

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

TWENTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 2, 2006

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

ROLL CALL

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

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Total - 38		

ABSENT

Romero
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Linda Joseph, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

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 1, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATORS DARDENNE, AMEDEE, CHEEK, DUPRE, MCPHERSON AND NEVERS AND REPRESENTATIVES BRUCE, CRANE, CURTIS, LAMBERT, PITRE, M. POWELL AND RITCHIE
A CONCURRENT RESOLUTION

To commend the recipients of the 2006 Louisiana Young Heroes awards.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 2, 2006

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. 267—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 47:463.109(D)(3), relative to motor vehicle prestige license plates; to provide relative to the In God We Trust prestige license plate; to provide relative to the distribution of the annual fee for such plates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 434—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To enact R.S. 38:2212(D)(1)(c), relative to public contracts; to except projects for repairs of hurricane damage to state buildings from certain requirements of the Public Bid Law; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 680—

BY REPRESENTATIVES BAYLOR, BARROW, BAUDOIN, GLOVER, GRAY, JEFFERSON, LAMBERT, MARCHAND, RITCHIE, AND WINSTON

AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(d), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism 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 without amendments.

HOUSE BILL NO. 820—

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, SCALISE, AND WOOTON AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(f), relative to public works contracts; to authorize political subdivisions to develop their own uniform standards to receive bids electronically; and to provide for related matters.

Reported without amendments.

May 2, 2006

HOUSE BILL NO. 856—
BY REPRESENTATIVES KATZ, WALSWORTH, DANIEL, DOVE,
DOWNS, ERDEY, FANNIN, GREENE, M. GUILLORY, HUTTER,
LAMBERT, QUEZAIRES, SMILEY, AND ST. GERMAIN AND SENATOR
KOSTELKA

AN ACT

To name the bridge along Interstate 20 which crosses the Ouachita
River the World War II Memorial Bridge; and to provide for
related matters.

Reported without amendments.

HOUSE BILL NO. 921—
BY REPRESENTATIVE QUEZAIRES
AN ACT

To amend and reenact R.S. 48:381(E)(1)(a) and (F), relative to utility
operators permitted to use and occupy highway rights-of-way;
to add natural gas distribution systems to the definition of utility
operators; to provide relative to the fee for certain utility
operators to use and occupy highway rights-of-way; and to
provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1094—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 48:250.3(D)(2), relative to design-build
contracts let by the Department of Transportation and
Development; provides relative to invitations for detailed
proposals; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

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

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. 744— (Substitute of Senate Bill No. 24 by
Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1552 (B)(6) and (7), relative to
unemployment compensation; to provide with respect to
contributions; to provide for reimbursement of unemployment
compensation benefits charged to state and local governments
and eligible nonprofit organizations during a gubernatorially
declared disaster or emergency; to provide for deferment of
payments; to provide for the waiver of penalty and interest; to
provide for extended payment terms; and to provide for related
matters.

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

SENATE BILL NO. 745— (Substitute of Senate Bill No. 516 by
Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1195(A)(5), relative to group self-
insurance funds for workers' compensation; to provide with
respect to authorization, trade or professional association and
initial financial requirements; to provide for the location of
arrangements to pool liabilities to employees on account of
personal injury and occupational disease arising out of or

incurred during the course and scope of the employment
relationship; and to provide for related matters.

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

Introduction of Resolutions,
Senate and Concurrent

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

SENATE RESOLUTION NO. 51—
BY SENATORS KOSTELKA, BARHAM, ELLINGTON, JONES AND
SMITH

A RESOLUTION

To commend the University of Louisiana at Monroe upon the
celebration of its diamond anniversary and to extend
congratulations for the seventy-five years of academic
excellence it has afforded to the citizens of northeast and north
central Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals
open a mental health facility and provide additional mental
health treatment opportunities to address the mental health crisis
occurring in the wake of the devastation of Hurricane Katrina
and Hurricane Rita.

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

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an
amendment to the Constitution of the United States to define
marriage in the United States as the union between one man and
one woman.

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

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pass legislation
to forgive federal student loans of teachers who teach in poor
performing school systems or in systems where there is a
shortage of highly qualified teachers in an amount up to three
thousand dollars for three years of teaching in such distressed
systems or up to five years in other systems in the state.

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

Senate Concurrent Resolutions
on Second Reading

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

SENATE CONCURRENT RESOLUTION NO. 60—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Cemetery Board and the Louisiana
State Board of Embalmers and Funeral Directors to review their
rules and regulations and develop and implement necessary
changes within their respective jurisdictions, and make
recommendations for legislation, to prevent and respond to the
problems that arose during hurricanes Katrina and Rita with the

displacement of human remains and subsequent identification of those remains.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Amedee	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero
Total - 6		

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

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To direct the governor to have lowered the United States and Louisiana flags flying over the State Capitol Building to half-staff in observance of the death of each state resident in the armed forces of the United States who is killed in war.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Kostelka	Romero
Fontenot	Quinn	
Total - 5		

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

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the availability of need-based aid in the state of Louisiana for students attending postsecondary institutions and to make recommendations to the legislature regarding the adequacy of that aid, the type of program required to accommodate the demand of such aid, and the cost of implementing a program that would make need-based aid available to qualified students beginning in the 2007-2008 school year.

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

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Duplessis	Lentini
Bajoie	Dupre	Malone
Boasso	Ellington	Marionneaux
Broome	Fields	Mount
Cain	Gautreaux B	Murray
Chaisson	Heitmeier	Nevers
Cheek	Hollis	Shepherd
Cravins	Jackson	Smith
Dardenne	Jones	
Total - 26		

NAYS

Total - 0

ABSENT

Mr. President	Kostelka	Schedler
Adley	McPherson	Theunissen
Barham	Michot	Ullo
Fontenot	Quinn	
Gautreaux N	Romero	
Total - 13		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 1, 2006

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. 971—

BY REPRESENTATIVES QUEZAIRE, DANIEL, DOVE, DOWNS, ERDEY, M. GUILLORY, KATZ, KENNARD, SMILEY, AND TUCKER AND SENATOR ELLINGTON

AN ACT

To enact R.S. 32:1504(D), relative to regulation of motor carriers; to authorize the secretary of the Department of Public Safety and

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Corrections to enter into certain agreements; to provide for certain limitations; and to provide for related matters.

HOUSE BILL NO. 113—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To enact R.S. 9:3584, relative to consumer credit ratings and extensions of credit; to prohibit refusal of credit or lowering of credit report scores solely due to any foreclosure or giving in payment resulting from damage caused by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 400—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 51:938.1, relative to the office of entertainment industry development; to create the office; to provide for duties of the office; to provide for promotional activities; to provide for receipt of funds; and to provide for related matters.

HOUSE BILL NO. 918—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 934—
BY REPRESENTATIVES QUEZAIRE, BOWLER, AND HUTTER
AN ACT

To amend and reenact R.S. 32:863(B)(3), (C), and (D)(1) and to enact R.S. 32:863(E), relative to compulsory motor vehicle liability security; to provide for sanctions; to provide for exceptions due to natural disaster; and to provide for related matters.

HOUSE BILL NO. 966—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for exceptions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1164—
BY REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 19:1.1, relative to expropriation; to provide for limitations on expropriation proceedings; to provide for compensation; to provide for repurchase; to provide for exceptions; to provide for definitions; and to provide for related matters.

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

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 113—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To enact R.S. 9:3584, relative to consumer credit ratings and extensions of credit; to prohibit refusal of credit or lowering of credit report scores solely due to any foreclosure or giving in

payment resulting from damage caused by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 400—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 51:938.1, relative to the office of entertainment industry development; to create the office; to provide for duties of the office; to provide for promotional activities; to provide for receipt of funds; and to provide for related matters.

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

HOUSE BILL NO. 918—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 934—
BY REPRESENTATIVES QUEZAIRE, BOWLER, AND HUTTER
AN ACT

To amend and reenact R.S. 32:863(B)(3), (C), and (D)(1) and to enact R.S. 32:863(E), relative to compulsory motor vehicle liability security; to provide for sanctions; to provide for exceptions due to natural disaster; and to provide for related matters.

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

HOUSE BILL NO. 966—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for exceptions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 971—
BY REPRESENTATIVES QUEZAIRE, DANIEL, DOVE, DOWNS, ERDEY,
M. GUILLORY, KATZ, KENNARD, SMILEY, AND TUCKER AND
SENATOR ELLINGTON
AN ACT

To enact R.S. 32:1504(D), relative to regulation of motor carriers; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain agreements; to provide for certain limitations; and to provide for related matters.

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

HOUSE BILL NO. 1164—
BY REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 19:1.1, relative to expropriation; to provide for limitations on expropriation proceedings; to provide for compensation; to provide for repurchase; to provide for exceptions; to provide for definitions; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 1, 2006

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 146—
 BY REPRESENTATIVE QUEZAIRE
 A CONCURRENT RESOLUTION
 To urge and request the Department of Transportation and Development to install lighting on the Sunshine Bridge.

HOUSE CONCURRENT RESOLUTION NO. 147—
 BY REPRESENTATIVE GALLOT
 A CONCURRENT RESOLUTION
 To commend Cynthia M. Lemelle upon her retirement as director of career services at Grambling State University and to recognize her dedication and contributions to this great university.

HOUSE CONCURRENT RESOLUTION NO. 148—
 BY REPRESENTATIVE GLOVER
 A CONCURRENT RESOLUTION
 To commend former State Senator Virginia K. Shehee of Shreveport upon being honored as a 2006 Louisiana Legend by Louisiana Public Broadcasting and to recognize her singular achievements and contributions.

HOUSE CONCURRENT RESOLUTION NO. 149—
 BY REPRESENTATIVE SCALISE
 A CONCURRENT RESOLUTION
 To commend the workers of NASA's Michoud facility in New Orleans for their heroic efforts during Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 150—
 BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
 A CONCURRENT RESOLUTION
 To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 44 and 3223 in St. John the Baptist Parish.

HOUSE CONCURRENT RESOLUTION NO. 152—
 BY REPRESENTATIVE GALLOT
 A CONCURRENT RESOLUTION
 To express condolences upon the death of Dr. Robert Lawson Bailey, retired professor of biological sciences and head of the Department of Agriculture at Grambling State University.

HOUSE CONCURRENT RESOLUTION NO. 153—
 BY REPRESENTATIVE FRITH
 A CONCURRENT RESOLUTION
 To designate June 1, 2006, the first day of hurricane season, as a statewide day of prayer for protection from hurricanes throughout the season.

HOUSE CONCURRENT RESOLUTION NO. 154—
 BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
 A CONCURRENT RESOLUTION
 To commend Wilmer Dugas upon the occasion of his retirement from the Sulphur City Council.

HOUSE CONCURRENT RESOLUTION NO. 156—
 BY REPRESENTATIVE SCALISE
 A CONCURRENT RESOLUTION
 To commend NASA's Michoud Assembly Facility in New Orleans for being awarded the manufacturing of the Crew Launch Vehicle.

HOUSE CONCURRENT RESOLUTION NO. 157—
 BY REPRESENTATIVE GALLOT
 A CONCURRENT RESOLUTION
 To commend Dean Busby upon his retirement as road superintendent of Claiborne Parish.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 146—
 BY REPRESENTATIVE QUEZAIRE
 A CONCURRENT RESOLUTION
 To urge and request the Department of Transportation and Development to install lighting on the Sunshine Bridge.

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

HOUSE CONCURRENT RESOLUTION NO. 147—
 BY REPRESENTATIVE GALLOT
 A CONCURRENT RESOLUTION
 To commend Cynthia M. Lemelle upon her retirement as director of career services at Grambling State University and to recognize her dedication and contributions to this great university.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Amedee	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero
Total - 6		

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

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HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend former State Senator Virginia K. Shehee of Shreveport upon being honored as a 2006 Louisiana Legend by Louisiana Public Broadcasting and to recognize her singular achievements and contributions.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Amedee Dupre Marionneaux
Bajoie Ellington Michot
Barham Fields Mount
Boasso Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Schedler
Chaisson Hollis Shepherd
Cheek Jackson Smith
Cravins Jones Theunissen
Dardenne Lentini Ullo
Total - 33

NAYS

Total - 0

ABSENT

Adley Kostelka Quinn
Fontenot McPherson Romero
Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 149—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To commend the workers of NASA's Michoud facility in New Orleans for their heroic efforts during Hurricane Katrina.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Amedee Dupre Marionneaux
Bajoie Ellington Michot
Barham Fields Mount
Boasso Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Schedler
Chaisson Hollis Shepherd
Cheek Jackson Smith
Cravins Jones Theunissen
Dardenne Lentini Ullo
Total - 33

NAYS

Total - 0

ABSENT

Adley Kostelka Quinn

Fontenot McPherson Romero
Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 44 and 3223 in St. John the Baptist Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To express condolences upon the death of Dr. Robert Lawson Bailey, retired professor of biological sciences and head of the Department of Agriculture at Grambling State University.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Amedee Dupre Marionneaux
Bajoie Ellington Michot
Barham Fields Mount
Boasso Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Schedler
Chaisson Hollis Shepherd
Cheek Jackson Smith
Cravins Jones Theunissen
Dardenne Lentini Ullo
Total - 33

NAYS

Total - 0

ABSENT

Adley Kostelka Quinn
Fontenot McPherson Romero
Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

To designate June 1, 2006, the first day of hurricane season, as a statewide day of prayer for protection from hurricanes throughout the season.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Amedee Dupre Marionneaux
Bajoie Ellington Michot
Barham Fields Mount

Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero

Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 154—
 BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY,
 AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
A CONCURRENT RESOLUTION

To commend Wilmer Dugas upon the occasion of his retirement from the Sulphur City Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Amedee	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero

Total - 6

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

Senator Bajoie in the Chair

HOUSE CONCURRENT RESOLUTION NO. 156—
 BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To commend NASA's Michoud Assembly Facility in New Orleans for being awarded the manufacturing of the Crew Launch Vehicle.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Amedee	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero

Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 157—
 BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To commend Dean Busby upon his retirement as road superintendent of Claiborne Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Amedee	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Fontenot	McPherson	Romero

Total - 6

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

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

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

May 2, 2006

HOUSE BILL NO. 13—
BY REPRESENTATIVES GREENE AND TOOMY
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for an exemption from the fee on certain tire sales; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 284—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:683(B)(3) and 693(B)(4)(b), relative to the professional engineering and land surveying board; to provide for expiration of appointments; to provide for minimum requirements for licensure; and to provide for related matters.

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

HOUSE BILL NO. 291—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact Children's Code Article 611(C), relative to the reporting of child abuse and neglect; to provide relative to the burden of proof in establishing the liability of a person filing a false report; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 312—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:337(A), relative to mortgage lenders; to provide for payment of insurance settlement proceeds; and to provide for related matters.

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

HOUSE BILL NO. 314—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:338(B)(2), relative to mortgage lenders; to provide for the date from which to calculate accrued interest; and to provide for related matters.

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

HOUSE BILL NO. 356—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 6:333(F)(13), relative to disclosure of financial records pursuant to a criminal investigation; to provide authorization for disclosure; and to provide for related matters.

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

HOUSE BILL NO. 389—
BY REPRESENTATIVES TRICHE, ARNOLD, BALDONE, CURTIS, DARTEZ, FAUCHEUX, HEATON, KENNEY, AND WALSWORTH AND SENATOR DUPRE
A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A)(3) and (5) of the Constitution of Louisiana, relative to the extension of the homestead exemption to trusts; to provide that the exemption shall extend to revocable and irrevocable trusts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 506—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 37:1782(14), 1796(A), and 1798(A) and to enact R.S. 37:1782(15) and (16), relative to pawnbrokers; to provide for definitions; to provide for recordkeeping; to provide for information to be furnished to police; and to provide for related matters.

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

HOUSE BILL NO. 541—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1851(B) and (M), relative to ad valorem taxation; to include a water transportation company in the definition of barge line for purposes of assessment of public service property by the Louisiana Tax Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 556—
BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, MARTINY, TOOMY, AND WOOTON
AN ACT

To amend and reenact R.S. 33:113.1(A)(1)(a) and (B) and to enact R.S. 33:113.1(C), relative to administrative procedures for approving or certifying plats for subdivisions and resubdivisions; to authorize certain administrative procedures to provide relative to certain public utility servitudes; and to provide for related matters.

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

HOUSE BILL NO. 566—
BY REPRESENTATIVES CRAVINS AND BOWLER
AN ACT

To amend and reenact R.S. 23:1196(A)(5), relative to workers' compensation insurance; to provide for reinsurance; and to provide for related matters.

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

HOUSE BILL NO. 598—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 1293, relative to service of process by a private person; to provide for court discretion in appointing private process servers; and to provide for related matters.

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

HOUSE BILL NO. 605—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 33:4574(B)(43) and (F)(5) and 4574.1.1(A)(44), relative to Red River Parish; to create the Red River Tourism Commission; to provide relative to the appointment of members of the board of directors of the commission; to authorize the commission to levy a hotel occupancy tax and to provide the maximum rate of such tax; and to provide for related matters.

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

HOUSE BILL NO. 649—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 47:1998(G), relative to appeals of tax assessments; to provide for the payment of attorney fees, expert fees, and costs under certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 694—

BY REPRESENTATIVE SMILEY

AN ACT

To enact R.S. 32:123(E), relative to motor vehicle traffic regulations; to provide relative to motor vehicle violations occurring at stop signs and yield signs; to provide relative to penalties for such violations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 706—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 19:136 and 136.1(3), relative to the expropriation of blighted property; to authorize the city of Grambling to expropriate by a declaration of taking; and to provide for related matters.

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

HOUSE BILL NO. 761—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:62(5)(e)(i) and (ii), 148(D), 403(17), 416(A)(2), 422(C), 424(E), 446(A)(5)(i), and 605(B)(2)(b), to enact R.S. 11:446(A)(5)(k) and 543, and to repeal R.S. 11:417(B) and 453, relative to the Louisiana State Employees' Retirement System; to provide for the collection of benefits paid to a member but not due the member; to provide relative to employee contribution rates; to provide relative to membership selection and eligibility; to provide relative to rehired retirees; to provide relative to actuarial purchase of service credit; to provide relative to conversion of annual and sick leave; to provide for the Initial Benefit Option and eligibility therefor; to provide relative to public safety services employees upgrade of service credit; to repeal certain provisions relative to transfer of service credit and purchase of credit; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 920—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:2179, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to benefit limits; to provide for maximum benefits; to provide for benefit adjustments based on age and years of service; to authorize the board of trustees to establish a trust for compliance with requirements of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 975—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:4766.1, relative to the village of Grand Cane; to provide relative to the repair of dilapidated and dangerous structures in the village; to authorize the governing authority of the village to file liens against property owners for failure to pay costs owed to such governing authority with respect to such structures; and to provide for related matters.

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

HOUSE BILL NO. 1071—

BY REPRESENTATIVES HUNTER, ALARIO, BARROW, DEWITT, DORSEY, GLOVER, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOE, HINES, MOUNT, AND NEVERS

AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.44, relative to housing; to enact and provide for the Louisiana Housing Preservation Act; to provide relative to the identification and rehabilitation of blighted housing property and procedures therefor; to provide for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto; to provide for designation of qualified rehabilitation entities; to provide relative to permits, taxes, liens, obligations, and liability; to provide relative to certain preferences; and to provide for related matters.

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

HOUSE BILL NO. 1116—

BY REPRESENTATIVE GLOVER

AN ACT

To enact Chapter 5-O of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.121 through 380.126, and R.S. 36:744(Z) and 801.19, to create the Spring Street Historical Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

HOUSE BILL NO. 1125—

BY REPRESENTATIVES DARTEZ, BALDONE, CAZAYOUX, AND WOOTON

AN ACT

To amend and reenact R.S. 14:81(A) and (C) and to enact R.S. 14:81(D) through (H), relative to indecent behavior with juveniles; to amend elements of the crime to provide that reasonable belief that the victim is under the age of seventeen is sufficient to commit the crime of indecent behavior with a juvenile; to provide for definitions; to provide that evidence

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seized resulting from the commission of the crime of indecent behavior with juveniles is considered contraband; to require sex offender registration if convicted for the crime of indecent behavior with juveniles; and to provide for related matters.

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

HOUSE BILL NO. 1133—

BY REPRESENTATIVES DARTEZ, JACK SMITH, ST. GERMAIN, FAUCHEUX, AND GARY SMITH AND SENATORS AMEDEE AND B. GAUTREAUX

AN ACT

To enact R.S. 16:516, 517, and 518, relative to the payment of health insurance premiums of district attorneys in the Twenty-Third, Twenty-Ninth, and Fortieth judicial districts; to provide with respect to payment of health insurance for certain retired district attorneys; to establish criteria for eligibility; to provide for the payment of such premiums by the district attorney's office; and to provide for related matters.

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

HOUSE BILL NO. 1134—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 33:9576(A), (B), and (D)(5) and to enact R.S. 33:9576(C)(7), (D)(6), and (E), relative to the Calcasieu Parish Gaming Revenue District; to authorize the district to incur debt and issue bonds and other evidences of indebtedness; to provide for purposes and procedures; and to provide for related matters.

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

HOUSE BILL NO. 1157—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 25:380.92(C)(introductory paragraph) and to enact R.S. 25:380.92(C)(3), relative to the governing board of the Mansfield Female College Museum; to increase the membership; to provide relative to appointment; to provide relative to terms; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVES ERDEY, K. CARTER, FARRAR, FAUCHEUX, HARRIS, HEBERT, JOHNS, KLECKLEY, MCVEA, MORRISH, PITRE, T. POWELL, RICHMOND, SCALISE, GARY SMITH, TOOMY, TOWNSEND, TUCKER, AND WALSWORTH

A CONCURRENT RESOLUTION

To urge and request Louisiana's congressional delegation and the state insurance commissioner to support and secure passage of federal legislation establishing a catastrophic reinsurance fund to support state efforts to keep homeowners' disaster insurance affordable.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Heitmeier	Shepherd
Chaisson	Hollis	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total - 34

NAYS

Total - 0

ABSENT

Adley	Mount	Romero
Kostelka	Quinn	

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request property and casualty insurers to waive any provisions in their policies which limit the time for filing suit against the insurer to twelve months or one year when filing suit on a property damage claim resulting from Hurricane Katrina or Rita.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

AGRICULTURE, FORESTRY, AQUACULTURE AND RURAL DEVELOPMENT

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

May 2, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 196—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3414, relative to the Agricultural Commodity Dealer and Warehouse Law; to require a written contract for the sale, storage, and handling of grain; to provide for the form of the written contract; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MIKE SMITH
Chairman

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

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

May 2, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 567— BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:2418(I), relative to environmental quality; to provide for a phase out of the waste tire subsidy program; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 630— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2418(B), (F), (G), (H), (I), (J), (K)(1), (M)(3) and (N) and to enact R.S. 30:2418(P) and R.S. 48:58, relative to environmental quality; to provide relative to the Waste Tire Management Fund; to transfer the Waste Tire Management Fund from the Department of Environmental Quality to the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 726— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 30:2418(I)(2) and (3)(a), relative to environmental quality; to provide relative to minimum payments to a permitted waste tire processing facility; and to provide for related matters.

Reported favorably.

Respectfully submitted, HEULETTE "CLO" FONTENOT Chairman

REPORT OF COMMITTEE ON JUDICIARY B

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 2, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 528— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 27:28(H)(1) and to enact R.S. 27:28(H)(3), relative to the Louisiana Gaming Control Law; to provide with respect to suitability standards; to provide for an appeal process for a person found by the board to exercise significant influence over a licensee, permittee, or casino gaming operator; to provide for procedures for filing such appeal; to provide for a procedure for taking administrative action against a licensee, permittee, or casino gaming operator

associated with a person found to be unsuitable; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 212— BY REPRESENTATIVE TOOMY AN ACT

To amend and reenact R.S. 16:65, relative to judicial enforcement districts; to provide for a district attorney in a federally declared disaster district to borrow money to finance the daily operations of his office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 373— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(i) and (c)(i), relative to intensive incarceration and intensive parole supervision; to provide for which inmates are eligible to participate in the programs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 375— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:829, relative to discipline of inmates; to provide that procedures for discipline of inmates in the custody of the Department of Public Safety and Corrections are prescribed by the secretary of the department regardless of where housed; to provide that the secretary maintains a record of infractions which occur in state prisons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 376— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:711(G) and 1135(A), (B)(introductory paragraph) and (2), and (D), 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 with amendments.

HOUSE BILL NO. 380— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:833 and to enact R.S. 15:833.1, relative to the temporary release of inmates; to provide for eligibility for temporary furlough; to provide for the release of inmates for medical care under certain circumstances; to provide for temporary secured release of inmates; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 636— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:832(B), 871, and 873, relative to inmate compensation; to provide for discretionary rather than mandatory compensation for inmate labor; to provide for the adoption of rules for establishing the eligibility to receive compensation; to provide for rules to establish rate of compensation for labor performed by eligible inmates; to provide for applicability; to provide with respect to the sources of funding for inmate compensation; and to provide for related matters.

Reported favorably.

May 2, 2006

HOUSE BILL NO. 847—
BY REPRESENTATIVES MARTINY, ALARIO, K. CARTER, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, SALTER, AND JANE SMITH AND SENATORS BAJOEI, HEITMEIER, HINES, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 15:824(B)(1)(b) and (c)(introductory paragraph) and to enact R.S. 15:824(B)(1)(d), relative to persons committed to the Department of Public Safety and Corrections; to provide for the amount paid to parish prisons housing inmates in the custody of the Department of Public Safety and Corrections and who were evacuated due to a disaster or emergency; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1120—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1375(B) and (F)(1), relative to state police training facilities; to provide for fees charged for participation in the training school and courses and for the use of the training facility by local government to train their police officers; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 2, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 101—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 26:90(I) and (J) and 286(I) and (J), and to enact R.S. 26:90(K) and 286(K), relative to alcoholic beverages; to increase the penalties for selling alcoholic beverages to a minor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 678—
BY SENATOR SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Art. 887 (F)(3), relative to court costs; to provide for imposition of court costs in the Tenth Judicial District and the City Court of Natchitoches; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 51—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 40:971.2(C), relative to controlled dangerous substances; to increase penalties for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 77—
BY REPRESENTATIVE BRUCE
AN ACT

To enact Code of Criminal Procedure Article 814(A)(14.2), relative to responsive verdicts; to provide for responsive verdicts for aggravated second degree battery; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 81—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 14:30(A)(1) and 30.1(A)(2)(a), relative to criminal homicide; to add certain crimes to the list of enumerated felonies which raise a homicide to the grades of first or second degree murder; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 211—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:964, Schedule III(D), to enact R.S. 40:964, Schedule I(D)(3), and to repeal R.S. 40:964, Schedule II(D)(1) and 964, Schedule V(B)(1), relative to the Uniform Controlled Dangerous Substances Law; to change the schedule classification of Methaqualone and Buprenorphine; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 216—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:964, Schedule IV, relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedule IV to be consistent with the federal controlled substances designations; to add several substances which are listed in Schedule IV federally but not in Louisiana; to delete Nalbuphine from Schedule IV consistent with federal schedule; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 435—
BY REPRESENTATIVES GEYMANN AND SCHNEIDER
AN ACT

To amend and reenact R.S. 14:42(D)(2), relative to aggravated rape; to change the penalty provisions relative to the age of the victim to conform to the definition of the crime; to provide for penalties imposed when the victim is under the age of thirteen years; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 494—
BY REPRESENTATIVE GEYMANN
AN ACT

To enact R.S. 14:2(13)(pp), relative to crimes of violence; to add molestation of a juvenile to the definition of crimes of violence; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 512—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:37.5, relative to assault and battery; to create the crime of aggravated assault upon a utility service person with a firearm; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 563—

BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 14:80(A)(1) and (2), relative to felony carnal knowledge of a juvenile; to change the minimum age of the victim to a person thirteen years of age or older; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 611—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:35, relative to simple battery; to increase the amount of the fine for the offense of simple battery; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 612—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:67(B)(3), relative to theft; to increase the fine for theft when the value of the thing taken is less than three hundred dollars; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 613—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:69(B)(3), relative to illegal possession of stolen things; to increase the fine when the amount of the stolen things is less than three hundred dollars; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 614—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:56(B), relative to simple criminal damage to property; to increase the fine for the crime of simple criminal damage to property when the value of the property damaged is less than five hundred dollars; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 635—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.4(A)(1), relative to sentencing in capital cases; to add certain crimes to the enumeration of aggravating circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1007—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:571.3(C)(1)(r) and (s) and to enact R.S. 15:571.3(C)(1)(t), relative to diminution of sentence; to provide that a person convicted of looting that occurred during a state of emergency not have the benefit of diminution of sentence for good behavior; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOEL T. CHAISSON II
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

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

May 2, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 49—

BY SENATOR MARIONNEAUX
AN ACT

To enact Code of Civil Procedure Article 2168, relative to courts, appellate procedure and opinions; to provide that opinions of the supreme court and courts of appeal shall be published; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 77—

BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article V, Section 10(A) and (B) of the Constitution of Louisiana, relative to appellate jurisdiction of a court of appeal; to provide that a court of appeal has appellate jurisdiction of all civil matters except administrative agency determinations and worker's compensation matters; to provide that appellate review extends only to questions of law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

SENATE BILL NO. 185—

BY SENATOR SHEPHERD
AN ACT

To amend and reenact R.S. 13:312(5) and 312.1(E), relative to courts; to provide relative to courts of appeal; to provide relative to the number of judges authorized for the Fifth Circuit Court of Appeal; to create and provide for an additional judge and division; to provide for elections and terms of office; to provide terms, conditions, and procedures; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 241—

BY SENATOR SHEPHERD
AN ACT

To enact R.S. 9:2941.1, relative to contracts; to provide relative to bond for deed contracts; to provide relative to recording of such contracts; to prohibit interest for subsequent filings by or against the bond for deed purchaser

Reported favorably.

SENATE BILL NO. 328—

BY SENATOR MARIONNEAUX
AN ACT

To repeal Code of Evidence Art. 511(F), relative to malpractice; to provide relative to health care provider-patient privilege; to repeal certain limitations on such privilege in medical malpractice claims; to repeal certain limitations on the disclosure of a patient's treatment or condition in medical malpractice claims; and to provide for related matters.

Reported with amendments.

May 2, 2006

SENATE BILL NO. 473—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact Section 2 of Act No. 1212 of the 2003 Regular Session of the Legislature; relative to expropriation; to extend the quick-take authority of certain municipalities for certain purposes for three years; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 560—
BY SENATOR SCHEDLER

AN ACT

To enact Part X of Title 19 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 19:351 through 355, relative to expropriation of property; to authorize certain parishes to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 617—
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 37:223, relative to professions and occupations; to provide for attorneys; to create a Standing Committee on Attorney Advertising; to provide for its members, their appointment, terms, and duties; to authorize such committee to evaluate certain advertising material, make certain recommendations, and issue certain advisory opinions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 740—
BY SENATOR QUINN

AN ACT

To enact R.S. 22:658.3, relative to insurance claims; to extend the time for filing certain insurance claims for damages arising from hurricane activity; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
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. 59—
BY SENATORS LENTINI AND BOASSO
AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950 and to enact R.S. 11:293, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of conviction by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of a conviction; to authorize a civil action by a state or statewide retirement system under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 60—
BY SENATORS LENTINI AND BOASSO
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) and to add Section 29(E)(6) of the Constitution of Louisiana, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 151—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures and to provide for related matters.

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

SENATE BILL NO. 195—
BY SENATORS MCPHERSON, CHEEK, ELLINGTON, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES AND ULLO
AN ACT

To amend and reenact R.S. 47:1061(B), relative to the telecommunications tax for the deaf; to provide for the use of monies in the Telecommunications for the Deaf Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 195 by Senator McPherson

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 47:1061(B)" and before the comma "," insert "and to enact R.S. 47:1061(C)"

AMENDMENT NO. 2
On page 1, line 6, after "reenacted" insert "and R.S. 47:1061(C) is hereby enacted"

AMENDMENT NO. 3
On page 1, delete lines 11 through 14

AMENDMENT NO. 4
On page 1, line 16, change "assistive hearing devices, including hearing aids," to "~~assistive hearing devices, including hearing aids,~~ **accessibility services and assistive technology**"

AMENDMENT NO. 5
On page 1, line 17, after "deaf/blind" insert "**hard of hearing, speech impaired,**"

AMENDMENT NO. 6
On page 2, between lines 4 and 5, insert the following:
"C. Policies and procedures to administer the statewide program and distribution of funds shall be developed in collaboration with other state agencies that provide services to individuals who are deaf, deaf/blind, hard of hearing, or speech

impaired to avoid duplication of effort. Rules and regulations to implement the program shall be promulgated in accordance with the Administrative Procedure Act.

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

SENATE BILL NO. 258—

BY SENATORS BOASSO, BARHAM, DARDENNE, B. GAUTREUX, HOLLIS, SHEPHERD AND THEUNISSEN

A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(4) and (5) of the Constitution of Louisiana, relative to retirement and survivor's benefits; to limit creation of additional unfunded accrued liabilities for state retirement systems; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 258 by Senator Boasso

AMENDMENT NO. 1

On page 2, at the beginning of line 14 insert "**new, additional**"

AMENDMENT NO. 2

On page 2, line 29, after "**a**" and before "**funding**" insert "**new, additional**"

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

SENATE BILL NO. 526—

BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 11:62, 102(B)(5), 542(A)(2), and 883.1(A)(2), relative to state retirement systems; to provide with respect to payment of the unfunded accrued liabilities of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for the Unfunded Accrued Liability Payment Account; to provide for credits to the account from employee contributions, employer contributions, and investment earnings; to provide with respect to a source of funds for such employer contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 526 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 2 after "R.S." delete the remainder of the line and insert in lieu thereof "11:102(B)(5), 542(A)(2)(a), and 883.1(A)(2)(a), and to enact R.S. 11:102.1, relative to state"

AMENDMENT NO. 2

On page 1, line 5 after "Louisiana;" delete the remainder of the line and delete lines 6 through 8 in their entirety and insert in lieu thereof "to provide for payment and reamortization of the unfunded accrued liabilities of such systems existing as of June 30, 1988; to provide for employer contributions for reduction of such liabilities and a source therefor; to provide for application of investment earnings to reduce such liabilities; to provide for an effective date; and to"

AMENDMENT NO. 3

On page 1, line 12 after "R.S." delete the remainder of the line and insert in lieu thereof "11:102(B)(5), 542(A)(2)(a), and 883.1(A)(2)(a) are hereby amended"

AMENDMENT NO. 4

On page 1, line 13 after "reenacted" and before "to" insert "and R.S. 11:102.1 is hereby enacted"

AMENDMENT NO. 5

On page 1, delete lines 14 through 17 in their entirety and on page 2, delete lines 1 through 9 in their entirety

AMENDMENT NO. 6

On page 2, line 19 change "Paragraph" to "**Subparagraph**"

AMENDMENT NO. 7

On page 2, line 23 after "be" delete the remainder of the line and delete lines 24 through 29 in their entirety and on page 3 delete line 1 in its entirety and insert in lieu thereof "**used to reduce the unfunded accrued liability of that system existing as of June 30, 1988, and shall be applied as provided in R.S. 11:102.1(E).**"

AMENDMENT NO. 8

On page 3, at the beginning of line 2 change "**(b)(1)**" to "**(b)(i)**"

AMENDMENT NO. 9

On page 3, at the end of line 4 delete "**one-**" and delete lines 5 through 16 in their entirety and insert in lieu thereof:

"two percent of projected payroll for the fiscal year as determined by the valuation for the beginning of that fiscal year to be paid directly to the system by June 30 of such fiscal year beginning with the 2006-2007 fiscal year and allocated as provided in R.S. 11:102.1.

(ii) For each fiscal year to the extent funds are available, any increase in nonrecurring revenue recognized by the Revenue Estimating Conference shall be used to pay the additional contribution up to the two percent of payroll required by Item (i) of this Subparagraph as authorized in Article VII, Section 10(D)(2) of the Constitution of Louisiana. However, any insufficiency of such funds shall not relieve or excuse the state's responsibility for paying these additional contributions.

§102.1 Payment of the initial unfunded liability of certain state systems

A. As used in this Section, the following terms shall have these meanings:

(1) "Additional contribution" shall mean the employer contribution paid directly to each system pursuant to R.S. 11:102(B)(5)(b).

(2) "Allocated investment gain" shall mean the portion of that system's prior year's net investment experience gain which would otherwise be allocated to the system's employee experience account pursuant to R.S. 11:542(A)(2)(a) or 883.1(A)(2)(a).

(3) "Initial unfunded accrued liability" shall mean the unfunded accrued liability of the system existing as of June 30, 1988.

(4) "System" or "systems" shall mean the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, or both.

B. Seven-eighths of the additional contribution shall be used directly to reduce the initial unfunded accrued liability of the respective system as provided in Article X, Section 29(E)(2)(c).

C.(1) Except as provided in Paragraph (2) of this Subsection, the remaining one-eighth of the additional contribution shall be credited to the employee experience account of the respective system.

(2) Until such time as the allocated investment gain of a system begins to be applied to reduce the initial unfunded accrued liability of that system as provided in Paragraph (4) of Subsection D of this Section, the remaining one-eighth shall be used directly to reduce such liability.

D.(1) Each year, an amount equal to one and one-half times the amount contributed to the respective employee experience account pursuant to Paragraph (1) of Subsection C of this Section

shall be debited from the allocated investment gain and used directly to reduce the initial unfunded accrued liability of the respective system.

(2) For any year the allocated investment gain is insufficient to fund the initial unfunded accrued liability payment pursuant to Paragraph (1) of this Subsection, the shortfall shall be added to the next year's amount to be debited from the allocated investment gain.

(3) For any year in which the credit to a system's employee experience account required by Paragraph (1) of Subsection C of this Section is not made, the full allocated investment gain shall be credited to that system's employee experience account as provided in R.S. 11:542 or 11:883.1.

(4) The provisions of this Subsection shall not apply to a system until the first fiscal year in which the members of that system are granted a cost-of-living adjustment pursuant to the provisions of R.S. 11:542 or 11:883.1, whichever is applicable.

E. The initial unfunded accrued liability of each system shall be reamortized annually in the same manner and over the remaining payment period as provided in R.S. 11:42(B) to reflect the additional payments provided in this Section, any additional payments pursuant to R.S. 11:102(B)(5)(a), and any other amounts paid for reduction of such liability."

AMENDMENT NO. 10

On page 3, line 22 change "twenty-five" to "fifty"

AMENDMENT NO. 11

On page 3, at the end of line 23 delete the period "." and insert "less the amounts payable pursuant to R.S. 11:102.1(D)(1) and (2)."

AMENDMENT NO. 12

On page 3, delete lines 24 through 29 in their entirety

AMENDMENT NO. 13

On page 4, line 6 change "twenty-five" to "fifty"

AMENDMENT NO. 14

On page 4, at the end of line 7 delete the period "." and insert "less the amounts payable pursuant to R.S. 11:102.1(D)(1) and (2)."

AMENDMENT NO. 15

On page 4, delete lines 8 through 13 in their entirety

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

SENATE BILL NO. 669—

BY SENATOR LENTINI

AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950 and to enact R.S. 11:293, relative to retirement benefits; to provide relative to any public retirement or pension system; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of convictions by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of conviction; to authorize a civil action by a public retirement or pension system under certain circumstances; and to provide for related matters.

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

Mr. President in the Chair

Special Order of the Day

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

SENATE BILL NO. 742— (Substitute of Senate Bill No. 105 by Senator Marionneaux)

BY SENATORS MARIONNEAUX, DARDENNE, FIELDS, JONES, ULLO, HOLLIS AND SCHEDLER

AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251 through 1300.253, 1300.255, 1300.261 through 1300.263, and to repeal Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.28, and Part XLIV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.41 through 1300.48, relative to prohibiting and penalizing smoking in certain places; to provide relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Smokefree Air Act; to provide relative to purposes, definitions, restrictions, and exceptions; to prohibit certain activity and to provide penalties for violation; 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 to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 7, line 15, change "40:1300.255(A)(3)" to "40:1300.255(A)(4)"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 7, line 15 change "(3)" to "(4)"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 6, between lines 3 and 4 insert the following:
"(9) All workplaces of any manufacturer, importer, wholesaler or distributor of tobacco products, of any tobacco leaf dealer or processor, and all tobacco storage facilities."

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S.40:1300.45(B) and to"

AMENDMENT NO. 2

On page 1, line 5, delete "Part XLIV of" and delete line 6, and insert "R.S."

AMENDMENT NO. 3

On page 1, line 7, change "through" to ", 1300.42,1300.43, 1300.46, 1300.47, and"

AMENDMENT NO. 4

On page 1, line 15, after "Section 1." insert "R.S. 40:1300.45(B) is hereby amended and reenacted and"

AMENDMENT NO. 5

On page 1, after line 17, insert the following:
 "§1300.45. Smoking in a nonsmoking area; penalty
 * * *"

B. Any violation of this Section **and any violation of Part LXIII of this Title** shall be punishable by a fine of not less than twenty-five dollars nor more than fifty dollars, **or such additional fines or penalties as are provided by the local governing authority.**

AMENDMENT NO. 6

On page 7, line 8, after "255 delete "(A)(1) and (2)" and after "shall" delete the rest of the line and delete lines 9 through 19 and insert "**be penalized as provided in R.S. 40:1300.45(B).**"

AMENDMENT NO. 7

On page 8, line 15, after "and" delete the remainder of the line and delete line 16 and insert "R.S. 40:1300.41, 1300.42, 1300.43, 1300.46, 1300.47, and"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 4, line 6 after "elsewhere." delete the remainder of the line and delete line 7 in its entirety and insert the following:
"The term "restaurant" shall not include a clearly designated and enclosed bar area which is located within a restaurant."

AMENDMENT NO. 2

On page 5, line 12 between "bar" and the period "." insert "**or a clearly designated and enclosed bar area which is located within a restaurant"**

AMENDMENT NO. 3

On page 8, delete lines 18 through 22 and insert the following:

"Section 3. This Act shall become effective on January 1, 2007."

Senator Hollis moved adoption of the amendments.

Senator Ullo objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Mount
Adley	Heitmeier	Murray
Amedee	Hollis	Nevers
Boasso	Jackson	Quinn
Cain	Kostelka	Shepherd
Cheek	Malone	Smith
Cravins	McPherson	Theunissen
Fontenot	Michot	
Total - 23		

NAYS

Bajoie	Duplessis	Jones
Barham	Dupre	Lentini
Broome	Ellington	Marionneaux
Chaisson	Fields	Schedler
Dardenne	Gautreaux B	Ullo
Total - 15		

ABSENT

Romero
 Total - 1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 6, between lines 3 and 4, insert the following:
"(10) Convention facilities during the time such facilities are being used for professional meetings and trade shows which are not open to the public that are produced or organized by tobacco businesses or convenience store associations where tobacco products are displayed and limited to the location of such meetings or shows and during the time such facilities are used by a carnival organization, traditionally known as a krewe or a courir de Mardi Gras for the purpose of the conduct of a Mardi Gras ball and limited to the location of such ball."

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

May 2, 2006

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 742 by Senator Marionneaux

AMENDMENT NO. 1

On page 4 lines 12 after "school," delete the remainder of the line

AMENDMENT NO. 2

On page 4 line 13 delete the entire line and insert "any buildings on the campus, and all school buses."

On motion of Senator Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fontenot Malone
Total - 2

ABSENT

Romero
Total - 1

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 85— BY SENATOR JONES

AN ACT

To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and procedures for such centers; to provide for eligibility; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone

Adley Dupre Marionneaux
Amedee Fields McPherson
Bajoie Fontenot Michot
Barham Gautreaux B Mount
Boasso Gautreaux N Murray
Broome Heitmeier Nevers
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Theunissen
Cravins Kostelka
Dardenne Lentini
Total - 34

NAYS

Ellington Smith
Quinn Ullo
Total - 4

ABSENT

Romero
Total - 1

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

SENATE BILL NO. 129— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:571.3(B), relative to execution of sentence; to provide for diminution and commutation of sentence for good behavior; to provide for an increase in the rate of good time earned every thirty days; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 129 by Senator Jones

AMENDMENT NO. 1

On page 1, line 4, after "thirty days" insert "in certain circumstances"

AMENDMENT NO. 2

On page 1, line 10, after "B." insert "(1)"

AMENDMENT NO. 3

On page 1, line 10 delete "Every" and insert "Except as provided in Subsection (B)(2) of this Section, every"

AMENDMENT NO. 4

On page 2, line 7 after custody insert a "." and delete "except for an" and insert "(2)(a) An"

AMENDMENT NO. 5

On page 2, line 8 delete "who"

AMENDMENT NO. 6

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

"(b) An inmate convicted of a sexual crime committed against a minor as is defined in R.S. 14:42(A)(4), 78.1, or 81.2, shall earn diminution of sentence at a rate of three days for every seventeen days in actual custody, including time spent in custody"

with good behavior prior to sentence for which defendant is given credit."

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Marionneaux	
Total - 37		

NAYS

Malone
Total - 1

ABSENT

Romero
Total - 1

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was taken up and acted upon as follows:

HOUSE BILL NO. 377—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:828(B), relative to treatment and rehabilitation programs for inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules and regulations to encourage voluntary participation in such programs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith

Cravins
Dardenne
Duplessis
Total - 38

Kostelka
Lentini
Malone

Theunissen
Ullo

NAYS

Total - 0

ABSENT

Romero
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Jones 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. 141—
BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD
A JOINT RESOLUTION

Proposing to amend Article VII, Section 24 of the Constitution of Louisiana, to provide for a single tax assessor in Orleans Parish; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Cravins
Total - 3

Fields

Heitmeier

ABSENT

Romero
Total - 1

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

Rules Suspended

Senator Duplessis asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 647 out of its regular order.

May 2, 2006

SENATE BILL NO. 647—

BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD
AN ACT

To amend and reenact R.S. 9:1425, R.S. 11:1481(2)(b)(i) and (d)(i), R.S. 13:4405(B), R.S. 18:602(C), R.S. 33:2828(B)(1)(introductory paragraph), (B)(2), and (D), and 9091.1(D)(1)(e) and (f), R.S. 35:281, R.S. 42:261(D)(2), R.S. 44:205, R.S. 47:1709, 1856(E)(1), 1874(B), 1901, 1901.1, 1903.2, 1903.3, 1904(B), 1907(A)(1), 1909, 1910, 1910.1, 1910.2, 1925.8, 1931, 1956(A)(1), 1958(E), 1960, 1979(A), 1987(A), 1991(A) and (B), 1992(A)(1)(a) and (F), 2110(A)(2) and (E), and 2305(A), to enact R.S. 33:9091.1(D)(6), and to repeal R.S. 11:1481(2)(c) and R.S. 47:1907(A)(2), relative to assessors; to provide for the consolidation of the assessors of Orleans Parish; to provide for changes to various provisions of law pertaining to assessment of property for ad valorem tax purposes to reflect a single assessor in Orleans Parish; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 647 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 7, change "1992(A)(1)(a) and (F)" to "1992(A)(1)(a) and (F)(1)"

AMENDMENT NO. 2

On page 3, line 18 change "C.(1)" to "C"

AMENDMENT NO. 3

On page 3, line 26, delete "(2)"

AMENDMENT NO. 4

On page 6, line 13, change "1992(A)(1)(a) and (F)" to "1992(A)(1)(a) and (F)(1)"

AMENDMENT NO. 5

On page 16, line 3, following "for the" and before "for Orleans" change "Board of Assessors" to "assessor"

AMENDMENT NO. 6

On page 18, line 17, following "assessment;" and before "records" change "assessors" to "assessor's"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Duplessis, Marionneaux. Lists names of senators and their votes.

Total - 36

NAYS

Fields

Heitmeier

Total - 2

ABSENT

Romero

Total - 1

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

SENATE BILL NO. 177—

BY SENATORS FONTENOT AND MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

SENATE BILL NO. 217—

BY SENATOR NEVERS
AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1541 and 1553(C), relative to unemployment compensation; to provide with respect to contributions; to provide for the social charge account and unemployment benefit charges arising from executive orders issued by the governor in response to a declared disaster or emergency; to prohibit the charging of such benefits to employers' experience rating records; to prohibit the recoupment of such benefits through the social charge tax; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 217 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 8, following "to" and before "KBB" insert "Executive Orders"

On motion of Senator Lentini, 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

Table with 3 columns: Name, Duplessis, Marionneaux. Lists names of senators and their votes.

Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 36

Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Malone

Quinn
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Kostelka
Total - 3

Lentini

Romero

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

SENATE BILL NO. 221—
BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4699.1(D), relative to commercial and residential development in the city of Lake Charles; to provide for commercial and residential development of certain lakefront property in the city of Lake Charles, subject to voter approval; to authorize the calling of a special election by the city; to provide for a separate election for any gaming operations; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 221 by Senator Mount

AMENDMENT NO. 1

On page 2, delete lines 20 through 23 and insert the following:
"purposes. Nothing in this Subsection shall affect any law regarding the requirement for or the conduct of any election regarding the conduct of any form of gaming."

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 37

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Malone
Marionneaux

McPherson
Michot
Mount
Murray
Nevers
Quinn
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Lentini
Total - 2

Romero

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

SENATE BILL NO. 530—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:3302(A), relative to the president of postsecondary systems; to remove any requirement for appointments of such presidents to be confirmed by the Board of Regents; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Amedee
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total - 33

Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Adley
Total - 2

Barham

ABSENT

Bajoie
Kostelka
Total - 4

Quinn
Romero

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

SENATE BILL NO. 650—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to repeal R.S. 23:992.1, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to provide for penalties; to repeal the provision with regard to exemptions; and to provide for related matters.

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

SENATE BILL NO. 655—

BY SENATORS ADLEY, KOSTELKA AND QUINN AND REPRESENTATIVES DANIEL, BEARD, CRANE, DAMICO, DEWITT, FRITH, GEYMAN, HAMMETT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE AND WALSWORTH

AN ACT

To amend and reenact R.S. 30: 82(6), 89.1 and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain

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agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, judgments, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; and to provide for related matters.

On motion of Senator Adley, Senate Bill No. 655 was made Special Order of the Day No. 1 on Thursday, May 4, 2006, immediately following the Morning Hour.

SENATE BILL NO. 685— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 22:672 (A) and (C)(2) and to repeal R.S. 22:672(E), relative to insurance coverage for vehicle towing and storage; to prohibit an insurer from assuming legal title of a motor vehicle unless the insurer assumes any covered towing and storage charges which are owed pursuant to the insurance policy; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie Quinn
Kostelka Romero
Total - 4

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

SENATE BILL NO. 700— BY SENATOR JONES

AN ACT

To enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in the state minimum wage to six dollars and fifteen cents per hour; and to provide for related matters.

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

SENATE BILL NO. 701— BY SENATOR JONES

AN ACT

To enact R.S. 17:3981(6), relative to charter schools; to require the State Board of Elementary and Secondary Education to provide

certain financial information upon the request of certain school systems; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Adley Dupre Marionneaux
Amedee Ellington McPherson
Bajoie Fields Michot
Barham Fontenot Murray
Boasso Gautreaux B Nevers
Broome Gautreaux N Schedler
Cain Heitmeier Shepherd
Chaisson Hollis Smith
Cheek Jackson Theunissen
Cravins Jones Ullo
Dardenne Lentini
Total - 35

NAYS

Total - 0

ABSENT

Kostelka Quinn
Mount Romero
Total - 4

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

SENATE BILL NO. 736— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 34:1221(A)(5), relative to the Greater Baton Rouge Port Commission; to provide for membership; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Adley Dupre Marionneaux
Amedee Ellington McPherson
Bajoie Fields Michot
Barham Fontenot Murray
Boasso Gautreaux B Nevers
Broome Gautreaux N Schedler
Cain Heitmeier Shepherd
Chaisson Hollis Smith
Cheek Jackson Theunissen
Cravins Jones Ullo
Dardenne Lentini
Total - 35

NAYS

Total - 0

ABSENT

Kostelka Quinn
Mount Romero

Total - 4

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

SENATE BILL NO. 737—
BY SENATOR JONES

AN ACT

To enact Chapter 20-B-1, to be comprised of R.S. 17:3042.11, relative to the Teachers Education Trust Fund Incentive Program; to provide incentives for qualified teachers to locate and work in disadvantaged areas; to authorize the development and establishment of Teachers Education Trust Fund Incentive Program within the state treasury; to provide for program approval; to authorize the office of student financial assistance to administer the program; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 737 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2 and on page 1, line 9 following "Chapter 20-B-1" insert "of Title 17 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 2

On page 2, line 17 following "**Trust**" insert "**Fund**"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Schedler
Broome	Heitmeier	Shepherd
Cain	Hollis	Smith
Chaisson	Jackson	Theunissen
Cheek	Jones	Uilo
Cravins	Lentini	
Dardenne	Malone	

Total - 34

NAYS

Total - 0

ABSENT

Duplessis	Mount	Romero
Kostelka	Quinn	

Total - 5

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

SENATE BILL NO. 743— (Substitute of Senate Bill No. 600 by Senator Murray)

BY SENATOR MURRAY

AN ACT

To enact Chapter 20 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1401 through 1422, relative to loans; to provide for the Louisiana Motor Vehicle Title Loan Act; to provide for definitions; to provide requirements for title loan agreements; to require the lender to maintain certain records; to provide for lender's rights and remedies upon default; to provide for certain charges; to provide for the length of title loans; to provide for the borrower's rights and remedies; to prohibit certain acts; to provide requirements for licensure; to provide exceptions from licensure; to provide procedures for licensure; to provide for the denial, suspension, and revocation of a license; to provide for the powers and duties of the commissioner of financial institutions; to authorize a private right of action; to provide for the regulation of former licensees; to provide for certain exemptions from licensure; to provide for severability; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 743 by Senator Murray

AMENDMENT NO. 1

On page 4, line 22, following "**under**" and before "**(7)**" change "**Subsections**" to "**Paragraphs**"

AMENDMENT NO. 2

On page 4, line 23, following "**Truth**" and before "**Lending**" change "**and**" to "**in**"

AMENDMENT NO. 3

On page 11, line 4, following "**lender**" and before the end of the line delete "**is**"

AMENDMENT NO. 4

On page 11, line 28, following "**license**" and before "**in**" insert "2"; and on line 29, following "**loans**" and before "**is**" insert "1"

AMENDMENT NO. 5

On page 15, line 7, following the start of the line and before "**revoked**" delete "**is**"

AMENDMENT NO. 6

On page 15, line 20, following "**practice of**" and before "**of material**" change "**misrepresents**" to "**misrepresentation**"

AMENDMENT NO. 7

On page 22, line 20, following "**which it**" and before "**subject**" insert "**is**"

AMENDMENT NO. 8

On page 23, line 7, following "**may**" and before "**at**" change "**only be originated**" to "**be originated only**"

AMENDMENT NO. 9

On page 23, line 8, following the start of the line and before the end of the line change "**R. S. 6:1422**" to "**R. S. 6:1420**"

AMENDMENT NO. 10

On page 26, line 7, following "**in**" and before "**(A)(1)(a)**" change "**Subsection**" to "**Subparagraph**"

AMENDMENT NO. 11

On page 28, line 24, following "**part of**" and before "**Chapter**" change "**the**" to "**this**"

On motion of Senator Lentini, 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. 743 by Senator Murray

AMENDMENT NO. 1

On page 11, line 28, change "**applying to**" to "**concerning**"

AMENDMENT NO. 2

On page 13, line 21, between "**E.**" and "**After**" insert "**(1)**"

AMENDMENT NO. 3

On page 13, line 24, change "**(1)**" to "**(a)**"

AMENDMENT NO. 4

On page 13, line 27, change "**(2)**" to "**(b)**"

AMENDMENT NO. 5

On page 13, line 29, change "**(3)(a)**" to "**(c)(i)**"

AMENDMENT NO. 6

On page 14, line 3, change "**(b)**" to "**(ii)**"

AMENDMENT NO. 7

On page 14, line 6, change "**(c)**" to "**(iii)**"

AMENDMENT NO. 8

On page 14, line 9, change "**(4)**" to "**(d)**"

AMENDMENT NO. 9

On page 14, line 14, change "**(5)**" to "**(e)**"

AMENDMENT NO. 10

On page 14, line 17, change "**(6)**" to "**(f)**"

AMENDMENT NO. 11

On page 14, line 18, change "**(7)**" to "**(g)**"

AMENDMENT NO. 12

On page 14, line 21, change "**(8)**" to "**(h)**"

AMENDMENT NO. 13

On page 14, line 24, change "**(9)**" to "**(i)**"

AMENDMENT NO. 14

On page 14, line 26, change "**(10)**" to "**(j)**"

AMENDMENT NO. 15

On page 14, line 29, change "**(11)**" to "**(k)**"

AMENDMENT NO. 16

On page 15, line 4, change "**(12)**" to "**(l)**"

AMENDMENT NO. 17

On page 15, line 6, change "**(13)**" to "**(m)**"

AMENDMENT NO. 18

On page 15, line 8, change "**(14)**" to "**(n)**"

AMENDMENT NO. 19

On page 15, line 10, change "**(15)**" to "**(o)**"

AMENDMENT NO. 20

On page 15, line 14, change "**(16)**" to "**(p)**"

AMENDMENT NO. 21

On page 15, line 20, change "**(17)**" to "**(q)**"

AMENDMENT NO. 22

On page 15, line 23, change "**(18)**" to "**(r)**"

AMENDMENT NO. 23

On page 15, line 25, change "**(19)**" to "**(s)**"

AMENDMENT NO. 24

On page 15, line 28, change "**(20)**" to "**(t)**"

AMENDMENT NO. 25

On page 16, line 1, at the beginning of line 1, add "**(2)**" and between "**in**" and "**Subsection**" insert "**Paragraph (1) of this**"

AMENDMENT NO. 26

On page 21, line 4, change "**upon**" to "**for**"

On motion of Senator Murray, the amendments were adopted.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 743 by Senator Murray

AMENDMENT NO. 1

On page 28, between lines 22 and 23 insert the following:

"C. A security interest created by a title loan made pursuant to this Chapter, which is perfected by filing with the Louisiana Department of Public Safety and Corrections, office of motor vehicles, is inferior to the rights of a licensed new or used motor vehicle dealer purchasing the vehicle from the borrower for value, in good faith, and without knowledge the vehicle is encumbered."

On motion of Senator Smith, the amendments were adopted.

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

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 52—

BY SENATOR HEITMEIER

A RESOLUTION

To commend and congratulate Mary Lou Fontenelle on the occasion of her retirement on May 13, 2006, from the Plaquemines Parish Assessor's Office.

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

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATORS CRAVINS, N. GAUTREUX AND HINES AND REPRESENTATIVES BAUDOIN, CRAVINS, M. GUILLORY AND LAFLEUR

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Sheriff Howard Zerangue.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

ABSENT

Romero
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 68—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To establish and provide for the Louisiana Prescribed Fire Council within the Department of Agriculture and Forestry.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 2, 2006

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. 1265—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 75—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 32:661(C)(1)(introductory paragraph), 661.1(C)(1)(introductory paragraph), 661.2(C)(1)(introductory paragraph), and 666(A)(1)(a)(i) and to enact Code of Criminal Procedure Article 163.2, relative to chemical tests for intoxication; to provide for a search warrant for bodily samples to test for intoxication; to provide for the time period the warrant remains in effect; to provide for who can issue the warrant and under what circumstances the warrant can be issued; to provide for immunity for health care providers assisting with the execution of the warrant; to provide that a person cannot refuse a chemical test when a search warrant for bodily samples has been issued; to provide with respect to the duties of law enforcement officers requesting bodily samples when a search warrant for bodily samples has been issued; and to provide for related matters.

HOUSE BILL NO. 91—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around certain boat launches and docking facilities; and to provide for related matters.

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

House Bills and Joint Resolutions
on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 75—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 32:661(C)(1)(introductory paragraph), 661.1(C)(1)(introductory paragraph), 661.2(C)(1)(introductory paragraph), and 666(A)(1)(a)(i) and to enact Code of Criminal Procedure Article 163.2, relative to chemical tests for intoxication; to provide for a search warrant for bodily samples to test for intoxication; to provide for the time period the warrant remains in effect; to provide for who can issue the warrant and under what circumstances the warrant can be issued; to provide for immunity for health care providers assisting with the execution of the warrant; to provide that a person cannot refuse a chemical test when a search warrant for bodily samples has been issued; to provide with respect to the duties of law enforcement officers requesting bodily samples when a search warrant for bodily samples has been issued; and to provide for related matters.

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

HOUSE BILL NO. 91—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around certain boat launches and docking facilities; and to provide for related matters.

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

HOUSE BILL NO. 1265—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification

May 2, 2006

period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 15 from the Committee on Retirement.

HOUSE CONCURRENT RESOLUTION NO. 15— BY REPRESENTATIVE SCHNEIDER A CONCURRENT RESOLUTION

To commend Robert L. Borden for his outstanding service as executive director of the Louisiana State Employees' Retirement System (LASERS).

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total - 38; Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone; Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Romero Total - 1

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

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 63 from the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 63— BY SENATORS HINES, BAJOIE AND HEITMEIER AND REPRESENTATIVES SALTER, DORSEY AND ALARIO A CONCURRENT RESOLUTION

To approve The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor, the Joint Legislative Committee on the Budget, the House Committee on Appropriations, and the Senate Committee on Finance; and to provide for other matters pertaining thereto.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 2, 2006

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 Bill has been properly enrolled:

SENATE BILL NO. 337— BY SENATOR CRAVINS

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(ii) and to enact R.S. 27:308(B)(4) and (5), relative to the impact of force majeure on the operation of video draw poker devices and the license of such operation; to provide for an exception to the restaurant requirements of a qualified truck stop facility in cases where the restaurant cannot be operated because of force majeure; to provide for the turning in of a license as a result of force majeure; to provide for an exemption from certain fees due to force majeure; to provide with respect to restoration of a license turned in as a result of force majeure; and to provide for related matters.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Bill was signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 2, 2006

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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 56— BY SENATORS KOSTELKA AND BARHAM AND REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of Monroe Police K-9 Officer, Corporal Brian C. Putman, upon his untimely death from injuries suffered in a traffic accident.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House
SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

May 2, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 65—

BY REPRESENTATIVES FANNIN, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact R.S. 38:3087.134(F), relative to the Sparta Groundwater Conservation District; to prohibit the discharge of duties as a commissioner upon expiration of the term of office; and to provide for related matters.

HOUSE BILL NO. 73—

BY REPRESENTATIVE JANE SMITH AND SENATORS B. GAUTREUX,
JACKSON, AND MOUNT
AN ACT

To amend and reenact Code of Criminal Procedure Article 499(A), relative to court-ordered AIDS testing for persons charged with a sex offense; to provide for testing pursuant to court order; to expand the definition of sex offenses warranting AIDS testing; and to provide for related matters.

HOUSE BILL NO. 80—

BY REPRESENTATIVES KLECKLEY, BEARD, THOMPSON, AND
TRICHE
AN ACT

To amend and reenact R.S. 15:544, relative to sex offender registration; to provide that the duty to register and provide notice for conviction of a sex offense extends for ten years following release from incarceration for any offense; and to provide for related matters.

HOUSE BILL NO. 147—

BY REPRESENTATIVES MARTINY AND TOOMY
AN ACT

To amend and reenact R.S. 15:255(E)(1), (2), and (3), relative to witness fees for off-duty law enforcement officers; to provide for the payment of witness fees for off-duty law enforcement officers appearing in mayor's courts; to provide for a maximum amount that may be assessed in an individual case; and to provide for related matters.

HOUSE BILL NO. 171—

BY REPRESENTATIVES KLECKLEY, ARNOLD, BADON, BALDONE,
BAYLOR, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CURTIS,
DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DURAND, ERDEY,
FANNIN, FARRAR, FRITH, GEYMAN, GLOVER, HARRIS, HEATON,
HEBERT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, LABRUZZO,
MCDONALD, MCVEA, MONTGOMERY, T. POWELL, RITCHIE,
ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE
SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY,
TOWNSEND, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE,
AND WOOTON
AN ACT

To enact R.S. 15:574.4(S), relative to parole; to provide with respect to parole of sex offenders in certain cases; to provide for the approval of a residence plan of sex offenders prior to the granting of parole; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 179—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(j), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the

existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 368—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 38:3097.3(C)(4)(b)(i) and (ii), relative to ground water management; to provide for critical areas of ground water concern; to provide for the powers and duties of the commissioner of conservation; and to provide for related matters.

HOUSE BILL NO. 372—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 38:3097.4(C), relative to the Ground Water Resources Commission; to provide for meetings held by the commission; and to provide for related matters.

HOUSE BILL NO. 378—

BY REPRESENTATIVES MARTINY AND DORSEY
AN ACT

To amend and reenact R.S. 15:570(D)(2), relative to executions; to provide for victim witnesses to an execution under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 392—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(m), relative to the Department of Revenue; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 395—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to the state income tax; to change the deadline for the application for waiver of penalty for underpayment of estimated tax; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 396—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1562(A), 1563, and 1564, relative to assessment of tax, penalty, and interest; to provide the time period from the date of the notice of tax due to protest proposed assessment; to provide for assessment of tax, interest, and penalties; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 469—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 40:2266.3, relative to criminalistics laboratories; to authorize the criminalistics laboratory operated by the sheriff of St. Tammany Parish to operate as a criminalistics laboratory commission, including the optional collection of costs in criminal cases; and to provide for related matters.

HOUSE BILL NO. 561—

BY REPRESENTATIVES JANE SMITH, ALEXANDER, ANSARDI,
ARNOLD, BADON, BALDONE, BAYLOR, BEARD, BRUCE, BRUNEAU,
BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS,
DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE,
DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GEYMAN,
GLOVER, GREENE, M. GUILLORY, HAMMETT, HARRIS, HEATON,
HEBERT, HONEY, HUTTER, JOHNS, KATZ, KENNEY, KLECKLEY,
LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD,
MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PINAC, M.
POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER,
SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN
SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN,

May 2, 2006

TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS B. GAUTREAU AND MOUNT

AN ACT

To amend and reenact R.S. 14:81.2(C) and (D)(1) and to repeal R.S. 14:81.2(D)(4), relative to molestation of a juvenile; to provide relative to the criminal penalties for molestation of a juvenile in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 569—

BY REPRESENTATIVES MONTGOMERY AND THOMPSON

AN ACT

To amend and reenact R.S. 47:633(7)(b) and (c)(i)(aa), relative to the severance tax on oil; to extend the time allowed for the reduced rate certifications on incapable and stripper wells; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 631—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 40:2822(7), relative to the Drinking Water Revolving Loan Fund Act; to provide for definitions; to provide for authority to conduct environmental reviews of certain public water systems; and to provide for related matters.

HOUSE BILL NO. 882—

BY REPRESENTATIVES CRAVINS, BALDONE, BRUCE, BURRELL, CAZAYOUX, LAFLEUR, MARTINY, JANE SMITH, WHITE, WOOTON, ALEXANDER, ARNOLD, BARROW, BAYLOR, BEARD, R. CARTER, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, JOHNS, KATZ, KENNEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, MORRELL, ODINET, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRICHE, WADDELL, WALKER, AND WALSWORTH AND SENATORS B. GAUTREAU AND MOUNT

AN ACT

To enact R.S. 14:91.2, relative to offenses affecting general morality; to create the crime of unlawful residence or presence of a sex offender; to provide for penalties; to provide for definitions; to provide for exceptions; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE STRAIN AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 47:301(16)(f), relative to the registration of pharmaceuticals with the Department of Agriculture and Forestry; to prohibit certain pharmaceuticals and vaccines from being classified or registered as pesticides; to provide relative to sales tax exempt pharmaceuticals; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to operate the Mississippi River freshwater diversions structures at as close to maximum capacity as is possible.

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVE ODINET AND SENATOR BOASSO

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to recognize the North American Vertical Datum of 1988 (NAVD88) as the official vertical datum for the United States, in particular for the state of Louisiana, and to provide funding to assist the state in conducting the new surveys.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To commend Richard "Ricky" Thurman Sanders of Homer upon his outstanding accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVES KLECKLEY, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, THEUNISSEN, ADLEY, AMEDEE, BAJOLE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, AND ULLO

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Jesse Knowles of Lake Charles, former member of both the House of Representatives and the Senate.

HOUSE CONCURRENT RESOLUTION NO. 144—

BY REPRESENTATIVES WALSWORTH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend CenturyTel of Monroe for being ranked as the third largest Louisiana business by Fortune Magazine.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVES THOMPSON, DOWNS, FANNIN, HUNTER, KATZ, MCDONALD, WALSWORTH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend the University of Louisiana at Monroe upon the celebrated occasion of its seventy-fifth anniversary.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Romero 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 3, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 3, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

