offshore aquaculture in the Gulf of Mexico.

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues.

SENATE CONCURRENT RESOLUTION NO. 49—
 BY SENATOR NEVERS AND REPRESENTATIVE HONEY
 A CONCURRENT RESOLUTION

To commend the Apprenticeship Division of the Louisiana Department of Labor and the Louisiana State Apprenticeship Council in recognition of the 70th Anniversary of the enactment of the Louisiana Apprenticeship Act of 1938.

Respectfully submitted,
 ROBERT W. "BOB" KOSTELKA
 Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 6, 2008

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 78—
 BY REPRESENTATIVE MICKEY GUILLORY
 A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 79—
 BY REPRESENTATIVES KLECKLEY, DANAHAY, FRANKLIN, GEYMAN, GUINN, HILL, AND PERRY AND SENATORS MORRISH, MOUNT, AND SMITH
 A CONCURRENT RESOLUTION

To commend Margaret H. Little of Calcasieu Parish upon the occasion of her retirement as manager of the Moss Bluff Post Office on June 2, 2008, and to recognize her for more than thirty years of federal and state civil service.

HOUSE CONCURRENT RESOLUTION NO. 83—
 BY REPRESENTATIVE MILLS
 A CONCURRENT RESOLUTION

To proclaim the month of May of 2008 as Amyotrophic Lateral Sclerosis awareness month and memorializes the United States Congress to enact legislation to provide additional funding for research on amyotrophic lateral sclerosis, or ALS.

HOUSE CONCURRENT RESOLUTION NO. 102—
 BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON AND REPRESENTATIVES FANNIN, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend and congratulate Franklin Malcolm Hood, Jr., for his extraordinary service to the state of Louisiana as the energy industry's most respected, trusted and effective spokesman of his generation before the Louisiana Legislature and to declare "F. Malcolm Hood Day" in the Louisiana Legislature.

HOUSE CONCURRENT RESOLUTION NO. 106—
 BY REPRESENTATIVE RICHARD
 A CONCURRENT RESOLUTION

To commend Thibodaux Fire Company No. 1 of the Thibodaux Volunteer Fire Department upon the celebration of its one hundred fiftieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 14—
 BY REPRESENTATIVES GALLOT AND TUCKER
 A CONCURRENT RESOLUTION

To suspend until August 15, 2008, the provisions of R.S. 18:1483(14)(c) and 1501.2 as enacted by Act No. 26 of the 2008 First Extraordinary Session of the Legislature relative to campaign finance.

HOUSE CONCURRENT RESOLUTION NO. 108—
 BY REPRESENTATIVES SAM JONES, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To commend Dr. William L. Jenkins, president emeritus of the Louisiana State University System, upon his accomplishments and contributions as acting chancellor of Louisiana State University.

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	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	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	
Erdey	Michot	

Total - 37

May 6, 2008

ABSENT

Amedee
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee 1 Day

Adjournment

Senator Broome moved that the Senate adjourn until Wednesday, May 7, 2008, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Wednesday, May 7, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk