

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

TWENTY-SEVENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 14, 2008

The Senate was called to order at 2:15 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Dupre	Morrish
Adley	Gautreaux B	Murray
Amedee	Hebert	Nevers
Broome	Heitmeier	Quinn
Cassidy	Kostelka	Riser
Cheek	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Martiny	
Duplessis	McPherson	
Total - 25		

ABSENT

Alario	Gray	Shaw
Cravins	Jackson	Shepherd
Crowe	Marionneaux	Walsworth
Erdey	Michot	
Gautreaux N	Mount	
Total - 13		

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

Prayer

The prayer was offered by Pastor Chris Boudreaux, following which the Senate joined in pledging allegiance to the flag of the United States of America and Mazel Lasseigne from Senator Hebert's District lead us in the Pledge of Allegiance spoken in French.

Reading of the Journal

On motion of Senator Nevers, the reading of the Journal was dispensed with and the Journal of May 13, 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 13, 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. 72—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To commend and congratulate Pope John Paul II High School on winning the Class 2A Girls High School State Softball Championship.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 14, 2008

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 343—

BY REPRESENTATIVES PERRY AND ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:499.4, relative to night shrimping; to make corrections to the night shrimping line; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 475—

BY REPRESENTATIVES ST. GERMAIN AND GISCLAIR

AN ACT

To amend and reenact R.S. 56:10(B)(1)(e) and to enact R.S. 56:306(B)(6) and 306.1(B)(7), relative to sales of crabs outside the state of Louisiana; to provide for a wholesale out-of-state crab shipping license and a retail out-of-state crab shipping license; to provide for the cost of such licenses; to provide for deposit and use of revenues from the sale of such licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 694—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:116(D), relative to special hunting seasons; to provide for a special open deer hunting season; to provide for eligibility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 695—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To repeal R.S. 34:851.15(A)(2)(c), relative to personal watercraft; to remove the exemption for personal watercraft from provisions applicable to motorboats towing waterskis or similar contrivance.

Reported without amendments.

May 14, 2008

HOUSE BILL NO. 697—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for definitions; to provide for operation of certain vessels; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 698—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:143(A), relative to hunting; to provide for the wearing of "hunter orange" during deer season; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 701—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:8(26), (42), (57), (58), (66), (91), (110), and (112), 320(A), 325(C), 326.1, 327(A)(1)(introductory paragraph) and (2), 332(M), 411, 412, and 413, to enact R.S. 56:8(109.1), and to repeal R.S. 56:327(A)(1)(a), (b), and (c), relative to game fish; to define what fish species are game fish; to define "commercial fishing"; to define "recreational fishing"; to define "aquaculture"; to define "domesticated fish"; to delineate what restrictions apply to game fish, to aquaculturally raised fish, to commercial fishing, and to recreational fishing; to provide relative to transportation of game fish fingerlings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 702—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:322.1(A) and (H) and 322.2(B) and (D) and to repeal R.S. 56:322.1(D), relative to commercial taking of shad and skipjack; to remove provisions for a closed season; to provide relative to the prohibition for nighttime taking of commercial shad; to authorize the keeping of other commercial species of fish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1025—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:104(A)(2), (4), and (7) and 302.1(B)(1) and (C)(2)(a), to enact R.S. 56:104(E), and to repeal R.S. 56:104(A)(6), relative to nonresident hunting and fishing licenses; to provide for one-day costs for each nonresident hunting or fishing license; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Bills were read by title and passed to a third reading.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 73—
BY SENATOR DUPRE
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, with assistance from the U.S. Food and Drug Administration and the Interstate Shellfish Sanitation Conference, to perform a cost-benefit analysis and economic impact study before promulgation of rules relating to the *Vibrio parahaemolyticus* and *Vibrio vulnificus* management plans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Erdey	McPherson
Amedee	Gautreaux B	Morrish
Broome	Gautreaux N	Mount
Cassidy	Hebert	Murray
Cheek	Heitmeier	Nevers
Cravins	Jackson	Quinn
Donahue	Kostelka	Riser
Dorsey	LaFleur	Smith
Duplessis	Long	Thompson
Total - 30		

NAYS

Total - 0

ABSENT

Alario	Martiny	Shepherd
Crowe	Michot	Walsworth
Gray	Shaw	
Total - 8		

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

Senate Bills and Joint Resolutions on Second Reading

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

SENATE BILL NO. 809— (Substitute of Senate Bill No. 507 by Senator Mount)

BY SENATOR MOUNT
AN ACT

To enact R.S. 33:4547.1(E) and (F), all relative to performance-based energy efficiency contracts; to provide for contract provisions; to provide for contract evaluation requirements; to provide for the cost of evaluation; and to provide for related matters.

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

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 13, 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. 25—

BY REPRESENTATIVES GEYMANN, HILL, HENRY BURNS, TIM BURNS, DOERGE, GUINN, HARRISON, HINES, HOFFMANN, HOWARD, KATZ, KLECKLEY, LABRUZZO, LOPINTO, LORUSSO, MCVEA, MORRIS, NOWLIN, PERRY, POPE, SMILEY, JANE SMITH, AND WOOTON

AN ACT

To enact Code of Criminal Procedure Article 228(D), relative to booking an arrested person; to require that peace officers determine the citizenship or immigration status of the arrested person at the time of booking; to provide for procedures; and to provide for related matters.

HOUSE BILL NO. 788—

BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 48:235 and to repeal R.S. 30:2534, relative to the adopt-a-road program; to transfer the adopt-a-road program to the Department of Transportation and Development; to repeal the adopt-a-road program within the Department of Environmental Quality; and to provide for related matters.

HOUSE BILL NO. 941—

BY REPRESENTATIVE TALBOT

AN ACT

To enact R.S. 40:1730.40, relative to enforcement of building codes by municipalities and parishes; to provide for provisions of the state constitution and home rule charters in relation to the state construction code; and to provide for related matters.

HOUSE BILL NO. 1014—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 11:1461, 1761(B), and 2225(A)(7)(c), relative to the Assessors' Retirement Fund, Municipal Employees' Retirement System, and Municipal Police Employees' Retirement System; to provide for a cost-of-living adjustment; to provide legislative exemption for the purpose thereof; to provide for recipients of the cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1110—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 11:2262(D)(1) and (2), relative to the Firefighters' Retirement System; to provide with respect to the pension accumulation fund, employer contributions, and the interest rate applicable to collection of delinquent employee and employer contributions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact the heading of Part X of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 and to enact R.S. 9:2242, relative to trusts; to provide for service of process; to provide for the appointment of a registered agent; to provide for the resignation of a registered agent; to provide for successor agents; and to provide for related matters.

HOUSE BILL NO. 1308—

BY REPRESENTATIVE ELLINGTON

AN ACT

To amend and reenact R.S. 40:1730.23(A), relative to inspections of commercial and residential structures; to allow the office of state fire marshal to conduct plan reviews and inspections on commercial structures; and to provide for related matters.

HOUSE BILL NO. 1357— (Substitute for House Bill No. 24 by Representative Geymann)

BY REPRESENTATIVES GEYMANN, TIM BURNS, HILL, HOFFMANN, GIROD JACKSON, KATZ, KLECKLEY, LABRUZZO, MORRIS, NOWLIN, PERRY, POPE, SMILEY, JANE SMITH, AND WOOTON

AN ACT

To enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21, relative to aliens; to create the crime of unlawfully harboring, concealing, or sheltering an alien; to provide for definitions; to provide for penalties; to provide for affirmative defenses; and to provide for related matters.

HOUSE BILL NO. 1358— (Substitute for House Bill No. 26 by Representative Geymann)

BY REPRESENTATIVE GEYMANN

AN ACT

To enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21, relative to aliens; to create the crime of unlawful transportation of an alien; to provide for definitions; to provide for affirmative defenses; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1360— (Substitute for House Bill No. 412 by Representative Mills)

BY REPRESENTATIVES MILLS AND ELLINGTON

AN ACT

To enact R.S. 22:170.2, relative to life insurance policies and annuities; to provide with respect to any such policy or annuity issued to fund a pre-need funeral contract; to provide for the relationship of a funeral establishment to such a policy or contract; and to provide for related matters.

HOUSE BILL NO. 55—

BY REPRESENTATIVES HENRY AND TUCKER

AN ACT

To amend and reenact R.S. 9:2712 and 2941.1(A), R.S. 12:25(E)(1), 205(E)(1), and 304(A)(1)(a), R.S. 13:3720 and 3888(A), and R.S. 42:1124(E), relative to counterletters; to prohibit the use of a counterletter; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 65—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 40:1730.22(A) and (D), relative to the Louisiana State Uniform Construction Code Council; to provide for term limits on members of the council and a term limit for its chairman; to provide for payment of expenses and mileage incurred by members while attending council meetings; and to provide for related matters.

HOUSE BILL NO. 198—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 40:1730.22(C), 1730.26(2), and 1730.28(A)(introductory paragraph) and (C), relative to the adoption of the state uniform construction code; to provide for the adoption of an amendment to the state uniform construction code after a showing that the amendment provides a reasonable degree of affordability; to require the review and evaluation of each new edition of the International Residential Code upon its release; to require the update of the state uniform construction

code within two years of the release of the latest edition; to require the evaluation, adoption, and amendment of only the latest editions of the codes and standards comprising the state uniform construction code; to require the evaluation and adoption of the latest edition of the International Residential Code; and to provide for related matters.

HOUSE BILL NO. 494—
BY REPRESENTATIVES HINES AND TIM BURNS
AN ACT

To amend and reenact R.S. 9:315.19, relative to child support; to provide for the schedule of basic child support obligations; and to provide for related matters.

HOUSE BILL NO. 548—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact Code of Civil Procedure Articles 927, 1005, 1354, 1355, 1471, 1551(A), 1916, and 2592 and to repeal Code of Civil Procedure Article 1913(E), relative to the continuous revision of the Code of Civil Procedure; to provide for the peremptory exception; to provide for affirmative defenses; to provide for subpoenas duces tecum; to provide for service of subpoenas by private person; to provide for the failure to comply with an order compelling discovery; to provide for pretrial conferences and orders; to provide for the preparation of judgments and signing of judgments; to provide for the use of summary proceedings; and to provide for related matters.

HOUSE BILL NO. 633—
BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 9:2795.5, relative to civil liability; to provide a limitation of liability for certain agritourism activities; to provide for definitions; to provide for exceptions; to require certain warnings; and to provide for related matters.

HOUSE BILL NO. 773—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 33:9097.4, relative to East Baton Rouge Parish; to create the Capital Heights Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

HOUSE BILL NO. 920—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 40:1730.22(A), 1730.23(A) and (C), 1730.24(B), 1730.25, 1730.30(A) and (B), and 1730.35(B), relative to the Louisiana State Uniform Construction Code; to prohibit a per diem or other compensation for the Louisiana State Uniform Construction Code Council; to provide for registration of third-party providers; to prohibit officers or providers from conducting a plan review or inspections in certain circumstances; to provide for discretionary acts by government agencies, employees, and officials; to define residential accessory structure; to exempt certain residential accessory structures from regulation; to provide for changes to the application and issuance of certificates of registration; and to provide for related matters.

HOUSE BILL NO. 1053—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 17:1941 through 1947 and to repeal R.S. 17:1942.1, 1947.1, 1948 through 1954, and 1958, all relative to the education of children with exceptionalities; to provide for a comprehensive revision of the educational opportunities for children with exceptionalities provisions; to provide for a statement of policy; to provide for definitions; to provide for administration; to provide for responsibilities of local education agencies; to provide relative to special schools and school districts, safeguards, and funding for special educational

services; to repeal provisions relative to notice of proposed rules, strategic plans and guidelines; assistance for local educational agencies, purchase of special education and related services, personnel development systems, an advisory panel, and liability limitations for certain providers; and to provide for related matters.

HOUSE BILL NO. 1362— (Substitute for House Bill No. 1061 by Representative Hutter)
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 32:173.1 and to repeal R.S. 32:173, relative to railroad crossings; to provide that commercial motor vehicles and buses transporting passengers abide by federal regulations pertaining to stopping at railroad crossings; and to provide for related matters.

HOUSE BILL NO. 1361— (Substitute for House Bill No. 1080 by Representative Patricia Smith)
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 40:2120.42(1), relative to adult day health care providers; to change certain operational requirements; and to provide for related matters.

HOUSE BILL NO. 266—
BY REPRESENTATIVES MILLS, BOBBY BADON, BARRAS, CHAMPAGNE, GEYMAN, GISCLAIR, MICKEY GULLORY, HARDY, HARRISON, SAM JONES, LEBAS, MONTOUCET, PERRY, RICHARD, ROBIDEAUX, ST. GERMAIN, TRAHAN, AND WOOTON AND SENATORS HEBERT AND LAFLEUR
AN ACT

To enact R.S. 56:578.14, relative to crawfish and shrimp; to provide for notice of foreign or domestic crawfish or shrimp in certain situations; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1162—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 45:164.1, relative to the attorney general; to provide for powers and duties; to provide relative to motor carriers transporting household goods; to provide for investigations; to provide for the adoption of fines and penalties for violations; to provide for an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Thompson 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. 25—
BY REPRESENTATIVES GEYMAN, HILL, HENRY BURNS, TIM BURNS, DOERGE, GUINN, HARRISON, HINES, HOFFMANN, HOWARD, KATZ, KLECKLEY, LABRUZZO, LOPINTO, LORUSSO, MCVEA, MORRIS, NOWLIN, PERRY, POPE, SMILEY, JANE SMITH, AND WOOTON
AN ACT

To enact Code of Criminal Procedure Article 228(D), relative to booking an arrested person; to require that peace officers determine the citizenship or immigration status of the arrested person at the time of booking; to provide for procedures; and to provide for related matters.

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

HOUSE BILL NO. 55—

BY REPRESENTATIVES HENRY AND TUCKER
AN ACT

To amend and reenact R.S. 9:2712 and 2941.1(A), R.S. 12:25(E)(1), 205(E)(1), and 304(A)(11)(a), R.S. 13:3720 and 3888(A), and R.S. 42:1124(E), relative to counterletters; to prohibit the use of a counterletter; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 65—

BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 40:1730.22(A) and (D), relative to the Louisiana State Uniform Construction Code Council; to provide for term limits on members of the council and a term limit for its chairman; to provide for payment of expenses and mileage incurred by members while attending council meetings; 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. 198—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 40:1730.22(C), 1730.26(2), and 1730.28(A)(introductory paragraph) and (C), relative to the adoption of the state uniform construction code; to provide for the adoption of an amendment to the state uniform construction code after a showing that the amendment provides a reasonable degree of affordability; to require the review and evaluation of each new edition of the International Residential Code upon its release; to require the update of the state uniform construction code within two years of the release of the latest edition; to require the evaluation, adoption, and amendment of only the latest editions of the codes and standards comprising the state uniform construction code; to require the evaluation and adoption of the latest edition of the International Residential Code; 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. 266—

BY REPRESENTATIVES MILLS, BOBBY BADON, BARRAS, CHAMPAGNE, GEYMAN, GISCLAIR, MICKEY GUILLORY, HARDY, HARRISON, SAM JONES, LEBAS, MONTOUCET, PERRY, RICHARD, ROBIDEAUX, ST. GERMAIN, TRAHAN, AND WOOTON AND SENATORS HEBERT AND LAFLEUR
AN ACT

To enact R.S. 56:578.14, relative to crawfish and shrimp; to provide for notice of foreign or domestic crawfish or shrimp in certain situations; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 494—

BY REPRESENTATIVES HINES AND TIM BURNS
AN ACT

To amend and reenact R.S. 9:315.19, relative to child support; to provide for the schedule of basic child support obligations; 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. 548—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact Code of Civil Procedure Articles 927, 1005, 1354, 1355, 1471, 1551(A), 1916, and 2592 and to repeal Code of Civil Procedure Article 1913(E), relative to the continuous revision of the Code of Civil Procedure; to provide for the peremptory exception; to provide for affirmative defenses; to provide for subpoenas duces tecum; to provide for service of subpoenas by private person; to provide for the failure to comply with an order compelling discovery; to provide for pretrial conferences and orders; to provide for the preparation of judgments and signing of judgments; to provide for the use of summary proceedings; and to provide for related matters.

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

HOUSE BILL NO. 633—

BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 9:2795.5, relative to civil liability; to provide a limitation of liability for certain agritourism activities; to provide for definitions; to provide for exceptions; to require certain warnings; 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. 773—

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 33:9097.4, relative to East Baton Rouge Parish; to create the Capital Heights Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 788—

BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 48:235 and to repeal R.S. 30:2534, relative to the adopt-a-road program; to transfer the adopt-a-road program to the Department of Transportation and Development; to repeal the adopt-a-road program within the Department of Environmental Quality; and to provide for related matters.

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

HOUSE BILL NO. 920—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 40:1730.22(A), 1730.23(A) and (C), 1730.24(B), 1730.25, 1730.30(A) and (B), and 1730.35(B), relative to the Louisiana State Uniform Construction Code; to prohibit a per diem or other compensation for the Louisiana State Uniform Construction Code Council; to provide for registration of third-party providers; to prohibit officers or providers from conducting a plan review or inspections in certain circumstances; to provide for discretionary acts by government agencies, employees, and officials; to define residential accessory structure; to exempt certain residential accessory structures from regulation; to provide for changes to the application and issuance of certificates of registration; 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.

May 14, 2008

HOUSE BILL NO. 941—
BY REPRESENTATIVE TALBOT
AN ACT

To enact R.S. 40:1730.40, relative to enforcement of building codes by municipalities and parishes; to provide for provisions of the state constitution and home rule charters in relation to the state construction code; 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. 1014—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 11:1461, 1761(B), and 2225(A)(7)(c), relative to the Assessors' Retirement Fund, Municipal Employees' Retirement System, and Municipal Police Employees' Retirement System; to provide for a cost-of-living adjustment; to provide legislative exemption for the purpose thereof; to provide for recipients of the cost-of-living adjustment; 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. 1053—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 17:1941 through 1947 and to repeal R.S. 17:1942.1, 1947.1, 1948 through 1954, and 1958, all relative to the education of children with exceptionalities; to provide for a comprehensive revision of the educational opportunities for children with exceptionalities provisions; to provide for a statement of policy; to provide for definitions; to provide for administration; to provide for responsibilities of local education agencies; to provide relative to special schools and school districts, safeguards, and funding for special educational services; to repeal provisions relative to notice of proposed rules, strategic plans and guidelines; assistance for local educational agencies, purchase of special education and related services, personnel development systems, an advisory panel, and liability limitations for certain providers; and to provide for related matters.

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

HOUSE BILL NO. 1110—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 11:2262(D)(1) and (2), relative to the Firefighters' Retirement System; to provide with respect to the pension accumulation fund, employer contributions, and the interest rate applicable to collection of delinquent employee and employer contributions; 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. 1162—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 45:164.1, relative to the attorney general; to provide for powers and duties; to provide relative to motor carriers transporting household goods; to provide for investigations; to provide for the adoption of fines and penalties for violations; 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 Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1179—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact the heading of Part X of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 and to enact R.S. 9:2242, relative to trusts; to provide for service of process; to provide for the appointment of a registered agent; to provide for the resignation of a registered agent; to provide for successor agents; 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. 1308—
BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 40:1730.23(A), relative to inspections of commercial and residential structures; to allow the office of state fire marshal to conduct plan reviews and inspections on commercial structures; 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. 1357— (Substitute for House Bill No. 24 by Representative Geymann)

BY REPRESENTATIVES GEYMANN, TIM BURNS, HILL, HOFFMANN, GIROD JACKSON, KATZ, KLECKLEY, LABRUZZO, MORRIS, NOWLIN, PERRY, POPE, SMILEY, JANE SMITH, AND WOOTON
AN ACT

To enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21, relative to aliens; to create the crime of unlawfully harboring, concealing, or sheltering an alien; to provide for definitions; to provide for penalties; to provide for affirmative defenses; and to provide for related matters.

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

HOUSE BILL NO. 1358— (Substitute for House Bill No. 26 by Representative Geymann)

BY REPRESENTATIVE GEYMANN
AN ACT

To enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21, relative to aliens; to create the crime of unlawful transportation of an alien; to provide for definitions; to provide for affirmative defenses; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1360— (Substitute for House Bill No. 412 by Representative Mills)

BY REPRESENTATIVES MILLS AND ELLINGTON
AN ACT

To enact R.S. 22:170.2, relative to life insurance policies and annuities; to provide with respect to any such policy or annuity issued to fund a pre-need funeral contract; to provide for the relationship of a funeral establishment to such a policy or contract; and to provide for related matters.

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

HOUSE BILL NO. 1361— (Substitute for House Bill No. 1080 by Representative Patricia Smith)

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 40:2120.42(1), relative to adult day health care providers; to change certain operational requirements; and to provide for related matters.

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

HOUSE BILL NO. 1362— (Substitute for House Bill No. 1061 by Representative Hutter)

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 32:173.1 and to repeal R.S. 32:173, relative to railroad crossings; to provide that commercial motor vehicles and buses transporting passengers abide by federal regulations pertaining to stopping at railroad crossings; 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.

Senator Broome in the Chair

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

INSURANCE

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

May 14, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 71—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(j), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 214—
BY REPRESENTATIVE KLECKLEY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 318—
BY REPRESENTATIVES KLECKLEY, ARNOLD, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CARMODY, DANAHAY, EDWARDS, FRANKLIN, GALLOT, GEYMAN, HAZEL, HENDERSON, HINES, HONEY, MICHAEL JACKSON, JOHNSON, SAM JONES, LAFONTA, LEBAS, LEGER, MARCHAND, MONTOU CET, MORRELL, MORRIS, NORTON, PERRY, PETERSON, RICHARDSON, ROY, SIMON, PATRICIA SMITH, ST. GERMAIN, TALBOT, WILLIAMS, AND WILLMOTT
AN ACT

To enact R.S. 22:215.26, relative to health insurance; to require health insurance policies, contracts, and plans, including health maintenance contracts and agreements, to provide coverage of

prosthetic devices and prosthetic services; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 333—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:1243(A) and 1244(A) and to enact R.S. 22:1242(1)(h) and (i), relative to insurance fraud; to define fraudulent insurance acts; to provide for penalties and restitution; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 481—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 22:1379(3)(f), relative to the Louisiana Insurance Guaranty Association; to provide for the definition of "covered claim"; to provide relative to the net worth exclusion applicable to insureds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 691—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 22:231(E), 232(2), 234(A)(2), 236(7)(a), 237(B)(1) and (C), 239.1(C)(2) and (3), 240(A) and (F)(3), and 242(B), relative to the Louisiana Health Plan; to provide for definitions; to define eligibility; to establish definitions of rates for nonfederally defined individuals; to establish benefits; to provide with respect to the board of directors; to provide for exemptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 953—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:806 and to enact Part XVII-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:822 through 833, relative to life insurance; to provide relative to the conversion of mutual life insurers and mutual life insurance holding companies; to provide definitions; to require a plan of reorganization; to provide with respect to consideration and dividend protections; to provide for approval by the commissioner of insurance after a public hearing; to provide with respect to approval by qualified voters; to provide limitations; to require the filing of a certificate of compliance; to provide for the effect of reorganization; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS JR.
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

May 14, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 418—
BY SENATOR MURRAY

AN ACT

To enact R.S. 17:1519.17 and R.S. 40:2013.1, relative to physicians serving in certain publicly funded facilities; to provide authority for certain physicians to render opinions for purposes of disability determinations by the Social Security Administration under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 631—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 23:1127(C)(1) and (3) and (D), relative to workers' compensation; to provide relative to the release of medical records and information; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 633—
BY SENATOR CHEEK

AN ACT

To enact Chapter 29-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2423.1 through 2423.24 and to repeal Chapter 29 of Title 37 of the Louisiana Revised Statutes, comprised of R.S. 37:2401 through 2422, relative to physical therapists; to provide for the practice of physical therapy; to provide for the physical therapy board; to provide for powers and duties of the board; to provide for immunity; to provide for definitions; to provide licensure; to provide for qualifications for a license; to provide for reciprocity; to provide for exemptions; to provide for uses of titles and terms; to provide for disciplinary actions; to provide for violations; to provide for injunction; to provide for the authorization of fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 694—
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:2162 and Part XIV Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2200.1 through 2200.6, relative to dementia training; to provide for dementia training for certain persons; to provide for definitions; to provide for the approval of curriculum for dementia training; to provide for reporting of completed training; to provide for rules and regulations; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
WILLIE L. MOUNT
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. 46—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 13:61(E), relative to courts and judicial procedure; to require the Judicial Council and Louisiana State Law Institute to make certain recommendations on the feasibility of creating family courts or domestic relations sections in certain judicial districts; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 46 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 13:61(E)," and insert in lieu thereof "enact R.S. 24:209,"

AMENDMENT NO. 2

On page 1, line 3, delete "Judicial Council and" and after "Institute" insert "to establish a committee"

AMENDMENT NO. 3

On page 1, line 5, after "districts;" insert "to provide for membership of the committee;"

AMENDMENT NO. 4

On page 1, delete line 7 and insert in lieu thereof "Section 1. R.S. 24:209 is hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 8 through 13 and insert in lieu thereof the following:

"§209. Family Court Committee

A. (1) The legislature recognizes that domestic cases constitute a large portion of the dockets of district courts and these cases inherently involve intense emotional issues which often impact the length and type of litigation on the court's docket.

(2) The legislature further recognizes that domestic cases involve highly specialized areas of law.

(3) The legislature further recognizes that the establishment of courts specializing in domestic matters could have the result of expediting the litigation of these types of cases and provide the parties with a more efficient resolution.

(4) To assist in carrying out these purposes, the Louisiana Law Institute is hereby requested and directed to create a family court committee to study the"

AMENDMENT NO. 6

On page 1, at the end of line 16, delete "The" and delete line 17 and insert the following: "The committee shall also study family courts and domestic relations sections currently operating in judicial districts in order to provide recommendations on how to improve the services and efficiency of these courts and to provide guidance and the best practices for creating new family courts or domestic relations sections. Further, the committee shall undertake a comprehensive study and provide recommendations on family law matters, including but not limited to divorce, child support, child custody, and any other related matters.

B. The committee shall consist of the following members:

(1) A chairman, "Reporter," to be appointed by the chairman of the Senate Committee on Judiciary A.

(2) The chief justice of the Supreme Court of Louisiana or his designee.

(3) Three family court judges or judges who regularly hear family law matters or their designee.

(4) One judge of the Louisiana courts of appeal or his designee.

(5) Two professors who teach family law or their designee.

(6) Three attorneys who are certified family law specialists to be selected from different regions of the state or their designee.

(7) Three attorneys who have practiced family law for ten years or more to be selected from different regions of the state or their designee.

(8) Four persons who specialize in mental health, two of which shall be certified in the treatment of children and two of which shall be certified in family therapy.

(9) The secretary of the Department of Social Services or his designee.

(10) The executive director of the Louisiana District Attorneys Association or his designee.

(11) A representative from the Family Law Section of the Louisiana State Bar Association or his designee.

(12) The reporter for the Marriage-Persons Committee of the Louisiana State Law Institute or his designee.

(13) The chairman of the Senate Committee on Judiciary A or his designee.

(14) The chairman of the House Committee on Civil Law and Procedure or his designee.

(15) The chairman of the House Committee on Judiciary or his designee."

AMENDMENT NO. 7

On page 2, delete lines 1 through 7

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

SENATE BILL NO. 108—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S.40:2852, relative to pretrial diversion programs; to provide relative to housing and the administration of such programs and housing by the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 108 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 13, after "adopted" insert "**and enforced**"

AMENDMENT NO. 2

On page 2, line 7, change "**Institute.**" to "**Association within eighteen months of opening a judicial agency referral residential facility.**"

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

SENATE BILL NO. 110—
BY SENATOR N. GAUTREUX

AN ACT

To amend and reenact R.S. 27:364(A)(1)(b)(vi), and R.S. 46:236.15(D)(1)(a), relative to support; to provide for the intercept of casino winnings for the payment of child support and overpayments to the department; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 110 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert in lieu thereof

"To amend and reenact R.S. 46:236.15(D)(1)(a), and to enact R.S. 27:2(C) and (D) and 24(A)(5), relative to support; to provide for public policy regarding gaming and child support; to provide for the intercept and seizure of payments of progressive slot machine annuities and cash gaming winnings for the payment of child "

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert "R.S. 27:2(C) and (D) and 24(A)(5) are hereby enacted to read as follows:" and on line 7 delete "follows:"

AMENDMENT NO. 3

On page 1, delete lines 8 through 17 and insert in lieu thereof the following:

"§2. Public policy of state concerning gaming; status of licenses, contracts, and permits

* * *

C. The legislature further finds and declares it to be the public policy of the state that parents should provide financial support to their minor children who cannot care for themselves. Thus, intervention by the state, through the enforcement of child support orders and the collection of child support, is in the best interest of its citizens and is necessary when the parents fail to meet their support obligations. Since children are adversely affected when parents who have outstanding support obligations divert their financial support to gaming, a parent's winnings from money diverted from a child's support should be applied to the parent's outstanding support obligations. The legislature further finds and declares that this policy is consistent with the public policy of protecting the general welfare of the state's people.

D. In accordance with this finding, the Department of Social Services shall report to the Joint Committees on Civil Law and Procedure and Judiciary A, no later than fifteen days following the commencement of the regular legislative session each year, on the interception and seizure of gaming winnings for the payment of child support and overpayments owed to the department. This report shall be a public record and shall include but not be limited to the number of jackpots intercepted pursuant to this Section and the amount of each jackpot intercepted.

* * *

AMENDMENT NO. 4

On page 2, delete lines 1 through 9 and insert in lieu thereof the following:

"§24. Rulemaking authority; fees and fines, collection

A. The board, in accordance with the Administrative Procedure Act and R.S. 27:15(B)(8), shall promulgate all rules and regulations necessary to carry out the provisions of this Title, including but not limited to the following:

* * *

(5) A procedure requiring the withholding of payments of progressive slot machine annuities and cash gaming winnings of persons who have outstanding child support arrearages or owing child support overpayments, prior to the payment of a progressive slot machine annuity, beginning with the second annuity payment, or cash gaming winnings. Progressive slot machine annuities or cash gaming winnings shall only include payments for which the entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, is required to file form W2-G, or a substantially equivalent form, with the United States Internal Revenue Service.

(a) The board may require that the agency reporting current child support arrearages or overpayments to provide information relating to such arrearages or overpayments in a manner, format, or record approved by the board that gives the entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, real-time or immediate access to the information. If the information relating to such arrearages or overpayments by the agency reporting current child support arrearages or overpayments is not available through real-time or immediate access, the licensee shall not be responsible for withholding cash gaming winnings in accordance with the provisions of this Subparagraph.

(b) The board or any entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, including any of its officers, employees, attorneys, accountants, or other agents, shall not be civilly or criminally liable to any person, including any customer, for any disclosure of information made in accordance with this Section, for

encumbering or surrendering assets in response to information provided by the Department of Social Services, or for withholding or failing to withhold any progressive slot machine annuities or cash gaming winnings, based upon information provided to it.

(c) If any entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, determines that the winner of a progressive slot machine annuity or cash gaming winnings is a person who has outstanding child support arrearages or owes child support overpayments, the entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, shall deduct the child support arrearage or child support overpayment from the payment of the progressive slot machine annuity or cash gaming winnings. The deducted amount shall be forwarded to the Department of Social Services and the entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950, shall pay the remainder to the person who has outstanding child support arrearages or owes child support overpayments. If the remainder is equal to or less than zero, the person who has an outstanding child support arrearage or child support overpayment shall not receive a payment.

(d) Any entity licensed or permitted under Chapters 1, 4, 5 or 7 of Title 27 of the Louisiana Revised Statutes of 1950 may deduct an administrative fee from each payment of a progressive slot machine annuity, beginning with the second annuity payment, or cash gaming winnings, of persons who have outstanding child support arrearages or owe child support overpayments per singular or periodic payment, not to exceed thirty-five dollars.

(e) The board shall also require that the entity licensed or permitted under Chapters 1, 4, 5, or 7 of Title 27 of the Louisiana Revised Statutes of 1950 adopt procedures designed to prevent employees from willfully failing to withhold payments of progressive slot machine annuities or cash gaming winnings from persons who have outstanding child support arrearages or child support overpayments, based upon the information provided by the Department of Social Services that allows the licensee to identify such persons.

(f) The board shall enact such rules and regulations in accordance with the provisions of this Subparagraph by January 1, 2009.

AMENDMENT NO. 5
On page 2, line 19, after "certified" insert "or regular"

AMENDMENT NO. 6
On page 2, line 26, change "progressive slot machine" to "progressive slot machine" and delete the remainder of the line

AMENDMENT NO. 7
On page 2, line 27, delete "including" and after "annuity payment," insert "cash gaming winnings,"

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

SENATE BILL NO. 186—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact Civil Code Articles 3492 and 3493, relative to liberative prescription; to increase the prescription period for certain delictual actions from one year to two years; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 186 by Senator Marionneaux

AMENDMENT NO. 1
On page 1, line 2, after "3492" delete the remainder of the line and insert the following: "3493 and 3497, and to enact R.S. 3:4278.1(G) and 4278.2(G), relative to liberative prescription;"

AMENDMENT NO. 2
On page 1, line 4, after "years;" insert the following "to increase the prescriptive period for certain actions for harvesting and sale of timber without the consent of the owner; to provide relative to an action for damages caused by the harvesting of timber without the consent of the owner;"

AMENDMENT NO. 3
On page 1, line 6, after "3492" delete "and 3493" and insert "3493 and 3497"

AMENDMENT NO. 4
On page 2, after line 1, insert the following:
* * *

Art. 3497. Actions subject to a five year prescription
The following actions are subject to a liberative prescription of five years:
An action for annulment of a testament;
An action for the reduction of an excessive donation; ~~and~~
An action for the rescission of a partition and warranty of portions; ~~and~~

An action for damages caused by the harvesting of timber without the consent of the owner.
This prescription is suspended in favor of minors, during minority.

Section 2. R.S. 3:4278.1(G) and 4278.2(G) are hereby enacted to read as follows:

§4278.1. Trees, cutting without consent; penalty

G. Notwithstanding any other provisions of law to the contrary, a civil action pursuant to provisions of this Section shall be subject to a liberative prescriptive period of five years.

§4278.2. Sale of undivided timber interest; consent of co-owners; theft

G. Notwithstanding any other provisions of law to the contrary, a civil action pursuant to provisions of this Section shall be subject to a liberative prescription period of five years.

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

SENATE BILL NO. 230—
BY SENATOR MOUNT

AN ACT
To enact R.S. 33:2338, relative to mutual aid; to authorize the Louisiana Association of Chiefs of Police Emergency Response Task Force to provide mutual aid; to provide for definitions; to provide for liability; to provide for certain criteria; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 230 by Senator Mount

AMENDMENT NO. 1
On page 1, line 12, after "sheriff," insert "Louisiana Sheriff's Association, Louisiana State Police,"

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

SENATE BILL NO. 277—
BY SENATOR CROWE

AN ACT

To amend and reenact Code of Civil Procedure Art. 151(B) and to enact Code of Criminal Procedure Art. 671(A)(7), relative to recusation of judges; to provide grounds for recusation of judges; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 277 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2, change "Art. 151(B)" to "Art. 151(B)(5)" and delete the remainder of the line and on line 3, delete "Procedure Art. 671(A)(7)."

AMENDMENT NO. 2

On page 1, line 7, change "Art. 151(B)" to "Art. 151(B)(5)"

AMENDMENT NO. 3

On page 1, delete lines 16 through 17

AMENDMENT NO. 4

On page 2, delete lines 2 through 10

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

SENATE BILL NO. 400—
BY SENATOR GRAY

AN ACT

To enact Children's Code Article 857(C), relative to parole of juveniles; to provide for the eligibility for consideration for parole of a juvenile convicted as an adult upon reaching his thirty-first birthday; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 400 by Senator Gray

AMENDMENT NO. 1

On page 1, line 11, change "Revised Statutes of 1950" to "Children's Code"

AMENDMENT NO. 2

On page 1, line 12, after "consideration" insert "after completion of a General Educational Development Testing Program (GED) and"

AMENDMENT NO. 3

On page 1, lines 4 and 13, change "thirty-first" to "thirty-fifth"

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

SENATE BILL NO. 416—
BY SENATOR MURRAY

AN ACT

To amend and reenact Chapter 5 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:501 through 520, and to repeal Chapter 1 of Code Title X of Code Book I of the Civil Code, relative to unincorporated associations; to define certain terms; to provide that unincorporated associations can acquire, encumber, and transfer interests in movable and immovable property; to provide that statements of authority be

filed where an unincorporated association transfers immovable property; to limit the liability of members of an unincorporated association in contract and in tort; to provide that unincorporated associations have capacity to sue and be sued; to provide for the disposition of property of an inactive unincorporated association; to provide a procedure for the appointment of an agent for service of process of an unincorporated association; to provide a procedure for the involuntary dissolution of an unincorporated association; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 416 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, after "520," delete the remainder of the line and on line 4, delete "of Code Book I of the Civil Code,"

AMENDMENT NO. 2

On page 1, line 17, change "UNIFORM" to "LOUISIANA"

AMENDMENT NO. 3

On page 2, line 14, after "means" delete the remainder of the line and lines 15 and 16 and insert in lieu thereof "the state of Louisiana."

AMENDMENT NO. 4

On page 5, line 1, change "nonprofit" to "unincorporated"

AMENDMENT NO. 5

On page 5, line 2, change "nonprofit" to "unincorporated"

AMENDMENT NO. 6

On page 5, line 5, change "tortuous" to "tortious"

AMENDMENT NO. 7

On page 5, line 10, change "tortuous" to "tortious"

AMENDMENT NO. 8

On page 8, line 20, change "incorporated" to "unincorporated"

AMENDMENT NO. 9

On page 9, line 6, change "Uniform" to "Louisiana"

AMENDMENT NO. 10

On page 9, delete lines 21 and 22

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

SENATE BILL NO. 430—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2363 and 2373(B)(4) and (5), and to enact R.S. 30:2373(B)(6) and (7), relative to the "Right-to-Know" Law; to provide for definitions; to provide for reporting requirements; to provide for penalties; to provide for certain exceptions; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 430 by Senator Hebert

AMENDMENT NO. 1

On page 2, delete lines 16 through 18, and insert the following: "facility, including but not limited to an impact of such nature as to require shelter-in-place orders, evacuations, immediate"

response by emergency responders, or off-site road closures. The term shall not include facility"

AMENDMENT NO. 2

On page 3, line 29, after "or the employees," insert "non-commercial carriers,"

AMENDMENT NO. 3

On page 4, line 2, after "Revised Statutes of 1950" insert ", unless such release or incident involves a railcar that is in transportation and the owner or operator of the facility is required to report the release or incident under 49 C.F.R. 171.15"

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

SENATE BILL NO. 461—
BY SENATOR GRAY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 795, relative to challenges in jury trials; to provide relative to time for challenges and method; to provide relative to peremptory challenges based on race or gender and restrictions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 461 by Senator Gray

AMENDMENT NO. 1

On page 2, line 14 after "D." delete the remainder of the line and insert "The court shall allow to"

AMENDMENT NO. 2

On page 2, line 23, delete "either" and on line 24, after "D" delete "or Paragraph F"

AMENDMENT NO. 3

On page 2, delete lines 28 and 29 in their entirety.

AMENDMENT NO. 4

On page 3, delete lines 1 and 2 in their entirety.

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

SENATE BILL NO. 474—
BY SENATOR GRAY

AN ACT

To amend and reenact Code of Criminal Procedure Article 648(A)(introductory paragraph), (A)(2), and (B)(3)(introductory paragraph) and to repeal Code of Criminal Procedure Article 648(A)(2)(b) and (B)(2), relative to mental capacity to proceed to trial in criminal cases; to provide for procedure after determination of mental capacity; to require that certain criteria be satisfied; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 474 by Senator Gray

AMENDMENT NO. 1

On page 1, line 4, after "648" delete "(A)(2)(b) and"

AMENDMENT NO. 2

On page 2, line 9, after "or" delete the remainder of the line and delete lines 10 and 11 and insert the following: "transfer the custody

of the defendant to the Department of Health and Hospitals, which may institute civil commitment proceedings pursuant to Title 28 of the Louisiana Revised Statutes of 1950, or release the defendant, within seventy-two hours."

AMENDMENT NO. 3

On page 2, between lines 19 and 20 insert the following:

"(c) If a defendant committed to the Feliciana Forensic Facility is held in a parish jail for one hundred eighty days after the initial status conference provided in Paragraph (b), the court shall order a contradictory hearing to determine whether to release the defendant or to order the appropriate authorities to institute civil commitment proceedings pursuant to R.S. 28:54. The defendant shall remain in custody pending such civil commitment proceedings."

AMENDMENT NO. 4

On page 2, delete line 20

AMENDMENT NO. 5

On page 2, delete lines 22 through 27

AMENDMENT NO. 6

On page 3, line 3, after "or", delete the remainder of the line and delete lines 4 and 5 and insert the following: "remand the custody of the defendant to the Department of Health and Hospitals which may institute civil commitment proceedings pursuant to Title 28 of the Louisiana Revised Statutes of 1950, or release the defendant, within seventy-two hours. The defendant shall remain in custody pending such civil commitment proceedings."

AMENDMENT NO. 7

On page 3, line 7, change "R.S. 28:64," to "Title 28 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 8

On page 3, line 16, after "648" delete "(A)(2)(b) and" and change "are" to "is"

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

SENATE BILL NO. 699—
BY SENATOR QUINN

AN ACT

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

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

SENATE BILL NO. 705—
BY SENATOR THOMPSON

AN ACT

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

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

SENATE BILL NO. 717—
BY SENATOR MARTINY

AN ACT

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

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

SENATE BILL NO. 773—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 26:80(A)(3) and 280(A)(3), relative to alcohol permits; to provide for the issuance of alcohol permits to certain facilities which are leased for the purpose of conducting charitable games of chance; to provide for permits for dealers in beverages of low alcoholic content to certain facilities which are leased for the purposes of conducting charitable games of chance; to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 773 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 17, after "**et seq.**" delete the remainder of the line and insert the following: "**exclusively for and for the sole purpose of conducting charitable gaming.**"

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

SENATE BILL NO. 775—
BY SENATORS NEVERS AND BROOME
AN ACT

To amend and reenact R.S. 40:967(B)(3), relative to controlled dangerous substance; to provide regarding the production or manufacturing of methamphetamine; to provide for certain criteria; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 775 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 15, after "**Law**" and before the quotation mark delete the comma "," and insert a period "."

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

SENATE BILL NO. 797—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 27:27.3, relative to the Louisiana Gaming Control Law; to provide for advertisement; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 797 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 13, after "**activities**" and before "1" insert "**during a specified period of time**"

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

SENATE BILL NO. 799—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 40:2401.1, relative to law enforcement; to provide for the prohibition of quotas; to provide for exceptions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 801—
BY SENATORS NEVERS AND BROOME
AN ACT

To amend and reenact R.S. 9:3198(A)(2), and to enact Code of Civil Procedure Art. 2332.1, relative to property disclosure document; to provide for disclosure of information relative to the production or manufacturing of methamphetamine; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 801 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 7, after "R.S. 9" and before "3" insert a colon ":"

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

Mr. President in the Chair

**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. 33—
BY REPRESENTATIVES GREENE AND NORTON
AN ACT

To enact R.S. 14:108.1(D)(5) and (6), relative to aggravated flight from an officer; to provide with respect to circumstances where human life is endangered; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 45—
BY REPRESENTATIVES LEGER, ABRAMSON, ARNOLD, BALDONE, BILLIOT, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HARRISON, HAZEL, HENRY, HINES, HONEY, HOWARD, GIROD JACKSON, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PETERSON, PONTI, RICHARD, RICHARDSON, RICHMOND, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, AND WILLIAMS

AN ACT

To amend and reenact R.S. 14:129.1, relative to intimidating, impeding, or injuring witnesses or officers of the court; to prohibit the intimidation, impeding, or injuring of an immediate family member of a witness or officer of the court; to provide for definitions; to amend the criminal penalties for such offense; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 96—

BY REPRESENTATIVES WHITE, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOVE, ELLINGTON, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WADDELL, WILLMOTT, AND WOOTON

AN ACT

To enact R.S. 14:62.8, relative to home invasion; to create the crime of home invasion; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 121—

BY REPRESENTATIVES BALDONE AND WOOTON

AN ACT

To amend and reenact R.S. 15:571.3(B)(3), relative to diminution of sentence for good behavior; to provide with respect to the maximum number of days an inmate may receive as "good time"; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 148—

BY REPRESENTATIVES HAZEL, LORUSSO, LEGER, AND LIGI

AN ACT

To enact R.S. 14:93(A)(3), relative to cruelty to juveniles; to add intentionally or criminally negligently allowing any child under the age of seventeen years by any person over the age of seventeen years to be present during the manufacturing, distribution, or purchasing or attempted manufacturing, distribution, or purchasing of a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Law as an element of the crime of cruelty to juveniles; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 185—

BY REPRESENTATIVE BALDONE

AN ACT

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

Reported favorably by the Committee on Judiciary C. 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. 268—

BY REPRESENTATIVES ELBERT GUILLORY, LAFONTA, MARCHAND, AND RICHMOND

AN ACT

To amend and reenact R.S. 15:711(G) and 1111(I), relative to work release programs; to provide for the eligibility of inmates convicted of certain offenses involving controlled dangerous substances to participate in work release programs; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 286—

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

AN ACT

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

Reported favorably by the Committee on Judiciary B. 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. 334—

BY REPRESENTATIVES ELBERT GUILLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LEGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, AND MURRAY

AN ACT

To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce development; to enact the Inmate Rehabilitation and Workforce Development Act; to provide for the development and administration of the inmate rehabilitation and workforce development program; to provide for definitions; to provide for legislative findings; to create the inmate rehabilitation and workforce development advisory council; to provide for the membership of the council; to provide for the powers and duties of the council; to authorize the receipt of per diem by certain members of the council; to provide for the purposes of the program; to provide for the components of the program; to provide for applicability; to provide for inmate eligibility for participation in the program; to provide for selection of eligible inmates; to provide for the duration of the program; to provide criteria for removal from the program; to provide for rulemaking; to provide for annual reporting; to provide for the powers, duties, and responsibilities of the Department of Public Safety and Corrections regarding the implementation and administration of the program; to authorize and provide for workforce development work release programs; to provide for the collection and distribution of inmate wages; to provide for substance abuse counseling and treatment; to provide for mandatory and random drug testing of inmates; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 377—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 15:542(C)(1)(m) and to enact R.S. 15:541(23) through (26) and 542.1.5(G), relative to sex offender registration and notification; to require the Bureau of Criminal Identification and Information to provide for the capability of allowing social networking web sites to compare its users to

online identifiers on the State Sex Offender and Child Predator Registry; to require entities operating social networking web sites to provide information to the bureau; to provide for the screening of its registered users; to provide for a defense to claims of liability; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 642—
BY REPRESENTATIVES SCHRODER AND NORTON
AN ACT

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

Reported favorably by the Committee on Judiciary C. 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. 643—
BY REPRESENTATIVES SCHRODER AND NORTON
AN ACT

To amend and reenact R.S. 14:98(F)(2), relative to operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to provide with respect to the ten-year cleansing period for purposes of determining when a person has a prior offense; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 770—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 14:81.3(A) and (F) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to where the offense occurred; to provide that persons convicted of computer-aided solicitation of a minor shall not be eligible for diminution of sentence for good behavior; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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.

Reconsideration

On motion of Senator Cassidy, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 13, 2008, was reconsidered.

SENATE BILL NO. 535—
BY SENATORS CASSIDY AND NEVERS
AN ACT

To amend and reenact R.S. 22:215.5 and to redesignate R.S. 22:669 as R.S. 22:215.26, relative to health insurance; to provide for health insurance coverage for mental illness; to require coverage for treatment for drugs and alcoholism under the same coverages and terms as those which are provided for the treatment of other illnesses upon the enactment of an income tax credit equal to the cost of premiums related to providing such coverage; to provide for an independent actuarial analysis of the effect of mandated coverage of mental health and substance abuse services; to exempt certain individual and limited benefit policies from mandated coverage; and to provide for related matters.

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

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:

HOUSE BILL NO. 280—
BY REPRESENTATIVE WOOTON
AN ACT

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 280 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 4:724(B)(5)" and before "and" insert "and (I)"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 4:724(B)(5)" delete "is" and insert "and (I) are"

AMENDMENT NO. 3

On page 2, between lines 3 and 4 insert the following:

"I. (1) Nothing in this Section shall be construed to restrict the authority of local governments to restrict or prohibit the conducting of electronic video bingo.

(2) In any parish in which a majority of the electors voted against the continuance of the operation of video draw poker devices in the election authorized in R.S. 18:1300.21, and conducted at the 1996 congressional general election, no license or permit shall be issued or renewed to conduct the operation of electronic bingo machines within the parish boundaries as the parish boundaries were recognized and taxed by the local governing authority of the parish at the time of that election. If electronic bingo machines were, prior to August 15, 2008, authorized, licensed, or permitted, and conducted in any parish in which the voters voted against the continuance of the operation of video draw poker devices, the licensees or permittees for such electronic bingo machines shall discontinue electronic video bingo activities in that parish upon expiration of their current licenses or upon revocation, suspension, or return thereof if such revocation, suspension, or return occurs prior to the expiration of the license. Electronic bingo machine licenses may be renewed twice following the effective date of this Paragraph provided the licensee or permittee is in compliance with the law and the rules adopted thereunder."

Senator McPherson moved adoption of the amendments.

Senator Martiny objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Mount
Amedee	Erdey	Nevers
Broome	Gautreaux B	Quinn

ROLL CALL

The roll was called with the following result:

YEAS

Cravins	Jackson	Murray
Crowe	LaFleur	Nevers
Donahue	Long	Quinn
Duplessis	Michot	Riser
Erdey	Mount	Thompson
Total - 15		

NAYS

Mr. President	Dupre	McPherson
Adley	Hebert	Morrish
Alario	Heitmeier	Shaw
Amedee	Kostelka	Walsworth
Dorsey	Martiny	
Total - 14		

ABSENT

Broome	Gautreaux B	Marionneaux
Cassidy	Gautreaux N	Shepherd
Cheek	Gray	Smith
Total - 9		

The Chair declared 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 Reengrossed House Bill No. 280 by Representative Wooton

AMENDMENT NO. 1

In Senate Floor Amendment No. 1 proposed by Senator Dupre and adopted by the Senate on May 14, 2008, on page 1, line 3, after "purchased" insert "or has invested a minimum of twenty-five percent"

On motion of Senator Duplessis, 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Hebert	Mount
Amedee	Heitmeier	Murray
Cassidy	Jackson	Nevers
Cheek	Kostelka	Quinn
Cravins	LaFleur	Shaw
Crowe	Long	Shepherd
Donahue	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 32		

NAYS

Dorsey	Riser
Total - 2	

ABSENT

Broome	Gray
Gautreaux N	Smith
Total - 4	

The Chair declared the amended 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 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. 10—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 33:381(C)(29), relative to the selection of a municipal officer, to provide for the office of the chief of police of the village of Turkey Creek; to provide that such office shall be an appointive position; to provide for the method of appointment and the term of the position; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome	Gautreaux N
Donahue	Gray
Total - 4	

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

SENATE BILL NO. 45—

BY SENATORS B. GAUTREAU, ADLEY, AMEDEE, CHEEK, CRAVINS, DUPRE, N. GAUTREAU, HEBERT, KOSTELKA, LAFLEUR, MCPHERSON, MURRAY, NEVERS, SHEPHERD AND THOMPSON AND REPRESENTATIVES GISCLAIR, HUTTER, PERRY, PUGH AND RICHARD

AN ACT

To amend and reenact R.S. 11:602 and to enact R.S. 11:444(A)(2)(d), 546, and 605(D) and R.S. 15:574.4.1, relative to retirement benefits for certain probation and parole officers who are Louisiana State Employees' Retirement System members; to provide for benefit calculation; to provide relative to payment of certain liabilities associated with such benefits; to provide for a probation and parole processing fee; to create a fund for

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allocation of sums equal to the collections of such fees; to provide for the deposit of certain monies to the fund; to provide for disbursements from the fund; to provide for actuarial calculation of amortization payments; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 177— BY SENATORS B. GAUTREAU AND MURRAY AN ACT

To enact R.S. 11:2178(C)(5) and 2178.1(A)(3), relative to the Sheriffs' Pension and Relief fund; to provide for eligibility for and calculation of a reduced retirement benefit; to allow a member with ten years of service credit to retire at age sixty and receive a reduced benefit; to prohibit such a member from participating in the Back-Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their counts for YEAS and NAYS.

NAYS

Shaw Total - 1

ABSENT

Table with 2 columns: Absent, Total. Lists names of senators and their counts for ABSENT.

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

SENATE BILL NO. 274— BY SENATOR MOUNT AN ACT

To amend and reenact R.S. 32:663, relative to motor vehicles and traffic regulations; to provide for a determination of the qualifications and competence of those issued permits for the purpose of chemical testing for drivers suspected of operating a vehicle while impaired by alcohol or controlled dangerous substances; 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. 274 by Senator

Mount

AMENDMENT NO. 1

On page 2, line 11, following "Forensic" and before ";" change "Toxicologists" to "Toxicology"

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: Mr. President, Yeas, Nays. Lists names of senators and their counts for YEAS and NAYS.

NAYS

Total - 0

ABSENT

Table with 3 columns: Absent, Total. Lists names of senators and their counts for ABSENT.

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.

Senator N. Gautreaux in the Chair

SENATE BILL NO. 275— BY SENATOR MOUNT AN ACT

To amend and reenact R.S. 32:407(E) and to enact R.S. 17:221(J) and 233(C), and R.S. 32:407(F), 414(T) and 431.1, relative to driving privileges of students; to authorize the denial or suspension of a driver's license or learner's permit of a minor who is not enrolled in or has not completed school or an adult education program or who is habitually absent or tardy; to authorize school boards and nonpublic schools to adopt policies providing relative to such denial or suspensions; to authorize the Recovery School District to adopt policies providing relative to such denials or suspensions for schools managed by the district; to provide for notification to the Department of Public Safety and Corrections when a minor drops out of school or is considered habitually absent or tardy; to provide for reinstatement of driving privileges; to authorize issuance of a hardship license; to provide for an appeal process; to provide for the responsibilities of the department; to provide definitions; 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

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

Total - 37

NAYS

Total - 0

ABSENT

Gray
Total - 1

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. 295—

BY SENATORS MURRAY AND DORSEY
A JOINT RESOLUTION

Proposing to add Article I, Section 4(H)(5) of the Constitution of Louisiana, relative to property; to provide relative to the right to property; to provide relative to the taking of property; to provide relative to the taking of property in the city of Baton Rouge, the city of New Orleans, and in Jefferson Parish for certain purposes; and 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. 295 by Senator Murray

AMENDMENT NO. 1

On page 1, line 5, following "purpose;" and before "to" delete "and"

AMENDMENT NO. 2

On page 1, line 6, following "electors" and before "provide" change "and" to "; and to"

AMENDMENT NO. 3

On page 1, line 17, following "this" and before "shall" change "Subsection" to "Paragraph"

AMENDMENT NO. 4

On page 2, line 2, following "pursuant to" and before "(B)(2)(c)" change "Subsection" to "Subsubparagraph"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 295 by Senator Murray

AMENDMENT NO. 1

On page 1, line 17, change "Subsection" to "Paragraph"

AMENDMENT NO. 2

On page 2, line 2, change "Subsection" to "Item"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Gray
Total - 1

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

SENATE BILL NO. 315—

BY SENATOR NEVERS
AN ACT

To amend and reenact R.S. 11:62(5)(b), 444(A)(2)(b)(introductory paragraph) and (i)(bb), and 545(D), relative to the Louisiana State Employees' Retirement System; to provide relative to the benefits of peace officers; to include arson investigators in the office of the state fire marshal in the benefit provisions for peace officers; to provide for employee contributions, calculation of benefits, and funding; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 315 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 5, following "of" and before "state" delete "the"

AMENDMENT NO. 2

On page 2, line 16, following "office of" delete "the"

AMENDMENT NO. 3

On page 3, line 5, following "office of" and before "state" delete "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gray
Total - 1

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

SENATE BILL NO. 319—
BY SENATOR CASSIDY

AN ACT

To enact Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1300.31 through 1300.33 and Part IV of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9097.31, relative to creating neighborhood crime prevention and security districts and levying parcel fees; to provide for an additional procedure to create such districts and levy such fees; to provide for approval of certain local governing authorities; to provide for collecting signatures of certain electors for the purpose of authorizing an election concerning such matters; to provide for the district, its boundaries and its powers and duties; 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. 319 by Senator Cassidy

AMENDMENT NO. 1

On page 7, line 7, following "primary" and before "." insert "election"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 319 by Senator Cassidy

AMENDMENT NO. 1

On page 10, line 24, after "exceed" change "one-hundred" to "three hundred fifty"

On motion of Senator Cassidy, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 319 by Senator Cassidy

AMENDMENT NO. 1

On page 1, line 3, change "Part IV of Chapter 29" to "Chapter 30"

AMENDMENT NO. 2

On page 1, line 4, and on page 2, lines 3 and 20, change "R.S. 33:9097.31" to "R.S. 33:9100.1"

AMENDMENT NO. 3

On page 4, delete lines 4 through 7, and insert the following: "be deemed filed when the petition is either:

(a) Received in the office of the appropriate local governing authority.

(b) Postmarked by the United States Postal Service, if subsequently received in the office of the appropriate local governing authority.

(c) Receipted on a return receipt form, if subsequently received by the office of the appropriate local governing authority."

AMENDMENT NO. 4

On page 7, line 12, change "Part IV of Chapter 29" to "Chapter 30"

AMENDMENT NO. 5

On page 7, line 13, "R.S. 33:9097.31" to "R.S. 33:9100.1"

AMENDMENT NO. 6

On page 7, line 14, change "PART IV." to "CHAPTER 30."

AMENDMENT NO. 7

On page 7, line 16, change "§9097.31." to "§9100.1."

On motion of Senator Cassidy, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 319 by Senator Cassidy

AMENDMENT NO. 1

On page 11, line 22, change "**Budget**" to "**Budget; audit; applicability of other laws**"

AMENDMENT NO. 2

On page 11, between line 27 and 28, insert the following:
"(3) Except as otherwise specifically provided in this Part, the board of commissioners shall be subject to the Open Meetings Law, the Public Records Law, and the Code of Governmental Ethics."

On motion of Senator Cassidy, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Alario	Erdey	Morrish
Amedee	Gautreaux B	Mount
Broome	Heitmeier	Murray
Cassidy	Jackson	Nevers
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Martiny	
Total - 29		

NAYS

Hebert	Riser	Walsworth
Quinn	Shepherd	
Total - 5		

ABSENT

Crowe	Gray
Gautreaux N	Marionneaux
Total - 4	

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

SENATE BILL NO. 341—

BY SENATORS ERDEY, MCPHERSON, MOUNT AND SHAW
 AN ACT

To enact R.S. 32:83, relative to traffic regulations; to prohibit certain trucks from using the far left lane on certain highways; to provide for exceptions; to provide for penalties; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 351—

BY SENATOR N. GAUTREUX
 AN ACT

To amend and reenact R.S. 39:364, relative to state purchase of alternate fuel or hybrid vehicles; to provide that the commissioner of administration shall purchase or lease for state use only alternative fuel and hybrid vehicles; to provide exceptions to the use of alternative fuel and hybrid vehicles; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gray
 Total - 1

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

SENATE BILL NO. 391—

BY SENATOR GRAY
 AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of retirement benefits for members with twelve or more years of service; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 394—

BY SENATOR GRAY
 AN ACT

To amend and reenact R.S. 11:3385.1(L), relative to the Deferred Retirement Option Plan for the Firefighters' Pension and Relief Fund in the city of New Orleans; relative to the election to participate in such plan on a retroactive basis; to delete the requirement that a member receive a career-ending service injury while participating in the plan in order to participate in the plan on a retroactive basis; to provide for an effective date; and to provide for related matters.

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

May 14, 2008

SENATE BILL NO. 396—
BY SENATOR HEBERT

AN ACT

To enact R.S. 33:1372.1, relative to municipalities and parishes; to provide certain restrictions on local governments contracting with private companies for enforcement of certain traffic ordinances using cameras; to prohibit release of certain information on individuals for the collection of fines or penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 6, between "entity" and the period "." insert the following: "by any parish or municipal governing authority"

Senator Hebert moved adoption of the amendments.

Senator Quinn objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Shaw
Alario	Gautreaux N	Shepherd
Amedee	Hebert	Smith
Broome	Jackson	Thompson
Cravins	LaFleur	Walsworth
Dorsey	McPherson	
Total - 17		

NAYS

Mr. President	Erdey	Mount
Cassidy	Heitmeier	Murray
Cheek	Kostelka	Nevers
Crowe	Long	Quinn
Donahue	Michot	Riser
Duplessis	Morrish	
Total - 17		

ABSENT

Gautreaux B	Marionneau
Gray	Martiny
Total - 4	

The Chair declared the amendments were rejected.

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. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 4, after "restriction:" insert "The" and delete the remainder of the line

AMENDMENT NO. 2

On page 2, delete line 5 and insert "social security"

AMENDMENT NO. 3

On page 2, line 6, after "shall" insert "not"

Senator Quinn moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Morrish
Broome	Erdey	Murray
Cassidy	Gautreaux B	Nevers
Cheek	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	Michot	
Total - 23		

NAYS

Alario	Hebert	Shaw
Amedee	Heitmeier	Shepherd
Cravins	LaFleur	Walsworth
Gautreaux N	McPherson	
Total - 11		

ABSENT

Mr. President	Marionneau
Gray	Mount
Total - 4	

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Walsworth sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, between lines 10 and 11, insert the following:

"E. The use of cameras or similar photographic monitoring system for the enforcement of traffic violations through the parish or municipality shall be prohibited in a parish with a population of between 12,000 and 13,000; and in a parish with a population of between 16,000 and 16,860; and in a parish with a population between 22,800 and 23,000; and in a parish with a population between 30,000 and 31,400; and in a parish with a population between 130,000 and 148,000 according to the latest federal decennial census."

Senator Walsworth moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Nevers
Alario	Gautreaux N	Shepherd
Amedee	McPherson	Smith
Cheek	Michot	Walsworth
Donahue	Murray	
Total - 14		

NAYS

Broome	Hebert	Morrish
Cassidy	Heitmeier	Quinn
Cravins	Jackson	Riser
Dorsey	Kostelka	Shaw
Duplessis	LaFleur	Thompson
Erdey	Long	
Gautreaux B	Martiny	
Total - 19		

ABSENT

Mr. President	Gray	Mount
Crowe	Marionneaux	
Total - 5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, between lines 1 and 2, insert the following:

"C. The presence of cameras or similar photographic monitoring systems taking photographs of a motor vehicle shall be indicated with a sign at least three hundred feet before the intersection."

AMENDMENT NO. 2

On page 2, line 2, change "C." to "D."

AMENDMENT NO. 3

On page 2, line 6, after "entity" insert "credit bureau, or any insurance company"

AMENDMENT NO. 4

On page 2, line 7, change "D." to "E."

On motion of Senator N. Gautreaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Donahue sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Donahue to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, between lines 10 and 11 insert the following:

"F. The provisions of this Section shall not apply in a parish with a population of between 191,000 and 200,000 or in a parish with a population of between 100,000 and 104,000 according to the latest federal decennial census."

Senator Donahue moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dorsey	Michot
Alario	Duplessis	Morrish
Amedee	Dupre	Murray
Broome	Erdey	Quinn
Cassidy	Gautreaux B	Shaw
Cheek	Gautreaux N	Shepherd
Cravins	Heitmeier	Smith
Crowe	Martiny	Thompson
Donahue	McPherson	
Total - 26		

NAYS

Hebert	LaFleur	Walsworth
Jackson	Long	
Kostelka	Riser	
Total - 7		

ABSENT

Mr. President	Marionneaux	Nevers
Gray	Mount	
Total - 5		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, between lines 10 and 11 insert the following:

"F. The provisions of this Section shall not apply in a parish with a population of more than 470,000 according to the latest federal decennial census."

Senator Murray moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Duplessis	Morrish
Alario	Dupre	Murray
Amedee	Erdey	Nevers
Broome	Gautreaux B	Quinn
Cassidy	Gautreaux N	Shaw
Cheek	Heitmeier	Smith
Cravins	Martiny	Walsworth
Donahue	McPherson	
Dorsey	Michot	
Total - 25		

NAYS

Hebert	LaFleur	Shepherd
Jackson	Long	Thompson
Kostelka	Riser	
Total - 8		

May 14, 2008

ABSENT

Mr. President Gray Mount
Crowe Marionneaux
Total - 5

The Chair declared the amendments were adopted.

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

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Kostelka Nevers
Adley Michot Shaw
Duplessis Morrish
Heitmeier Murray
Total - 10

NAYS

Alario Dorsey Long
Amedee Dupre Martiny
Broome Erdey McPherson
Cassidy Gautreaux B Quinn
Cheek Gautreaux N Riser
Cravins Hebert Shepherd
Crowe Jackson Thompson
Donahue LaFleur Walsworth
Total - 24

ABSENT

Gray Mount
Marionneaux Smith
Total - 4

The Chair declared the Senate refused to return the amended bill to the Involuntary Calendar.

Floor Amendments Sent Up

Senator Crowe sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 396 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 14, change "be restricted to" to "include"

AMENDMENT NO. 2

On page 1, line 15, after "vehicle" delete the remainder of the line and insert the following: ", the license plate number and a photograph"

AMENDMENT NO. 3

On page 1, line 16, after "operator" delete "or any occupant" and delete "Only the" and insert "The"

AMENDMENT NO. 4

On page 1, line 17, after "vehicle" delete "and" and insert " ; "

AMENDMENT NO. 5

On page 2, line 1, after "number" insert ", and a photograph of the operator"

Senator Crowe moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Erdey Thompson
Crowe Kostelka
Donahue Shepherd
Total - 7

NAYS

Adley Dupre McPherson
Alario Gautreaux B Morrish
Broome Gautreaux N Mount
Cassidy Heitmeier Murray
Cheek Jackson Quinn
Cravins LaFleur Riser
Dorsey Long Shaw
Duplessis Martiny Walsworth
Total - 24

ABSENT

Mr. President Marionneaux Smith
Gray Michot
Hebert Nevers
Total - 7

The Chair declared the amendments were rejected.

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. 396 by Senator Hebert

AMENDMENT NO. 1

On page 2, between lines 10 and 11, insert the following:

"G. The use of cameras or a similar photographic monitoring system for the enforcement of speed limits, speed zones, or the movement of traffic shall be prohibited in a parish with a population of between 120,000 and 130,000 according to the latest federal decennial census."

On motion of Senator McPherson, the amendments were adopted.

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

Senator Smith in the Chair

SENATE BILL NO. 405—

BY SENATORS BROOME, DORSEY, DUPLESSIS, GRAY, JACKSON, LONG, MURRAY, NEVERS AND THOMPSON

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 1375, to establish the Financial Literacy and Education Commission; to provide for purpose; to provide for membership; to provide for powers and duties; to provide for funding and effectiveness; 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. 405 by Senator Broome

AMENDMENT NO. 1

On page 2, line 25, following "**The**" and before "**treasurer**" insert "**state**"

AMENDMENT NO. 2

On page 4, line 21, following "(7)" and before "," change "**Appoint**" to "**To appoint**"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Broome sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 405 by Senator Broome

AMENDMENT NO. 1

On page 2, delete lines 20 and 21, and on line 22, delete "**seven congressional districts.**" and insert the following:

"**(11) One member from each congressional district to be appointed by the governor, who shall serve at the pleasure of the governor.**"

On motion of Senator Broome, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gray	Marionneaux
Total - 2	

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

SENATE BILL NO. 447—

BY SENATORS CASSIDY, DONAHUE, DORSEY, LAFLEUR AND LONG
AN ACT

To amend and reenact R.S. 17:10.5(D), relative to the Recovery School District; to provide relative to parental options when a school is transferred to the Recovery School District; to provide relative to capacity; and to provide for related matters.

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

SENATE BILL NO. 459—

BY SENATORS ADLEY, DORSEY AND DUPLESSIS
AN ACT

To enact R.S. 17:176(G), relative to extracurricular activities; to provide for participation; to provide for eligibility; to provide for liability; to provide for instructors; to provide for rules and regulations; and to provide for related matters.

Mr. President in the Chair

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. 459 by Senator Adley

AMENDMENT NO. 1

On page 1, line 10, following "**reached**" and before "**fifteenth**" change "**their**" to "**his**"

AMENDMENT NO. 2

On page 2, line 12, following "**of**" and before "**current**" change "**their**" to "**his**"

AMENDMENT NO. 3

On page 2, line 15, following "**year.**" and before "**academic**" change "**Said**" to "**The**"

AMENDMENT NO. 4

On page 2, line 16, following "**end of**" and before "**school**" change "**said**" to "**the**"

AMENDMENT NO. 5

On page 2, line 17, following "**to**" and before "**the**" change "**insure**" to "**ensure**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Quinn
Cravins	Kostelka	Riser

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Donahue	LaFleur	Shepherd
Dorsey	Long	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Gray	Shaw
Crowe	Marionneaux	
Total - 5		

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

SENATE BILL NO. 478—
BY SENATOR MURRAY

AN ACT

To enact R.S. 11:2175(C)(3)(c), relative to the Sheriffs' Pension and Relief Fund; to provide for purchase of permissive service credit; to provide for eligibility to make such purchase; to provide for calculation of the cost of such purchase; 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	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gray	Marionneaux
Total - 2	

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. 482—
BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:3137, relative to dual enrollment of students; to provide relative to the participation of certain students in the dual enrollment program established by the Board of Regents; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Gray	Marionneaux
Total - 3		

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

SENATE BILL NO. 534—
BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:7(2)(f), relative to the duties, functions and responsibilities of the State Board of Elementary Education; to provide relative to the use of certain funding by public school boards provided through the minimum foundation program formula; to provide for reporting requirements; to provide for rules and regulations; to provide for effectiveness; 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. 534 by Senator Cassidy

AMENDMENT NO. 1

On page 1, line 3, following "Elementary" and before "Education" insert "and Secondary"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Broome	Hebert	Nevers

Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Donahue	LaFleur	Smith
Dorsey	Long	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

NAYS

Shepherd
Total - 1

ABSENT

Crowe	Marionneaux
Gray	Martiny
Total - 4	

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

Rules Suspended

Senator Long 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 14, 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. 51—
BY SENATOR CROWE AND REPRESENTATIVE PEARSON
A CONCURRENT RESOLUTION**

To memorialize the United States Congress to establish grant programs to assist the seafood industry in St. Tammany, St. Bernard, Orleans, and Plaquemines parishes in the State of Louisiana to mitigate the damages caused by the opening of the Bonnet Carre Spillway.

Reported without amendments.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS**

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

May 14, 2008

To the President and Members of the Senate:

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

**SENATE BILL NO. 192—
BY SENATOR DUPLESSIS
AN ACT**

To amend and reenact R.S. 34:1121(B)(3) and (9), relative to the composition of the Pilotage Fee Commission; to provide for gubernatorial appointment of at-large members and an alternate; to provide for rules governing participation; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 380—
BY REPRESENTATIVE ARNOLD
AN ACT**

To amend and reenact R.S. 51:702(5)(a)(iii), (6.2), and (15)(b)(ii), 703(A)(2)(introductory paragraph), (D), and (F), 704(A)(introductory paragraph) and (6), (B), and (C), and 705(A)(introductory paragraph) and (3) and to enact R.S. 51:704(A)(9), relative to the Louisiana Securities Law; to provide for changes in the definitions of dealer, federal covered security, and security; to provide for registration of investment adviser representatives; to provide for the suspension or revocation of the registration of investment adviser representatives in certain circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 985—
BY REPRESENTATIVE ARNOLD
AN ACT**

To amend and reenact R.S. 6:1032 and 1034 and to enact R.S. 6:1038.1 and 1054, relative to the sale of checks and money transmission; to provide for definitions; to provide for exclusions and exemptions; to provide for temporary licenses; to provide for change of control; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 14, 2008

To the President and Members of the Senate:

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

**SENATE BILL NO. 350—
BY SENATOR DORSEY
AN ACT**

To amend and reenact R.S. 42:1102(2)(a)(ii) and (iii), relative to the Code of Governmental Ethics; to provide for the definition of agency as applicable to certain public servants; and to provide for related matters.

Reported favorably.

May 14, 2008

SENATE BILL NO. 364—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 42:1111(E), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to prohibit certain former public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to provide for exceptions; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 370—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 42:1114.3(A)(1) and (2) and (B)(1), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to require certain disclosures by certain public servants; to provide for the content of such disclosures; to provide for enforcement and penalties; to provide exceptions and waivers; to provide for effectiveness; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 372—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 42:1112(D) and 1120, relative to recusal from voting for certain designees of certain elected officials; to allow for certain participation under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 499—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 24:51(5)(a), relative to lobbying; to clarify the definition of lobbyist; to provide exception to the requirement of certain individuals to register as lobbyists; to clarify the definition of lobbyist; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 718—
BY SENATOR MARTINY

AN ACT

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

Reported with amendments.

SENATE BILL NO. 769—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3) and (4), 1114.3(A)(1), (2), and (4), (B), and (C)(3), 1115.1(D), and 1123(13) and (39)(a), and to enact R.S. 42:115.1(E), relative to the Code of Governmental Ethics; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide relative to restrictions regarding such contracts; to provide for disclosure of such contracts; to provide for enforcement and penalties; to provide relative to applicability; to provide

exceptions; to provide for effectiveness; to provide relative to the acceptance of complimentary admission to certain events by public servants; to provide definitions; to provide for limitations on food, drink, and refreshments provided to public servants; to provide relative to restrictions on immediate family members of a legislator serving as a registered lobbyist; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 770—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 24:53(A)(5) and R.S. 49:74(A)(5)(a) and (b)(ii) and to enact R.S. 49:74(A)(7), relative to lobbying; to provide for the disclosure of certain income received by an executive branch lobbyist; to provide for the required disclosure of certain business relationships; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80—
BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 42:1111(E)(2), relative to the Code of Governmental Ethics; to provide relative to the rendering of certain assistance by elected officials; to provide relative to disclosure requirements regarding such assistance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 274—
BY REPRESENTATIVE GALLOT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 276—
BY REPRESENTATIVE GALLOT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 584—
BY REPRESENTATIVE DOWNS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize certain investments for political subdivisions with respect to monies reserved for post-employment benefits; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

Rules Suspended

Senator Quinn asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 730 from the Committee on Finance.

SENATE BILL NO. 730—
BY SENATOR QUINN

AN ACT

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

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

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 14, 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. 7—
BY SENATOR MOUNT AND REPRESENTATIVES BARROW, KATZ AND WILLIAMS

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to explore best practices in the field of family child day care homes and to study creating a licensing system and a quality rating system for family child day care homes.

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to promulgate rules allowing a WMA hunting permit exemption for small game hunters during the first nine days of the regular squirrel season.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR CASSIDY

A CONCURRENT RESOLUTION

To recognize October 1, 2008, as World Peace Day in the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 68—
BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Gray
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Gray 1 Day

Adjournment

Senator Broome moved that the Senate adjourn until Thursday, May 15, 2008, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 15, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

