

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

**THIRTY-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

Tuesday, May 30, 2006

The Senate was called to order at 2:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

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

PRESENT

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

ABSENT

Boasso	Duplessis	Shepherd
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

**Prayer**

The prayer was offered by Bishop Ronald P. Herzog, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

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

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

May 30, 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. 93—**  
BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 37:756(A), 760(A)(1), and 766 and to enact R.S. 37:753(C)(4), 760(A)(15), 761(C), 764(D), 795(B)(2)(a)(iii) and (iv) and (3)(a)(iii) and (iv), and (C), relative to the Dental Practice Act; to provide for the suspension of nominating procedures; to provide for receipts and disbursements of the board; to provide relative to the powers and duties of the board; to provide relative to the requirements of applicants for a dental license and a dental hygiene license; to provide for the supervision of dental hygienists; to increase costs and fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 106—**  
BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 40:2803(C)(introductory paragraph) and (D), relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to change the reporting date; to extend the termination date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 108—**  
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 49:72(7) and to enact R.S. 49:78.1, relative to lobbying of the executive branch; to provide for the regulation of lobbying of the executive branch; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 109—**  
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 24:51(5) and to enact R.S. 24:56(G) and 58.1, relative to lobbying of the legislature; to provide for the regulation of lobbying of the legislature; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 110—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:1446(H), relative to real estate brokers; to provide that certain real estate salespersons or associates of real estate brokers are independent contractors and not employees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 119—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 37:1449.1, relative to purchase agreements for residential real property; to require Louisiana Real Estate Commission licensees to use a uniform purchase agreement form; to provide for promulgation of the form by the commission; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 130—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a)(i), relative to the nominating committee for nominees for positions on the Board of Ethics; to change the composition of such nominating committee; and to provide for related matters.

May 30, 2006

Reported without amendments.

**HOUSE BILL NO. 158—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To repeal R.S. 22:1137(A)(10) and 1139(C)(8) and Part VII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1751 through 1770, relative to regulation of automobile service clubs by the commissioner of insurance.

Reported without amendments.

**HOUSE BILL NO. 197—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(l), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 198—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(k), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 248—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:32(5) and (9), relative to domestic incorporated insurers; to provide for the requirements of articles of incorporation of such insurers; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 250—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

Reported without amendments.

**HOUSE BILL NO. 252—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:2003(B)(5) and (9), relative to health maintenance organizations; to provide for the requirements of articles of incorporation of health maintenance organizations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 285—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:1459(D), relative to the real estate commission; to provide for return of fees collected by unlicensed persons; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 311—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 42:1169(D) and to enact R.S. 42:1169 (E) and (F), relative to procedures of the board of ethics; to require the board of ethics to provide notice to the appropriate agency head or governing authority of an investigation, hearing, or consent opinion related to a public servant's reprisal for disclosure of improper acts; to require an agency to cooperate with the board's investigation and be a party to the board's investigation, hearing, or consent opinion; to provide for the stay of any action by the board if a civil action or adjudicatory action on the same matter is pending; to provide for the outcome of the civil action or adjudicatory action to resolve all related matters before the board; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 312—**  
BY REPRESENTATIVE WHITE  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 314—**  
BY REPRESENTATIVE WHITE  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 340—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 355—**  
BY REPRESENTATIVES TRICHE, DOERGE, AND DURAND AND  
SENATOR LENTINI  
AN ACT

To amend and reenact R.S. 46:236.15(C), relative to child support enforcement; to grant limited administrative authority to access certain information; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 369—**  
BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 40:32(1) and 34(B)(1)(a)(viii), (h)(v), (i), and (j), relative to biological parents; to provide for definitions regarding surrogate pregnancies; to expand the definition of surrogate to include a person related by affinity; to provide for retroactivity; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 400—**  
BY REPRESENTATIVE JACKSON  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 441—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1459, relative to insurers; to eliminate the annual reporting of rates of and compensation paid by stock fire insurers to the Insurance Rating Commission; to change references to agents to references to producers; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 480—**  
BY REPRESENTATIVES DURAND, KATZ, AND ST. GERMAIN AND  
SENATORS JACKSON AND MOUNT  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 487—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 585—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(a)(iv), (b)(ii), and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent child previously enrolled in Medicaid; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 589—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 37:3397(B)(1)(introductory paragraph) and (c), (C)(1)(introductory paragraph) and (c), and (D)(1)(introductory paragraph) and (c), and 3406(D) and to enact R.S. 37:3393(I), (J), (K), and (L) and 3397(B)(6), (C)(5), and (D)(5), relative to the real estate appraisers board; to provide for penalties for unlicensed appraisers; to provide for minimum education, examination, and experience requirements; to provide for use of licenses; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 674—**  
BY REPRESENTATIVE WADDELL  
AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 687—**  
BY REPRESENTATIVES JACKSON AND GRAY  
AN ACT

To enact R.S. 28:382.2(D), relative to statewide human services and accountability framework for human services delivery; to provide for reporting; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 690—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact Chapter 13-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to consumer protection against computer spyware; to provide for definitions; to provide for spyware prohibitions; to provide for control or modification; to provide for misrepresentation; to provide for nonapplicability; to provide for criminal enforcement and penalties; to provide for civil relief; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 716—**  
BY REPRESENTATIVE BEARD  
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 732—**  
BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact R.S. 37:1431(30), relative to the real estate commission; to provide for a definition; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 792—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

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Reported without amendments.

**HOUSE BILL NO. 797—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 850—**  
BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 18:1505.2(S), relative to campaign contributions from persons who have entered into certain transactions; to prohibit such persons from making contributions to certain elected officials; to prohibit elected officials from accepting campaign contributions from such persons; to provide relative to penalties; to provide relative to definitions; to provide relative to dates of application; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 891—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 32:1252(8), (22)(a), and 23(a) and 1254(J)(4)(a), relative to the distribution and sale of motor vehicles; to provide for definitions; to provide for additional licensing and compliance requirements for motor vehicle lessors; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 909—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 977—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 42:1102(21), relative to the Code of Governmental Ethics; to provide for the definition of substantial economic interest for the purpose of the Code of Governmental Ethics; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1003—**  
BY REPRESENTATIVES SALTER AND SCALISE  
AN ACT

To enact R.S. 47:337.9(F), relative to the Uniform Local Sales Tax Code; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1010—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 32:300.3, relative to operating motor vehicles; to prohibit the operator or a passenger in a motor vehicle from smoking when children of a certain age are present; to provide relative to penalties for violations; to provide relative to citations issued for violations; to prohibit certain actions by law enforcement officers; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1016—**  
BY REPRESENTATIVES CAZAYOUX AND LAFLEUR  
AN ACT

To amend and reenact R.S. 42:1114.3(B), (C), (D)(1) and (3), and (E)(3), relative to certain disclosures required by the Code of Governmental Ethics; to provide for disclosure reports and statements required to be filed by the Code of Governmental Ethics; to provide for initial disclosure statements; to provide for the manner of filing certain such disclosure statements; to provide for penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1036—**  
BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1051—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 18:18.2, relative to the secretary of state engaging in certain political activities; to prohibit the secretary of state from engaging in certain political activities, except related to his own candidacy; to provide relative to the definitions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1078—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:969.37(A)(1), (B), (C)(1), (D)(1), (E), (G), and (H), 969.38(A), (B), (C)(1) and (2), and (D), 969.39(A) and (B), 969.40(B), (C), and (D), and 969.41(A), (B), and (C),

relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for licensing procedures; to provide for denial, suspension, or revocation of licenses; to provide for investigations and complaints; to provide for the powers of the commission; to provide for the penalties imposed by the commission; and to provide for related matters.

Reported with amendments.

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1078 by Representative Arnold

##### AMENDMENT NO. 1

On page 1, line 10, following "(D)" and before ", (E)" insert "(1)"

##### AMENDMENT NO. 2

On page 1, line 11, change "(C)(1) and (2), and (D)(1)" to "(C)(1) and (2), and (D)"

##### HOUSE BILL NO. 1137—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:844.31(A), relative to telemarketing activities; to provide for the prohibition of telephonic solicitation during a state of emergency; to provide for exceptions; and to provide for related matters.

Reported with amendments.

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1137 by Representative Pinac

##### AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 25, 2006 on line 12, change "(3)(B)" to "(3)(b)"

##### HOUSE BILL NO. 1169— (Substitute for House Bill No. 115 by Representative Pinac)

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:1123.115(A), relative to condominium management; to provide for privileges on immovables; and to provide for related matters.

Reported without amendments.

##### 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.

Reported without amendments.

##### 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.

Reported without amendments.

##### HOUSE BILL NO. 1255—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3386.1(3), (10), and (14), 3387.1(A) and (E)(2), 3387.2(A) and (E)(1), 3388.2(A), (B), and (D), and 3389, to enact R.S. 36:259(E)(24) and R.S. 37:3387.10 through 3387.14, and to repeal R.S. 37:3386.1(13) and R.S. 37:3387.7 through 3387.9, relative to the Addictive Disorders Practice Act; to provide transitional authority for the Addictive Disorder Regulatory Authority; to provide for definitions; to provide for licensed prevention professionals, certified prevention professionals, registered prevention professionals, prevention services assistants, and certified prevention supervisors; to provide for the Addictive Disorder Regulatory Authority; and to provide for related matters.

Reported without amendments.

##### HOUSE BILL NO. 1265—

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

Reported with amendments.

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1265 by Representative Fauchoux

##### AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 25, 2006, on line 6, change "Paragraph (3)" to "Paragraph (2)"

##### HOUSE BILL NO. 1270—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

Reported without amendments.

##### 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.

Reported without amendments.

##### HOUSE BILL NO. 1325—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 51:941(3), relative to economic development; to provide for a definition of "small and emerging business"; and to provide for related matters.

May 30, 2006

Reported without amendments.

**HOUSE BILL NO. 1377— (Substitute for House Bill No. 502 by Representative Pinac)**

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1377 by Representative Pinac

**AMENDMENT NO. 1**

On page 47, line 5, change "(B)(4)(f)" to "(B)(4)(e)"

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 Resolutions, Senate and Concurrent**

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

**SENATE RESOLUTION NO. 89—**

BY SENATOR BROOME

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Larry Joseph Darenbourg.

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

**SENATE RESOLUTION NO. 90—**

BY SENATOR NEVERS

A RESOLUTION

To commend the Reverend Freddie C. Henderson, Sr., District Superintendent of the New Orleans District of the Louisiana Conference of the United Methodist Church, on the occasion of his retirement.

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

**SENATE CONCURRENT RESOLUTION NO. 106—**

BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections to notify inmates under its supervision of the revisions to the laws and regulations relating to the Louisiana Risk Review Panel, good time and diminution of sentence.

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

**Senate Bills and Joint Resolutions on Second Reading**

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

**SENATE BILL NO. 751— (Substitute of Senate Bill No. 261 by Senator Cheek)**

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a), relative to criminal history checks; to provide for records provided to healthcare service and ambulance employers, and to provide for related matters.

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

**SENATE BILL NO. 752— (Substitute of Senate Bill No. 629 by Senator Heitmeier)**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1782 and 1808 and to enact R.S. 37:1785(D), 1787(A)(5), and 1809 through 1828, relative to pawnbrokers; to provide for definitions; to provide for licensing of pawnbrokers; to create the Louisiana State Board For Continuing Pawnbroker Education; to provide for membership of the board; to provide for powers and duties of the board; to provide for continuing education for pawnbrokers; to provide for rules regarding continuing education courses; to provide for reports to the board and commission; to provide for rules for noncompliance; to provide for fees; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

May 30, 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. 240—**  
 BY REPRESENTATIVES LAFLEUR AND CAZAYOUX  
 A CONCURRENT RESOLUTION

To authorize and request the Louisiana Gaming Control Board to conduct a comprehensive study of the financial impact of Hurricanes Katrina and Rita, the rebuilding and revitalization of the Mississippi Gulf Coast, and the potential of legalization of gaming in Texas to the economy of the state of Louisiana and to report its findings along with possible legislative recommendations to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B by April 1, 2007.

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. 240—**  
 BY REPRESENTATIVES LAFLEUR AND CAZAYOUX  
 A CONCURRENT RESOLUTION

To authorize and request the Louisiana Gaming Control Board to conduct a comprehensive study of the financial impact of Hurricanes Katrina and Rita, the rebuilding and revitalization of the Mississippi Gulf Coast, and the potential of legalization of gaming in Texas to the economy of the state of Louisiana and to report its findings along with possible legislative recommendations to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B by April 1, 2007.

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

**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. 240—**  
 BY REPRESENTATIVE GREENE AND SENATOR BROOME  
 AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

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

**HOUSE BILL NO. 269—**  
 BY REPRESENTATIVE PINAC  
 AN ACT

To enact R.S. 47:841(F), relative to tobacco products; to establish the Tobacco Regulation Enforcement Fund as a special fund in the state treasury; to provide for the deposit, investment, and use of monies in the fund; 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 Judiciary B.

**HOUSE BILL NO. 558—**  
 BY REPRESENTATIVE RICHMOND  
 AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; 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. 1056—**  
 BY REPRESENTATIVE FARRAR  
 AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency registration; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

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

**HOUSE BILL NO. 1240—**  
 BY REPRESENTATIVE FRITH  
 AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural hospital service districts; 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. 1376— (Substitute for House Bill No. 407 by Representative Richmond)**

BY REPRESENTATIVE RICHMOND  
 AN ACT

To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; 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 Concurrent Resolutions  
 on Second Reading**

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

**HOUSE CONCURRENT RESOLUTION NO. 238—**  
 BY REPRESENTATIVE FARRAR  
 A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to work in conjunction with the Governor's Office of Elderly Affairs to study the feasibility of implementing a Silver Alert System to provide for an early warning system to help locate missing senior citizens and to report its findings prior to March 1, 2007.

The resolution was read by title. Senator McPherson moved to

May 30, 2006

concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Broome, Cain, Chaisson, Cheek, Cravins, Total - 27; Dardenne, Dupre, Gautreaux B, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux; McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Smith, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Barham, Boasso, Duplessis, Ellington, Total - 12; Fields, Fontenot, Gautreaux N, Heitmeier; Hollis, Schedler, Shepherd, Theunissen.

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

HOUSE CONCURRENT RESOLUTION NO. 239— BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Culture, Recreation and Tourism to create a state heritage area program in order to recognize and distinguish significant cultural, historic, and natural resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Broome, Cain, Chaisson, Cheek, Cravins, Total - 27; Dardenne, Dupre, Gautreaux B, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux; McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Smith, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Barham, Boasso, Duplessis, Ellington, Total - 12; Fields, Fontenot, Gautreaux N, Heitmeier; Hollis, Schedler, Shepherd, Theunissen.

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

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. 20— BY SENATOR MCPHERSON AN ACT

To amend and reenact R.S. 32:392 and 863.1(C)(1)(a) and (6), relative to motor vehicles; to provide for impoundment of motor vehicles for violations of the Louisiana Highway Regulatory Act; to provide relative to impoundment pursuant to the compulsory motor vehicle liability security law; to provide for noncompliance; to provide for enforcement; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 20 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete line 2, and insert: "To amend and reenact R.S. 32:392, 863(A)(1), and 863.1(C)(1)(a), (2), (5)(a), and (6), and to repeal R.S. 32:863.1(C)(7), relative to motor vehicles;"

AMENDMENT NO. 2

On page 1, line 3, change "provide for" to "prohibit"

AMENDMENT NO. 3

On page 1, line 4, after "provide" delete the remainder of the line, and delete lines 5 and 6, and insert: "for seizure of vehicle license plates in lieu of impoundment; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete the remainder of the line and insert: "R.S. 32:392, 863(A)(1), and 863.1(C)(1)(a), (2), (5)(a), and (6) are hereby amended and reenacted"

AMENDMENT NO. 5

On page 1, delete lines 10 through 17, and insert: "§392. Impounding of vehicles authorized; prohibitions; prohibited; exception A. (†) Upon discovery of any vehicle operated in violation of Part VI of this Chapter, R.S. 32:379 et seq., the vehicle shall not be impounded but shall"

AMENDMENT NO. 6

On page 2, delete lines 26 through 29, and insert: "B. (1) A No vehicle shall be impounded for any violations of the provisions of this Chapter other than R.S. 32:380 through R.S. 32:387 as provided for in Part VI of this Chapter, R.S. 32:379 et seq. and as provided for offender's driving a vehicle without license plates or other authorization provided in this Section. Instead, a law enforcement may seize the vehicle's license plates as provided for in Paragraph (2) of this Subsection. (2) Law enforcement officers enforcing the provisions of this Chapter may seize the license plate of the offender's motor vehicle and issue a temporary sticker valid for three calendar days. Upon expiration of the sticker, the vehicle shall not be driven until the owner has paid all fees, fines, penalties, and other charges assessed for his violation. In the event the vehicle is being driven after the expiration of the temporary sticker provided for herein, the vehicle shall be immediately impounded pursuant to the provisions of this Subsection."



**(3) Prior to reinstatement of registration and license plate privileges to any individual who proves that he has paid all fees, fines, penalties, and other charges assessed for his violation within three calendar days after the offense, the Department of Public Safety and Corrections shall collect a reinstatement fee of ten dollars to offset the costs of administering this Section. This ten dollar fee shall be in addition to any other fines, fees, or penalties owed prior to reinstatement of privileges.**

**(4) A vehicle impounded for being driven after expiration of the temporary sticker provided for in Paragraph (2) of this Subsection shall be detained until released by any court or committing magistrate having jurisdiction of the offense. The court or "**

**AMENDMENT NO. 7**

On page 3, delete lines 7 through 29, and delete page 4, and insert:  
 "§863. Sanctions for false declaration; reinstatement fees; revocation of registration; review

A.(1) Except as provided herein below, when the secretary determines that a vehicle is not covered by security as required by this Chapter or that the owner or lessee has allowed the required security to lapse, he shall revoke the registration of the vehicle, ~~impound or seize and~~ cancel the vehicle's license plate.

§863.1. Evidence of compulsory motor vehicle liability security contained in vehicle; enforcement; penalty; fees

C.(1)(a) If the operator of a motor vehicle is unable to show compliance with the provisions of this Part by displaying the required document when requested to do so, the ~~license plates of the~~ motor vehicle shall be ~~impounded removed from the vehicle by the law enforcement officer~~ and the operator shall be issued a notice of noncompliance with the provisions of this Part on a form to be provided by the department. ~~Notwithstanding the provisions of R.S. 32:852(E), such notice may be sent by first class mail.~~ A copy of the notice of noncompliance ~~and the seizure of the motor vehicle plates shall be provided to the towing or storage company and a copy shall be forwarded to the office of motor vehicles within three calendar days after the notice of noncompliance was served. The notice of noncompliance shall serve as notice of administrative hearings rights. In addition, the law enforcement officer shall remove the license plate from the vehicle if the vehicle is registered in Louisiana.~~ The law enforcement officer shall deliver the vehicle license plate to the chief of the agency which employs the officer, or to a person in that agency designated to receive such license plates. ~~In those cases in which a motor vehicle is not impounded,~~ A copy of the notice of noncompliance shall be attached to the vehicle license plate and both shall be delivered to the nearest office of motor vehicles within three calendar days after the notice of noncompliance was served.

~~(2)(a) In those cases in which the motor vehicle is not impounded,~~ Any law enforcement officer who removes and takes a license plate pursuant to the provisions of this Section shall issue for attachment to the rear end of the vehicle, a temporary sticker denoting its use in lieu of an official license plate. The sticker shall bear the date upon which it was issued in written or stamped numerals or letters not less than three inches in height. This temporary sticker shall only be effective for a period of three calendar days beginning from the day on which the license plate is taken.

**(b) Any motor vehicle driven without license plates or other authorization provided for in this Section shall be impounded as provided for in R.S. 32:392(B).**

(5)(a) The administrative hearing shall be limited to a review of the issue of whether the vehicle was covered by a valid policy of insurance at the time of the alleged violation. The records of the department on the particular violation shall be prima facie proof of the violation, and the owner or operator shall have the burden of proving that the vehicle was covered by a valid policy of insurance or was self-insured pursuant to this Chapter at the time of the violation. The owner or operator may subpoena any witness to appear at the hearing, including the officer issuing the violation, to establish that the owner or operator was in compliance with the law at the time of the alleged violation. A request for a hearing shall not stay the

sanctions required by this Part. If it is determined at the administrative hearing that the vehicle was covered by a valid policy of insurance or was self-insured pursuant to this Chapter at the time of the violation, but that such proof was not presented to the law enforcement officer at the time the vehicle ~~license plate~~ was ~~impounded seized~~, then the vehicle owner shall be required to pay the storage and wrecker fees of the person or company who ~~impounded and towed the subject vehicle~~ **a fine of one hundred fifty dollars for a first offense, a fine of three hundred dollars for a second offense, and a fine of six hundred dollars for any subsequent offense.**

(6) The ~~impounded vehicle shall remain impounded and the~~ registration shall remain suspended until such time as proof of valid insurance is given to the Department of Public Safety and Corrections. Notwithstanding any other provision of law to the contrary, in no event shall ~~a car be released from impoundment~~ **registration suspension be ended** until such time as proof, in writing, has been presented from the Department of Public Safety and Corrections that all penalties, fees, fines and requirements of this Section have been met.

Section 2. R.S. 32:863.1(C)(7) is hereby repealed."

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

**SENATE BILL NO. 98—**

BY SENATOR SHEPHERD

AN ACT

To enact R.S. 23:335, relative to employment discrimination; to prohibit discrimination due to actual or perceived sexual orientation; to provide for exceptions; and to provide for related matters.

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

**SENATE BILL NO. 106—**

BY SENATOR CRAVINS

AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

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

**SENATE BILL NO. 445—**

BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.26(G), relative to the Louisiana Housing Trust Fund Act of 2003; to provide for housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide for the priority of housing citizens who were displaced in a declared disaster area as a result of hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 445 by Senator Jackson

May 30, 2006

AMENDMENT NO. 1

On page 1, lines 2 and 8 after "R.S. 40:600.26(G)" insert "and (H)" and on line 8 change "is" to "are"

AMENDMENT NO. 2

On page 1 between lines 14 and 15 insert the following:

"H. Notwithstanding the provisions of Subsection D of this Section, monies received by the state related to the redevelopment and rehabilitation of housing damaged by hurricanes Katrina and Rita, may be handled as follows:

(1) The state may deposit proceeds from the sale of any real property which the state, or its agent, acquired under The Road Home Housing Program administered by the Louisiana Recovery Authority and which the state, or its agent, has sold for purposes of redevelopment of housing.

(2) The state may deposit monies received by the state, or its agent, from the repayment of loans, grants, or any other agreement wherein the state provided financial assistance to an individual for rehabilitation or buyout of a home under The Road Home Housing Program administered by the Louisiana Recovery Authority."

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

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.

Reported by substitute by the Committee on Labor and Industrial Relations. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 650 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to enact R.S. 23:996, 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 require the filing of an affidavit with a licensing agency; to provide with respect to an agency, department, board or commission of state or a parish agency to notify the attorney general or local district attorney when an employer who operates a business in the state knowingly employs an alien who is not lawfully entitled to reside or work in the United States; to provide for the attorney general or local district attorney to issue a cease and desist order; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:992 is hereby amended and reenacted and R.S. 23:996 is hereby enacted to read as follows:

§992. Employment of certain aliens; prohibition

A. Upon the employer's annual license renewal with their respective boards or commissions, the employer must file an affidavit affirming that the employer will have in its files an employment eligibility verification form required by the Immigration Reform and Control Act of 1986 (8 U.S.C. 1324a) for each individual paid a salary or compensation for hours worked.

§996. Cease and desist order; injunctive relief

A. An agency, department, board or commission of the state or any political subdivision may notify the attorney general or the district attorney that the agency has determined, after an investigation initiated by the agency or by a private party's written complaint to the agency, that an employer who operates a Louisiana business or enterprise is knowingly employing an

undocumented alien in violation of this Chapter.

B. The attorney general or district attorney in the parish in which the employer is domiciled or in the parish in which the violation occurred is empowered to issue an order to the employer engaged in the activity constituting the violation of the provision of this Chapter directing such employer to cease and desist from such activity and to discharge from employment, for cause, the undocumented workers. Such order shall be issued in the name of the state of Louisiana under the official seal of the attorney general or the official seal of district attorney and shall be served where the employer is domiciled in the state of Louisiana or the employer's registered agent in the state of Louisiana.

C. If the employer to whom the attorney general or district attorney directs a cease and desist order does not cease and desist the proscribed activity within ten days from service of such cease and desist order by certified mail, the attorney general or local district attorney may cause to issue a writ of injunction enjoining such employer from engaging in any activity proscribed by this Chapter. Such proceeding shall be brought in the district court having civil jurisdiction in any parish in which such employer has as its principal place of business or the parish where the violation has occurred. If the employer in violation of this Chapter is a nonresident entity, such proceeding may be brought in the Nineteenth Judicial District Court for the parish of East Baton Rouge. All other provisions of law relative to injunctive relief apply. Exhaustion of administrative remedies is not a prerequisite to judicial review.

D. Any employer who is found by the court to have violated a cease and desist order of the attorney general or district attorney after it has become final and while such order is in effect, shall forfeit and pay to the state of Louisiana a sum of up to ten thousand dollars, unless the employer shows good cause to the satisfaction of the issuer that the determination was issued in error.

E. Once an employer is found by the court to have violated a cease and desist order of the attorney general or district attorney, the attorney general or district attorney may file a complaint with the appropriate licensing board or boards to have any employer's business license suspended or revoked.

Section 2. 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 Nevers, the committee substitute bill was adopted and becomes Senate Bill No. 753 by Senator Cravins, substitute for Senate Bill No. 650 by Senator Cravins.

SENATE BILL NO. 753— (Substitute of Senate Bill No. 650 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to enact R.S. 23:996, 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 require the filing of an affidavit with a licensing agency; to provide with respect to an agency, department, board or commission of state or a parish agency to notify the attorney general or local district attorney when an employer who operates a business in the state knowingly employs an alien who is not lawfully entitled to reside or work in the United States; to provide for the attorney general or local district attorney to issue a cease and desist order; to provide for penalties; and to provide for related matters.

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

**SENATE BILL NO. 664—**  
BY SENATOR DUPRE

## AN ACT

To amend and reenact R.S. 41:1702(D)(2)(a), relative to reclamation and restoration of certain lands; to provide relative to certain powers of the secretary of the Department of Natural Resources; to provide relative to certain agreements concerning the acquisition of land by a state or national nonprofit land conservation organization; to provide relative to agreements concerning ownership of minerals; to provide certain terms, conditions, and procedures; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 664 by Senator Dupre

**AMENDMENT NO. 1**

On page 1, delete line 5, and insert "acquisition of land by certain entities for coastal projects; to provide certain requirements, procedures and definitions; to provide for the adoption of rules and regulations;"

**AMENDMENT NO. 2**

On page 1, line 11, after "rise" insert "**land acquisition for certain coastal projects; requirements**"

**AMENDMENT NO. 3**

On page 2, line 3, delete "restoration" and insert "**restoration conservation, restoration and protection plans and**"

**AMENDMENT NO. 4**

On page 2, line 16, after "secretary." delete the remainder of the line and delete lines 17 through 23 and insert:

**"(ii) When land is acquired from any person by an "acquiring authority" as defined in R.S. 31:149, for the principal purpose of facilitating the development, design, and implementation of coastal conservation, restoration, protection or management plans and projects by the state, its political subdivisions, or by the state and federal government, the secretary of the Department of Natural Resources may, in accordance with rules and regulations adopted by the Department of Natural Resources after consultation with other state agencies, enter into an agreement under this section with respect to the ownership of minerals and other matters. Such agreement shall, at a minimum, specify:**

**(aa) That the acquired land shall remain available for the principal purposes of the acquisition.**

**(bb) Ownership of minerals.**

**(cc) Mineral servitudes and exercise of mineral rights, including noninterference with the principal purposes of the acquisition and that, notwithstanding the provisions of any other law to the contrary, the prescription of nonuse shall be applicable and shall not be interrupted by such acquisition if the mineral rights are owned by a person or entity other than a public entity.**

**(dd) Permanent easements, servitudes, rights-of-way, and rights of use as necessary to facilitate the principal purposes of the acquisition. These shall include, but are not limited to, those necessary for construction, operation, maintenance, repair, replacement and rehabilitation of any projects or cooperative agreements undertaken by the state or a political subdivision for coastal protection, conservation, restoration or management or by the state and federal governments pursuant to state or federal law, including but not limited to, the Coastal Wetlands Planning, Protection and Restoration Act, the Coastal Zone Management Act, the Water Resources Development Act, the Coastal Impact Assistance Program, and the North American Wetlands Conservation Act.**

**(ee) Other easements, servitudes, rights-of-way or rights of use as may be determined by the state to be necessary regarding public access and use.**

**(ff) Indemnification and the holding harmless of the public**

**entity.**

**(gg) "Coastal protection" for the purposes of this Subparagraph shall include hurricane protection and flood control.**

**(iii) No agreement shall be entered into pursuant to the provisions of Item (ii) until after the adoption of rules and regulations to implement such provisions as provided above. Such rules and regulations shall additionally consider the nature, extent and conditions of public access to and use of the surface lands and waters that will be permitted by the acquiring authority on the land and water bottom acquired, including for navigation, boating, commercial and recreational fishing, hunting, trapping, nature observation and study, and other traditional activities that are consistent with the principal purposes of the acquisition.**

**(iv) If the agreement authorized in Item (ii) is in the form of, or constitutes part of, an act of donation of immovable property to the state, acceptance by the state of such property shall be subject to the requirements of R.S. 41:151 or its successor."**

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

**SENATE BILL NO. 673—**  
BY SENATOR MALONE

## AN ACT

To enact R.S. 38:2212(T), relative to letting contracts; to require certain disclosures prior to a public entity entering into a contract for public work; to require disclosure of all stockholders, partners including silent partners, officers, and members of a corporation, partnership, or other legal entity prior to entering into a contract for public work; to require disclosure of the balance sheet or proof of assets and liabilities of a corporation, partnership, or other legal entity; to provide certain penalties; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 673 by Senator Malone

**AMENDMENT NO. 1**

On page 1, line 3, after "contract for" delete the remainder of the line and delete lines 4 through 7, and insert the following:

"certain public work; to require submission of certain information; to provide certain terms, conditions and requirements; to provide certain"

**AMENDMENT NO. 2**

On page 1, delete lines 14 through 17 and insert the following:

**"T.(1) Prior to the execution of a written contract for public work exceeding five hundred thousand dollars by the public entity letting the contract, if a successful bidder is a privately-held corporation, partnership, or other legal entity, the presiding officer of such successful bidder shall furnish to the public entity the following information in the form of a written and notarized declaration:**

**(a) The date of formation of the bidding entity.**

**(b) The identity of all officers of such entity.**

**(c) If a partnership or limited liability corporation, the identity of all partners or members of such entity.**

**(d) That such entity has sufficient net worth to reasonably assure the performance of its obligations, including the furnishing of good and solvent bond if required.**

**(e) That such entity is in compliance with R.S. 42:1101, et seq. regulating the conduct and ethics of elected officials, public employees, and public servants.**

**(f) That a public official, employee, or servant does not have a pecuniary interest in the execution of the contract with such entity, or if such person does have a pecuniary interest, the**

nature and financial amount of that interest.

(g) That, under penalty of perjury, the declarant on behalf of such entity avers that the above information is true and correct to the best of his knowledge, information, and belief.

(2) A contract shall not be executed by the public entity with a successful bidder who fails to provide the information as required by this Subsection.

(3) The intentional making of a false written statement in providing the information required by this Subsection shall constitute perjury and shall be punished as provided in R.S. 14:123.

(4) The provisions of this Subsection shall be in addition to any other requirement provided by law and shall not be subject to waiver."

AMENDMENT NO. 3

On page 2, delete lines 1 through 5

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

**SENATE BILL NO. 708—**

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 11:3366, 3370(A), 3378(A)(1)(c) through (f) and (h) and (2)(a) through (c), 3383(A), and 3384(A) and (B), relative to retirement; to provide with respect to the Firefighters' Pension and Relief Fund in the City of New Orleans; to provide for eligibility and benefits; to provide for military service credit; to provide for use of excess interest earnings; to provide for survivor benefits; to provide for minimum benefits; to provide for computation of benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 708 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3 change "3384(A) and (B)," to "3384(B),"

AMENDMENT NO. 2

On page 1, line 5 change "eligibility" to "service credit"

AMENDMENT NO. 3

On page 1, line 11, change "R. S. 11:11:3366" to "R. S. 11:3366" and on page 1, line 12 change "3384(A) and (B)" to "3384(B)"

AMENDMENT NO. 4

On page 2, line 26 after "fund." delete the remainder of the line and insert in lieu thereof "**Fifty percent of any earnings or**"

AMENDMENT NO. 5

On page 5, delete lines 10 through 16 in their entirety and insert the following:

"\* \* \*

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

**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. 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.

Reported favorably by the Committee on Local and Municipal Affairs. 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. 91—**

BY REPRESENTATIVE FARRAR

AN ACT

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

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 91 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 3, after "facilities;" insert "to provide for signage of "no-wake" zones;"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 34:851.27(D) is hereby enacted"

AMENDMENT NO. 3

On page 1, after line 18, insert

"D. The commission shall adopt rules and regulations establishing a uniform system of "no wake" zone signs. Local municipal and parish authorities in their respective jurisdictions shall place and maintain such "no wake" zone signs as they may deem necessary to carry out the rules and regulations of the commission. All such "no wake" zone signs hereafter erected by local municipal and parish authorities shall conform to such rules and regulations adopted by the commission."

On motion of Senator Malone, 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. 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.

Reported favorably by the Committee on Education. 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. 299—**

BY REPRESENTATIVES DANIEL, BEARD, GREENE, KATZ, PITRE, QUEZAIRE, TRAHAN, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 48:2074(A) and 2077(24) and to enact R.S. 48:2077(25) and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2111 through 2119, relative to construction and funding of transportation projects; to provide relative to the Louisiana Transportation Authority; to provide relative to powers and duties of such authority regarding the Transportation Mobility Fund; to create and establish the Transportation Mobility Fund; to provide relative to the distribution of proceeds; to provide relative to the eligibility, ranking, and prioritizing of projects; to provide relative to applications for funding; to provide relative to the financing of qualified projects; to authorize the issuance of debt in certain circumstances; to provide relative to the required security for such financing and interest rates; to provide relative to preliminary and final approval of project financing; to impose certain obligations and responsibilities on applicants; to provide relative to certain financial and credit requirements; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 336—**

BY REPRESENTATIVES MONTGOMERY, GALLOT, AND TOWNSEND  
AN ACT

To enact R.S. 39:12(A)(4) and (C), relative to management of state lands; to require development of management plans by state agencies; to require management of state lands in a prudent manner; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 336 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 12, after "time," delete the remainder of the line and delete line 13

**AMENDMENT NO. 2**

On page 1, line 19, after "forests," delete the remainder of the line

**AMENDMENT NO. 3**

On page 1, line 20, delete "practices shall not include clear cutting."

On motion of Senator Malone, 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. 345—**

BY REPRESENTATIVE CAZAYOUX  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 345 by Representative Cazayoux

**AMENDMENT NO. 1**

On page 3, line 3, after "public" insert "or private"

**AMENDMENT NO. 2**

On page 3, line 14, after "public" insert "or private"

On motion of Senator Ullo, 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. 365—**

BY REPRESENTATIVES FANNIN AND TOWNSEND AND SENATOR SMITH  
AN ACT

To enact R.S. 33:1236(31)(b)(iii) and R.S. 30:2057(B)(5)(c), relative to the regulation of burning by certain parish governing authorities; to provide for ordinances regulating the burning of certain flammable materials in certain parishes under certain circumstances; to provide exceptions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. 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. 566—**

BY REPRESENTATIVES CRAVINS AND BOWLER  
AN ACT

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

Reported favorably by the Committee on Labor and Industrial Relations. 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. 577—**

BY REPRESENTATIVE T. POWELL  
AN ACT

To amend and reenact R.S. 23:1196(A)(5) and (H) and 1197(C), relative to insurance cost containment; to provide relative to workers' compensation self- insurance funds; to provide for reinsurance; to provide for deficit of fund; to provide for examination of the fund; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. 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. 702—**

BY REPRESENTATIVE ODINET  
AN ACT

To amend and reenact R.S. 56:433(B)(1) and (C), relative to harvest of oysters; to provide for season opening and closing dates for harvest from the public seed grounds; and to provide for related matters.

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

**HOUSE BILL NO. 795—**

BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 56:6(31), relative to importation of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of big exotic cats; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

May 30, 2006

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 795 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, before "enact" insert "amend and reenact R.S. 56:39(A) and to"

AMENDMENT NO. 2

On page 1, line 4, delete "for penalties" and insert "relative to certain penalties, including forfeiture"

AMENDMENT NO. 3

On page 1, line 6, before "R.S. 56:6(31)" insert "R.S. 56:39(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 19, insert

§39. Forfeiture of quadrupeds, birds, and fish; Fish and Wildlife Violations Reward Fund, creation and use of fund monies
A. In addition to all other penalties provided in this Chapter, violators subject to the provisions of R.S. 56:31 through R.S. 56:37.1 shall upon conviction forfeit any quadrupeds, birds, or fish, or other animals seized in connection with said violation.

On motion of Senator Malone, 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. 802— BY REPRESENTATIVE FRITH

AN ACT
To amend and reenact R.S. 56:435.1(A), (F), and (G) and 435.1.1(A), (C), and (D), to enact R.S. 56:435.1(H), and to repeal R.S. 56:435.2, relative to the oyster harvest in Calcasieu Lake and Sabine Lake; to provide for the use of mechanical dredges; to authorize the Wildlife and Fisheries Commission to set closing dates and harvest limits; to provide for limited transplanting of oysters and cultch in Vermilion Bay; and to provide for related matters.

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

HOUSE BILL NO. 830— BY REPRESENTATIVE CAZAYOUX

AN ACT
To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 830 by Representative Cazayoux

AMENDMENT NO. 1

On page 2, line 2, after "public" insert "or private"

AMENDMENT NO. 2

On page 2, line 7, after "public" insert "or private"

On motion of Senator Ullo, 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. 838—

BY REPRESENTATIVES ST. GERMAIN, PIERRE, LAMBERT, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:328(B), (C), and (D) and to enact R.S. 56:328(E), relative to invasive, noxious aquatic plants; to require the Department of Wildlife and Fisheries to maintain and promulgate a list of prohibited noxious aquatic plants; to require the department to take necessary steps to control and eradicate such plants; and to provide for related matters.

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

HOUSE BILL NO. 839—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAU
AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shedders license; to eliminate the soft shell crab shedders license; and to provide for related matters.

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

HOUSE BILL NO. 954—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 32:408(B)(2)(d), relative to issuance of drivers' licenses; to provide relative to Class "D" Chauffeur's Licenses; to add certain types of vehicles to the list of vehicles authorized to be operated with a Class "D" Chauffeur's License; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 993—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 32:735 and 737(A)(introductory paragraph) and (2), (4), (10), and (11), (B), and (C) and R.S. 47:532.1(A)(1) and to enact R.S. 32:737(A)(12), relative to auto title companies; to provide for the contracting of auto title companies; to provide for surety bond requirements; to provide for contracts; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1025—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 48:194, relative to construction on highways in the state highway system in East Baton Rouge Parish; to provide relative to certain projects that may be fully funded by the governing authority of East Baton Rouge Parish; to provide limitations and procedures; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1161—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 56:322.2(I), relative to taking of shad; to authorize the use of unattended nets overnight during the open season in Lake Palourde and Lake Verret; to provide for certain restrictions; and to provide for related matters.

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

**HOUSE BILL NO. 1173—**  
BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 48:279(A), relative to highway construction by the Department of Transportation and Development; to provide relative to the hours when construction may be done on certain highways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1204—**  
BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS ELLINGTON AND HEITMEIER  
AN ACT

To enact R.S. 32:1525 and to repeal R.S. 32:1513(A), relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; to prohibit the seizure of certain motor vehicles; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1  
On page 2, delete lines 5 through 7 in their entirety and insert the following:  
"contain notice that the responsible party shall have forty-five calendar days from the date of issuance of the notice of violation to either pay the monetary penalty for the violation or to request, in writing, an administrative hearing to review the notice"

AMENDMENT NO. 2  
On page 2, at the end of line 20, insert the following:  
"However, the office of state police shall be granted an additional sixty calendar days to send the responsible party a notice of violation in accordance with the provisions of this Section if the office of state police experiences a data system failure caused by either an act of God or an intentional act of sabotage."

AMENDMENT NO. 3  
On page 2, at the end of line 24, insert the following:  
"penalty within forty-five calendar days of issuance of the notice of violation, or in the case of an administrative hearing, the responsible party fails to pay the assessed"

AMENDMENT NO. 4  
On page 3, line 13, after "violation," insert the following:  
"or in the case of an administrative hearing, the responsible party fails to pay the assessed penalty within thirty calendar days of receiving a notice of final judgement from the administrative law judge."

On motion of Senator Ellington, 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. 1218—**  
BY REPRESENTATIVE TUCKER  
AN ACT

To require that the Crescent City Connection Division within the Department of Transportation and Development collect and dispose of litter in certain areas of Orleans Parish.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1218 by Representative Tucker

AMENDMENT NO. 1  
On page 1, line 7, after "litter from" insert "the state right-of-way of"

On motion of Senator Ellington, 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. 1229—**  
BY REPRESENTATIVE BAUDOIN  
AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

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

**HOUSE BILL NO. 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.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1233 by Representative John Smith

AMENDMENT NO. 1  
On page 1, line 20, after "persons" insert "or in a parish having a population of at least twenty-six thousand but fewer than thirty thousand persons"

On motion of Senator Ullo, 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.

May 30, 2006

**HOUSE BILL NO. 1249—**  
BY REPRESENTATIVES ODINET AND BALDONE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:423(A) and (B)(1), 424(H), 425(A) and (C), 427.1, 428(A) and (B), 429, and 432.1, to enact R.S. 56:424(I), 425(E), and 432.2, and to repeal R.S. 56:428.1, 428.2, 428.3, and 430.1, relative to oyster leases; to authorize the acquisition by the state of oyster leases directly impacted by coastal protection, conservation, or restoration projects; to establish a hierarchy of rights; to establish limitations on actions against the state, its political subdivision, or the United States; to provide for lease terms; to establish a lease acquisition and compensation program in the Department of Natural Resources; to provide for annual reports; and to provide for related matters.

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

**HOUSE BILL NO. 1278—**  
BY REPRESENTATIVES BRUNEAU, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, HUTTER, LAMBERT, PITRE, M. POWELL, SMILEY, AND ST. GERMAIN

AN ACT

To enact R.S. 32:402(C)(3), relative to drivers' licenses; to authorize the waiver of certain commercial motor vehicle driver's license requirements for military personnel during a state of emergency; to provide relative to certain restrictions; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1285—**  
BY REPRESENTATIVES ODINET, BARROW, BAUDOIN, BAYLOR, DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND

AN ACT

To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities; to require that the governing authority of any municipality or parish and any agency of any such municipality or parish shall not allow and shall not cause any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; to provide exceptions; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1285 by Representative Odinet

AMENDMENT NO. 1

On page 2, line 4 after "parish" delete the remainder of the line and delete line 5 in its entirety and insert the following:

"having a population in excess of four-hundred thousand, based on the latest federal decennial census, may by ordinance reduce"

On motion of Senator Fields, 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. 1308—**  
BY REPRESENTATIVE KENNARD  
AN ACT

To amend and reenact R.S. 32:1305(I), relative to motor vehicle safety inspection programs; to revise the programs relative to motor vehicles transporting general freight and commodities;

and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1312—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 32:361.2(A)(2)(f) and 361.3(C), relative to motor vehicle windshields; to provide for objects or materials placed or affixed on windshields; to provide for medical and security exceptions; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. 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. 1330—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 23:921(I), relative to noncompete agreements; to provide for an exclusion for automobile salesmen; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. 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. 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.

Reported favorably by the Committee on Education. 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. 1354—**  
BY REPRESENTATIVES GRAY AND K. CARTER  
AN ACT

To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1301 through 1307, and R.S. 36:4(B)(1)(g), relative to the Hurricane Katrina Memorial Commission; to create and provide for the membership, powers, and duties of the commission; to provide for donations and grants; to provide for a commission report and termination of the commission; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1354 by Representative Gray

AMENDMENT NO. 1

On page 2, line 7, change "eleven" to "fourteen"

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert  
"(5) One member appointed by the Jefferson Parish Council.  
(6) One member appointed by the St. Bernard Parish Council.  
(7) One member appointed by the Plaquemines Parish Council."

AMENDMENT NO. 3

On page 3, line 5, delete "within the city of New Orleans"



AMENDMENT NO. 4

On page 3, line 22, delete "in the city of New Orleans"

On motion of Senator Ullo, 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. 1389— (Substitute for House Bill No. 1288 by Representative Gray)**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. 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.

**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. 1—**

BY SENATORS MCPHERSON, ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, SCHEDLER AND SMITH AND REPRESENTATIVES ALARIO, ALEXANDER, BALDONE, BAUDOIN, BOWLER, BRUNEAU, BURNS, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, MONTGOMERY, SCHNEIDER, T. POWELL, RITCHIE, ROMERO, STRAIN AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) and Article VI, Section 21(B) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property for use by or transfer to any private person or entity under certain circumstances; to provide for the definition of "public purposes"; to provide concerning the sale of expropriated property; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE BILL NO. 655—**

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

AN ACT

To amend and reenact R.S. 30: 82(6), 89.1 and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, judgments, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; and to provide for related matters.

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

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 655 by Senator Adley

AMENDMENT NO. 1

On page 5, line 19, following "interest" and before "bearing" insert ":",

AMENDMENT NO. 2

On page 7, line 28, following "with" and before "sites" change "oil field" to "oilfield"

AMENDMENT NO. 3

On page 8, line 9, following "Administrative" and before "Act" change "Procedures" to "Procedure"

AMENDMENT NO. 4

On page 11, line 23, following "Procedure." and before "department" change "Such" to "The"

AMENDMENT NO. 5

On page 11, line 26, following "the" and before "from" change "departments" to "department"

AMENDMENT NO. 6

On page 12, line 20, following "the" and before "." change "departments" to "department"

AMENDMENT NO. 7

On page 13, line 6, following "the" and before "." change "departments" to "department"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 655 by Senator Adley

AMENDMENT NO. 1

On page 14, line 24, change "Section" to "Act"

AMENDMENT NO. 2

On page 14, line 25, after "Act." delete the remainder of the line and delete line 26 in its entirety and insert in lieu thereof the following: "Section 3. The provisions of Section 1 of this Act shall not apply to any case in which the court on or before March 27, 2006, has issued or signed an order setting the case for trial, regardless of whether such trial setting is continued. However, any party or parties who filed such a judicial demand shall have the right to have such litigation governed by all the provisions of R.S. 30:29 and 29.1 by filing with the court in which such litigation has been filed a notice of the exercise of such right within sixty days of the effective date of this Act."

AMENDMENT NO. 3

On page 14, line 27, change "Section 3." to "Section 4."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn

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Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 31		

NAYS

Marionneaux  
Total - 1

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in 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. 750— (Substitute of Senate Bill No.638 by Senator Hines)**  
BY SENATORS HINES AND CHAISSON  
AN ACT

To enact R.S. 18:1505.2(S) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

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

**House Concurrent Resolutions on Second Reading Reported by Committees**

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

**HOUSE CONCURRENT RESOLUTION NO. 29—**  
BY REPRESENTATIVE ODINET  
A CONCURRENT RESOLUTION

To suspend until sixty days after the final adjournment of the 2007 Regular Session of the Legislature of Louisiana, the provisions of R.S. 56:433(B)(1) and (C) insofar as they specify a date for closure of the oyster harvest on the public seed grounds and to authorize the Wildlife and Fisheries Commission to open oyster harvest season in those parts of the coast where there are sufficient quantities of oysters available for harvest.

Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 65—**  
BY REPRESENTATIVES GARY SMITH AND SCHNEIDER  
A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections, office of state police, in conjunction with the Louisiana Highway Safety Commission to conduct a public awareness campaign informing the public that the left lane on multilane highways is for passing and to request state police to impose penalties for violations as provided by law.

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 77—**  
BY REPRESENTATIVES FANNIN, ALEXANDER, BADON, BARROW, CRANE, CROWE, DOWNS, GREENE, HONEY, M. POWELL, T. POWELL, TRAHAN, WALKER, AND WALSWORTH AND SENATORS DARDENNE, MOUNT, AND THEUNISSEN  
A CONCURRENT RESOLUTION

To urge and request the High School Redesign Commission to consider and include in its recommendations the role and importance of vocational education programs in preparing high school students to pursue postsecondary education, industry-based training or certification, an apprenticeship, the military, or immediate entrance into a career field.

Reported favorably by the Committee on Education.

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

**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

Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 80—**  
BY REPRESENTATIVE JEFFERSON  
A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study technology and strategies that are available and might be used to establish an integrated system of water management and hurricane protection in south Louisiana and to report its findings to the House and Senate Committees on Transportation, Highways and Public Works and to the Legislature of Louisiana prior to the 2008 Regular Session.

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 132—**  
BY REPRESENTATIVE KATZ  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs indicating the location of Antique Alley in West Monroe and to facilitate the erection of the

Monroe Garden Club welcome sign.

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

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

**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
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
(Substitute for House Concurrent Resolution  
No. 103 by Representative Greene)

BY REPRESENTATIVE GREENE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of incorporating into its five-year strategic plan a plan for the improvement of the appearance of state highways.

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

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

**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
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

May 30, 2006

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

HOUSE CONCURRENT RESOLUTION NO. 223—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study the feasibility of the implementation by such management boards of an alternative leave program for unclassified and academic personnel employed in postsecondary education institutions under the respective jurisdiction of each board as an option to the sick and annual leave that is currently provided to such employees pursuant to state law 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.

Reported favorably by the Committee on Education.

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

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
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

HOUSE CONCURRENT RESOLUTION NO. 228—

BY REPRESENTATIVE GRAY AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services, office of community services, and the Department of Education to provide a plan for improved educational outcomes for students in foster care.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 1206—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To require the mayors of certain municipalities within the territorial boundaries of certain airport authorities to be members of the boards of commissioners of such airport authorities; and to provide for related matters.

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

HOUSE BILL NO. 999—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 40:600.25(C) and 600.26(D)(5), relative to the Louisiana Housing Trust Fund; to provide for the levy of fees by the Louisiana Housing Finance Agency; to provide for the deposit of the fees into the Louisiana Housing Trust Fund; and to provide for related matters.

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ARNOLD, BALDONE, BRUCE, BURNS, BURRELL, CAZAYOUX, CRAVINS, CROWE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GEYMANN, GREENE, JOHNS, KATZ, KLECKLEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MORRISH, PINAC, T. POWELL, ROMERO, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, TOOMY, TRICHE, WALSWORTH, WHITE, AND WOOTON AND SENATORS BARHAM AND CAIN

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C) and 78.1(D) and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen years; to provide relative to the electronic monitoring of offenders; 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	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

**NAYS**

Total - 0

**ABSENT**

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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.

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

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

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

**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. Senator N. Gautreaux moved the final passage of the bill.

**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
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen

Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

**NAYS**

Total - 0

**ABSENT**

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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.

**HOUSE BILL NO. 55—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

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

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

**HOUSE BILL NO. 60—**  
BY REPRESENTATIVE GRAY  
AN ACT

To enact Part IV of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:1801 through 1842 and to repeal Part III of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:1700 through 1724, relative to child custody; to create the Uniform Child Custody Jurisdiction and Enforcement Act; to provide for definitions; to provide for the application; to provide for jurisdiction; to provide for enforcement; to provide for registration; to provide for appeals; to repeal the Uniform Child Custody Jurisdiction Act; 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 to Reengrossed House Bill No. 60 by Representative Gray

AMENDMENT NO. 1

On page 1, line 7, after "jurisdiction;" insert "to provide for jurisdiction under declared emergency or disaster circumstances;"

AMENDMENT NO. 2

On page 2, line 17, after "(7)" insert "(a)"

AMENDMENT NO. 3

On page 2, between lines 22 and 23, insert the following:  
"(b) When a parent or a person acting as a parent is required to evacuate this state with a minor child because of an emergency or disaster declared under the provisions of R.S. 29:721, et seq., or declared by federal authority, and for an unforeseen reason resulting from the effects of such emergency or disaster is unable to return to this state for an extended period of time, this state shall be determined to be the home state if the child lived with his parents, a parent, or a person acting as his parent for a period of at least twelve consecutive months immediately preceding the time involved."

AMENDMENT NO. 4

On page 7, at the end of line 23, delete the period and insert the following:  
", or had been the child's home state within twelve months before commencement of the proceeding and the child is absent from

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the state because he was required to leave or was evacuated due to an emergency or disaster declared under the provisions of R.S. 29:721, et seq., or declared by federal authority, and for an unforeseen reason resulting from the effects of such emergency or disaster was unable to return to this state for an extended period of time."

AMENDMENT NO. 5

On page 8, at the end of line 7, delete the period "." and insert "; or" and add the following:

"(5) After the lapse of the six-month period required to determine a child's home state or the twelve-month period required to determine a child's home state in the event of evacuation due to a declared emergency or disaster under the provisions of R.S. 13:1813(A)(1), a custody proceeding is commenced in another state and, after a twenty-four month period following the commencement of the proceeding, there is no final custody determination. After such twenty-four month period, this state shall be designated as the home state of the child."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington McPherson
Adley Fields Michot
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Jackson Quinn
Chaisson Jones Romero
Cheek Kostelka Smith
Cravins Lentini Theunissen
Dardenne Malone Ullo
Dupre Marionneaux
Total - 32

NAYS

Total - 0

ABSENT

Barham Heitmeier Shepherd
Boasso Hollis
Duplessis Schedler
Total - 7

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

HOUSE BILL NO. 68—

BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability for the members of indigent defender boards; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot
Adley Fields Mount

Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Broome Gautreaux N Quinn
Cain Jackson Romero
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Dardenne Malone
Dupre McPherson
Total - 31

NAYS

Marionneaux
Total - 1

ABSENT

Barham Heitmeier Shepherd
Boasso Hollis
Duplessis Schedler
Total - 7

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

HOUSE BILL NO. 87—

BY REPRESENTATIVE WHITE
AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251, relative to health care of persons arrested for felony offenses; to require that hospitals notify requesting law enforcement agencies prior to discharge of a person admitted to the hospital under certain conditions; to provide for definitions; and to provide for related matters.

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

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
Broome Gautreaux N Nevers
Cain Jackson Quinn
Chaisson Jones Romero
Cheek Kostelka Smith
Cravins Lentini Theunissen
Dardenne Malone Ullo
Dupre Marionneaux
Total - 32

NAYS

Total - 0

ABSENT

Barham Heitmeier Shepherd
Boasso Hollis
Duplessis Schedler
Total - 7

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

**HOUSE BILL NO. 90—**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 625, 644(A)(5), 684(D), (E), (F), and (G), 694(B), and 704(B) and to enact Children's Code Articles 644(A)(6) and (7) and 682(B)(4), relative to the diligent search for absent parents; to provide for the responsibility of parents involved in certain juvenile court proceedings to notify the department and their counsel of their whereabouts; to provide for the duty of a curator ad hoc to give notice to parents of their responsibility to keep their whereabouts known to their counsel and the department; to provide for the duty of parents to notify the court and counsel of contact information of alternative caregivers for their child; to provide for giving notice to persons before the court of their responsibility to give contact information of the parents and alternative caregivers; to provide for duties of the department; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**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.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Dardenne and Lentini to Reengrossed House Bill No. 92 by Representative Daniel

**AMENDMENT NO. 1**

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

"Section 2. No increase in fees for civil filings or for all matters filed into a civil suit record provided for in this Act shall become effective without approval of the Judicial Council, unless the Judicial Council fails to approve or reject such increases within thirty days after the effective date of this Act."

**AMENDMENT NO. 2**

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

On motion of Senator Dardenne, the amendments were adopted.

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

**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
Broome	Gautreaux N	Nevers
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 29		

NAYS

Quinn  
Total - 1

ABSENT

Barham	Duplessis	Kostelka
Boasso	Heitmeier	Schedler
Cravins	Hollis	Shepherd
Total - 9		

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

**HOUSE BILL NO. 128—**

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Civil Code Articles 111 and 112, relative to an award of final spousal support; to require necessitous circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 154—**

BY REPRESENTATIVES STRAIN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BURRELL, CRANE, CROWE, DANIEL, DOERGE, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GREENE, HARRIS, HEATON, HONEY, KATZ, KENNEY, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JANE SMITH, TRAHAN, TUCKER, WADDELL, AND WALKER AND SENATORS BROOME, HINES, AND NEVERS

AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain students of postsecondary education institutions to provide documentation of certain immunizations; to require such institutions to provide information relative to certain immunizations to certain persons; to provide for exceptions; and to provide for related matters.

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

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passage of the bill.

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
Broome Gautreaux N Nevers
Cain Jackson Quinn
Chaisson Jones Romero
Cheek Kostelka Smith
Cravins Lentini Theunissen
Dardenne Malone Ullo
Dupre Marionneaux
Total - 32

NAYS

Total - 0

ABSENT

Barham Heitmeier Shepherd
Boasso Hollis
Duplessis Schedler
Total - 7

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

HOUSE BILL NO. 170— BY REPRESENTATIVES WHITE AND KATZ AN ACT

To amend and reenact R.S. 15:708(A)(1), (2), (3)(a), and (5), to enact R.S. 15:708(G) and (H), and to repeal R.S. 15:708(A)(3)(c), relative to labor by inmates at workday release programs; to provide an exception for the requirement that inmates remain under the custody and control of the sheriff in cases where the parish or municipal authorities assume the responsibility for the custody and control of participating prisoners for particular parish or municipal projects while the prisoners are outside of prison facilities; to provide for immunity for sheriffs and their employees for injuries or damages caused or suffered by prisoners participating in any work program during incarceration at parish jail facilities; to provide for applicability; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot
Adley Fields Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Broome Gautreaux N Quinn
Cain Jackson Romero
Chaisson Jones Smith
Cheek Lentini Theunissen
Cravins Malone Ullo
Dardenne Marionneaux
Dupre McPherson
Total - 31

NAYS

Total - 0

ABSENT

Barham Heitmeier Schedler
Boasso Hollis Shepherd
Duplessis Kostelka
Total - 8

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

HOUSE BILL NO. 175— BY REPRESENTATIVE BADON AN ACT

To amend and reenact R.S. 17:421.6(C), relative to salary adjustments for certain persons holding certificates issued by the National Board for Professional Teaching Standards; to provide conditions for receiving the adjustment; and to provide for related matters.

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

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
Broome Gautreaux N Murray
Cain Heitmeier Nevers
Chaisson Jackson Quinn
Cheek Jones Romero
Cravins Kostelka Smith
Dardenne Lentini Theunissen
Dupre Malone Ullo
Total - 33

NAYS

Total - 0

ABSENT

Barham Duplessis Schedler
Boasso Hollis Shepherd
Total - 6

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.

HOUSE BILL NO. 180— BY REPRESENTATIVE BRUNEAU AN ACT

To enact Code of Civil Procedure Article 1913(E), relative to notice of judgment; to provide for notice of judgment in open court under certain circumstances; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington McPherson
Adley Fields Michot



Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Barham	Heitmeier	Shepherd
Boasso	Hollis	
Duplessis	Schedler	
Total - 7		

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

**HOUSE BILL NO. 190—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

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

**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
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Chaisson	Jackson	Quinn
Cheek	Jones	Romero
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Barham	Duplessis	Schedler
Boasso	Hollis	Shepherd
Total - 6		

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

**HOUSE BILL NO. 317—**  
BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 13:2106(C), relative to the clerks of court in St. Tammany Parish; to specify some organizations to whom the clerk of the city court of Slidell shall remit funds collected

to provide shelter for battered and homeless women and their children; to specify the organizations to whom the clerk of the Twenty-Second Judicial District Court in St. Tammany Parish shall remit funds collected to provide shelter for battered and homeless women and their children; and to provide for related matters.

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

**HOUSE BILL NO. 322—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Article 196 and Code of Civil Procedure Article 1061(B) and Children's Code Article 116(17) and R.S. 9:392(A)(introductory paragraph) and (7), 396(A)(1)(introductory paragraph), (B)(1), and (C)(1), 398.2(A)(1), and 400(A)(4), R.S. 40:34(B)(1)(h)(i), and R.S. 46:121(3)(b), to enact R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:401 through 406, and to repeal R.S. 9:305, 395.1, 400(A)(2), and 400.1, relative to the filiation of parents and children; to provide changes in terminology; to provide for exceptions to compulsory reconventional demands; to provide for contestation and disavowal of paternity actions; to provide for the effect of contestation and disavowal judgments on child support, custody, and visitation orders; to provide for an acknowledgment of paternity; to provide for blood tests; to provide for the suspension of prescription for disavowal action; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Kostelka sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 322 by Representative Ansardi

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 24, 2006.

AMENDMENT NO. 2

On page 1, line 22, after "Except" insert "as otherwise provided in custody, visitation and child support cases."

AMENDMENT NO. 3

On page 3, line 23, after "support" and before "and" insert ", custody."

AMENDMENT NO. 4

On page 7, delete lines 9 through 11 and insert:  
"In child support, custody, and visitation cases, the acknowledgment of paternity by authentic act is deemed to be a legal finding of paternity and is sufficient to establish an obligation to support the child and to establish visitation without the necessity of obtaining a judgment of paternity."

On motion of Senator Kostelka, the amendments were adopted.

The bill was read by title. Senator Kostelka 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

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Amedee	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Boasso	Fields	Schedler
Duplessis	Hollis	Shepherd
Total - 6		

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

**HOUSE BILL NO. 371—**  
BY REPRESENTATIVE DAMICO AND SENATORS CHEEK, FONTENOT, MALONE, AND ULLO

AN ACT

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

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

**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	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Shepherd
Duplessis	Schedler	
Total - 5		

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

**HOUSE BILL NO. 403—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To repeal R.S. 39:1405.1(B), relative to fees to defray expenses of the State Bond Commission; to repeal the authorization to rebate excess fees collected by the State Bond Commission.

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

**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	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Shepherd
Duplessis	Schedler	
Total - 5		

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

**HOUSE BILL NO. 414—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot

Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Shepherd
Duplessis	Kostelka	
Fields	Schedler	
Total - 7		

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

**HOUSE BILL NO. 511—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Schedler
Duplessis	Kostelka	Shepherd
Fields	Marionneaux	
Total - 8		

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

**HOUSE BILL NO. 594—**  
BY REPRESENTATIVES GREENE AND ANSARDI  
AN ACT

To amend and reenact Civil Code Article 466, relative to component parts of immovable property; to provide relative to buildings and other constructions; 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

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Shepherd
Duplessis	Schedler	
Total - 5		

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.

**Senator Michot in the Chair**

**HOUSE BILL NO. 654—**  
BY REPRESENTATIVES DOERGE AND RICHMOND  
AN ACT

To enact Children's Code Articles 1024.1 and 1036.2, relative to the involuntary termination of parental rights; to provide for the payment of transportation costs; to require the incarcerated parent to provide a reasonable plan for the appropriate care of his child; to require the Department of Social Services to notify the incarcerated parent of his duty; to provide time limitations; to provide for the assessment of the plan; to provide a standard notification form; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Jackson	Romero
Chaisson	Lentini	Smith
Cheek	Malone	Theunissen
Dardenne	Marionneaux	Ullo

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Dupre  
Total - 29  
  
Total - 0

McPherson  
  
NAYS  
  
ABSENT

Barham  
Boasso  
Cravins  
Duplessis  
Total - 10

Fields  
Hollis  
Jones  
Kostelka

Schedler  
Shepherd

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

**HOUSE BILL NO. 661—**  
BY REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To amend and reenact R.S. 39:1482(K), relative to professional, personal, consulting, and social services procurement; to exempt certain contracts with a higher education entity from procurement requirements; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneau
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo

Total - 30

NAYS

Total - 0

ABSENT

Boasso	Hollis	Quinn
Duplessis	Jones	Schedler
Fields	Kostelka	Shepherd

Total - 9

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

**HOUSE BILL NO. 733—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to provide for review by the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneau
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Broome	Jackson	Nevers
Cain	Jones	Romero
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo

Total - 30

NAYS

Total - 0

ABSENT

Boasso	Gautreaux B	Quinn
Duplessis	Heitmeier	Schedler
Fields	Hollis	Shepherd

Total - 9

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

**HOUSE BILL NO. 765—**  
BY REPRESENTATIVE CRAVINS  
AN ACT

To amend and reenact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneau
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo

Total - 30

NAYS

Total - 0

ABSENT

Boasso	Heitmeier	Quinn
Duplessis	Hollis	Schedler
Fields	Kostelka	Shepherd

Total - 9

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

**HOUSE BILL NO. 777—**  
BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 603(18), 619(A), (B), and (C), 620(B) and (C), 621, 622, 624(G), and 627(A) and (B), to enact Children's Code Articles 603(19) and 627(F), and to repeal Children's Code Article 624(H), relative to children in need of care; to provide for the definitions for the removal and safety plan for children in need of care; to provide with respect to instant orders of custody; to provide for placement of the child pending a continued custody hearing; to provide for the safety plan of a child in need of care; to provide for persons who seek to become custodians of the child; to provide for the custody hearing and custody orders; and to provide for related matters

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Dupre	McPherson
Amedee	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Jackson	Nevers
Cain	Jones	Romero
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Boasso	Fields	Quinn
Duplessis	Heitmeier	Schedler
Ellington	Hollis	Shepherd
Total - 9		

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

**HOUSE BILL NO. 857—**

BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, R. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, MARTINY, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WALSWORTH, AND WOOTON

AN ACT

To enact R.S. 15:542(B)(7), relative to registration requirements for sex offenders; to require sex offenders to register with local law enforcement officials when a sex offender has established a residence in a new parish for a certain period of time; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Boasso	Hollis	Shepherd
Duplessis	Kostelka	
Fields	Schedler	
Total - 7		

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

**HOUSE BILL NO. 870—**

BY REPRESENTATIVES DAMICO AND SALTER  
AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Broome	Jackson	Romero
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Marionneaux	
Dardenne	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Boasso	Gautreaux N	Schedler
Duplessis	Hollis	Shepherd
Fields	Malone	
Total - 8		

The Chair declared the bill was passed. The title was read and

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adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 873—**

BY REPRESENTATIVES CAZAYOUX, BURRELL, DORSEY, FAUCHEUX, GLOVER, M. POWELL, SCALISE, AND WHITE  
AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 29:726(E)(14)(c), (d), (e), and (f), relative to functions of the Governor's Office of Emergency Preparedness and Homeland Security; to prohibit registered sexual offenders from being housed with other evacuees during a declared state of emergency or after a declared state of emergency; to provide relative to the sheltering of registered sexual offenders; to require each shelter to notify law enforcement of any evacuee being housed who is a registered sex offender; to provide immunity from liability; to require the Louisiana Bureau of Criminal Identification and Information to provide a copy of the central registry of sex offenders to each emergency shelter opened or operating in the state of Louisiana in certain emergencies; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 32

**NAYS**

Total - 0

**ABSENT**

Boasso	Hollis	Shepherd
Duplessis	Kostelka	
Fields	Schedler	

Total - 7

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

**HOUSE BILL NO. 876—**

BY REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

The bill was read by title. Senator Dupre 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	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 33

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Schedler
Duplessis	Hollis	Shepherd

Total - 6

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

**HOUSE BILL NO. 892—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To enact R.S. 9:2800.16, relative to public liability; to provide for government immunity of the state and other political subdivisions during and in the aftermath of Hurricanes Katrina and Rita; to provide for limitation of liability for the state and other governmental subdivisions and its agents and assigns arising out of decisions made, and in its operational activities, in the reopening, rebuilding, and resuming of operations following Hurricanes Katrina and Rita; to prohibit certain causes of action against school districts and the Recovery School District; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 33

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Schedler
Duplessis	Hollis	Shepherd

Total - 6

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

**HOUSE BILL NO. 904—**

BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact Children's Code Article 1169(3) and (5), relative to adoption; to provide for the definition of child; to provide that a child is a person under the age of eighteen for purposes of adoption; to provide for a citation correction; and to provide for related matters.

The bill was read by title. Senator Lentini 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	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 33

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Schedler
Duplessis	Hollis	Shepherd

Total - 6

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

**HOUSE BILL NO. 907—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 17:3803(B)(1) and (2) and (E), R.S. 39:98.2(A) and (D), and R.S. 49:327(B)(1) and (2), relative to the investment authority of the state treasurer; to provide for the investment and management of offshore revenues; to provide for the investment and management of monies in the Millennium Trust; to provide for the investment and management of the state general fund and other funds under the control of the state treasurer; and to provide for related matters.

The bill was read by title. Senator Jackson 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	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen

Dardenne	Malone	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Schedler
Duplessis	Hollis	Shepherd
Total - 6		

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

**HOUSE BILL NO. 960—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact Part VII-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.1, relative to the selection of professional services for public contracts; to prohibit the selection of providers of design professional services based on price; to provide for contracts for design professional services entered into where price or price-related factors were a factor in selection; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 960 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, line 18, after "is" change "the sole" to "a"

On motion of Senator Ellington, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 960 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, line 20, change "R.S. 48:250.2 et seq." to "Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950 relating to the authority for the Department of Transportation and development to enter into design-build contracts and the authority of the Louisiana Transportation Authority to enter into public-private partnership contracts, R.S. 29:42 relating to the authority of the Military Department to enter into design-build contracts, or R.S. 38:85 relating to the authority for certain political"

**AMENDMENT NO. 2**

On page 1, delete line 21

On motion of Senator Ellington, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 31

NAYS

Total - 0

ABSENT

Boasso	Duplessis	Schedler
Chaisson	Fields	Shepherd
Cravins	Hollis	

Total - 8

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

**HOUSE BILL NO. 983—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 15:551, relative to the monitoring, apprehension, arrest, and prosecution of sex offenders; to create the Sexual Offender Apprehension Team; to provide for the activities of the sexual predator apprehension team; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Boasso	Duplessis	Shepherd
Cravins	Fields	

Total - 5

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

**HOUSE BILL NO. 992—**

BY REPRESENTATIVES MARCHAND, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, AND WOOTON

AN ACT

To enact R.S. 19:2.3, relative to expropriation; to prohibit expropriation for certain purposes; to provide for exceptions; to provide for the return of unused expropriated property; to provide for applicability; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Murray sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Reengrossed House Bill No. 992 by Representative Marchand

**AMENDMENT NO. 1**

On page 2, at the end of line 14, insert the following:

"This Subsection shall not apply to property expropriated by the Department of Transportation and Development or the Louisiana Transportation Authority."

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Boasso	Duplessis	Fontenot
Cravins	Fields	Shepherd

Total - 6

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

**HOUSE BILL NO. 1030—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 15:1303(D) and to enact R.S. 15:1303(C)(7) and (E), relative to electronic surveillance; to authorize a law enforcement officer or investigator to intercept,



conduct, use, or disclose electronic, wire, or oral communications obtained during certain circumstances; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields
Duplessis	Shepherd
Total - 4	

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

**HOUSE BILL NO. 1081—**  
BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 40:2267.3(D) and 2267.5, relative to the Acadiana Criminalistics Laboratory District and Commission; to provide for the membership; to provide for costs; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Shepherd
Duplessis	Kostelka	
Total - 5		

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

**HOUSE BILL NO. 1097—**  
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALEXANDER,  
CRAVINS, JOHNS, ROBIDEAUX, AND WALKER  
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability; to provide immunity for the use of force or violence in certain circumstances; to provide for attorney fees; to provide for costs and expenses; and to provide for related matters.

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

**Mr. President in the Chair**

**HOUSE BILL NO. 1129—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To enact R.S. 56:1705, relative to state funds; to establish the Poverty Point Reservoir Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Nevers sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 1129 by Representative Thompson

**AMENDMENT NO. 1**  
On page 1, line 2 after "56:1705" insert "and 1706"

**AMENDMENT NO. 2**  
On page 1, line 4 after "fund;" insert "to establish the Audubon Golf Trail Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund;"

**AMENDMENT NO. 3**  
On page 1, delete line 6 and insert "Section 1. R.S. 56:1705 and 1706 are hereby enacted to read as follows:"

**AMENDMENT NO. 4**  
On page 2, between lines 2 and 3 insert the following:  
"§1706. Audubon Golf Trail Development Fund  
A. The Audubon Golf Trail Development Fund, hereinafter referred to as the "fund", is hereby established as a special fund within the state treasury.

B. After satisfaction of the requirements of Article VII, Section 9(B) of the Constitution of Louisiana with respect to the Bond Security and Redemption Fund, the state treasurer shall each year deposit in and credit to the fund an amount equal to the total fees and self-generated revenues collected in that year from activities of the Audubon Golf Trail. Monies in the fund may be appropriated for support of the Audubon Golf Trail. Any unexpended or unencumbered monies on deposit in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested in the same manner as those in the state general fund and interest earned on such investment shall be deposited in and credited to the state general fund."

On motion of Senator Nevers, the amendments were adopted.

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

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**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	McPherson
Adley	Ellington	Mount
Amedee	Gautreaux B	Murray
Bajoie	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Marionneaux	
Total - 28		

**NAYS**

Fontenot	Quinn
Malone	Smith
Total - 4	

**ABSENT**

Barham	Fields	Shepherd
Boasso	Gautreaux N	
Duplessis	Michot	
Total - 7		

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

**HOUSE BILL NO. 1130—**

BY REPRESENTATIVES RICHMOND, ARNOLD, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, FANNIN, FRITH, GALLOT, GLOVER, GRAY, HEBERT, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFONTA, MARCHAND, MCDONALD, MORRELL, PIERRE, QUEZAIRE, RITCHIE, ROMERO, ST. GERMAIN, AND THOMPSON

**AN ACT**

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.101 through 9039.112, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 1367— (Substitute for House Bill No. 618 by Representative Martiny)**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph) and (7)(a), relative to the Video Draw Poker Devices Control Law; to provide for the determination of the number of video draw poker devices operated at truck stops based upon average annual fuel sales; to provide for the operation of twenty-five video draw poker devices at new truck stop facilities for ninety days without average fuel sale requirements; to provide for average monthly fuel sales determinations followed by annual average fuel sale determinations after twelve months of operation; and to provide for related matters.

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

**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. Senator Cravins moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Boasso	Fields	Shepherd
Duplessis	Quinn	
Total - 5		

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

**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. Senator Quinn moved the final passage of the bill.

**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
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36

**NAYS**

Total - 0

**ABSENT**

Boasso	Duplessis	Shepherd
Total - 3		

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

**HOUSE BILL NO. 1385— (Substitute for House Bill No. 567 by Representative Toomy)**

BY REPRESENTATIVES TOOMY AND ANSARDI  
AN ACT

To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

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

**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
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36

**NAYS**

Total - 0

**ABSENT**

Boasso	Duplessis	Shepherd
Total - 3		

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

**Rules Suspended**

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

**Senate Bills and Joint Resolutions on Third Reading and Final Passage, 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 Fontenot asked that Senate Bill No. 607 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 607—**

BY SENATORS FONTENOT, ADLEY, BOASSO, CRAVINS, DARDENNE, N. GAUTREAUX, HOLLIS AND QUINN AND REPRESENTATIVES HEBERT, RICHMOND, JACK SMITH AND TRICHE  
AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies; and to provide for related matters.

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

**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
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36

**NAYS**

Total - 0

**ABSENT**

Boasso	Duplessis	Shepherd
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which

May 30, 2006

the bill was passed and laid the motion on the table.

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 Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 107— BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES GEYMANN, E. GUILLORY, JOHNS, KLECKLEY AND MORRISH A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the process to replace the Interstate 10 Calcasieu River Bridge and its approaches and to request law enforcement officials to strictly enforce the speed limit and lane usage by motorists on the bridge.

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

Senate Concurrent Resolutions on Second Reading, Subject to Call

The following Senate Concurrent Resolutions, subject to call, were read and acted upon as follows:

Called from the Calendar

Senator McPherson asked that Senate Concurrent Resolution No. 104 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 104— BY SENATOR MCPHERSON A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to continue the panel of healthcare information technology and fiscal experts who were first convened in July, 2005 at the e-Health Information Summit meeting for the purpose of identifying and recommending a method for funding investments in health information technology in both public and private healthcare provider facilities, and to direct the panel to develop recommendations to encourage medical professionals to adopt health information technology in the delivery of publicly and privately funded health care services.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 30, 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. 241— BY REPRESENTATIVE FRITH A CONCURRENT RESOLUTION

To commend Lanminh Pham upon being selected as the Spring 2006 Outstanding Graduate at the University of Louisiana at Lafayette.

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. 241— BY REPRESENTATIVE FRITH A CONCURRENT RESOLUTION

To commend Lanminh Pham upon being selected as the Spring 2006 Outstanding Graduate at the University of Louisiana at Lafayette.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists Boasso, Duplessis, Shepherd. Total - 3.

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

JUDICIARY A

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

May 30, 2006

To the President and Members of the Senate:

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

following report:

**SENATE BILL NO. 81—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 13:3662(H)(1), relative to conducting telephone hearings; to provide that law enforcement officers may appear in hearings by telephone, video conference, or similar communication equipment if agreed upon by the parties; and to provide for related matters.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 206—**  
BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY  
A JOINT RESOLUTION

Proposing to amend Article V, Section 15(A) of the Constitution of Louisiana, to authorize the legislature by law to establish new judgeships for district courts with the new division having limited or specialized jurisdiction within the territorial jurisdiction of the district court and subject matter jurisdiction over family or juvenile matters as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 228—**  
BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Bunkie; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 229—**  
BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Marksville; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 291—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

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

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 422—**  
BY REPRESENTATIVES TOOMY AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843, relative to city court jurisdiction; to reorganize and clarify Code of Civil Procedure Article 4843; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 453—**  
BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER  
AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 539—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 9:315.7(D) and (E), relative to the calculation of child support; to provide for deductions from the basic child support obligation; to provide relative to certain social security benefits; to provide relative to arrearages in child support obligations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1219—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 35:131 through 133, 191(C)(1) and (2) and (E), and 191.1 and to enact R.S. 35:191(V), relative to notaries public; to authorize the secretary of state to grant leaves of absence for notaries; to provide for the application, qualification, and administration process for taking the notary examination; to provide for certain fees; to provide for the continued exercise of notarial functions by notaries displaced by Hurricane Katrina or Rita; to provide for the development of uniform statewide examination standards; to provide for regional testing centers; and to provide for related matters.

Reported favorably.

May 30, 2006

**HOUSE BILL NO. 1222—**

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; to provide for exceptions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1223—**

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 35:71(A)(1) and (E) and to enact R.S. 35:191(A)(3), relative to notaries public; to provide relative to the suspension of a notarial commission and the removal of certain penalties; to provide for the definitions of "valid notarial commission" and "validly appointed notary public"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1359—**

BY REPRESENTATIVES STRAIN AND DURAND  
AN ACT

To enact R.S. 9:2793.5; relative to civil liability of nonprofit organizations; to provide a limitation of liability for the Louisiana Girl Scout Councils; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1379— (Substitute for House Bill No. 860 by Representative Alexander)**

BY REPRESENTATIVES ALEXANDER, ANSARDI, BEARD, BRUCE, CRANE, CROWE, DORSEY, ERDEY, FRITH, E. GUILLORY, KENNEY, LABRUZZO, MONTGOMERY, MORRISH, PIERRE, T. POWELL, ROMERO, SCALISE, SMILEY, JANE SMITH, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, CAIN, KOSTELKA, MICHOT, NEVERS, QUINN, SMITH, AND THEUNISSEN  
AN ACT

To amend and reenact Civil Code Articles 102 and 103(1) and Code of Civil Procedure Articles 3952, 3953(introductory paragraph) and (1) and (2) and 3956(introductory paragraph) and (5) and R.S.13:3491(A)(introductory paragraph) and (5)(a) and (B) and 3492(A)(introductory paragraph) and (6)(b) and (B) and to enact Civil Code Article 103.1, relative to divorce; to provide for the granting of divorce when there are minor children of the marriage; to provide for nullity of judgments; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1381— (Substitute for House Bill No. 421 by Representative Burrell)**

BY REPRESENTATIVES BURRELL, ALARIO, ALEXANDER, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, K. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, MARTINY, MCDONALD, MCVEA, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WHITE  
AN ACT

To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to create the crime of prohibited sales of computer or video games to minors; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI,  
Chairman

**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 30, 2006

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 101—**

BY SENATOR DUPRE  
A CONCURRENT RESOLUTION

To urge and request the office of group benefits to conduct a second phase of study for gastric bypass surgery.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

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

May 26, 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 Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 75—**

BY SENATOR JACKSON  
A RESOLUTION

To proclaim Wednesday, May 17, 2006, as "Capital One Associates Political Fund Day" in the Louisiana Senate.

**SENATE RESOLUTION NO. 76—**

BY SENATOR BAJOEI  
A RESOLUTION

To commend and congratulate Elanie Roberts for her heroic efforts during Hurricane Katrina.

**SENATE RESOLUTION NO. 77—**

BY SENATOR ADLEY  
A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 26, 2006, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

SENATE RESOLUTION NO. 79—  
BY SENATOR MOUNT

A RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal Affairs to study the fiscal impact of exclusion from state individual income taxes gross income from royalties attributed to certain creative or intellectual efforts or activities.

SENATE RESOLUTION NO. 81—  
BY SENATORS FIELDS AND BROOME

A RESOLUTION

To commend Southern University Laboratory School girls' track Coach Rebecca Marshall for her outstanding accomplishments.

SENATE RESOLUTION NO. 82—  
BY SENATORS FIELDS AND BROOME

A RESOLUTION

To commend Southern University Laboratory School girls' track and field team for their outstanding accomplishments.

SENATE RESOLUTION NO. 80—  
BY SENATORS JACKSON AND DUPLESSIS

A RESOLUTION

To commend and congratulate Willie Spears on his much deserved retirement.

SENATE RESOLUTION NO. 83—  
BY SENATOR BROOME

A RESOLUTION

To proclaim May 24, 2006, as Junior League Day at the Louisiana Senate.

SENATE RESOLUTION NO. 87—  
BY SENATORS THEUNISSEN AND MICHOT

A RESOLUTION

To declare May 24, 2006 as "Louisiana Chemical Industry Day."

SENATE RESOLUTION NO. 88—  
BY SENATOR N. GAUTREAU

A RESOLUTION

To declare and recognize June 1, 2006, as Day of Prayer in Louisiana and to encourage statewide participation in observance of this day.

SENATE RESOLUTION NO. 84—  
BY SENATORS NEVERS, 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, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To declare June 20, 2006 through June 23, 2006 as "Apprenticeship and Training Week" in recognition of the outstanding contribution of quality apprenticeship training in this state.

SENATE RESOLUTION NO. 85—  
BY SENATOR B. GAUTREAU

A RESOLUTION

To commend Hector Mario Ruiz, M.D., for over fifty years of dedication to the medical profession and to celebrate his exemplary service to the community and the state of Louisiana.

SENATE RESOLUTION NO. 86—  
BY SENATOR DARDENNE

A RESOLUTION

To commend George Kirby Reech on his patriotism and his outstanding leadership as Vice President General of the National Society of the Sons of the American Revolution.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

Message to the Secretary of State

SIGNED  
SENATE CONCURRENT RESOLUTIONS

May 26, 2006

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 15—  
BY SENATOR JONES

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and location of regional records centers outside of the State Archives Building and a records recovery complex to provide for storage and back up storage for Louisiana's clerks of court, registrars of voters, assessors and the secretary of state's office.

SENATE CONCURRENT RESOLUTION NO. 18—  
BY SENATORS NEVERS AND HINES AND REPRESENTATIVE RITCHIE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consider pay increases for school support personnel.

SENATE CONCURRENT RESOLUTION NO. 98—  
BY SENATORS DARDENNE, BROOME AND FIELDS AND REPRESENTATIVES CRANE, DANIEL AND DORSEY

A CONCURRENT RESOLUTION

To commend the Louisiana State University Laboratory School on being ranked in the top five percent of public schools in the United States.

SENATE CONCURRENT RESOLUTION NO. 3—  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue the Bayou Boeuf Advisory Committee and to require the advisory committee to study and make proposals to the Senate and House committees on transportation, highways and public works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

SENATE CONCURRENT RESOLUTION NO. 14—  
BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct state agencies to provide to the division of archives, records management, and history of the Department of State all locations where their public records are stored and to direct such division to work in cooperation with the Louisiana Geographical Information Center to develop mapping relative to such locations.

SENATE CONCURRENT RESOLUTION NO. 17—  
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To direct law enforcement agencies within the metropolitan New Orleans area that seized firearms lawfully in the possession of citizens during the hurricane to develop and implement a plan for the return of such firearms to the owners.

May 30, 2006

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR CAIN AND REPRESENTATIVES KENNEY AND KATZ
A CONCURRENT RESOLUTION
To memorialize the United States Senate to take such actions as are necessary to pass the proposed constitutional amendment banning the desecration of the United States flag.

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION
To direct the Department of Health and Hospitals to study and report on the state's preparations for and readiness to handle a pandemic of avian influenza.

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR JONES
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to establish a special committee to research, study and make recommendations regarding the update, revision, and recodification of all of Louisiana's criminal or penal statutes and penalties into one comprehensive Criminal Code.

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATOR HOLLIS
A CONCURRENT RESOLUTION
To urge and request the governor to dedicate \$100 million of the recently recognized revenue surplus towards the reconstruction of the state's levee system.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR B. GAUTREAU AND REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION
To commend and congratulate Dow Chemical on fifty years of productivity in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 96—
BY SENATORS MALONE AND N. GAUTREAU
A CONCURRENT RESOLUTION
To recognize May 20, 2006, through May 26, 2006, as Louisiana Safe Boating Week and to commend the efforts of the Department of Wildlife and Fisheries, law enforcement division.

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATOR HINES
A CONCURRENT RESOLUTION
To recognize Wednesday, May 24, 2006, as Tourism Awareness Day.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR BOASSO AND REPRESENTATIVES HUTTER AND ODINET
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to reconsider the decision to exclude Plaquemines Parish from the federal plan to invest \$2.5 billion for levee re-enhancement in south Louisiana.

SENATE CONCURRENT RESOLUTION NO. 90—
BY SENATORS MARIONNEAU AND MALONE
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Lynda Kay Walther-Jones, devoted mother, daughter, and educator.

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR QUINN
A CONCURRENT RESOLUTION
To commend the group Levees.org for their efforts and activities on behalf of the state of Louisiana to raise public awareness concerning the U.S. Army Corps of Engineers and the federal government's role and responsibility in the devastation of the New Orleans metro area.

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR ULLO AND REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To express the support of the Louisiana Legislature for the shrimp industry and for the "Bonne Crevette" marketing campaign to promote Louisiana wild-caught shrimp.

SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR MOUNT AND REPRESENTATIVE JOHNS
A CONCURRENT RESOLUTION
To commend and to congratulate Kathy Bonsall of Sulphur High School on receipt of the Presidential Award for Excellence in Mathematics and Science Teaching for 2005 and to recognize her contributions to education and the teaching profession.

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR JONES AND REPRESENTATIVES HAMMETT, HUNTER AND THOMPSON
A CONCURRENT RESOLUTION
To commend and congratulate Irene Velma King upon the occasion of her one hundredth birthday.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were presented to the Secretary of State by the Secretary.

Message to the Governor

SIGNED SENATE BILLS

May 26, 2006

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 146—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 56:116.4(A)(3), to provide relative to turkey hunting; to provide for the method of taking turkeys; to provide relative to certain exceptions; to provide relative to certain distance requirements; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Boasso 1 Day Duplessis 1 Day
Shepherd 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 31, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 31, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk