

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

TWENTY-FIFTH 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

Wednesday, May 10, 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:

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	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Senator Adley, 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 Adley, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 10, 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. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 393—
BY REPRESENTATIVE HAMMETT
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 394—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1602(A)(2), relative to the filing of state tax returns; to provide that penalties for late payment of certain taxes are not due if at least ninety percent of the total tax due on the return is paid on or before the due date of the return; to provide that extensions are to be taken into consideration when determining whether the payments are delinquent; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 433—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:128(B)(4), relative to the exemption from the Capital Outlay Act for certain university and higher education facility contracts; to provide that funding for such projects be made available to the office of facility planning and control; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 449—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1601(A)(2), relative to the Department of Revenue; to provide relative to the interest rate on unpaid state taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 449 by Representative Hammett

AMENDMENT NO. 1

On page 2, between lines 7 and 8, insert:

"(c) Abatement of interest attributable to unreasonable errors and delays by the department. In the case of any assessment of interest attributable in whole or in part to any unreasonable error or delay by the secretary or her designee (acting in an official capacity) in performing a ministerial or managerial act, the secretary may abate all or any part of such interest for any period. For purposes of the preceding sentence, an error or delay shall be taken into account only if no significant aspect of such error or delay can be attributed to the taxpayer involved and after the department has contacted the taxpayer in writing with respect to such deficiency or payment.

(d) In order to promote the effective administration of the tax laws of this state, the secretary may provide by rules and regulations promulgated pursuant to the Administrative Procedure Act for the compromise of the amount of interest to be added to the amount of the tax due as computed pursuant to this Section. A complete record of all such compromises shall be kept by the secretary, shall be open to public inspection and, notwithstanding the provisions of R.S.

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47:1508 and 1508.1, shall be published in the department's annual report."

HOUSE BILL NO. 637—
BY REPRESENTATIVES MARTINY, BALDONE, AND GRAY
AN ACT

To amend and reenact Code of Evidence Article 505, relative to spousal witness privilege; to provide for an exception to the privilege; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 648—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 40:1724, relative to the Louisiana Building Code for state-owned buildings; to provide relative to the authority of the office of facility planning and control to approve plans and specifications for state-owned buildings; to clarify that local permitting and review laws do not apply to state buildings; to allow rulemaking; to authorize the office of facility planning and control to impose fees on permitting and plan review; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 773—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To enact R.S. 25:900.1(B)(5), relative to the Percent for Art program; to provide for state building projects necessitated by a natural catastrophe; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 774—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(d), relative to public contracts; to provide for certain contracts of institutions of higher education under the authority of grants or joint agreements; to provide for the duration of such contracts, grants, or agreements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 883—
BY REPRESENTATIVES SALTER, ALEXANDER, BADON, BARROW, CRANE, DOWNS, FANNIN, GREENE, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, AND WALKER
AN ACT

To enact R.S. 17:3351.11(A)(18), to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified tuition and attendance fee amount for certain students attending the Louisiana State University Health Sciences Centers and enrolling in the Doctor of Physical Therapy Program; to provide for the fee amount; to provide an effective date; 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 Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

The following Senate Resolutions were introduced and acted upon as follows:

SENATE RESOLUTION NO. 64—
BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO
A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps First Lieutenant Brandon R. Dronet upon his death during a counter terrorism training mission off the coast of east Africa.

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

SENATE RESOLUTION NO. 65—
BY SENATOR MARIONNEAUX
A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist William S. Hayes III upon his death on active duty in Operation Iraqi Freedom.

The resolution 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 BILLS AND JOINT RESOLUTIONS

May 9, 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. 24—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 26:81(C)(1) and (D) and 281(C)(1)(a) and (2), (D), and (F), relative to the limitations on the location of a business with an alcoholic beverage permit; to require the restrictions prohibiting an establishment within a specified distance of any correctional facility housing inmates, including a halfway house; and to provide for related matters.

HOUSE BILL NO. 92—
BY REPRESENTATIVES DANIEL, DORSEY, AND HONEY
AN ACT

To amend and reenact R.S. 13:992.1(A), (B)(1)(a) and (2)(a) and (b), relative to the Nineteenth Judicial District Court judicial building; to provide for an increase in fees of authorized cost per recordation; to provide exclusions for juvenile, succession, and family matters from the increase in fees; and to provide for related matters.

HOUSE BILL NO. 234—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 17:436.2, relative to school board policies; to require city, parish, and other local public school boards to adopt policies prohibiting teachers from making a recommendation

that a student be administered a psychotropic drug and from taking certain actions relative thereto and from suggesting any mental health diagnosis for a student; to provide relative to the authority of certain school board employees to recommend that students be evaluated; to provide relative to the authority of school employees to discuss student behavior and academic progress; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 479—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

HOUSE BILL NO. 675—
BY REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 42:1119(B)(2)(a)(v) and (E), relative to nepotism; to allow certain immediate family members of school board members and of superintendents to be promoted to administrative positions in parishes with a population of twenty thousand or less; to allow an immediate family member of an athletic director at a school to be employed as a coach at such school; and to provide for related matters.

HOUSE BILL NO. 780—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1201—
BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX, DORSEY, GEYMAN, GRAY, HEATON, MARTINY, QUEZAIRE, SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO, ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GULLORY, M. GULLORY, HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER
AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

HOUSE BILL NO. 1233—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 17:3991(B)(1)(a)(ii)(dd), relative to the enrollment of at-risk pupils in a charter school which is established with the educational mission of meeting the needs of students who are the dependent children of military personnel; to provide conditions and limitations; to provide applicability; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1258—
BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; and to provide for related matters.

HOUSE BILL NO. 98—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:71.1(3)(c) and 271.2(3)(c), relative to alcoholic beverage permits; to require the granting of a Class A-Special permit to sell alcohol to the convention center located in the city of Natchitoches; and to provide for related matters.

HOUSE BILL NO. 1203—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 42:1102(22)(a)(introductory paragraph), relative to ethics; to provide the definition of "thing of economic value" for the purposes of the Code of Governmental Ethics; to exclude certain pharmaceutical samples, medical devices, medical foods, and infant formulas under certain limited circumstances from such definition; and to provide for related matters.

HOUSE BILL NO. 1205—
BY REPRESENTATIVES ST. GERMAIN AND BURNS
AN ACT

To amend and reenact R.S. 42:1123(36)(a), relative to ethics; to provide for the amount of certain specified disaster aid or relief a public employee is allowed to receive; and to provide for related matters.

HOUSE BILL NO. 1230—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 33:2740.42(A)(1) and (D), relative to Allen Parish; to authorize the governing authority to levy and collect an additional hotel occupancy tax with voter approval; to provide for the use of such tax; and to provide for related matters.

HOUSE BILL NO. 744—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and R.S. 36:209(O) and to enact R.S. 36:802.21, relative to New Orleans City Park; to provide for the powers, duties, functions, and responsibilities of the New Orleans City Park Improvement Association and its board of commissioners and the powers, duties, functions, and responsibilities of the Department of Culture, Recreation and Tourism and its officers and offices with respect to the park and the association and its board of commissioners; to provide that the association and its board shall be policymaking agencies; to provide for certain other powers of the board; to provide relative to employees, their appointing authority, civil service status, and certain benefits; to provide relative to contracts with a nonprofit or not-for-profit firm, corporation, or entity and the authority therefor; to provide relative to funds and funding and related procedures; to provide that the secretary of the Department of Culture, Recreation and Tourism shall be a member of the board; and to provide for related matters.

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HOUSE BILL NO. 764—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

HOUSE BILL NO. 1063—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 27:93(A)(4)(a), to provide with respect to riverboat admission fees levied by Jefferson Parish; to provide for the use of such fees in the incorporated areas of the West Bank of Jefferson Parish; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1098—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX
AN ACT

To amend and reenact R.S. 32:665, relative to tests for suspected impaired driving; to provide relative to the furnishing of information to a person tested for the alcoholic content of his blood and the presence of any abused or controlled dangerous substance; to provide for limitations with regard to the information which must be made available; and to provide for related matters.

HOUSE BILL NO. 1168—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2002(A)(3) and 2218.2(A)(3), relative to certain firemen and law enforcement officers; to authorize enhancement of the first-year salary of certain firemen and law enforcement officers; to require written disclosure of the temporary nature of such enhancement; to provide relative to reducing the salary of any fireman or law enforcement officer after a year; and to provide for related matters.

HOUSE BILL NO. 1184—

BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN, AND WALKER
AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 38—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 1254—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

HOUSE BILL NO. 16—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 39:1311(B), relative to budgetary procedures for political subdivisions; to provide for the applicability of certain requirements for written notification in the budgetary process; and to provide for related matters.

HOUSE BILL NO. 21—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 15:556(2), relative to the Louisiana Sexual Assault Task Force; to provide relative to the reporting deadlines of the task force; and to provide for related matters.

HOUSE BILL NO. 7—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 26:583(D), relative to the merger of one area with another area as to the legal sales characteristic of the annexed area regarding alcohol sales; to exempt Ward Two from taking on the sales characteristic of Bastrop, Morehouse Parish; and to provide for related matters.

HOUSE BILL NO. 207—

BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

HOUSE BILL NO. 297—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 26:81(E) and 281(F), relative to alcoholic beverage permits of high and low alcoholic content; to provide for an exception to the prohibition that restricts the permitting of an establishment within certain distances from a church or synagogue; and to provide for related matters.

HOUSE BILL NO. 351—

BY REPRESENTATIVE M. POWELL
AN ACT

To enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to establish a judicial expense fund for the court; to provide for deposit out of existing fees; to provide for uses of the separate account; to provide for limitations; to provide for an annual audit; to provide for prohibitions; and to provide for related matters.

HOUSE BILL NO. 466—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2740.64, relative to the city of Franklin; to recognize the Franklin Downtown Development District of the city of Franklin as a downtown development district; and to provide for related matters.

HOUSE BILL NO. 470—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

HOUSE BILL NO. 474—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:423.17, relative to the town of Livingston; to authorize the chief of police of that town to take certain personnel actions; and to provide for related matters.

HOUSE BILL NO. 492—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 33:3887.2, relative to Concordia Parish; to provide relative to the governing board of the Concordia Parish Sewerage District No. 1; to increase the maximum per diem authorized to be paid to members of such board for attending board meetings; and to provide for related matters.

HOUSE BILL NO. 529—

BY REPRESENTATIVE WALKER
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to Avoyelles Parish; to authorize the governing authority of the parish, subject to voter approval, to establish and collect a mosquito abatement service charge or rates of service charges; to provide for collection and use thereof; and to provide for related matters.

HOUSE BILL NO. 350—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 13:1565(D) and to enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to require the clerk of court for the First Judicial District Court to be ex officio clerk of court for the Juvenile Court of Caddo Parish; to provide for expenses and salaries for the operation of the clerk of court for the Juvenile Court of Caddo Parish; and to provide for related matters.

HOUSE BILL NO. 550—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:732.2(3)(b), relative to insolvency of an insurer; to revise the definition of insolvency for purposes of provisions of the Insurance Code relating to rehabilitation, liquidation, conservation, dissolution, and administrative supervision of an insurer; and to provide for related matters.

HOUSE BILL NO. 606—

BY REPRESENTATIVES LAMBERT, BRUNEAU, AND LANCASTER
AN ACT

To amend and reenact R.S. 43:31.1 and to enact R.S. 43:30, relative to printing of documents for and by entities of state government; to provide for the review of and recommendations regarding the scope and number of documents printed by or at the direction of state agencies; to provide for certain duties of the commissioner of administration relative to such review; to provide for certain determinations and reports by the commissioner of administration; to require certain documents to be sent to the commissioner of administration; and to provide for related matters.

HOUSE BILL NO. 625—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 33:4574.15 and to repeal Act No. 20 of the 1975 Regular Session of the Legislature of Louisiana, relative to tourism in western Louisiana; to change the name of the West Louisiana Tourist Development Region to Five Parishes West; to change the composition of the region; and to provide for related matters.

HOUSE BILL NO. 633—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:80(H) and 280(H), relative to the Alcoholic Beverage Control Law; to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; 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. 7—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 26:583(D), relative to the merger of one area with another area as to the legal sales characteristic of the annexed area regarding alcohol sales; to exempt Ward Two from taking on the sales characteristic of Bastrop, Morehouse Parish; and to provide for related matters.

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

HOUSE BILL NO. 16—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 39:1311(B), relative to budgetary procedures for political subdivisions; to provide for the applicability of certain requirements for written notification in the budgetary process; and to provide for related matters.

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

HOUSE BILL NO. 21—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 15:556(2), relative to the Louisiana Sexual Assault Task Force; to provide relative to the reporting deadlines of the task force; and to provide for related matters.

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 26:81(C)(1) and (D) and 281(C)(1)(a) and (2), (D), and (F), relative to the limitations on the location of a business with an alcoholic beverage permit; to require the restrictions prohibiting an establishment within a specified distance of any correctional facility housing inmates, including a halfway house; and to provide for related matters.

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

HOUSE BILL NO. 38—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

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

HOUSE BILL NO. 39—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

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

May 10, 2006

HOUSE BILL NO. 92—
BY REPRESENTATIVES DANIEL, DORSEY, AND HONEY
AN ACT

To amend and reenact R.S. 13:992.1(A), (B)(1)(a) and (2)(a) and (b), relative to the Nineteenth Judicial District Court judicial building; to provide for an increase in fees of authorized cost per recordation; to provide exclusions for juvenile, succession, and family matters from the increase in fees; and to provide for related matters.

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

HOUSE BILL NO. 98—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:71.1(3)(c) and 271.2(3)(c), relative to alcoholic beverage permits; to require the granting of a Class A-Special permit to sell alcohol to the convention center located in the city of Natchitoches; and to provide for related matters.

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

HOUSE BILL NO. 207—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

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

HOUSE BILL NO. 234—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 17:436.2, relative to school board policies; to require city, parish, and other local public school boards to adopt policies prohibiting teachers from making a recommendation that a student be administered a psychotropic drug and from taking certain actions relative thereto and from suggesting any mental health diagnosis for a student; to provide relative to the authority of certain school board employees to recommend that students be evaluated; to provide relative to the authority of school employees to discuss student behavior and academic progress; to provide definitions; and to provide for related matters.

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

HOUSE BILL NO. 297—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 26:81(E) and 281(F), relative to alcoholic beverage permits of high and low alcoholic content; to provide for an exception to the prohibition that restricts the permitting of an establishment within certain distances from a church or synagogue; and to provide for related matters.

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

HOUSE BILL NO. 350—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 13:1565(D) and to enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to require the clerk of court for the First Judicial District Court to be ex officio clerk of court for the Juvenile Court of Caddo Parish; to provide for expenses and salaries for the operation of the clerk of court for the Juvenile Court of Caddo Parish; and to provide for related matters.

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

HOUSE BILL NO. 351—
BY REPRESENTATIVE M. POWELL
AN ACT

To enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to establish a judicial expense fund for the court; to provide for deposit out of existing fees; to provide for uses of the separate account; to provide for limitations; to provide for an annual audit; to provide for prohibitions; and to provide for related matters.

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

HOUSE BILL NO. 466—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2740.64, relative to the city of Franklin; to recognize the Franklin Downtown Development District of the city of Franklin as a downtown development district; and to provide for related matters.

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

HOUSE BILL NO. 470—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

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

HOUSE BILL NO. 474—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:423.17, relative to the town of Livingston; to authorize the chief of police of that town to take certain personnel actions; and to provide for related matters.

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

HOUSE BILL NO. 479—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

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

HOUSE BILL NO. 492—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 33:3887.2, relative to Concordia Parish; to provide relative to the governing board of the Concordia Parish Sewerage District No. 1; to increase the maximum per diem authorized to be paid to members of such board for attending board meetings; and to provide for related matters.

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

HOUSE BILL NO. 529—
BY REPRESENTATIVE WALKER
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to Avoyelles Parish; to authorize the governing authority of the parish, subject to voter approval, to establish and collect a mosquito abatement service charge or rates of service charges; to provide for collection and use thereof; and to provide for related matters.

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

HOUSE BILL NO. 550—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:732.2(3)(b), relative to insolvency of an insurer; to revise the definition of insolvency for purposes of provisions of the Insurance Code relating to rehabilitation, liquidation, conservation, dissolution, and administrative supervision of an insurer; and to provide for related matters.

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

HOUSE BILL NO. 606—

BY REPRESENTATIVES LAMBERT, BRUNEAU, AND LANCASTER
AN ACT

To amend and reenact R.S. 43:31.1 and to enact R.S. 43:30, relative to printing of documents for and by entities of state government; to provide for the review of and recommendations regarding the scope and number of documents printed by or at the direction of state agencies; to provide for certain duties of the commissioner of administration relative to such review; to provide for certain determinations and reports by the commissioner of administration; to require certain documents to be sent to the commissioner of administration; and to provide for related matters.

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

HOUSE BILL NO. 625—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 33:4574.15 and to repeal Act No. 20 of the 1975 Regular Session of the Legislature of Louisiana, relative to tourism in western Louisiana; to change the name of the West Louisiana Tourist Development Region to Five Parishes West; to change the composition of the region; and to provide for related matters.

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

HOUSE BILL NO. 633—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:80(H) and 280(H), relative to the Alcoholic Beverage Control Law; to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; and to provide for related matters.

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

HOUSE BILL NO. 675—

BY REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 42:1119(B)(2)(a)(v) and (E), relative to nepotism; to allow certain immediate family members of school board members and of superintendents to be promoted to administrative positions in parishes with a population of twenty thousand or less; to allow an immediate family member of an athletic director at a school to be employed as a coach at such school; and to provide for related matters.

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

HOUSE BILL NO. 744—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and R.S. 36:209(O) and to enact R.S. 36:802.21, relative to New Orleans City Park; to provide for the powers, duties, functions, and responsibilities of the New Orleans City Park Improvement Association and its board of commissioners and the powers, duties, functions, and responsibilities of the

Department of Culture, Recreation and Tourism and its officers and offices with respect to the park and the association and its board of commissioners; to provide that the association and its board shall be policymaking agencies; to provide for certain other powers of the board; to provide relative to employees, their appointing authority, civil service status, and certain benefits; to provide relative to contracts with a nonprofit or not-for-profit firm, corporation, or entity and the authority therefor; to provide relative to funds and funding and related procedures; to provide that the secretary of the Department of Culture, Recreation and Tourism shall be a member of the board; and to provide for related matters.

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

HOUSE BILL NO. 764—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

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

HOUSE BILL NO. 780—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1063—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 27:93(A)(4)(a), to provide with respect to riverboat admission fees levied by Jefferson Parish; to provide for the use of such fees in the incorporated areas of the West Bank of Jefferson Parish; 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. 1098—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX
AN ACT

To amend and reenact R.S. 32:665, relative to tests for suspected impaired driving; to provide relative to the furnishing of information to a person tested for the alcoholic content of his blood and the presence of any abused or controlled dangerous substance; to provide for limitations with regard to the information which must be made available; and to provide for related matters.

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

HOUSE BILL NO. 1168—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2002(A)(3) and 2218.2(A)(3), relative to certain firemen and law enforcement officers; to authorize enhancement of the first-year salary of certain firemen and law enforcement officers; to require written disclosure of the temporary nature of such enhancement; to provide relative to reducing the salary of any fireman or law enforcement officer after a year; and to provide for related matters.

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

HOUSE BILL NO. 1184—
BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN,
AND WALKER

AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1201—
BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX,
DORSEY, GEYMAN, GRAY, HEATON, MARTINY, QUEZAIRE,
SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO,
ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE,
CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND,
FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY,
HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA,
LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE,
PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST.
GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER

AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

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

HOUSE BILL NO. 1203—
BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 42:1102(22)(a)(introductory paragraph), relative to ethics; to provide the definition of "thing of economic value" for the purposes of the Code of Governmental Ethics; to exclude certain pharmaceutical samples, medical devices, medical foods, and infant formulas under certain limited circumstances from such definition; and to provide for related matters.

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

HOUSE BILL NO. 1205—
BY REPRESENTATIVES ST. GERMAIN AND BURNS

AN ACT

To amend and reenact R.S. 42:1123(36)(a), relative to ethics; to provide for the amount of certain specified disaster aid or relief a public employee is allowed to receive; and to provide for related matters.

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

HOUSE BILL NO. 1230—
BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:2740.42(A)(1) and (D), relative to Allen Parish; to authorize the governing authority to levy and collect an additional hotel occupancy tax with voter approval; to provide for the use of such tax; and to provide for related matters.

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

HOUSE BILL NO. 1233—
BY REPRESENTATIVE JOHN SMITH

AN ACT

To enact R.S. 17:3991(B)(1)(a)(ii)(dd), relative to the enrollment of at-risk pupils in a charter school which is established with the educational mission of meeting the needs of students who are the dependent children of military personnel; to provide conditions and limitations; to provide applicability; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1254—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

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

HOUSE BILL NO. 1258—
BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH

AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; 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 9, 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. 178—
BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to provide cellular telephones for limited use in FEMA-issued trailers when telephone service is otherwise unavailable.

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVES HUTTER AND ODINET

A CONCURRENT RESOLUTION

To commend Fire Chief Thomas Stone and the firefighters of the St. Bernard Parish Fire Department for their outstanding response to Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVE GEYMAN

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Regan Drake Caro of the Boy Scouts of America Troop 88 in Westlake, Louisiana, on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 181—

BY REPRESENTATIVES HUTTER AND ODINET
A CONCURRENT RESOLUTION

To commend Sheriff Jack A. Stephens and the deputies of the St. Bernard Parish Sheriff's Office for their outstanding response to Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 182—

BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide hurricane tidal flood protection to south Louisiana, including requiring the United States Army Corps of Engineers to evaluate both federal and nonfederal tidal levees in south Louisiana, to consider adding nonfederal tidal levees into the federal program, and to fully fund upgrading hurricane tidal flood protection in south Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION

To commend William Allen Lormand upon being named Louisiana's 2006 Elementary School Student of the Year and to recognize his extraordinary accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 184—

BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To express the support of the Louisiana Legislature for the shrimp industry and for the 2006 Bonne Crevette celebration of Louisiana shrimp.

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To commend Mary Ann Broussard upon the occasion of her retirement after serving in the St. Landry Parish school system since 1979.

HOUSE CONCURRENT RESOLUTION NO. 186—

BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To recognize the month of May 2006 as American Stroke Month in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To commend Mr. Leo Murray upon his retirement after thirty years of teaching music in Louisiana's public schools.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend Bishop Talben T. Pope, pastor of Inspired Revelation Word of Faith Ministries, Inc. in Bossier City for his creation and direction of the "Souls Lest I Die" Campaign and to recognize his outstanding accomplishments and contributions.

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVE E. GUILLORY
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of implementing an online student information system for the parents of public high school students to access and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

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. 177—

BY REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Regan Drake Caro of the Boy Scouts of America Troop 88 in Westlake, Louisiana, on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

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	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneau	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Fields	Kostelka
Cravins	Heitmeier	Shepherd
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to provide cellular telephones for limited use in FEMA-issued trailers when telephone service is otherwise unavailable.

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

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVES HUTTER AND ODINET
A CONCURRENT RESOLUTION

To commend Fire Chief Thomas Stone and the firefighters of the St. Bernard Parish Fire Department for their outstanding response to Hurricane Katrina.

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

ROLL CALL

The roll was called with the following result:

YEAS

May 10, 2006

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

Total - 35

NAYS

Total - 0

ABSENT

Cravins	Kostelka
Heitmeier	Shepherd

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 181—
 BY REPRESENTATIVES HUTTER AND ODINET
 A CONCURRENT RESOLUTION

To commend Sheriff Jack A. Stephens and the deputies of the St. Bernard Parish Sheriff's Office for their outstanding response to Hurricane Katrina.

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

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Cravins	Kostelka
Heitmeier	Shepherd

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 182—
 BY REPRESENTATIVE DOVE
 A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide hurricane tidal flood protection to south Louisiana, including requiring the United States Army Corps of Engineers to evaluate both federal and nonfederal tidal levees in south Louisiana, to consider adding nonfederal tidal levees into the federal program, and to fully fund upgrading hurricane tidal

flood protection in south Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 183—
 BY REPRESENTATIVE MORRISH
 A CONCURRENT RESOLUTION

To commend William Allen Lormand upon being named Louisiana's 2006 Elementary School Student of the Year and to recognize his extraordinary accomplishments.

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

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Cravins	Kostelka
Heitmeier	Shepherd

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 184—
 BY REPRESENTATIVE ODINET
 A CONCURRENT RESOLUTION

To express the support of the Louisiana Legislature for the shrimp industry and for the 2006 Bonne Crevette celebration of Louisiana shrimp.

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

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Cravins Kostelka
Heitmeier Shepherd
Total - 4

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. 185—
BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To commend Mary Ann Broussard upon the occasion of her retirement after serving in the St. Landry Parish school system since 1979.

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

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins Kostelka
Heitmeier Shepherd
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 186—
BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To recognize the month of May 2006 as American Stroke Month in the state of Louisiana.

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

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins Kostelka
Heitmeier Shepherd
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To commend Mr. Leo Murray upon his retirement after thirty years of teaching music in Louisiana's public schools.

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

NAYS

Total - 0

ABSENT

Cravins Kostelka
Heitmeier Shepherd
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 188—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend Bishop Talben T. Pope, pastor of Inspired Revelation Word of Faith Ministries, Inc. in Bossier City for his creation and direction of the "Souls Lest I Die" Campaign and to recognize his outstanding accomplishments and contributions.

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

May 10, 2006

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	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Uilo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Kostelka
Heitmeier	Shepherd
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVE E. GUILLORY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of implementing an online student information system for the parents of public high school students to access and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 85—

BY REPRESENTATIVE T. POWELL AN ACT

To amend and reenact R.S. 56:331(B)(introductory paragraph), relative to the Crab Task Force; to provide for appointments to the task force; and to provide for related matters.

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

HOUSE BILL NO. 473—

BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact R.S. 28:852(B), relative to the Florida Parishes Human Services Authority; to provide for a change of domicile of the authority; and to provide for related matters.

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

HOUSE BILL NO. 503—

BY REPRESENTATIVE GRAY AN ACT

To amend and reenact Children's Code Articles 809(B), 833(A), 834(A), 835(A), 836(A), 837, and 838(D) and to enact Children's Code Articles 834(F), 834.1, and 837.1 through 837.6, relative to the mental capacity of children to proceed to trial; to provide for a contradictory hearing; to provide for the qualifications of a restoration service provider; to provide for evaluations of the child; 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. 1189—

BY REPRESENTATIVE RITCHIE AN ACT

To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; 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. 1210—

BY REPRESENTATIVE LAFONTA AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

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

HOUSE BILL NO. 1212—

BY REPRESENTATIVE LAFONTA AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; 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. 1269—

BY REPRESENTATIVE RITCHIE AN ACT

To amend and reenact R.S. 6:121.2, relative to the Office of Financial Institutions; to provide for the powers and duties of the Office of Financial Institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; 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. 1271—

BY REPRESENTATIVE RITCHIE AN ACT

To amend and reenact R.S. 6:1088(C)(1)(a), (F)(4), and (G) and 1090(B)(1) and to enact R.S. 6:1090(H), 1092(A)(16) and (17) and (K), 1092.1, 1092.2, and 1096(E)(3) and (G)(3), relative to loans; to provide for the Residential Mortgage Lending Act; to provide for requirements for licensure and filing fees; to provide for the powers and duties of the commissioner of financial institutions; to provide time limits regarding reapplication for licensure; to provide restrictions on employment; to provide for the suspension, revocation, or denial of licensure; to provide for appellate rights; to prohibit the assessment of certain charges; to

prohibit the financing of certain charges; 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. 1282—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; 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. 1293—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 51:1783(6) and (7) and 1787(A)(1), (B)(2)(a), (C)(1), (D)(2)(a), (F), and (H)(1)(a), relative to the rebate of sales and use taxes pursuant to the Louisiana Enterprise Zone Act; to provide for the rebate of local sales and use taxes; 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. 1299—
BY REPRESENTATIVES MONTGOMERY, BARROW, DANIEL, FRITH, PINAC, RITCHIE, AND WALSWORTH
AN ACT

To amend and reenact R.S. 4:1(A) and (B) and to enact R.S. 4:1(E), (F), (G), (H), and (I), relative to amusements and sports; to provide for the price printed on tickets; to provide for the reselling of certain tickets; to provide for procedures to resell certain tickets; to provide for ticket refunds; to provide for exceptions; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 690, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1322—
BY REPRESENTATIVES DOWNS AND GALLOT
AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or use of state sales tax extension for certain economic development projects or programs; 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. 1371— (Substitute for House Bill No. 1055 by Representative Pinac)
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 36:409(M) and 919.3 and R.S. 40:1646, to enact Subpart D-3 of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1664.1 through 1664.16, and to repeal Subpart D of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1625 through 1638, Subpart E of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through

1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for an advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local regulation; to provide for 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 Commerce, Consumer Protection, and International Affairs.

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 170—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To urge and request the attorney general and the legislative auditor to continue to pursue all options necessary to permit the state to have an accurate accounting of assistance for which the state is required to pay a portion of the costs and to urge and request the Louisiana congressional delegation to support such efforts.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Cheek	Nevers
Cravins	Shepherd
Total - 4	

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Hollis, Chairman on behalf of the Committee on

May 10, 2006

Commerce, Consumer Protection, and International Affairs, submitted the following report:

May 10, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 5—
BY SENATOR CAIN

AN ACT

To enact R.S. 51:1425, relative to unfair or deceptive acts or practices; to prohibit certain disclosures by an Internet service provider; to provide for notices; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 602—
BY SENATOR MURRAY

AN ACT

To enact Chapter 13 of Title 45 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 45:1601 through 1603, relative to hurricane recovery emergency telephone service charge; to authorize the governing authority of any communications district to levy and collect a hurricane recovery emergency telephone charge; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 642—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 37:3103(A)(3), relative to auctioneers; to redefine the term "auction"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 96—

BY REPRESENTATIVES HUTTER, BARROW, BRUCE, BURRELL, FRITH, KLECKLEY, LAFONTA, T. POWELL, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, AND WHITE

AN ACT

To enact R.S. 37:853, relative to funeral establishments; to provide for identification on caskets; to provide for promulgation of rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 352—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 12:142.1(A), relative to dissolution of a corporation; to provide for the qualifications for dissolution by affidavit; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 602—

BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, FRITH, KLECKLEY, T. POWELL, RITCHIE, GARY SMITH, STRAIN, WADDELL, WALSWORTH, AND WINSTON

AN ACT

To enact R.S. 6:1096(E)(3) and R.S. 9:3532.1(C), relative to prepayment penalties; to prohibit prepayment penalties under certain circumstances for consumer credit transactions and

residential mortgage loans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 616—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3573.2(B)(5) and (7), 3573.4(E), and 3573.11(C)(introductory paragraph), to enact R.S. 9:3573.1(J) and (K) and 3573.9(M), (N), and (O), and to repeal R.S. 9:3573.5, relative to credit repair service organizations; to provide for denial of applications; to provide for changes of control of such organizations; to limit certain exemptions; to prohibit reapplication after license revocation for a certain period of time; to provide relative to hearing and court costs; to increase the surety bond; to provide relative to the finality of administrative and judicial hearings; to provide relative to inspection of certain orders; to repeal the provisions relative to annual registration statements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 798—

BY REPRESENTATIVE HUTTER

AN ACT

To enact Chapter 19-E of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 through 1754, relative to anti-phishing provisions; to provide for definitions; to provide for unlawful requests; to provide for remedies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 931—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3512(8), 3515(A)(1)(a), 3561(D)(1), and 3572.1 and to enact R.S. 9:3554.2, 3554.3, and 3558(E), relative to the Louisiana Consumer Credit Law; to provide for the inclusion of federally related mortgage loans when authorized by contract; to provide relative to stored value cards; to prohibit reapplication for licensure within a certain time period after revocation; to provide relative to costs of appeals and disposition of final judgments and decisions; to provide for changes of control of a consumer loan license; to provide relative to the definition of loan broker; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 988—

BY REPRESENTATIVES TRAHAN, BARROW, BRUCE, BURRELL, CROWE, DOERGE, FRITH, KLECKLEY, T. POWELL, RITCHIE, GARY SMITH, STRAIN, WADDELL, WALSWORTH, AND WINSTON

AN ACT

To amend and reenact R.S. 51:1402(4), (5), and (6), 1404(A)(introductory paragraph) and (1)(b) and (6), (B), and (C), 1405, 1406(3), 1407, 1408, 1409(A), (B), and (D), 1410, 1411(A) and (C), 1412(A) and (C), 1416, and 1417, to enact R.S. 51:1403, and to repeal R.S. 51:1404(A)(5), relative to the Unfair Trade Practices and Consumer Protection Law; to provide for definitions; to provide for the duties of the Governor's Consumer Protection Division; to provide for penalties for violations against elder persons; to provide for additional relief; to provide for investigative demands; to provide for investigative depositions; to provide for civil penalties; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted
KEN HOLLIS
Chairman

**REPORT OF COMMITTEE ON
SENATE AND GOVERNMENTAL AFFAIRS**

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

May 10, 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:

SENATE BILL NO. 382—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 24:51(2) and to repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal provisions relative to an elected official's authorization to accept certain gifts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 411—
BY SENATOR MALONE

AN ACT

To enact R.S. 16:2.2 and R.S. 36:702(8), relative to the mandatory institution of a civil suit by district attorneys and the attorney general in certain circumstances; to provide for their powers and duties; to provide for jurisdiction and venue of suits; to provide for civil penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 597—
BY SENATOR DARDENNE

AN ACT

To enact Part III of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:44 through 51, relative to public records; to provide for confidentiality of the addresses of registered voters who are victims of abuse; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 675—
BY SENATOR MALONE

AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide for elections on the proposition of whether video draw poker device operation may be conducted at truck stop facilities from locations in a precinct in Bossier Parish; to provide for the calling of an election by the governing authority pursuant to an application to locate a truck stop facility within the precinct; to provide for election procedures and effects; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 684—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:4702(B)(2), (6) and (7), (C), (E)(1), (F) through (I)(1) and (2), and (J), the introductory paragraph of R.S. 33:4703(C) and (C)(4), (7), (8), (9), (10), (11), (13) and (14), 4706(A), 4707(A)(1) through (10), (B) through (S), 4708(B), (C) and (D); to enact R.S. 33:4703(C)(15) through (18), 4707(A)(11) and (12), and (T) through (W); and to repeal R.S. 33:4702(E)(4) and (5), (I)(4), 4708(B)(5), and 4880, relative to the New Orleans Regional Business Park; to provide with respect to the initial terms of the members appointed to the board; to provide with respect to removal of members of the board; to provide for an executive director; to provide with respect to plans submitted by the board and the process related

to such plans; to provide with respect to incurring debt and the limitation on bonded indebtedness; to provide with respect to the board of liquidation; to provide with respect to the character of the designated project areas; to provide with respect to the authorization of taxes and the issuance and sale of bonds and other instruments of indebtedness; to provide with respect to the use of district funds; to define terms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 687—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1123(37), relative to the Code of Governmental Ethics; to authorize certain insurance producers to serve as a professional insurance advisor or an insurance producer of record to a governmental entity; to provide for payment of compensation under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 796—

BY REPRESENTATIVES MARTINY, ANSARDI, AND THOMPSON AND SENATORS LENTINI AND MCPHERSON

AN ACT

To enact R.S. 49:170.14, relative to state symbols; to provide for the official state song for Hurricane Katrina and Hurricane Rita recovery efforts; to provide for the official state troubadour; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
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. 22—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:4106(A)(2), relative to mediators and the Louisiana Mediation Act; to provide relative to qualifications of mediators; to provide relative to persons who served as judges, and to provide for related matters.

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

SENATE BILL NO. 34—
BY SENATORS LENTINI AND HOLLIS

AN ACT

To amend and reenact R.S. 13:1701(5) and 1702(A)(1) and (4) and to enact R.S. 13:1702(A)(5), relative to child custody; to provide relative to the designation of the home state of the child; to increase the required period of time of residence of the child to determine such designation when the child is evacuated due to a declared emergency or disaster; to provide relative to jurisdiction of a court of Louisiana relative to child custody matters when a child has been removed from the state; to require resumption of such jurisdiction under certain circumstances; to provide for definitions; and to provide for related matters.

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

May 10, 2006

SENATE BILL NO. 48—
BY SENATORS FONTENOT, MOUNT AND SCHEDLER
AN ACT

To enact R.S. 40:964(Schedule IV)(36) and 1238.1, 1238.2, and 1238.3, relative to public health and safety; to add carisoprodol as a Schedule IV controlled dangerous substance; to prohibit certain acts without a prescription for legend drugs; to prohibit prescriptions in certain circumstances; to provide for exceptions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 48 by Senator Fontenot

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 40:964(Schedule IV)(36) and 1238.1" to "R.S. 40:1238.1"

AMENDMENT NO. 2
On page 1, line 3, after "safety;" delete the remainder of the line

AMENDMENT NO. 3
On page 1, at the beginning of line 4, delete "substance;"

AMENDMENT NO. 4
On page 1, line 8, change "R.S. 40:964(Schedule IV)(36) and 1238.1" to "R.S. 40:1238.1"

AMENDMENT NO. 5
On page 1, delete lines 10 through 17 in their entirety

AMENDMENT NO. 6
On page 2, delete lines 1 through 3 in their entirety

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

SENATE BILL NO. 117—
BY SENATOR MURRAY
AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(1), relative to limitations on jury trials; to increase the monetary threshold necessary to request a jury trial; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 117 by Senator Murray

AMENDMENT NO. 1
On page 1, line 3, delete "increase" and insert "provide relative to"

AMENDMENT NO. 2
On page 1, delete line 11 and insert
"exceeds fifty thousand dollars exclusive of interest and costs exceeds that amount equal to an amount in controversy as set forth in 28 U.S.C. 1332(a) concerning diversity jurisdiction in federal civil cases, exclusive of interest and costs."

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

SENATE BILL NO. 164—
BY SENATOR MOUNT
AN ACT

To enact R.S. 32:289, relative to operating motor vehicles; to prohibit the use of a cellular phone or other mobile telecommunication device by anyone under the age of eighteen while operating a motor vehicle; to provide for exceptions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 164 by Senator Mount

AMENDMENT NO. 1
On page 1, line 2, change "a cellular" to "certain cellular"

AMENDMENT NO. 2
On page 1, line 3, change "phone" to "phones" and change "device" to "devices"

AMENDMENT NO. 3
On page 1, line 3, after "anyone" delete "under the age of" and insert "eighteen years of age and younger"

AMENDMENT NO. 4
On page 1, at the beginning of line 4, delete "eighteen"

AMENDMENT NO. 5
On page 1, line 9, after "**person**" delete "**under the age of eighteen**" and insert "**eighteen years of age and younger**"

AMENDMENT NO. 6
On page 1, line 12, delete "**or hands-free**"

AMENDMENT NO. 7
On page 1, line 15, after "**person**" delete "**under the age of eighteen**" and insert "**eighteen years of age and younger**"

AMENDMENT NO. 8
On page 1, line 17, after "**person**" delete "**under the age of eighteen**" and insert "**eighteen years of age and younger**"

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

SENATE BILL NO. 178—
BY SENATOR KOSTELKA
AN ACT

To enact R.S. 14:95(K), relative to illegal carrying and discharge of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for retired justices and judges who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

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

SENATE BILL NO. 248—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 15:574.23, relative to parole; to authorize the Board of Parole to create a special needs parole program to be administered by the Department of Public Safety and Corrections; to authorize the department to contract with other governmental agencies or private agencies for the operation of such programs; to require the promulgation of rules and regulations to administer the program; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 248 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, delete "create a" and delete lines 3, 4, and 5 and insert in lieu thereof "release an offender on medically recommended intensive supervision; to require the" and on line 6, after "program;" insert "to require the department to work with Department of Health and Hospitals to assure the use of Medicare and Medicaid funding for the operation of such program;"

AMENDMENT NO. 2

On page 1, line 10, change "Special needs parole program" to "medically recommended intensive supervision"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16 and insert in lieu thereof the following:

"A. The Board of Parole may release an offender on medically recommended intensive supervision under the following conditions:

(1) The Department of Public Safety and Corrections has identified the offender as being permanently incapacitated, physically disabled, terminally ill, or having a condition requiring long-term care;

(2) The board and the department determine that, based upon the offender's condition and medical evaluation, the offender does not constitute a threat to public safety; and

(3) The board, subject to approval by the department, has prepared a medically recommended intensive supervision plan for the offender provided that the offender agrees to subject himself to enhanced parole supervision which may include electronic monitoring or other appropriate means of supervision for the offender.

B.(1) The board shall require as a condition of release that the offender remain under the care of a physician and in a medically suitable placement. The department shall report annually to the parole board on the offender's medical and placement status. On the basis of such report, the board may modify conditions of release and impose any other conditions deemed necessary by the board.

(2) A violation of any requirement or condition of an offender's release shall require the offender to be returned to incarceration and subjects him to forfeiture of any future eligibility for medically recommended intensive supervision."

AMENDMENT NO. 4

On page 1, line 17, change "(2)" to "C." and delete "Participation in a special needs parole program" and insert in lieu thereof "medically recommended intensive supervision"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, at the end of line 4, delete "elderly," and at the end of line 5, delete "significantly ill," and insert in lieu thereof "having a condition requiring long-term care."

AMENDMENT NO. 7

On page 2, delete lines 8 through 24 and insert the following:
"E. The Department of Public Safety and Corrections shall work with the Department of Health and Hospitals to assure that the Medicare and Medicaid funding is available to defray any and all costs associated with operating medically recommended intensive supervision."

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

SENATE BILL NO. 375—
BY SENATOR ADLEY

AN ACT

To enact R.S. 29:732.1, relative to contractual relationships; to provide for contracts or agreements executed during, or as a result of, a state disaster or emergency; to provide for violation of contractual provisions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 375 by Senator Adley

AMENDMENT NO. 1

On page 2, between lines 8 and 9, insert

"D. A contract or agreement subject to the provisions of this Section, or any subcontract or subagreement thereof, shall not require an amount of insurance greater than that required by federal or state law."

AMENDMENT NO. 2

On page 2, line 9, change "D." to "E."

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

SENATE BILL NO. 455—
BY SENATOR MALONE

AN ACT

To amend and reenact Section 6 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to provide relative to mineral rights and certain civil actions; to provide an exemption for certain mineral leases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 455 by Senator Malone

AMENDMENT NO. 1

On page 2, delete line 1, and insert

"§117. Extinction of certain rights; acknowledgment by owner or holder"

AMENDMENT NO. 2

On page 2, delete lines 3 through 5, and insert

"E. This Section shall not apply to mineral rights or to a petitory or possessory action. The provisions of this Section shall apply to oil, gas and mineral leases, unless such leases are subject to the provisions of R.S. 31:206 through 209. The provisions of R.S. 31:206 through 209 shall supersede the provisions of this Section as to the extinguishment of mineral rights."

F. The Section shall not apply to a petitory or possessory action."

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

SENATE BILL NO. 502—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 14:329.9, relative to the crime of price gouging; to provide for the elements of the crime of price gouging; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 502 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, at the end of line 6, after "disaster." insert the following:
"Any increase in price for goods and services shall not be deemed to violate the provisions of this Section, R.S. 29:732 or 734, if the price increase is consistent with respect to similar goods or services which occur outside the designated area of emergency or disaster, with national or international market trends, or fluctuations in applicable commodity markets."

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

SENATE BILL NO. 515— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:150(A), (C)(1), and (F)(1) and to enact R.S. 15:150(B)(4) and (C)(4), relative to right to counsel; to provide for regional indigent defense service centers; to provide that a regional defense service center shall include a regional non-capital felony and misdemeanor defense service center; to provide for the application of funds; and to provide for related matters.

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

SENATE BILL NO. 522— BY SENATOR CHEEK

AN ACT

To enact R.S. 27:326 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by certain video poker licenses; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of certain video draw poker establishments; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 522 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:326" insert a comma "," and delete "and to repeal R.S. 27:307(E)."

AMENDMENT NO. 2

On page 1, line 3, after "Law;" delete the remainder of the line and delete lines 4 through 6 in their entirety and insert in lieu thereof "to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 9, after "§326." delete the remainder of the line

AMENDMENT NO. 4

On page 1, line 10, delete "qualified truck stop facilities;" and change "promoting" to "Promoting"

AMENDMENT NO. 5

On page 1, delete lines 12 through 14 in their entirety

AMENDMENT NO. 6

On page 1, line 15, change "B." to "A."

AMENDMENT NO. 7

On page 1, line 16, after "Chapter" and before "may" insert "and the device owner who owns the video draw poker devices"

AMENDMENT NO. 8

On page 1, line 17, after "encourage" delete the remainder of the line and insert in lieu thereof the following:

"the play of video draw poker devices in any manner. However, the value of the promotion shall not exceed one hundred dollars and shall not be based solely upon the value of a single winning hand played on the video draw poker device.

B. Notwithstanding the provisions of this Section or any other provision of law to the contrary, no prize for any promotion may provide food to any patron free of charge or below cost to the licensee or the device owner."

AMENDMENT NO. 9

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

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

SENATE BILL NO. 583—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2413.1, relative to environmental quality; to require the secretary of the Department of Environmental Quality to develop and implement a comprehensive debris management plan for certain debris generated by natural disasters; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 583 by Senator Fontenot

AMENDMENT NO. 1

On page 1, between lines 8 and 9, insert:

"A. The legislature finds that hurricanes Katrina and Rita caused devastation throughout south Louisiana resulting in the generation of debris heretofore unanticipated. While the state has made progress in preparing a debris management plan, the legislature finds and declares that a plan for future events is vital to the protection and welfare of the people of the state of Louisiana. The legislature further finds and declares that a comprehensive management plan for debris generated by natural disasters within the state of Louisiana should be prepared in advance to facilitate a reasonable, efficient, and prompt recovery from natural disasters that will be protective of human health and the environment."

AMENDMENT NO. 2

On page 1, at the beginning of line 9, change "A." to "B."

AMENDMENT NO. 3

On page 1, line 11, after "disasters." delete the remainder of the line and insert:

"The goal of the comprehensive debris management plan shall be to reuse and recycle material and to divert debris from disposal in landfills to the maximum extent practical, efficient, and expeditious in a manner that is protective of human health and the environment. In developing such plan, the secretary shall emphasize the following debris management practices in order of priority, to the extent they are appropriate, practical, efficient, timely, and have available funding:"

AMENDMENT NO. 4

On page 1, delete line 12

AMENDMENT NO. 5

On page 1, delete line 16 and insert:

**"(4) Incineration and/or co-generation.
(5) Land disposal."**

AMENDMENT NO. 6

On page 1, line 17, change "**B.**" to "**C.**" and change "**shall**" to "**may**"

AMENDMENT NO. 7

On page 2, delete line 2, and insert "**landfill as the first option however, such debris may be used as a component of the cover system for a landfill or a means for providing erosion control.**"

AMENDMENT NO. 8

On page 2, at the beginning of line 3, change "**C.**" to "**D.**" and change "**mandate**" to "**utilize**"

AMENDMENT NO. 9

On page 2, delete lines 4 and 5 and insert "**environmentally beneficial management techniques consistent with the health, safety, and welfare of the citizens of the state with available funding and that promotes the efficient and expeditious management of the debris.**"

AMENDMENT NO. 10

On page 2, between lines 5 and 6 insert:

"E. The goal of the comprehensive debris management plan shall be to reuse and recycle material in an environmentally beneficial manner and to divert debris from disposal in landfills to the maximum extent practical and efficient which is protective of human health and the environment."

AMENDMENT NO. 11

On page 2, line 6, change "**D.**" to "**F.**"

AMENDMENT NO. 12

On page 2, line 8, change "**August**" to "**July**"

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

SENATE BILL NO. 645—

BY SENATOR MOUNT AND REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1, 751.2, 751.3, 841.3, 983, 996.62 through 996.64, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400, R.S. 18:514(B), and Part III of Chapter 5 of Title 35 of the Louisiana Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the reorganization and consolidation of courts, offices, and officers of the judicial system in and for certain parishes; to provide relative to the register of conveyances and recordation for certain parishes; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for certain parishes, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds, to provide for the election of a single clerk of court for certain parishes commencing with the next election for parochial and municipal officers in the parishes; to provide for effective dates; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the

office and custodian of notarial records; to provide transitional provisions; to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in certain parishes based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 2, line 15, after "effective date;" insert "to provide for a referendum in Orleans Parish;"

AMENDMENT NO. 2

On page 5, delete lines 16 through 18 and insert the following:

"(41) Orleans Parish shall compose the Forty-First District."

AMENDMENT NO. 3

On page 5, line 21, after "**have**" insert "**not less than**"

AMENDMENT NO. 4

On page 5, line 24, after "**provided for**" change "**in Subsection I of**" to "**by Act 16 of the First Extraordinary Session of 2006.**"

AMENDMENT NO. 5

On page 5, delete line 25

AMENDMENT NO. 6

On page 6, delete lines 12 and 13, and insert "**Orleans Parish.**"

AMENDMENT NO. 7

On page 8, line 8, after "**of the**" change "**parishes**" to "**parish**"

AMENDMENT NO. 8

On page 8, line 23, after "**for the**" change "**parishes**" to "**parish**"

AMENDMENT NO. 9

On page 8, line 24, after "**for the**" change "**parishes**" to "**parish**"

AMENDMENT NO. 10

On page 8, line 26, after "**for the**" change "**parishes**" to "**parish**"

AMENDMENT NO. 11

On page 8, line 27, after "**for the**" change "**parishes**" to "**parish**"

AMENDMENT NO. 12

On page 9, at the end of line 1, insert "**The employees transferred in accordance with this Section shall continue to contribute to the retirement system or pension fund to which they were contributing on the effective date of this Section, including the retention of all accrued benefits and contributions to which they were entitled on the effective date of this Section.**"

AMENDMENT NO. 13

On page 9, delete lines 2 and 3, and insert "**I. Pursuant to the provisions of R.S. 13:61, as amended by Act 16 of the First Extraordinary Session of 2006, the Judicial Council is hereby "**

AMENDMENT NO. 14

On page 9, delete lines 10 through 16, and insert "**be submitted to the legislature not later than March 1, 2007 in accordance with Act 16 of the First Extraordinary Session of 2006.**"

AMENDMENT NO. 15

On page 11, line 4, after "**by the**" change "**parishes**" to "**parish**"

May 10, 2006

AMENDMENT NO. 16

On page 11, line 5, after "which the" change "parishes are" to "parish is"

AMENDMENT NO. 17

On page 11, line 19, after "by the" change "parishes" to "parish"

AMENDMENT NO. 18

On page 11, line 28, after "for the" and before "shall" change "parishes" to "parish"

AMENDMENT NO. 19

On page 12, line 9, after "of the" change "criminal section of the court" to "Forty-First Judicial District Court, Criminal Division"

AMENDMENT NO. 20

On page 12, line 16, after "for the" change "parishes" to "parish"

AMENDMENT NO. 21

On page 13, line 26, after "of the" change "parishes" to "parish"

AMENDMENT NO. 22

On page 13, line 27, after "in the" change "parishes" to "parish"

AMENDMENT NO. 23

On page 14, line 2, after "for the" change "parishes" to "parish"

AMENDMENT NO. 24

On page 14, at the beginning of line 3, change "the parishes" to "the parish"

AMENDMENT NO. 25

On page 14, line 7, after "Court for the" change "parishes" to "parish"

AMENDMENT NO. 26

On page 14, line 9, after "Court for the" change "parishes" to "parish"

AMENDMENT NO. 27

On page 14, at the beginning of line 12, change "parishes" to "parish" and change "are" to "is"

AMENDMENT NO. 28

On page 14, at the beginning of line 13, after "for the" change "parishes" to "parish"

AMENDMENT NO. 29

On page 14, at the beginning of line 14, change "parishes" to "parish"

AMENDMENT NO. 30

On page 14, at the beginning of line 20, change "parishes" to "parish" and after "for the" change "parishes" to "parish"

AMENDMENT NO. 31

On page 14, at the end of line 23, change "parishes" to "parish"

AMENDMENT NO. 32

On page 14, line 24, after "for the" change "parishes" to "parish"

AMENDMENT NO. 33

On page 14, at the end of line 28, insert "The employees transferred in accordance with this Section shall continue to contribute to the retirement system or pension fund to which they were contributing on the effective date of this Section, including the retention of all accrued benefits and contributions to which they were entitled on the effective date of this Section."

AMENDMENT NO. 34

On page 23, line 10, after "authority of the" change "parishes" to "parish"

AMENDMENT NO. 35

On page 24, line 7, after "authority of the" change "parishes" to "parish"

AMENDMENT NO. 36

On page 24, line 8, after "fund of the" change "parishes" to "parish"

AMENDMENT NO. 37

On page 24, at the beginning of line 9, change "parishes" to "parish"

AMENDMENT NO. 38

On page 25, line 2, after "for the" change "parishes" to "parish"

AMENDMENT NO. 39

On page 25, line 10, after "of the" change "parishes" to "parish"

AMENDMENT NO. 40

On page 25, line 27, after "of the" change "parishes" to "parish"

AMENDMENT NO. 41

On page 26, line 29, after "for the" change "parishes" to "parish"

AMENDMENT NO. 42

On page 27, line 1, after "for the" change "parishes" to "parish" and after "of the" change "parishes" to "parish"

AMENDMENT NO. 43

On page 27, line 6, after "for the" change "parishes" to "parish"

AMENDMENT NO. 44

On page 27, line 7, after "of the" change "parishes" to "parish"

AMENDMENT NO. 45

On page 27, line 8, after "for the" change "parishes" to "parish"

AMENDMENT NO. 46

On page 28, line 9, after "for the" change "parishes" to "parish"

AMENDMENT NO. 47

On page 28, at the end of line 11, change "parishes." to "parish."

AMENDMENT NO. 48

On page 31, line 25, after "of the" change "parishes" to "parish"

AMENDMENT NO. 49

On page 34, line 24, after "throughout" change "the parishes" to "Orleans Parish."

AMENDMENT NO. 50

On page 34, delete lines 25 and 26

AMENDMENT NO. 51

On page 35, delete lines 2 through 4, and insert in lieu thereof, "District Court for Orleans Parish."

AMENDMENT NO. 52

On page 35, at the end of line 29, change "parishes" to "parish"

AMENDMENT NO. 53

On page 36, at the beginning of line 17, change "parishes" to "parish"

AMENDMENT NO. 54

On page 36, line 24, after "The" change "parishes" to "parish"

AMENDMENT NO. 55

On page 37, at the end of line 9, delete ", the Act of 2006"

AMENDMENT NO. 56

On page 37, delete line 10

AMENDMENT NO. 57

On page 37, at the beginning of line 11, delete "No. 57,"

AMENDMENT NO. 58

On page 37, line 14, after "**for the**" change "parishes" to "parish"

AMENDMENT NO. 59

On page 37, line 18, after "**for the**" change "parishes" to "parish"

AMENDMENT NO. 60

On page 38, line 14, after "**for the**" change "parishes" to "parish"

AMENDMENT NO. 61

On page 39, line 6, after "**of the**" change "parishes" to "parish"

AMENDMENT NO. 62

On page 40, line 11, after "**of the**" change "parishes" to "parish" and on page 41, line 3, after "copies" insert "the"

AMENDMENT NO. 63

On page 42, line 14, after "**in the**" change "parishes" to "parish"

AMENDMENT NO. 64

On page 42, at the beginning of line 18, change "parishes" to "parish"

AMENDMENT NO. 65

On page 51, between lines 12 and 13, insert:
 "Section 23. The provisions of this Act, including the effective dates for specific provisions as provided in the preceding Sections, shall become effective upon approval of the Act in a referendum to be held in Orleans Parish at the next congressional election on November 7, 2006."

AMENDMENT NO. 66

On page 51, line 13, after "Section" change "23" to "24"

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

SENATE BILL NO. 718—

BY SENATORS CHAISSON, BOASSO, DUPLESSIS, LENTINI, QUINN, SHEPHERD AND ULLO

AN ACT

To enact R.S. 30:2154(B)(2)(h) and (i), relative to environmental quality; to provide for the authority of the secretary of the Department of Environmental Quality; to require the secretary to determine the present capacity for acceptance of anticipated construction and demolition debris related to Hurricane Katrina of all Type I, Type II, and Type III permitted landfills in the parishes of St. Bernard, St. Charles, Plaquemines, Jefferson, and Orleans; to prohibit the permitting of certain additional landfills; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 718 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "(2)(h)" delete "and (i)" and insert "(i), and (j)."

AMENDMENT NO. 2

On page 1, line 6 and 7, change "the parishes of St. Bernard, St. Charles, Plaquemines, Jefferson, and Orleans" to "certain parishes"

AMENDMENT NO. 3

On page 1, line 10, after "(2)(h)" delete "and (i)" and insert ", (i), and (j)"

AMENDMENT NO. 4

On page 2, lines 2 and 3, change "of St. Bernard, St. Charles, Plaquemines, Jefferson, and Orleans" to "with populations based

on the most recent federal decennial census within any of the following ranges: not less than twenty-six thousand nor more than thirty thousand persons, not less than forty-four thousand nor more than forty-eight thousand five hundred persons, not less than sixty thousand nor more than seventy thousand persons, or not less than four hundred fifty thousand persons"

AMENDMENT NO. 5

On page 2, delete lines 6 through 12 and insert the following:

"(i) In order to facilitate the requirement of Subparagraph (h) of this Paragraph by August 1, 2006, each parish shall submit a written parish waste plan to the department specifying how the parish will dispose of the waste generated within each parish as a result of Hurricane Katrina. These parish waste plans shall include the types of waste to be disposed, the volume of each waste stream, and the facilities within the parish that are capable of managing such waste. If it is determined that a parish does not have existing facilities to manage all the waste generated from Hurricane Katrina within the parish, the plan must include in what parish or state the waste will be ultimately disposed. Waste must be identified in the plan as residential, commercial, industrial non-hazardous or hazardous. Such written parish waste plan shall be adopted by resolution by the respective governing authority and approved by the chief executive officer of each affected parish. Nothing in this Paragraph shall prohibit a governing authority from prohibiting the acceptance of waste from outside their parish.

(j) Notwithstanding any provision of the law to the contrary, the secretary shall consider these parish waste reports in permitting any solid or hazardous waste disposal facilities in parishes with populations based on the most recent federal decennial census within any of the following ranges: not less than twenty-six thousand nor more than thirty thousand persons, not less than forty-four thousand nor more than forty-eight thousand five hundred persons, not less than sixty thousand nor more than seventy thousand persons, or not less than four hundred fifty thousand persons."

AMENDMENT NO. 6

On page 2, between lines 13 and 14 insert the following:

"Section 2. If it is determined that sufficient capacity currently exists to accept construction and demolition debris pursuant to the provisions of this Act, unless a written parish waste plan is adopted by the respective governing authority and approved by the chief executive officer of each affected parish wherein the continued use of such landfill is deemed appropriate, then any landfill currently operating under an administrative order or by any declaration of emergency or otherwise shall be closed within thirty days of the effective date of this Act."

AMENDMENT NO. 7

On page 2, line 14, change "Section 2." to "Section 3."

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

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

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

HOUSE BILL NO. 9—

BY REPRESENTATIVES SMILEY AND T. POWELL
AN ACT

To enact R.S. 14:2(13)(pp), relative to crimes of violence; to add aggravated incest to the list of enumerated crimes of violence; and to provide for related matters.

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

May 10, 2006

HOUSE BILL NO. 15—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:32.8(A)(2)(c), relative to third degree feticide; to provide that one element of the offense includes the offender being under the influence of controlled dangerous substances listed in schedules provided by law; to delete reference to general descriptions of drugs; and to provide for related matters.

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

HOUSE BILL NO. 26—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:108(A) and (B)(1)(c), relative to the crime of resisting an officer; to provide that resisting an officer making a lawful detention is an element of the crime of resisting an officer; and to provide for related matters.

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

HOUSE BILL NO. 64—
BY REPRESENTATIVES DORSEY, BALDONE, BRUCE, BURRELL,
CAZAYOUX, CRAVINS, LAFLEUR, AND WHITE
AN ACT

To enact R.S. 15:551, relative to the sexual offender law; to create the crime of harboring or concealing a sexual offender, sexually violent predator, or child predator; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 88—
BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 14:99.1, relative to driving offenses; to create the crime of hit and run damaging of a potable waterline by operation of a watercraft or vessel; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 89—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, HEBERT, AND
WOOTON
AN ACT

To amend and reenact R.S. 14:19 and 20, relative to the justifiable use of force or violence; to provide for a presumption in the use of force or violence under certain circumstances; to provide for immunity for criminal prosecution for the use of force or violence under certain circumstances; to provide for applicability; to provide that there is no duty to retreat when a person is lawfully where they should be; and to provide for related matters.

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

HOUSE BILL NO. 100—
BY REPRESENTATIVES MARTINY AND ANSARDI
AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(6), relative to drug-free zones; to add child day care center property within drug-free zones; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 101—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:67.2(B)(2) and (3), 67.5(B)(2) and (3), 67.9(2) and (3), 67.10(B)(2) and (3), 67.13(B)(2) and (3), 68.2(C)(2) and (3), 68.7(B)(1)(b), 70.2(C)(3) and (4), 70.4(E)(2) and (3), 71(D) and (E), 143(C)(3) and (10), and Code of Criminal Procedure Article 211(A)(introductory paragraph), relative to the crime of theft; to provide for a uniform system of gradations based upon the value of the goods taken for the different crimes of theft defined by Louisiana law; to provide for a uniform system of gradations based upon the value of the goods taken for certain crimes which are misappropriations without violence and defined by Louisiana law; to provide for the adoption of certain ordinances comparable to the crime of theft of animals and theft of an alligator and incorporating the gradation scale; to provide for the issuance of a summons instead of an arrest warrant in certain cases of theft or illegal possession of stolen things; and to provide for related matters.

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

HOUSE BILL NO. 102—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:32.6(A)(2), relative to the crime of first degree feticide; to provide that the crime is committed when the offender is engaged in the perpetration or attempted perpetration of certain additional crimes; and to provide for related matters.

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

HOUSE BILL NO. 122—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 14:93.15 and R.S. 26:90(A)(16) and 286(A)(16), relative to alcoholic beverage vaporizers; to provide for the crime of selling, delivering, giving away, purchasing, possessing, or using an alcoholic beverage vaporizer; to provide for penalties; to prohibit the sale, delivery, or give away of alcohol dispensed by means of an alcoholic beverage vaporizer on licensed premises; to prohibit the purchase, possession, or use of an alcoholic beverage vaporizer machine on licensed premises; to prohibit allowing a customer or other person to keep or use an alcoholic beverage vaporizer on licensed premises; and to provide for related matters.

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

HOUSE BILL NO. 164—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:574.12(A), (B), (D)(introductory paragraph), (E)(introductory paragraph), and (H), relative to the confidentiality of information regarding offenders and ex-offenders; to provide that information obtained by the Department of Public Safety and Corrections, youth services, is confidential; to authorize the deputy secretary of youth services to approve the reading of confidential information in certain circumstances; to provide for rulemaking authority; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was

read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 187—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:905, relative to education and work opportunities for juvenile offenders; to provide that the office of youth services has control over all aspects of juvenile offender training and education; to provide that juvenile offenders may be compensated for work performed during work training programs; and to provide for related matters.

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

HOUSE BILL NO. 220—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact Code of Criminal Procedure Article 611, relative to venue; to provide venue for the crime of identity theft; and to provide for related matters.

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

HOUSE BILL NO. 264—
BY REPRESENTATIVES SCALISE AND BALDONE
AN ACT

To amend and reenact R.S. 14:62.5(C), relative to the crime of looting; to delete as an element of the crime that a defendant knew or should have known that a declaration of emergency existed; and to provide for related matters.

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

HOUSE BILL NO. 364—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 14:67.21(B)(3), relative to crime of theft; to provide for the crime of theft against aged or disabled persons through a fraudulent or deceitful scheme; and to provide for related matters.

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

HOUSE BILL NO. 409—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 15:543.1, relative to sex offenders; to provide for the dissemination of information to sex offenders regarding protocol to be followed in emergency situations; to provide relative to the promulgation of an administrative rule by the Department of Public Safety and Corrections; to provide that the failure of an offender to comply with the emergency protocol provisions is a violation of a condition of parole; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 410—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 14:67.16(B) and (C) and 67.21(B) and to enact R.S. 14:67.16(A)(1)(m) and (n), relative to theft; to provide for personal identifying information; to provide for identity theft; to provide for theft of the assets of aged or disabled persons; and to provide for related matters.

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

HOUSE BILL NO. 425—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 14:62.1(B) and (C), relative to simple burglary of a pharmacy; to amend the criminal penalties for simple burglary of a pharmacy; and to provide for related matters.

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

HOUSE BILL NO. 743—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 14:62.7, relative to offenses against property; to create the crime of unauthorized entry of a dwelling during times of disaster or emergency; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 760—
BY REPRESENTATIVES SCALISE, ARNOLD, BALDONE, BEARD, BRUCE, BRUNEAU, CAZAYOUX, CRAVINS, FANNIN, FAUCHEUX, FRITH, GEYMAN, HEBERT, JOHNS, KATZ, KENNARD, LABRUZZO, LAMBERT, MCDONALD, MONTGOMERY, M. POWELL, ROMERO, SCHNEIDER, JANE SMITH, STRAIN, THOMPSON, TRICHE, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON AND SENATOR MCPHERSON
AN ACT

To enact R.S. 14:329.6(H) and R.S. 29:738, relative to the powers of the governor and local governmental officials during times of emergency or disaster; to provide that those powers do not authorize the seizure or confiscation of a firearm, weapon, or ammunition from any individual if the firearm, weapon, or ammunition is being possessed or used lawfully; to provide exceptions for peace officers in the lawful discharge of their duties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 760 by Representative Scalise

AMENDMENT NO. 1

On page 2, after line 18, insert the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

HOUSE BILL NO. 828—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 15:542(A)(1) and (4), (B)(1)(a), (C), and (F) and 542.1(C)(1), (2), and (5), (I)(1) and (2), (J)(1), and (K)(1) and (3) and to enact R.S. 15:541(21) and 542(G), relative to the registration of sex offenders; to require the registration of all residences; to define residence; to provide for community notification; to provide a notification procedure when the

offender no longer resides with a person; to provide for notification of change of address; to make it a crime to fail to annually update registration and provide proof of address and community notification; to require notice of certain duties to the offender; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 828 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, delete line 19 in its entirety and insert in lieu thereof the following:

" , regardless of the number of days or nights spent there. "

AMENDMENT NO. 2

On page 2, line 19, after "R.S. 15:542.1(L)." insert the following: "The offender shall also send written notice, within ten days after re-registering in the new parish, to the sheriff or the police chief with whom he had previously registered."

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

HOUSE BILL NO. 865—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 14:64.3, relative to commission of the crimes of armed robbery or attempted armed robbery when the dangerous weapon used is a firearm; to provide relative to additional penalties; and to provide for related matters.

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

HOUSE BILL NO. 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 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.

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

HOUSE BILL NO. 1140— (Substitute for House Bill No. 968 by Representative Martiny)

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact Chapter 6-C of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:651 through 662, relative to the Louisiana Repository for Unidentified and Missing Persons Information Program; to establish the Louisiana Repository for Unidentified and Missing Persons Information Program; to provide with respect to the Forensic Anthropology and Computer Enhancement Services laboratory; to provide for the powers and duties of the laboratory; to provide for definitions; to provide for legislative findings; to provide for laboratory recommendations to the legislature; to provide for procedural compatibility with

the Federal Bureau of Investigation; to provide for the collection of forensic anthropology samples; to provide for procedures for collecting, disposition, and use of forensic anthropological analysis; to provide for a central repository for unidentified human remains and missing persons information; to provide for the confidentiality of records; to prohibit disclosure of confidential information; to provide for penalties for disclosure of information; and to provide for related matters.

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

HOUSE BILL NO. 1154—

BY REPRESENTATIVE JACK SMITH AN ACT

To enact R.S. 13:5305, relative to courts and judicial procedure; to provide with respect to drug division programs in district court; to provide for dismissal of certain criminal charges upon completion of drug division probation program; and to provide for related matters.

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

Rules Suspended

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

Senate Resolutions to be Adopted, Subject to Call

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 15 be called from the Calendar at this time.

SENATE RESOLUTION NO. 15—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Benny S. Franklin upon his death in ground combat actions during Operation Enduring Freedom in Afghanistan.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 16 be called from the Calendar at this time.

SENATE RESOLUTION NO. 16—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Petty Officer 2nd class Kevin Yokum for his service and sacrifice

in this country's war on terror.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 17 be called from the Calendar at this time.

SENATE RESOLUTION NO. 17—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Navy Chief Petty Officer Jacques J. Fontan upon learning of his death in combat in Operation Enduring Freedom.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 18 be called from the Calendar at this time.

SENATE RESOLUTION NO. 18—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corporal David S. Stewart upon his death in ground combat action during Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 25 be called from the Calendar at this time.

SENATE RESOLUTION NO. 25—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Ryan S. McCurdy upon his death in ground combat operations in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 26 be called from the Calendar at this time.

SENATE RESOLUTION NO. 26—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Willard T. Partridge upon his death in ground combat actions in Operation Iraqi Freedom in this nation's war on terrorism.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 27 be called from the Calendar at this time.

SENATE RESOLUTION NO. 27—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Julia V. Atkins upon her death in ground combat in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Theunissen asked that Senate Resolution No. 32 be called from the Calendar at this time.

SENATE RESOLUTION NO. 32—

BY SENATORS THEUNISSEN, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class Chase Edwards upon his death in ground combat operations in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 38 be called from the Calendar at this time.

SENATE RESOLUTION NO. 38—

BY SENATORS MARIONNEAU, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Jens Eduard Schelbert upon his death in ground combat in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 39 be called from the Calendar at this time.

SENATE RESOLUTION NO. 39—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Troy S. Ezernack upon his death in ground combat operations in Afghanistan.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 44 be called from the Calendar at this time.

SENATE RESOLUTION NO. 44—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Matthew Ryan Barnes upon his death in ground combat action in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 45 be called from the Calendar at this time.

SENATE RESOLUTION NO. 45—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Corporal Chad W. Powell upon his death in Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 46 be called from the Calendar at this time.

SENATE RESOLUTION NO. 46—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER,

SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Billy Don "B.J." Brixey, Jr. upon his death in ground combat action in Operation Enduring Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 57 be called from the Calendar at this time.

SENATE RESOLUTION NO. 57—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Derrick J. Cothran upon his death in ground combat action in Operation Iraqi Freedom.

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

Rules Suspended

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

Senate Resolutions on Second Reading

The following Senate Resolutions just advanced to a second reading were read and acted upon as follows:

SENATE RESOLUTION NO. 64—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps First Lieutenant Brandon R. Dronet upon his death during a counter terrorism training mission off the coast of east Africa.

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

SENATE RESOLUTION NO. 65—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist William S. Hayes III upon his death on active duty in Operation Iraqi Freedom.

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

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 167 from the Committee on Finance.

HOUSE BILL NO. 167—

BY REPRESENTATIVE BADON

AN ACT

To amend and reenact R.S. 17:421.8(A), relative to salary adjustments for certain persons holding credentials issued by the National Board for Certified Counselors; to provide conditions for receiving the adjustment; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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. 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.

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. 617 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 27, change "years" to "year's"

On motion of Senator Lentini, the amendments were adopted.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of viewing examples of audio/video advertisements on the Senate desk monitors.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Dupre, Marionneaux, Amedee, Fields, Mount, Bajoie, Fontenot, Murray, Barham, Gautreaux B, Nevers, Boasso, Gautreaux N, Quinn, Broome, Hollis, Schedler, Chaisson, Jackson, Theunissen, Cheek, Jones, Ullo, Duplessis, Kostelka

NAYS

Adley, Dardenne, Lentini, Malone, Michot, Romero

Total - 6

ABSENT

Cain, Cravins, Ellington, Heitmeier, McPherson, Shepherd, Smith

The Chair declared the rules were suspended.

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, Fontenot, Michot, Adley, Gautreaux B, Murray, Amedee, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Cain, Jones, Schedler, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Cravins, Malone, Dupre, Marionneaux, Ellington, McPherson

NAYS

Bajoie, Broome, Dardenne, Duplessis, Fields, Jackson, Mount

ABSENT

Shepherd, 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. 739—

BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 39:15.2(A) and to enact R.S. 29:726.1 through 726.7, Chapter 18 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:1151 through 1157, relative to the creation of the office of interoperability; to provide for a communications interoperability director; to establish the Statewide First Responders Interoperability Committee to design, construct, administer, and maintain a statewide shared communications system for first responders; to create the Louisiana Statewide Interoperability Executive Committee to design, construct, administer, and maintain a Statewide Communication Interoperability Plan; to provide for coordination with the chief information officer; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

May 10, 2006

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 739 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 2, before "Chapter" insert "and"

AMENDMENT NO. 2

On page 1, line 3, before "comprised" insert "to be"

AMENDMENT NO. 3

On page 1, line 13, change "is" to "are"

AMENDMENT NO. 4

On page 2, line 14, following "means" insert "the"

AMENDMENT NO. 5

On page 2, line 24, change "plan" to "plans"

AMENDMENT NO. 6

On page 3, lines 8 and 9, change "office of homeland security and emergency preparedness" to "Governor's Office of Homeland Security and Emergency Preparedness"

AMENDMENT NO. 7

On page 3, line 10, change "responders" to "responders"

AMENDMENT NO. 8

On page 3, line 21, change "regulation" to "regulations"

AMENDMENT NO. 9

On page 3, line 25, change "office of homeland security and emergency preparedness" to "Governor's Office of Homeland Security and Emergency Preparedness"

AMENDMENT NO. 10

On page 4, line 1, following "communication" insert "system"

AMENDMENT NO. 11

On page 4, line 14, change "Partnership" to "Partner"

AMENDMENT NO. 12

On page 4, line 28, following "not" delete "be"

AMENDMENT NO. 13

On page 4, delete line 29 and insert "Designing, constructing, administering and maintaining a statewide shared"

AMENDMENT NO. 14

On page 5, line 4, change "Leverage" to "Leveraging"

AMENDMENT NO. 15

On page 5, line 7, change "May establish" to "Establishing"

AMENDMENT NO. 16

On page 5, line 8, change "Shall submit" to "Submitting"

AMENDMENT NO. 17

On page 5, delete lines 18 and 19 and insert "(2) The director of the Governor's Office of Homeland Security and Emergency Preparedness, or his designee."

AMENDMENT NO. 18

On page 8, line 5, following "means" insert "the"

AMENDMENT NO. 19

On page 9, line 11, following "not" delete "be"

AMENDMENT NO. 20

On page 10, line 5, following "need to" insert "be"

AMENDMENT NO. 21

On page 10, delete lines 16 and 17 and insert "(2) The director of the Governor's Office of Homeland Security and Emergency"

Preparedness, or his designee."

AMENDMENT NO. 22

On page 11, lines 2, 3, and 4, before "president" insert "the"

AMENDMENT NO. 23

On page 12, line 16, following "Responders" change "it" to "The committee"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Engrossed Senate Bill No. 739 by Senator Boasso

AMENDMENT NO. 1

On page 7, line 18, change "§1551" to "§1151"

AMENDMENT NO. 2

On page 8, line 2, change "§1552" to "§1152"

AMENDMENT NO. 3

On page 8, line 29, change "§1553" to "§1153"

AMENDMENT NO. 4

On page 10, line 13, change "§1554" to "§1154"

AMENDMENT NO. 5

On page 11, line 19, change "§1555" to "§1155"

AMENDMENT NO. 6

On page 12, line 19, change "§1556" to "§1156"

AMENDMENT NO. 7

On page 12, line 23, change "§1557" to "§1157"

On motion of Senator Boasso, the amendments were adopted.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Engrossed Senate Bill No. 739 by Senator Boasso

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 10 proposed by Senator Lentini on behalf of the Legislative Bureau and adopted by the Senate on May 10, 2006.

AMENDMENT NO. 2

On page 1, line 4, between "relative to" and "the" insert "intergovernmental communications interoperability; to provide for"

AMENDMENT NO. 3

On page 2, lines 9 and 10, change "; natural disasters; emergency response; situations; and terrorist attacks" to ", natural disasters, emergency response, and terrorist attacks" and after "situations" change ";" to ","

AMENDMENT NO. 4

On page 2, line 22, between "authorized" and "regardless" insert a comma ","

AMENDMENT NO. 5

On page 2, line 25, between "the" and "Statewide" insert "Louisiana"

AMENDMENT NO. 6

On page 3, line 1, between "the" and "Statewide" insert "Louisiana"

AMENDMENT NO. 7

On page 3, line 2, change ""Statewide" to ""Louisiana Statewide" and "(SIEC)" to "(LASIEC)"

AMENDMENT NO. 8

On page 3, line 14, change "division" to "office"

AMENDMENT NO. 9

On page 3, line 21, after "regulation." delete the remainder of the line and delete lines 22 through 25 in their entirety, and insert "The communications"

AMENDMENT NO. 10

On page 4, line 27, between "Committee" and the period "." insert "within the office of the governor"

AMENDMENT NO. 11

On page 4, line 29, change "Design, construct, administer, and maintain" to "Designing, constructing, and assisting in administering and maintaining"

AMENDMENT NO. 12

On page 5, lines 2 and 3, change "; natural disasters; emergency response situations; and terrorist attacks" to "; natural disasters, emergency response situations, and terrorist attacks"

AMENDMENT NO. 13

On page 5, line 15, between "of" and "the" insert "the communications interoperability director, or his designee, and"

AMENDMENT NO. 14

On page 5, line 15, change "provided" to "of the Statewide Interoperable Communication System Executive Committee provided for"

AMENDMENT NO. 15

On page 5, delete lines 22 and 23 and insert the following:
"(4) The secretary of the Department of Public Safety and Corrections or his designee."

AMENDMENT NO. 16

On page 6, line 17, between "Council" and the period "." insert "designated by the governor from a list of three nominees submitted by the council"

AMENDMENT NO. 17

On page 6, line 19, change "provided for in" to "established in Section 5 of"

AMENDMENT NO. 18

On page 6, line 20, between "2006-2017" and the period "." insert "assigned by each respective working group"

AMENDMENT NO. 19

On page 6, delete line 25.

AMENDMENT NO. 20

On page 7, at the end of line 6, delete the comma "," at the end of line 6 and delete line 7

AMENDMENT NO. 21

On page 7, line 11, change ", it" to ". The committee"

AMENDMENT NO. 22

On page 7, line 13, change "this" to "the"

AMENDMENT NO. 23

On page 7, delete line 29, and insert "operations, natural disasters, emergency response situations, and terrorist"

AMENDMENT NO. 24

On page 8, line 3, change "R.S. 29:726.1 through 726.7" to "this Chapter"

AMENDMENT NO. 25

On page 8, line 23, between "the" and "Statewide" insert "Louisiana"

AMENDMENT NO. 26

On page 8, line 28, between "the" and "Statewide" insert "Louisiana"

AMENDMENT NO. 27

On page 9, line 3, change ""LASIEC" to ""LASIEC, within the office of the governor"

AMENDMENT NO. 28

On page 9, line 14, change "chapter" to "Chapter" and "statewide plan" to "statewide plan"

AMENDMENT NO. 29

On page 9, line 23, change "state" to "statewide"

AMENDMENT NO. 30

On page 10, at the end of line 13, add "; officers"

AMENDMENT NO. 31

On page 10, line 27, delete "to be"

AMENDMENT NO. 32

On page 10, line 29, between "Council" and the period "." insert "selected by the chairman of the council"

AMENDMENT NO. 33

On page 11, line 1, between "councils" and "selected" insert "jointly"

AMENDMENT NO. 34

On page 11, line 5, between "Association" and the period "." insert "selected by the president of the association"

AMENDMENT NO. 35

On page 11, line 6, between "Louisiana" and the period "." insert "selected by the president of the association"

AMENDMENT NO. 36

On page 11, line 7, between "Network" and the period "." insert "selected by the chairman of the board"

AMENDMENT NO. 37

On page 11, at the end of line 8, add "with one representative being from the state police."

AMENDMENT NO. 38

On page 11, line 15, change "the executive committee" to "LASIEC"

AMENDMENT NO. 39

On page 11, line 16, change "until such time as the communications interoperability director is selected" to "whenever there is no communications interoperability director"

AMENDMENT NO. 40

On page 11, lines 17 and 18, change "the executive committee" to "LASIEC"

AMENDMENT NO. 41

On page 11, line 18, change "until such time as a chief information officer is selected" to "whenever there is no chief information officer"

AMENDMENT NO. 42

On page 11, line 20, change "committees" to "subcommittees"

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AMENDMENT NO. 43

On page 11, line 28, between "C." and "The" insert "(1)"

AMENDMENT NO. 44

On page 12, line 1, delete "A technology" to "(2) A technology"

AMENDMENT NO. 45

On page 12, line 8, delete "executive"

AMENDMENT NO. 46

On page 12, line 9, change "committee" to "subcommittee"

AMENDMENT NO. 47

On page 12, line 10, between "officer" and the period ":" insert "and approved by the committee"

AMENDMENT NO. 48

On page 12, lines 20 and 21, change "office of homeland security and emergency preparedness" to "Governor's Office of Homeland Security and Emergency Preparedness"

AMENDMENT NO. 49

On page 13, lines 17 and 18, change "office of homeland security and emergency preparedness" to "Governor's Office of Homeland Security and Emergency Preparedness"

AMENDMENT NO. 50

On page 13, on line 18, delete "The CIO will serve as an", delete line 19, and on line 20, delete "Interoperability Executive Committee."

AMENDMENT NO. 51

On page 13, after line 22, add the following:

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Boasso, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

Senate Concurrent Resolutions Returned from the House of Representatives with Amendments

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

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 and certain other administrative, planning, and technical assistance costs 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.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Bruneau, LaFonta, Hutter, Schneider, Odinet, and Daniel to Engrossed Senate Concurrent Resolution No. 63 by Senator Hines

AMENDMENT NO. 1

On page 5, after line 16, insert the following:

"BE IT FURTHER RESOLVED that the Louisiana Legislature does hereby strongly express the sentiment of the Louisiana Legislature to the Louisiana Recovery Authority that the authority amend or modify The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds to eliminate any reduction for insurance benefits, and to eliminate any feature of the program which penalizes a property owner for not having insurance, to the extent allowable under federal law and regulation or as authorized pursuant to waiver by the United States Department of Housing and Urban Development."

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Mount
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the motion to concur in the House amendments to Senate Concurrent Resolution No. 63. She had intended to vote yea on the motion. She asked that the Official Journal so state.

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 206— (Duplicate of House Bill No. 662)
BY SENATOR NEVERS AND REPRESENTATIVE HUNTER
AN ACT**

To amend and reenact R.S. 23:1310.3(A), (B)(1), (C), (D), and (E), relative to workers' compensation; to provide with respect for administration of claims; to provide for claim resolution; to provide for initiation of claims; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 206 by Senator Nevers (Duplicate of House Bill No. 662)

AMENDMENT NO. 1

On page 1, line 3, after "compensation" delete the semicolon ";" and delete the remainder of the line and on line 4, delete "claim resolution; to provide for initiation of claims;" and insert "disputed claims; to provide for the filing of pleadings; to provide for the request of initial mediations; to provide for service of the disputed claim; to provide for the jurisdiction of the court;"

AMENDMENT NO. 2

On page 1, at the end of line 16, delete "or the named employer." and insert a comma ","

AMENDMENT NO. 3

On page 2, at the end of line 13, delete "or the named" and at the beginning of line 14, delete "employer." and insert a comma ","

AMENDMENT NO. 4

On page 2, line 21, insert a comma "," after "facsimile"

AMENDMENT NO. 5

On page 2, line 26, after "shown" delete "only" and after "official" delete "U.S." and insert "United States"

AMENDMENT NO. 6

On page 2, line 28, after "at the time" insert "of transmission"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 206 by Senator Nevers

AMENDMENT NO. 1

In House Floor Amendment No. 6, adopted by the House of

Representatives on April 20, 2006, on page 1, delete line 18, and insert "On page 2, line 28, after "at the time of " delete "mailing" and insert "of transmission"

AMENDMENT NO. 2

On page 3, line 9, following "et seq." delete ","

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 324— (Duplicate of House Bill No. 801)
BY SENATOR NEVERS AND REPRESENTATIVE HUNTER
AN ACT**

To enact R.S. 23:1168.3 through 1168.12 and to repeal R.S. 23:1168(D), relative to workers' compensation; to provide with respect to self-insured employers; to provide for grounds for default, forfeiture of security and records of claims; to provide for the duties of the director; to provide for deposit of monies collected as security; to provide for the appointment of assistants; to provide for the priority of claims; to provide for time frames for filing claims; to provide for proof of claims; to provide for appeals of the decisions of the director; to provide for confidentiality of certain proceedings and records; to provide for the immunity of certain staff; to provide for the cooperation of officers, owners and employees of a self-insured employer; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 324 by Senator Nevers(Duplicate of House Bill No. 801)

AMENDMENT NO. 1

On page 2, at the end of line 2, change the period "." to a semicolon ";"

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AMENDMENT NO. 2

On page 2, at the end of line 3, delete the period "." and insert a semicolon ";" and "or"

AMENDMENT NO. 3

On page 3, at the end of line 11, delete "interest bearing" and insert "interest-bearing"

AMENDMENT NO. 4

On page 4, line 8, delete the comma "," after "necessary" and at the end of the line delete "of" and at the beginning of line 9, delete "such persons"

AMENDMENT NO. 5

On page 5, line 4, delete the comma "," after "but"

AMENDMENT NO. 6

On page 5, at the end of line 8, insert "and"

AMENDMENT NO. 7

On page 5, line 10, after "any" delete the comma "," and delete "and if so, what" and after "claim" delete the comma ","

AMENDMENT NO. 8

On page 5, line 11, change "owing" to "owed"

AMENDMENT NO. 9

On page 5, line 15, after "adverse to" delete "injured employees who have" and insert "an injured employee who has"

AMENDMENT NO. 10

On page 6, line 16, delete the comma "," before "which"

Senator Nevers moved to concur in the amendments proposed by the House.

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	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 507—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 39:128(B)(4), relative to the exemption from the Capital Outlay Act for certain university and higher education facility contracts; to provide that funding for such

projects be made available to the office of facility planning and control; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Alario to Engrossed Senate Bill No. 507 by Senator Heitmeier (Duplicate of House Bill No. 433)

AMENDMENT NO. 1

On page 2, at the end of line 9, delete "if the treasurer's" and delete lines 10 and 11 in their entirety and insert a period "."

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Hollis Mount

Total - 2

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected 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. 78—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 31:11, relative to minerals; to provide relative to mineral rights and ownership of land; to provide relative to reservations of mineral rights; to provide relative to correlative rights; to provide relative to transfers of ownership of land; to provide certain requirements, conditions, and terms; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 78 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 11, at the beginning of the line insert "A."

AMENDMENT NO. 2

On page 1, delete lines 15 through 17, and insert the following:

"B. (1) A reservation of mineral rights in an instrument transferring ownership of land must include mention of surface rights in the exercise of the mineral rights reserved, if not otherwise expressly provided by the parties. (2) In the absence of particular provisions in the instrument regulating the extent, location and nature of the rights of the mineral owner to conduct operations on the property, the requirements of this Subsection are satisfied by inclusion of the following language in the reservation of mineral rights: "The transferor (Seller) shall exercise the mineral rights herein reserved with reasonable regard to the rights of the landowner, and shall use only so much of the land, including the surface, as is reasonably necessary to conduct his operations. Such exercise of mineral rights shall be subject to the provisions of Articles 11 and 22 of the Louisiana Mineral Code. The transferee (Buyer) recognizes that by virtue of the mineral reservation herein made, the mineral owner shall have the right to use so much of the land, including the surface, as is reasonably necessary to explore for, mine and produce the minerals."

AMENDMENT NO. 3

On page 2, delete line 1, and insert the following:

"Section 2. The provisions of this Act shall be given prospective application only and shall only apply to reservations of mineral rights in instruments transferring ownership of land confectioned on and after the effective date of this Act."

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen 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	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	

NAYS

Total - 0

ABSENT

Fontenot
Total - 1

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

SENATE BILL NO. 284—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:407(E) and to enact R.S. 32:431.1, relative to motor vehicles; to provide relative to driver's licenses and learner's permits; to prohibit issuance of license or learner's permit to a minor who is not enrolled in or has not completed school or an adult education program; to require notification to the office of motor vehicles when a student withdraws from a school program; to provide for suspension of driver's license; to require notification of such suspension; to provide for appeal process; and to provide for related matters.

On motion of Senator Fontenot the bill was recommitted to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 453—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:10(A)(2)(b)(i) and (e), relative to agreements for drilling units; to provide relative to pooling interests; to provide relative to risk charges; to provide certain terms, conditions, requirements, and effects; and to provide for related matters.

The bill was read by title. Senator Malone 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	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 490—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 33:2337(D), relative to municipalities and parishes; to provide for mutual aid between local law enforcement agencies responding to a disaster; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 539—

BY SENATOR ULLO

AN ACT

To enact R.S. 17:84.2, relative to school board business managers or chief financial officers; to require the State Board of Elementary and Secondary Education to promulgate rules establishing qualifications for financial officers employed by school boards; to provide for a period in which business managers or chief financial officers may acquire certain qualifications; to authorize school systems to share certain officers and employees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Gautreaux N
Total - 2

Marionneau

ABSENT

Shepherd
Total - 1

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

SENATE BILL NO. 601—

BY SENATOR N. GAUTREAUX

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, relative to museums; to establish the Louisiana Military Hall of Fame and Museum in the Department of State; to provide for location of the facility; to provide for a governing board, membership, appointment, and compensation; to provide for duties and powers of the board; to provide for operating funds and appropriations by the legislature; to provide for donations, loans, disposition of property, and use of collections; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 623—

BY SENATOR SMITH

AN ACT

To enact R.S. 33:3838, relative to inspections of small community public water systems; to provide for definitions; to provide relative to engineering fees; to provide relative to time frames for approvals; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson

Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 656—
BY SENATOR BOASSO

AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv), relative to public contracts; to increase the contract limit for certain projects to repair hurricane or storm-related damage to public buildings caused by Hurricane Katrina or Hurricane Rita; to provide for applicability of certain laws governing the advertising and letting of contracts; to provide limitations; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator Boasso 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	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 702—
BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 30:2015.2, relative to certain remediation of property and claims for such remediation; to provide certain terms, conditions, procedures, requirements, and definitions; to provide relative to evaluation, remediation, restoration and repair of real

property; to provide relative to powers, duties and responsibilities of certain state agencies; to provide relative to certain actions or claims involving environmental damage or contamination; to provide relative to parties, proceedings, damages, orders, and awards by the court; and to provide for related matters.

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

SENATE BILL NO. 703—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:4547.1(B), 4547.2(B) through (E), and 4547.3 and to enact R.S. 33:4547.1(C) and (D), 4547.2(F) through (H) and 4547.4, relative to performance-based energy efficiency contracts; to provide for award of certain performance-based energy efficiency contracts by political subdivisions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 63—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2257(F)(2)(b)(introductory paragraph) and to enact R.S. 11:2257(F)(2)(d), relative to the Firefighters' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide for payment of interest on plan accounts; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 183—
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:204(B) and 1147(B)(3) and (C), relative to the Louisiana School Employees' Retirement System; to provide with respect to disability benefits; to provide for eligibility and calculation of such benefits for persons who

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become members of the system on or after July 1, 2006; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 318—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2258(B)(2)(d), relative to the Firefighters' Retirement System; to provide with respect to disability; to reauthorize conversion of regular retirement to disability retirement; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 381—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 39:366.12 and 1644.1, relative to expenditure of public monies under certain circumstances; to require review of certain occupancy leases of immovables and cooperative endeavor agreements by the division of administration; to require approval by each house of the legislature of such agreements; to provide for effectiveness provisions; and to provide for related matters.

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

SENATE BILL NO. 474—

BY SENATORS ADLEY AND MOUNT

AN ACT

To amend and reenact R.S. 39:101(B)(1)(a) and (c) and (F)(1), 102(C), 103(A)(1) and (B)(1), 112, 113, 115, 121, 122(B)(1), 124, and 125, relative to capital outlay; to provide relative to the development, enactment, and execution; and to provide for related matters.

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

SENATE BILL NO. 618—

BY SENATORS HINES, ADLEY, DUPLESSIS, KOSTELKA, MALONE, MICHOT, MOUNT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:9 and 337.19(A), R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C), to enact R.S. 47:1508(B)(23) and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7), and to repeal R.S. 47:306(D), relative to tax collection; to provide for registration, certification, and required security for taxes from certain contractors; and to provide for related matters.

On motion of Senator Hines, Senate Bill No. 618 was made Special Order of the Day No. 1 on Tuesday, May 16, 2006, immediately following the Morning Hour.

SENATE BILL NO. 659—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 33:130.105(A), relative to the Morehouse Economic Development District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

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

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 101 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 101 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 15, after "**dollars**" insert "**or imprisoned for not less than thirty days nor more than six months, or both**"

AMENDMENT NO. 2

On page 2, line 13, after "**dollars**" insert "**or imprisoned for not less than thirty days nor more than six months, or both**"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Romero
Chaisson	Jackson	Schedler

Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 682 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 682—
BY SENATOR MCPHERSON

AN ACT

To enact Part I-A of Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1025.1 through 1025.8, relative to licensed nursing facilities; to authorize certified medication attendants in licensed nursing facilities; to provide for definitions, certification, authorized and prohibited functions, and qualifications; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 682 by Senator McPherson

AMENDMENT NO. 1

On page 1, at the beginning of line 4, after "facilities" and before the semi-colon ";", insert "and adult residential care providers"

AMENDMENT NO. 2

On page 1, at the end of line 4, after "facilities" and before the semi-colon ";", insert "and adult residential care providers"

AMENDMENT NO. 3

On page 1, line 11, after "**NURSING FACILITIES**" add "**AND ADULT RESIDENTIAL CARE PROVIDERS**"

AMENDMENT NO. 4

On page 1, line 14, after "**facilities**" and before the period "." insert "**and adult residential care providers**"

AMENDMENT NO. 5

On page 1, line 17, after "**facilities**" and before "**licensed**" insert "**and adult residential care providers**"

AMENDMENT NO. 6

On page 2, line 10, after "**department**" and before "**shall**" insert "**, in consultation with an advisory committee to be comprised of one representative each from the Louisiana State Board of Nursing, the Louisiana State Board of Practical Nurse Examiners, the Board of Supervisors of the Community and Technical Colleges, and the Louisiana Nursing Home Association.**"

AMENDMENT NO. 7

On page 3, line 12, after "**home**" and before "**utilizing**" insert "**or adult residential care provider**"

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AMENDMENT NO. 8

On page 3, line 20, after "facilities" and before the comma "1" insert "and adult residential care providers"

AMENDMENT NO. 9

On page 3, line 21, after "to" and before "nurse staffing" insert "nursing facilities."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Adley	Kostelka
Barham	Malone
Total - 4	

ABSENT

Shepherd
Total - 1

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 650 be called from the Calendar at this.

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 recommitted to the Committee on Labor and Industrial Relations.

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 66—

BY SENATOR AMEDEE

A RESOLUTION

To commend and congratulate the players and coaches of the St. Amant High School Lady Gators on winning their fifth consecutive Class 5A Girls High School State Softball Championship.

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

Messages from the House

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

May 10, 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. 73—

BY SENATORS FIELDS, FONTENOT, BROOME, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HINES, JACKSON, JONES, MARIONNEAUX, MURRAY, NEVERS, QUINN, SHEPHERD AND THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the governor's office of homeland security and emergency preparedness to establish a statewide planning and mapping system of public buildings for use as shelters to accommodate persons in need of being placed in a safe environment whenever a state of emergency has been declared due to a natural disaster.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 82—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Environmental Quality to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

Reported without amendments.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 10, 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. 1232—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

HOUSE BILL NO. 1239—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 42:1112(D) and to enact R.S. 42:1120.3, relative to ethics; to provide for the recusal of a member of a parish planning or zoning commission in a parish with a population of less than fifty thousand under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1260—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 14:38.2(A)(2) and R.S. 17:416(A)(1)(c)(vii)(aa), (bb), and (cc), relative to assault on a school employee; to define the crime of assault on a school employee; to provide for the discipline of public elementary and secondary school pupils found guilty of certain offenses involving assault on a school employee; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1262—

BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON

AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations, standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1342—

BY REPRESENTATIVES HONEY, BADON, BARROW, DOWNS, GREENE, AND TRAHAN

AN ACT

To enact R.S. 17:1855.2, to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to increase tuition for students attending the university laboratory school; to provide for the amounts of such increase; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1372— (Substitute for House Bill No. 78 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

HOUSE BILL NO. 1373— (Substitute for House Bill No. 995 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

HOUSE BILL NO. 1044—

BY REPRESENTATIVES HARRIS, ARNOLD, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, PITRE, AND SMILEY

AN ACT

To enact R.S. 18:1495.4(H), relative to campaign finance; to provide for the due date of certain campaign finance reports; to provide for an extension of time for candidates in service in the uniformed services; to provide for notice of such service; and to provide for related matters.

HOUSE BILL NO. 1331—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 44:3(I), relative to criminal history records; to provide relative to public records; to provide for the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency; to provide for a charge to be assessed; to limit liability for any law enforcement agency furnishing such records; and to provide for related matters.

HOUSE BILL NO. 1241—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 44:4(41), relative to information pertaining to the credit card of a public body; to make confidential information related to a credit card issued to a public body that would enable a third person to use the credit card or access the credit card account; and to provide for related matters.

HOUSE BILL NO. 1251—

BY REPRESENTATIVES WADDELL AND MONTGOMERY
AN ACT

To enact R.S. 44:23, relative to exceptions to public records laws for certain personal information of certain law enforcement officers, court officers, and related persons; to provide for certain notifications; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 69—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a

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special fund and expenditures from that fund; 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. 69—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; and to provide for related matters.

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

HOUSE BILL NO. 1044—

BY REPRESENTATIVES HARRIS, ARNOLD, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, PITRE, AND SMILEY
AN ACT

To enact R.S. 18:1495.4(H), relative to campaign finance; to provide for the due date of certain campaign finance reports; to provide for an extension of time for candidates in service in the uniformed services; to provide for notice of such service; and to provide for related matters.

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

HOUSE BILL NO. 1232—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

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

HOUSE BILL NO. 1239—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 42:1112(D) and to enact R.S. 42:1120.3, relative to ethics; to provide for the recusal of a member of a parish planning or zoning commission in a parish with a population of less than fifty thousand under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1241—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 44:4(41), relative to information pertaining to the credit card of a public body; to make confidential information related to a credit card issued to a public body that would enable a third person to use the credit card or access the credit card

account; and to provide for related matters.

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

HOUSE BILL NO. 1251—

BY REPRESENTATIVES WADDELL AND MONTGOMERY
AN ACT

To enact R.S. 44:23, relative to exceptions to public records laws for certain personal information of certain law enforcement officers, court officers, and related persons; to provide for certain notifications; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1260—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 14:38.2(A)(2) and R.S. 17:416(A)(1)(c)(vii)(aa), (bb), and (cc), relative to assault on a school employee; to define the crime of assault on a school employee; to provide for the discipline of public elementary and secondary school pupils found guilty of certain offenses involving assault on a school employee; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1262—

BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON
AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; 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. 1304—

BY REPRESENTATIVE ROBIDEAUX AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, CAZAYOUX, CHANDLER, CRAVINS, CROWE, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRES, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON
AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations,

standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; 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. 1331—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 44:3(I), relative to criminal history records; to provide relative to public records; to provide for the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency; to provide for a charge to be assessed; to limit liability for any law enforcement agency furnishing such records; and to provide for related matters.

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

HOUSE BILL NO. 1342—
BY REPRESENTATIVES HONEY, BADON, BARROW, DOWNS, GREENE,
AND TRAHAN
AN ACT

To enact R.S. 17:1855.2, to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to increase tuition for students attending the university laboratory school; to provide for the amounts of such increase; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1372— (Substitute for House Bill No. 78 by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

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

HOUSE BILL NO. 1373— (Substitute for House Bill No. 995 by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 10, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 19—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:1226.2(B)(1) and (2) and to enact R.S. 37:1226.2(F) and (G), relative to the donation of prescription drugs to free pharmacies; to require free pharmacies to accept certain prescription drugs; to allow dispensing at the discretion of the pharmacist; to provide for mandatory donation of certain prescription drugs to charitable pharmacies under certain circumstances; to provide for a deduction of any such charges when unopened prescription drugs are returned, unused to a pharmacy; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 197—
BY SENATORS MCPHERSON AND CHEEK
AN ACT

To enact R.S. 29:766(G), relative to health care facilities; to provide for evacuation of healthcare facilities prior to an approaching hurricane; to provide for notification; to provide for sanctions; to provide for limitation of liability; to provide for reimbursement of costs; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 529—
BY SENATOR JACKSON
AN ACT

To enact R.S. 40:2009.25, relative to nursing home emergency preparedness; to provide for requirements of emergency preparedness plans in certain parishes; to provide for the evaluation of such plans; to create and provide for the content of the Nursing Home Emergency Preparedness Review Committee; to provide for rules and regulations; to provide for application to existing law; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 537—
BY SENATOR BROOME
AN ACT

To enact R.S. 28:451.7, relative to state developmental centers; to provide for the use of certain funds; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 680—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:961(2), relative to practical nurses; to provide for the delegation of certain activities to subordinate personnel; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 727—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to provide for a self-insurance fund; to create the Northeast Delta Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the

May 10, 2006

Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

Rules Suspended

Senator Fields asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 717 from the Committee on Local and Municipal Affairs.

SENATE BILL NO. 717—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 47:1901, and 2051, relative to the office of assessor in certain parishes; to abolish certain offices and provide for the merger and consolidation of the powers, duties and functions into the office of the tax collector; to direct the Louisiana Law Institute to make appropriate changes in current law; to provide for implementation; to provide for an effective date; and to provide for related matters.

On motion of Senator Fields, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Cain asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1060 from the Committee on Natural Resources.

HOUSE BILL NO. 1060—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to authorize the issuance of an active military license to spouses and certain children of military personnel; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 163, was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 215 from the Committee on Health and Welfare.

HOUSE BILL NO. 215—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact Children's Code Article 603(14) and to enact Children's Code Articles 603(16.1) and 610(G), relative to a child in need of care; to provide with respect to the definitions of neglect and prenatal neglect; to provide for the duty of a physician to order a toxicology test; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 165, was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Romero asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 70 from the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to deny requests for the issuance of drilling permits in Iberia and Vermilion parishes.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka Malone Marionneaux
Total - 3

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

Motion to Recommit

Senator Murray asked for and obtained a suspension of the rules to recommit Senate Bill No. 645, which was just advanced to third reading and final passage, and moved to recommit to the Committee on Local and Municipal Affairs.

Senator Mount objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Gautreaux B McPherson
Broome Gautreaux N Murray
Cheek Heitmeier Shepherd
Cravins Jackson Ullo
Duplessis Jones
Fields Marionneaux
Total - 16

NAYS

Mr. President Fontenot Nevers
Adley Hollis Quinn
Barham Kostelka Romero
Boasso Lentini Schedler
Dardenne Malone Smith
Dupre Michot Theunissen
Ellington Mount
Total - 20

ABSENT

Amedee Cain Chaisson
Total - 3

The Chair declared the Senate refused to recommit the bill.

Appointment of Conference Committee on Senate Bill No. 507

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 507: Senators Mount, Heitmeier and Adley.

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 10, 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 Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 74— BY SENATOR N. GAUTREAU AND REPRESENTATIVE FRITH A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for local housing authorities located in Vermilion Parish which were impacted by Hurricane Rita.

SENATE CONCURRENT RESOLUTION NO. 81— BY SENATORS CAIN AND ADLEY AND REPRESENTATIVE JOHNS A CONCURRENT RESOLUTION

To commend and congratulate the DeQuincy High School BETA Club on winning the Louisiana State BETA talent competition for the fourth consecutive year and being the reigning national grand champion and extend best wishes for continued success in the 2006 national competition.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Concurrent Resolutions were 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 10, 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 Bills have been properly enrolled:

SENATE BILL NO. 107— (Duplicate of House Bill No. 617) BY SENATOR NEVERS AND REPRESENTATIVE HUNTER AN ACT

To amend and reenact R.S. 23:1306, relative to workers' compensation; to provide with respect to administration of claims; to provide for employer reports; to provide for reports by insurers to the office of workers' compensation administration; and to provide for related matters.

SENATE BILL NO. 563— (Duplicate of House Bill No. 648) BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO AND COAUTHORED BY REPRESENTATIVE SALTER AN ACT

To amend and reenact R.S. 40:1724, relative to the Louisiana Building Code for State Owned Buildings; to provide relative to the authority of the office of facility planning and control to approve plans and specifications for state-owned buildings; to clarify that local permitting and review laws do not apply to state buildings; to allow rulemaking; to authorize the office of facility planning and control to impose fees on permitting and plan review; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 12— BY SENATOR ROMERO AN ACT

To authorize and empower the state to sell the state's undivided interest in a certain parcel of land in St. Martin Parish; to provide terms and conditions; and to provide for related matters.

SENATE BILL NO. 126— BY SENATOR JONES AN ACT

To enact R.S. 15:308, relative to penalties for conviction of certain offenses; to provide for retroactive application of certain penalty provisions as applied to defendants who were convicted or who were sentenced prior to June 15, 2001; and to provide for related matters.

SENATE BILL NO. 153— BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY AN ACT

To authorize and provide for the transfer of certain state property in Caldwell Parish from the state of Louisiana, through the Military Department, to the Caldwell Parish Police Jury; to provide for the property description; to provide for reservation of mineral rights; and to provide for related matters.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 9, 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. 167— BY REPRESENTATIVE T. POWELL A CONCURRENT RESOLUTION

To recognize May of 2006 as American Legion Auxiliary Poppy Month.

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

May 10, 2006

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.

Message from the House
SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

May 9, 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. 51—
BY REPRESENTATIVES SCHNEIDER AND SCALISE AND SENATORS
NEVERS AND SCHEDLER

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.

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.

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.

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.

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.

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.

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.

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.

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.

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, May 11, 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 Thursday, May 11, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk