

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

FORTY-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

Thursday, June 15, 2006

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

ROLL CALL

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

PRESENT

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

ABSENT

Total - 0

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

Prayer

The prayer was offered by Reverend James Smith, 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 Barham, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

June 14, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 229 by Senator Dardenne:

Representatives Pitre, Pierre and Dove.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 14, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 451 by Senator Broome:

Representatives Jackson, Durand and Morrish.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 14, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 583 by Senator Fontenot:

Representatives Damico, Wooton and Martiny.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 15, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 747— (Substitute of Senate Bill No. 602 by Senator Murray)

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9108(D) and to enact R.S. 33:9106.2 and 9108(E), relative to the Orleans Parish Communication District; to authorize a fixed rate for emergency telephone service charges; to provide for the services for which the 9-1-1 charges are applicable; to provide for a termination date of the fixed rate emergency telephone service charge; to provide relative to limiting liability of the district; and to provide for related matters.

Reported without amendments.

June 15, 2006

SENATE BILL NO. 340—
BY SENATOR CAIN AND REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 14:91.11(A)(1) and (2), (B), and (D) and to enact R.S. 14:91.11(A)(4), and (5), and (E), 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 provide that the provisions apply to persons under the age of eighteen years; to require identification prior to selling materials harmful to minors; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 662—
BY SENATOR MICHOT AND REPRESENTATIVE DURAND
AN ACT

To enact Chapter 30 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2101 and 2102, relative to immersive technologies; to create the Louisiana Immersive Technologies Enterprise Commission; to provide for the membership of the commission; to provide for the powers, duties, functions, and responsibilities of the commission; to authorize issuance of bonds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 471—
BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 20:1(A)(2) and (D) and to enact R.S. 13:3881(A)(7), relative to property exempt from seizure; to provide for insurance proceeds; to require that insurance proceeds issued to replace property exempt from seizure also be exempt from seizure; to provide for the homestead exemption from seizure and sale; to provide for an extension of such exemption to proceeds from any property insurance policy under certain natural disasters; to provide relative to the accounting for such proceeds; to provide relative to the value of such exemption; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 503—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 39:1496.1(A) and (E)(1)(a) and (b), relative to performance-based energy efficiency contracts; to provide for the adoption of rules and regulations relative to such contracts; to provide for the review process for such contracts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 554—
BY SENATOR ULLO AND REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 8:1(8), (9), (20), and (35), and 76(A), and 659(A)(1); relative to cemeteries; to provide for the sale and transfer of cemetery authority; to provide for cemetery activities by a limited liability company; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 575—
BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 49:257(B), (C), (D), (E) and (F) and to enact R.S. 49:257(G), relative to legal representation of certain state agencies; to provide for requiring reporting of state entities contracts with private legal counsel to the Louisiana attorney general; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 10—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 14:35.3(F)(2), (I), and (K), relative to penalties for the crime of domestic abuse battery; to provide for enhancement of penalties under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 30—
BY SENATORS MCPHERSON, BARHAM, BOASSO, CHEEK, DUPRE, MALONE, MICHOT AND MURRAY AND REPRESENTATIVES BALDONE, BAUDOIN, DURAND, FARRAR, FRITH, M. GUILLORY, HEBERT, HILL, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND AND WALKER
AN ACT

To enact R.S. 41:16 and R.S. 56:109.2, relative to public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas; to provide for no net loss of acreage of certain public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas that are available for public hunting and fishing; to require an annual report of public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas that are available for public hunting and fishing; to provide definitions, terms, conditions and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 111—
BY SENATOR NEVERS
AN ACT

To enact R.S. 17:263, relative to secondary education curricula; to provide relative to required courses of study; to require certain topics to be included in certain courses of study; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 338—
BY SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 13:4207, relative to judges; to provide relative to rendition of judgments; to provide relative to oral judgment in open court; to require written judgments when oral reasons for judgment are not rendered; to provide for an extension of such time limits under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 353—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 27:372.1(A), relative to the Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for slot machine gaming at an eligible facility; to provide for the maximum number of slot machines at such facility; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 513—
BY SENATOR BARHAM
AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group insurance; to provide for certain insurance coverage through the office of group benefits for certain state employees and officials after the conclusion of their state service; to provide relative to the eligibility of such persons to participate in programs sponsored by the office of group benefits; to provide for limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 522—
BY SENATOR CHEEK

AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 546—
BY SENATOR MOUNT

AN ACT

To enact R.S. 47:337.9(F), relative to sales and use taxes imposed by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with the state; 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 with amendments.

SENATE BILL NO. 605—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b), 2199(B)(2)(b) and (F)(1), to enact R.S. 40:2199.1, and to repeal R.S. 40:2009.11(B)(3) and 2199(B)(3), relative to nursing homes and health care facilities; to amend Class B violations for nursing homes and other health care facilities licensed or certified by the Department of Health and Hospitals; to delete monthly aggregate fines for nursing homes or other health care facilities; to provide that monies collected for violations by health care facilities, other than nursing homes, be placed into a special trust fund; to provide for use of those monies; to provide for additional remedies against health care facilities which have repeated violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 612—
BY SENATORS MOUNT, BROOME, CHAISSON AND SCHEDLER

AN ACT

To enact R.S. 15:587(A)(1)(e), R.S. 32:412(I), R.S. 40:1321(J), and Chapter 24-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2528, relative to sexual offenders; to require a restriction code which declares that a driver's license holder is a sex offender; to provide for a Predator Alert System; and to provide for related matters.

Reported with amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 15, 2006

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATORS KOSTELKA AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, JOHNS, KATZ, KENNEY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to devise and implement a program to grant high school diplomas to qualifying Korean and Vietnam veterans

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Environmental Quality and the House Committee on the Environment to meet and function as a joint committee to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATORS CAIN, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR BAJOIE AND REPRESENTATIVES CURTIS, GLOVER, GRAY, E. GUILLORY, MCDONALD, STRAIN AND WINSTON

A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs and the Louisiana State University Health Care Services Division to execute to the fullest the terms established in the February 23, 2006 Memorandum of Understanding.

Reported without amendments.

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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATORS B. GAUTREAU, BOASSO, DARDENNE AND SHEPHERD AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER,

SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Louisiana State Employees' Retirement System to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the secretary of state to determine the practical and legal needs that must be taken to enable eligible voters displaced by a declared disaster to have the opportunity to vote on election day at locations in the state other than in the parish in which they are registered for all elections to be conducted in the parish in which the voter is registered, whether state, local, or federal elections.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATORS HINES AND JONES AND REPRESENTATIVES SALTER AND BRUNEAU

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development and the House Committee on Agriculture, Forestry, Aquaculture and Rural Development to meet and function as a joint committee to study the feasibility of creating a Louisiana agricultural and seafood surplus products purchase program and the creation of a purchasing board to oversee the program; and to report its findings, together with any recommendations for legislation, to the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATORS N. GAUTREAUX, BARHAM, BOASSO, CAIN, CRAVINS, DARDENNE, HOLLIS, LENTINI, MALONE, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, SCHEDLER, THEUNISSEN, AMEDEE, BROOME, CHEEK, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, MARIONNEAUX, ROMERO, SHEPHERD AND ULLO

A CONCURRENT RESOLUTION

To urge and request the governor and the Louisiana Recovery Authority to add a link to its Internet website which will list all state spending of federal hurricane-related aid in detail, and to keep the information updated on a monthly basis.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 135—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Lamar Eugene Little, D.D.S., World War II Marine veteran, a practicing dentist in Winnsboro for more than sixty years, devoted husband, father, grandfather, and devout Christian.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To create a task force to identify and locate displaced Louisiana citizens and to aid in their return to Louisiana.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To urge and request the Louisiana High School Athletic Association (LHSAA) to take certain steps to implement an online anabolic steroid awareness and prevention program, to require an anabolic steroid nonuse contract and consent form and inclusion of steroid testing on the LHSAA parental permission form as required for athletic participation, and to participate in a study to determine the feasibility of the development of other programs to educate and prevent the use of steroids and performance-enhancing supplements by high school athletes.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To establish the Louisiana Virtual Library Group to study and make recommendations regarding creating the Louisiana Virtual Library Council as a state entity and to require such group to make recommendations regarding such creation.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 117—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To create the Louisiana Sentencing Practices Commission to study the current and history of sentencing practices of the state and make a report of its findings, together with any recommendations for changes in legislation, to the Louisiana Legislature no later than April 1, 2007.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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. 132—

BY SENATOR BARHAM

A RESOLUTION

To commend Thomas Armistead Johnson for being selected as a delegate to attend the 44th Annual United States Senate Youth Program in Washington, D.C.

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

SENATE RESOLUTION NO. 133—

BY SENATOR JONES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Donald Delahoussaye.

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

SENATE RESOLUTION NO. 134—

BY SENATOR MOUNT

A RESOLUTION

To urge and request the committee created by the Louisiana State Law Institute in response to Senate Resolution No. 60 of the 2005 Regular Session to continue its study of the feasibility of a parent coordination act.

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

SENATE RESOLUTION NO. 135—

BY SENATOR SMITH

A RESOLUTION

To commend the Louisiana Moral and Civic Foundation, and its executive director, Dr. Ken Ward.

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

SENATE RESOLUTION NO. 136—

BY SENATOR B. GAUTREUX

A RESOLUTION

To commend the occasion of the thirtieth anniversary of the Harden family ministering to the spiritual needs of its many church members in St. Mary Parish.

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

SENATE RESOLUTION NO. 137—

BY SENATORS HINES, N. GAUTREUX AND CRAVINS

A RESOLUTION

To commend and congratulate the Louisiana State University at Eunice Bengals baseball team on their incredible journey during the 2006 season and for winning the National Junior College Athletic Association Division II World Series championship.

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

SENATE RESOLUTION NO. 138—

BY SENATOR BARHAM

A RESOLUTION

To commend Tanna Caroline Dartlon for being named Louisiana Regional Student of the Year by the State of Louisiana Department of Education.

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

SENATE CONCURRENT RESOLUTION NO. 137—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To amend and readopt Paragraphs F and I of Joint Rule No. 5 of Joint Rules of Order of the Senate and the House of Representatives, relative to duplicate bills to limit the application of the duplicate bill rule to identical local bills.

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

SENATE CONCURRENT RESOLUTION NO. 138—

BY SENATORS DUPLESSIS AND MURRAY

A CONCURRENT RESOLUTION

To strongly urge and request the Department of Environmental Quality to immediately test, with scientists identified by the community, the actual contents and leachate of the Chef Menteur landfill itself.

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

SENATE CONCURRENT RESOLUTION NO. 139—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To create the Louisiana Tax Competitiveness Task Force for the purpose of assembling all relevant tax reports and studies, and

make a set of concrete recommendations for policy changes in Louisiana prior to the 2007 Regular Legislative Session.

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

Senate and Concurrent Resolutions on Second Reading

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

SENATE RESOLUTION NO. 122—

BY SENATOR MCPHERSON

A RESOLUTION

To commend Patricia Angelico Faxon on more than thirty-two years of outstanding service and dedication to the state of Louisiana, the former Department of Health and Human Resources, and the Department of Health and Hospitals, more recently as the director of Legislative and Intergovernmental Relations, and to congratulate her on the occasion of her much deserved retirement.

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

SENATE RESOLUTION NO. 125—

BY SENATOR BROOME

A RESOLUTION

To request the Senate Select Committee on Women and Children to meet and form a task force to study the feasibility of prohibiting the sale of human eggs and to report its findings to the legislature prior to the convening of the 2007 Regular Session.

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

SENATE RESOLUTION NO. 129—

BY SENATOR BARHAM

A RESOLUTION

To urge and request the Louisiana Gaming Control Board to place a moratorium on the transfer of riverboat gaming licenses and authorizations to relocate a riverboat's licensed berth.

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

SENATE CONCURRENT RESOLUTION NO. 136—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To continue and expand the purpose of the Atchafalaya Parkway Commission in its study for the need to construct and manage improvements to certain highways in the parishes of St. Martin and St. Landry, by including Iberia Parish in such study; to include representation of the parish government of Iberia on the commission; and to require the commission to make recommendations to the Senate and House committees on transportation, highways and public works prior to the commencement of the 2007 Regular Session.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero

June 15, 2006

Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator McPherson asked that Senate Concurrent Resolution No. 134 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 134—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Board of Regents and the nursing boards to work together to expand nursing programs in order to alleviate the nursing shortage crisis that exists in Louisiana.

The resolution was read by title.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Original Senate Concurrent Resolution No. 134 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "together" delete "to expand" and insert "and study the feasibility of expanding"

AMENDMENT NO. 2

On page 2, line 5, after "together" delete "to expand" and insert "and study the feasibility of expanding"

AMENDMENT NO. 3

On page 2, between lines 6 and 7, insert the following:
"BE IT FURTHER RESOLVED that the Board of Regents and nursing boards present recommendations to the committees on health and welfare of the Senate and House of Representatives no later than March 1, 2007."

On motion of Senator McPherson, the amendments were adopted.

Senator McPherson moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 14, 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. 306—

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

A CONCURRENT RESOLUTION

To commend Mr. Paul Gravel for his many years of public service, for his contributions to the state of Louisiana, and for his current service as executive director of the LSU System, Division of Federal Affairs.

HOUSE CONCURRENT RESOLUTION NO. 307—

BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Anthony G. "Tony" Sardisco of Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 308—
 BY REPRESENTATIVE HARRIS AND SENATOR ULLO
 A CONCURRENT RESOLUTION

To urge and request the Jefferson Parish Council to establish the Manhattan Development District for the primary object and purpose of improving traffic flow on Manhattan Boulevard.

HOUSE CONCURRENT RESOLUTION NO. 309—
 BY REPRESENTATIVE FARRAR
 A CONCURRENT RESOLUTION

To urge and request the Louisiana Gaming Control Board to place a moratorium on the transfer of riverboat gaming licenses and authorizations to relocate a riverboat's licensed berth.

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. 306—
 BY REPRESENTATIVES DANIEL, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GULLORY, M. GULLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATOR HINES
 A CONCURRENT RESOLUTION

To commend Mr. Paul Gravel for his many years of public service, for his contributions to the state of Louisiana, and for his current service as executive director of the LSU System, Division of Federal Affairs.

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

NAYS

Total - 0

ABSENT

Adley Heitmeier

Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 307—
 BY REPRESENTATIVE MONTGOMERY
 A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Anthony G. "Tony" Sardis of Shreveport.

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

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

NAYS

Total - 0

ABSENT

Adley Heitmeier
 Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 308—
 BY REPRESENTATIVE HARRIS AND SENATOR ULLO
 A CONCURRENT RESOLUTION

To urge and request the Jefferson Parish Council to establish the Manhattan Development District for the primary object and purpose of improving traffic flow on Manhattan Boulevard.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 15, 2006

Total - 37
NAYS

Total - 0
ABSENT

Adley Heitmeier
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 309—
BY REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION

To urge and request the Louisiana Gaming Control Board to place a moratorium on the transfer of riverboat gaming licenses and authorizations to relocate a riverboat's licensed berth.

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

**House Concurrent Resolutions
on Second Reading**

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

HOUSE CONCURRENT RESOLUTION NO. 296—
BY REPRESENTATIVE PINAC
A CONCURRENT RESOLUTION

To urge and request the Louisiana Manufactured Housing Commission to encourage and facilitate the procurement and administrative function inherent in supplying Louisiana citizens with factory built residential dwellings, built to federal or state construction standards, for the purpose of increasing competition and availability statewide.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37
NAYS

Total - 0
ABSENT

Adley Heitmeier
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 297—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION

To urge and request the Department of Agriculture and Forestry not to implement the minimum ethanol requirements if the requirements will increase the price of gasoline by more than two cents per gallon.

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

HOUSE CONCURRENT RESOLUTION NO. 298—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency and the Substance Abuse and Mental Health Services Administration to support program flexibility within the federal Crisis Counseling Assistance and Training Program.

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

Total - 38
NAYS

Total - 0
ABSENT

Heitmeier
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 299—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the Louisiana congressional delegation to urge the Substance Abuse and Mental Health Services Administration to support programmatic flexibility within the federal Crisis Counseling Assistance and Training Program.

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	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray

Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Uilo
Duplessis	Marionneaux	

Total - 38

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 300—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of U.S. Highway 61 and Louisiana Highway 3274 in Gramercy, Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 304—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To authorize and request the secretary of state to add to the information required to be provided to the public by R.S. 18:18(A)(8) during the annual official state voter registration week information regarding the procedures for a registered voter to change his address, the differences between mailing address and residential address for purposes of voter registration and voting absentee by mail, eligibility to vote absentee by mail, and procedures for voting absentee by mail.

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

Total - 37

NAYS

Total - 0

ABSENT

Heitmeier
Total - 2

Hollis

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

HOUSE CONCURRENT RESOLUTION NO. 305—
BY REPRESENTATIVES QUEZAIRE, BEARD, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the governor to include funding in the state budget for construction and maintenance of state highways that are not eligible for federal highway funds.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

**House Concurrent Resolutions
on Second Reading, Subject to Call**

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

Called from the Calendar

Senator Jackson asked that House Concurrent Resolution No. 220 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 220—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To encourage the growth, technology, and workforce base of the Louisiana entertainment industries which have experienced a resurgence in the areas of film, digital media, and sound recording due to extremely competitive incentive programs offered to entertainment companies worldwide.

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:

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YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 15, 2006

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 290—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

Reported favorably.

HOUSE BILL NO. 1334—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 17:415.1(C), relative to textbook adoption; to provide for duration of time, locations, and procedures relative to inspection and review of textbooks prior to state adoption; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

June 14, 2006

To the President and Members of the Senate:

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

HOUSE BILL NO. 194—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 23:643, relative to wages; to establish a graduated increase in minimum wage for state employees; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1178—

BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAUX, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO

AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 14, 2006

To the President and Members of the Senate:

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

HOUSE BILL NO. 1199—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (D) and to enact R.S. 15:542(B)(7), relative to registration of sex offenders; to provide for registration of sex offenders ten days prior to release from confinement from a state correctional facility; to provide for the offender's photograph to be placed on the office of state police's website; to provide for the initial payment of the registration fee upon release from confinement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1256—
BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 29:726(E)(20) and to enact R.S. 29:726(E)(21), relative to the duties of the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to study the pre-bidding of certain disaster response contracts; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

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

Senator Marionneaux asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just reported by Committees.

HOUSE CONCURRENT RESOLUTION NO. 290—
BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

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

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

Senator Marionneaux asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 194—
BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 23:643, relative to wages; to establish a graduated increase in minimum wage for state employees; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1178—

BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAU, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO

AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1178 by Representative Toomy

AMENDMENT NO. 1

On page 1, at the end of line 16, insert the following:

"Any increase in salary shall be subject to an appropriation for that purpose."

On motion of Senator Heitmeier, 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. 1199—
BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (D) and to enact R.S. 15:542(B)(7), relative to registration of sex offenders; to provide for registration of sex offenders ten days prior to release from confinement from a state correctional facility; to provide for the offender's photograph to be placed on the office of state police's website; to provide for the initial payment of the registration fee upon release from confinement; and to provide for related matters.

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

HOUSE BILL NO. 1256—
BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 29:726(E)(20) and to enact R.S. 29:726(E)(21), relative to the duties of the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to study the pre-bidding of certain disaster response contracts; and to provide for related matters.

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

HOUSE BILL NO. 1334—
BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 17:415.1(C), relative to textbook adoption; to provide for duration of time, locations, and procedures relative to inspection and review of textbooks prior to state adoption; to provide for rules and regulations; 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.

Rules Suspended

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

**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. 119—
BY REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits to conduct a study of Health Access Louisiana (HAL), a proposal for health

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coverage reform in the state.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Concurrent Resolution No. 119 by Representative Morrish

AMENDMENT NO. 1

On page 2, line 26, after "pool" change "; and" to a period "."

AMENDMENT NO. 2

On page 2, delete lines 27 through 29, and on page 3, delete lines 1 through 16

On motion of Senator McPherson, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 37

ABSENT

Adley, Heitmeier

Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

Reported favorably by the Committee on Health and Welfare.

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

Total - 37

NAYS

Total - 0

ABSENT

Adley, Heitmeier

Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Adley, Bajoie, Heitmeier

Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 180—
 BY REPRESENTATIVES HUTTER AND TUCKER
 A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to develop and prepare an Action Plan to use Community Development Block Grant funds to redeem, purchase, defease, or otherwise retire not less than fifty percent of the bonds of the Louisiana Citizens Property Insurance Corporation.

Reported favorably by the Committee on Finance.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Heitmeier
 Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 194—
 BY REPRESENTATIVE LAFONTA
 A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to evaluate the impact of immigration on Louisiana laws and make recommendations to the legislature on those areas of laws which should be studied or make recommendations as to specific changes to existing laws or proposing the enactment of new laws, or both.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero

Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Marionneaux	

Total - 38

NAYS

Total - 0

ABSENT

Malone
 Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 246—
 BY REPRESENTATIVES MORRISH AND STRAIN
 A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to promptly transfer state general funds to the LSU School of Veterinary Medicine for arbovirus testing.

Reported favorably by the Committee on Health and Welfare.

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

Senator Cravins in the Chair

HOUSE CONCURRENT RESOLUTION NO. 259—
 BY REPRESENTATIVE DURAND AND SENATORS JACKSON AND MCPHERSON
 A CONCURRENT RESOLUTION

To reestablish the framework for regional health care consortiums created pursuant to Senate Concurrent Resolution No. 95 of the 2004 Regular Session.

Reported favorably by the Committee on Health and Welfare.

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

Total - 37

NAYS

Total - 0

ABSENT

Malone
 Total - 2
 Marionneaux

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

June 15, 2006

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules to take up at this time

House Concurrent Resolutions on Second Reading Reported by Committees, Subject to Call

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

Called from the Calendar

Senator McPherson asked that House Concurrent Resolution No. 127 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 127— BY REPRESENTATIVES DURAND, CURTIS, DOERGE, GRAY, E. GUILLORY, M. GUILLORY, KATZ, McDONALD, JOHN SMITH, STRAIN, AND WADDELL

A CONCURRENT RESOLUTION

To create the Louisiana Health Care Redesign Collaborative for the purpose of advising the Department of Health and Hospitals (DHH) in the development and implementation of a practical blueprint for an evidence-based, quality driven health care system for the Orleans Region consisting of the parishes of Orleans, Jefferson, St. Bernard, and Plaquemines, to assist in guiding overall health care policy and system development in Louisiana.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Concurrent Resolution No. 127 by Representative Durand

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 1, between lines 26 and 27, insert the following:

"(32) A representative of the HomeCare Association of Louisiana."

AMENDMENT NO. 2

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 1, at the beginning of line 27, change "(32)" to "(33)"

Senator Michot moved adoption of the amendments.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Amedee, Bajoie, Cain, Cravins, Dardenne, Duplessis, Fields, Total - 19; Fontenot, Gautreaux B, Gautreaux N, Hollis, Michot, Murray, Quinn; Romero, Schedler, Shepherd, Theunissen, Ullo

NAYS

Table with 3 columns of names: Barham, Boasso, Broome, Cheek, Ellington, Total - 13; Heitmeier, Jackson, Jones, Lentini, Marionneaux; McPherson, Nevers, Smith

ABSENT

Table with 3 columns of names: Mr. President, Adley, Chaisson, Total - 7; Dupre, Kostelka, Malone; Mount

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Reengrossed House Concurrent Resolution No. 127 by Representative Durand

AMENDMENT NO. 1

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 2, line 8, after "that" delete "a committee to be established" and insert the following:

"the collaborative shall establish a committee within the Department of Health and Hospitals"

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Concurrent Resolution No. 127 by Representative Durand

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 1, delete line 27, and insert the following:

- (32) The president of the Senate or his designee. (33) The speaker of the House of Representatives or his designee. (34) Other members as considered appropriate to be selected by the chair."

AMENDMENT NO. 2

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 2, between lines 19 and 20, insert the following:

- (5) The president of the Senate or his designee. (6) The speaker of the House of Representatives or his designee."

AMENDMENT NO. 3

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 1, 2006, on page 2, line 20, change "(5)" to "(7)"

On motion of Senator McPherson, the amendments were adopted.

Senator McPherson moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Adley
Total - 2

Lentini

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

Called from the Calendar

Senator Shepherd asked that House Concurrent Resolution No. 118 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 118—

BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To urge and request the nine statewide public retirement systems to direct at least ten percent of certain trades and commissions through broker-dealers who have been incorporated, domiciled, or who have their principal trading operations in Louisiana for at least two years as required by law applicable to the four state retirement systems, provided no additional costs are incurred by the systems.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Marionneaux
Total - 1

ABSENT

Adley
Hollis
Total - 4

Kostelka
Lentini

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

Rules Suspended

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

Mr. President in the Chair

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. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE HUNTER
AN ACT

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

The bill was read by title. Senator Jones 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
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 37

NAYS

Total - 0

June 15, 2006

ABSENT

Cravins Schedler
Total - 2

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

HOUSE BILL NO. 54— BY REPRESENTATIVE TOWNSEND AN ACT

To enact R.S. 44:9(J), relative to expungement or destruction of criminal records; to provide a procedure for the destruction of certain expunged arrest records; to provide for applicability; to provide with respect to the rights of a person having an arrest record destroyed; to provide for retroactive application; 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. 58— BY REPRESENTATIVES DANIEL AND M. POWELL AN ACT

To enact R.S. 44:12.1, relative to public records; to prohibit the use of only oral contacts and interviews for certain applicants for certain public positions; to provide for the examination, inspection, copying, or reproduction of certain specific records; to provide for penalties; 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. 79— BY REPRESENTATIVE TOWNSEND AN ACT

To enact R.S. 27:311.9, relative to the licensing and operation of video draw poker devices; to provide for an exemption from processing fees for new video poker license applications when there is a transfer of ownership among subsidiaries and the corporate structure of a licensee changes; 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. 126— BY REPRESENTATIVES TOOMY AND MARTINY AND SENATORS JONES AND LENTINI AN ACT

To enact R.S. 13:48, relative to the salary of judges of the supreme court, courts of appeal, district courts, parish courts, and city courts; to provide for an increase in the salary paid for by the state as recommended by the Judicial Compensation Commission; 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 Dupre McPherson
Adley Ellington Murray
Amedee Fields Nevers
Bajoie Fontenot Quinn
Barham Gautreaux B Romero
Broome Gautreaux N Schedler
Cain Heitmeier Shepherd
Chaisson Jackson Smith
Cheek Jones Theunissen

Cravins Kostelka Ullo
Duplessis Marionneaux
Total - 32 NAYS

Boasso Dardenne Malone
Total - 3 ABSENT

Hollis Michot
Lentini Mount
Total - 4

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. 153— BY REPRESENTATIVE JOHNS AND SENATORS CHEEK, N. GAUTREAU, AND SCHEDLER AN ACT

To amend and reenact R.S. 40:975(G)(1) and R.S. 44:4.1(B)(24) and to enact Part X-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1001 through 1014, relative to the Prescription Monitoring Program Act; to provide for the denial, revocation, suspension, or termination of a license; to provide for a short title; to provide for the purpose and definitions; to provide relative to the establishment of the prescription monitoring program; to provide for the creation of the advisory council; to provide for the reporting of prescription monitoring information; to provide for access to prescription monitoring information; to provide relative to education and treatment; to provide for unlawful acts; to provide for data analysis; to provide relative to reporting to the legislature; to provide relative to the authority to promulgate rules and regulations; to provide relative to the authority to contract; to provide relative to funding authority; to provide for severability; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 157—

BY REPRESENTATIVE K. CARTER
AN ACT

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

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the 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. 217—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 27:306(A)(4)(d), relative to the Video Draw Poker Devices Control Law; to provide that the requirements for qualified truck stop facilities are suspended if the property upon which the qualified truck stop facility is located is expropriated by the state or its political subdivisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Mount
Adley	Ellington	Murray
Bajoie	Gautreaux B	Quinn
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jones	Shepherd
Dardenne	Marionneaux	Theunissen
Duplessis	Michot	Ullo

Total - 24

NAYS

Amedee	Cain	Malone
Barham	Fontenot	Nevers
Boasso	Kostelka	Smith
Broome	Lentini	

Total - 11

ABSENT

Fields	Jackson
Gautreaux N	McPherson

Total - 4

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

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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-Reengrossed House Bill No. 269 by Representative Pinac

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 7, 2006 and in Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 7, 2006 on line 3, change "Section 2." to "Section 3."

AMENDMENT NO. 2

On page 1, line 2, after "To" insert "enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251 through 1300.253, 1300.255, 1300.261 through 1300.263, and to repeal Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.28, and Part XLIV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:1300.41 through 1300.48 and to"

AMENDMENT NO. 3

On page 1, line 2, after "products;" insert "to prohibit and penalize the smoking of tobacco products in certain places; to provide relative to purposes, definitions, restrictions, and exceptions regarding such prohibition; to prohibit certain activity and to provide penalties for violation;"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1. Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.251 through 1300.253, 1300.255, 1300.261 through 1300.263, is hereby enacted to read as follows:

**PART LXIII. LOUISIANA SMOKEFREE AIR ACT
SUBPART A. GENERAL PROVISIONS**

§1300.251. Short title

This Part shall be known and may be cited as the "Louisiana Smokefree Air Act."

§1300.252. Purpose

The legislature finds and determines that it is in the best interest

of the people of this state to protect nonsmokers from involuntary exposure to secondhand smoke in most indoor areas open to the public, public meetings, restaurants, and places of employment. The legislature further finds and determines that a balance should be struck between the health concerns of nonconsumers of tobacco products and the need to minimize unwarranted governmental intrusion into and regulation of private spheres of conduct and choice with respect to the use or nonuse of tobacco products in certain designated public areas and in private places. Therefore, the legislature hereby declares that the purpose of this Part is to preserve and improve the health, comfort, and environment of the people of this state by limiting exposure to tobacco smoke.

§1300.253. Definitions

For the purposes of this Part, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) "Bar" means a business that holds a Class A-General retail permit and the primary purpose of such business is to serve alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

(2) "Business" means any corporation, sole proprietorship, partnership, limited partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity.

(3) "Department" means the Department of Health and Hospitals.

(4) "Employer" means an individual or a business that employs one or more individuals.

(5) "Enclosed area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows, exclusive of doorways, which extend from the floor to the ceiling.

(6) "Local governing authority" means a municipal or parish governing authority.

(7) "Place of employment" means an area under the control of an employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a place of employment unless it is used as a licensed child care, adult day care, or health care facility.

(8) "Public building" means any building owned or operated by any of the following:

(a) The state, including the legislative, executive, and judicial branches of state government.

(b) Any parish, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission, or agency.

(c) Any other separate corporate instrumentality or entity of state or local government.

(9) "Public place" means an enclosed area to which the public is invited or in which the public is permitted which is not a public building, including but not limited to banks, educational facilities, health care facilities, hotel and motel lobbies, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms.

(10) "Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar within the restaurant.

(11) "Retail tobacco business" means a business utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental. Nothing in this Part shall preclude a nursing home from having a no smoking policy.

(12) "School" means any elementary or secondary school building, the campus of any school, any buildings on the campus, and all school buses.

(13) "Secondhand smoke" means smoke emitted from lighted, smoldering, or burning tobacco when the smoker is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the smoker.

(14) "Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted combustible plant material.

SUBPART B. PROHIBITIONS AND EXEMPTIONS

§1300.255. General smoking prohibitions; exemptions

A. Except as permitted by Subsection B of this Section, no person shall:

(1) Smoke in any public building.

(2) Smoke in any school.

(3) Smoke in any public place and in any enclosed area within a place of employment.

(4) As an employer, knowingly permit smoking in any enclosed area within a place of employment.

B. Nothing in this Part shall prohibit smoking in any of the following places:

(1) Private homes, private residences, and private automobiles; except that this Subsection shall not apply if any such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation in which case smoking is prohibited.

(2) Limousines under private hire.

(3) A hotel or motel room designated as a smoking room and rented to a guest; provided that a minimum of twenty percent to a maximum of fifty percent of the hotel rooms, at the discretion of the hotel owner or general manager, available for rent to guests in a hotel or motel may be designated as smoking rooms.

(4) Any retail tobacco business.

(5) Any bar.

(6) The outdoor area of places of employment; except that the owner or manager of such business may post signs prohibiting smoking in any such outdoor area, which shall have the effect of making that outdoor area an area in which smoking is prohibited under the provisions of this Part.

(7) Private and semiprivate rooms or apartments in assisted living residences, and other long-term care facilities that are occupied by one or more persons, who are all smokers and who have requested in writing to be placed in a room where smoking is permitted; provided that smoke from such rooms or apartments does not infiltrate into areas where smoking is prohibited under the provisions of this Part.

(8) Designated smoking areas in which gaming operations are permitted to occur upon a riverboat, at the official gaming establishment, at a facility licensed for the operation of electronic video draw poker devices, at an eligible facility licensed for the operation of slot machines, by a licensed charitable organization, or at a pari-mutuel wagering facility or off-track wagering facility which is licensed for operation and regulated under the provisions of Chapters 4 and 11 of Title 4 and Chapters 4, 5, 6, and 7 of Title 27 of the Louisiana Revised Statutes of 1950, or any other gaming operations authorized by law, except that smoking shall be prohibited in all restaurants, including snack bars and any other type of eating area whether such area is separated from the gaming area or not, that are located within the facilities where gaming operations are conducted regardless of any type of license issued relevant to the operation of the restaurant.

(9) All workplaces of any manufacturer, importer, wholesaler or distributor of tobacco products, of any tobacco leaf dealer or processor, and all tobacco storage facilities.

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

(11) Designated and well ventilated smoking rooms in nursing homes which permit smoking.

(12) A hotel or motel room operated by a casino or gaming operation which is rented to a guest.

(13) An outdoor patio, whether or not food is served.

C. An individual, person, entity, or business subject to the

smoking prohibitions of this Section shall not discriminate or retaliate in any manner against a person for making a complaint regarding a violation of this Section or for furnishing information concerning a violation to an enforcement authority.

D. Nothing in this Part shall be construed to restrict the power of any parish, city, town, or village to adopt and enforce additional local laws, ordinances, or regulations that comply with at least the minimum applicable standards to establish smokefree public places as set forth in this Part.

SUBPART C. PENALTIES AND RULES AND REGULATIONS

§1300.261. Notice of prohibition of smoking

A. "No smoking" signs or the international "No smoking" symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it shall be clearly and conspicuously posted by the owner, operator, manager, or other person in control in every public building, public place, and place of employment where smoking is prohibited by this Part.

B. The owner, operator, manager, or other person in control shall remove all ashtrays from any area where smoking is prohibited by this Part.

C. The Department of Health and Hospitals may treat a violation of this Section as a deficiency to be assessed against any licensee or facility over which it has statutory jurisdiction.

§1300.262. Enforcement; penalties

A.(1) Any violation of any prohibition in R.S. 40:1300.255(A) may be cited by any law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction.

(2) Such citations shall be in a form such that there shall be retained in each book of citations a receipt and each shall have a copy to be deposited by the law enforcement officer with a court having jurisdiction over the alleged offense.

(3) Upon the deposit of the copy, the court shall notify the alleged violator of the time and place of his hearing or of his opportunity to plead guilty by the payment of his specified fine. Failure to appear, unless the fine is paid, may be punished within the discretion of the court as contempt of court.

B.(1)(a) Any person who is guilty of a violation of the prohibition in R.S. 40:1300.255(A)(1), (2), and (3) shall upon a first offense, be fined one hundred dollars.

(b) Any person who is guilty of violating such prohibition a second time shall be fined two hundred dollars.

(c) Any person who is guilty of violating such prohibition a third or subsequent time shall be fined three hundred dollars.

(2)(a) Any employer who is guilty of a violation of the prohibition in R.S. 40:1300.255(A)(4) shall, upon a first offense, be fined three hundred dollars.

(b) Any employer who is guilty of violating such prohibition a second time shall be fined six hundred dollars.

(c) Any employer who is guilty of violating such prohibition a third or subsequent time shall be fined one thousand dollars.

§1300.263. Tobacco Control Program Fund; establishment

A. One-half of all fines imposed and collected pursuant to this Part shall be transmitted to the office of public health in the Department of Health and Hospitals and shall be deposited by such office in a special fund established in the state treasury to be known as the Tobacco Control Program Fund, hereinafter referred to as "the fund" as provided in this Subsection.

B. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within a fiscal year, the treasurer in each fiscal year shall pay into the fund an amount equal to the total amount of fines imposed, collected, and transmitted to the office of public health in the Department of Health and Hospitals pursuant to this Part.

C. The total amount of monies in the fund shall annually be appropriated to the office of public health to be used by such office solely for the purpose of funding the efforts of the office of public health in the Tobacco Control Program.

D. All unexpended and unencumbered monies in the fund at the end of a fiscal year shall remain in the fund and be available for appropriation in the next fiscal year in the same manner as allocated herein. Monies in the fund shall be invested as provided by law. After compliance with the provisions of law concerning the Bond

Security and Redemption Fund, interest earned on the investment of monies in the fund shall be credited to the fund."

AMENDMENT NO. 5

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 6

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

"Section 4. Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.28 and Part XLIV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S.40: 1300.41 through 1300.48, are hereby repealed.

Section 5. The provisions of Section 1, 4, and this Section of this Act shall become effective on January 1, 2007."

AMENDMENT NO. 7

On page 2, line 11, change "Section 2. This" to "Section 6. The provisions of Sections 2, 3, and this Section of this"

Senator Adley asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

On motion of Senator Marionneau the amendment was withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Quinn Schedler

Total - 2

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

HOUSE BILL NO. 277—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

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HOUSE BILL NO. 290—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:219(C), relative to unlawful solicitation of employment for legal representation by an attorney; to increase the penalties for unlawful solicitation for legal representation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajois, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis and their respective counts.

NAYS

ABSENT

Table with 2 columns: Name, Absent. Lists Quinn and Schedler.

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

HOUSE BILL NO. 293—
BY REPRESENTATIVES STRAIN, E. GUILLORY, KATZ, MCDONALD, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BRUCE, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DEWITT, DORSEY, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, JACKSON, KENNEY, LABRUZZO, MARTINY, MONTGOMERY, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To amend and reenact R.S. 40:1299.1(A)(1) and (3) and to enact R.S. 40:1299.1(A)(5), relative to genetic testing for newborns; to add to the tests required to be performed on newborns; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 293 by Representative Strain

AMENDMENT NO. 1

On page 2, line 18, after "of" delete "trained genetic counselors" and insert "board eligible or board certified geneticists and appropriate ancillary personnel including genetic counselors and laboratory technicians trained to operate clinical biochemical genetics laboratory equipment"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajois, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis and their respective counts.

NAYS

Table with 2 columns: Name, Nays. Lists Shepherd.

ABSENT

Total - 0

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

HOUSE BILL NO. 308—
BY REPRESENTATIVES KLECKLEY, ALEXANDER, BADON, BALDONE, BARROW, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRAVINS, CROWE, CURTIS, DARTEZ, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH, GEYMANN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, JACKSON, JOHNS, KATZ, KENNEY, LAFONTA, LAMBERT, MCDONALD, MORRELL, MORRISH, PIERRE, PINAC, M. POWELL, T. POWELL, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALKER, WHITE, AND WINSTON AND SENATORS MOUNT, ROMERO, AND THEUNISSEN

AN ACT

To enact R.S. 49:220.5(F) and (G), relative to the Louisiana Recovery Authority; to provide for certain duties of the Louisiana Recovery Authority; to require certain plans, assessments, and reports; to provide for the content of such plans, assessments, and reports; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajois, Barham, Boasso, Broome, Cain, Chaisson, Cheek and their respective counts.

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

NAYS

Total - 0

ABSENT

Total - 0

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

Senator Marionneaux in the Chair

HOUSE BILL NO. 318—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 22:1484(10), relative to insurance; to provide for prohibiting the use of credit information that would increase expiring premiums for policies that renew during a certain period; 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	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Dardenne	Jones	Quinn
Total - 3		

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. 329—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Shepherd
Total - 1

ABSENT

Quinn
Total - 2

Schedler

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

HOUSE BILL NO. 370—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 42:851(Q), relative to state group insurance; to provide with respect to certain contributions for premiums for certain persons taking an early retirement pursuant to Act No. 194 of the 2004 Regular Session of the Legislature; to provide for an effective date; 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	Dupre	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Duplessis	McPherson	
Total - 34		

NAYS

Kostelka
Total - 1

ABSENT

Adley
Ellington
Total - 4

Jones
Schedler

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

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

HOUSE BILL NO. 397—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 36:458(B), (C), (D), (E), and (F), relative to the offices, purposes, and functions of the Department of Revenue; to modify certain provisions to reflect the agency's current organizational structure and functions; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed House Bill No. 397 by Representative Hammett

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 5 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 13, 2006.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cravins
Total - 1

The Chair declared the amended 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. 406—
BY REPRESENTATIVE DANIEL
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment of a portion of the Medicaid Trust Fund for the Elderly in equities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hollis
Total - 2
Shepherd

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

HOUSE BILL NO. 408—
BY REPRESENTATIVE HUNTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 46:1606(B) and (D) and to enact R.S. 46:1606(F) and 1608(F), relative to councils on aging; to provide for the distribution of funds to parish councils on aging in the event of a disaster; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley
Total - 2
Shepherd

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

HOUSE BILL NO. 426—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:308(H), relative to the Video Draw Poker Devices Control Law; to provide for a seventy-two-hour notice to the device owner prior to disabling any video draw poker device; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Mount
Bajoie	Hollis	Murray
Chaisson	Jackson	Quinn
Cheek	Jones	Romero
Cravins	Malone	Schedler
Dupre	Marionneaux	Theunissen
Gautreaux B	Michot	
Total - 20		

NAYS

Barham	Ellington	Lentini
Broome	Fields	Nevers
Cain	Fontenot	Smith
Total - 9		

ABSENT

Adley	Duplessis	Shepherd
Amedee	Gautreaux N	Ullo
Boasso	Kostelka	
Dardenne	McPherson	
Total - 10		

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

HOUSE BILL NO. 436—
BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 49:331, relative to public funds; to require commercial couriers who transport public funds to furnish a fidelity bond; 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	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen

Duplessis	Malone	Ullo
Total - 36		
	NAYS	

Total - 0	ABSENT
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Adley	Hollis	Shepherd
Total - 3		

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. 515—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact Part V of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1094 through 1097, relative to hospital service districts; to create the Parish Hospital Service District for the parish of Orleans; to provide that such district shall be divided into two separate areas; to provide for the creation of two separate governing boards for each such area and to provide for the membership of each such board; to provide for the powers, duties, functions, and responsibilities of the district and each governing board; to provide relative to per diem paid to governing board members; to provide for limitations; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Schedler	ABSENT
Total - 1	

Adley	Kostelka
Barham	Shepherd
Total - 4	

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

HOUSE BILL NO. 529—
BY REPRESENTATIVE WALKER
AN ACT

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

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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

Table with 3 columns: Name, Name, Name. Lists names of senators who voted 'YEAS'.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Name. Lists names of senators who were absent.

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.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 529. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 553— BY REPRESENTATIVE HEBERT AN ACT

To amend and reenact Children's Code Articles 661, 698, and 708 and to enact R.S. 15:283(E), relative to the presence of individuals at adjudications, case reviews, permanency hearings, and court proceedings; to provide for persons who may be present at adjudication hearings, case reviews and permanency hearings; to provide with respect to protected persons and testimony taken outside of a court room; to amend the definition of protected persons to include victims of crime who are fourteen years of age or younger or who have a developmental disability or mental retardation; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 553 by Representative Hebert

AMENDMENT NO. 1

On page 4, line 5, after "defined in" delete the remainder of the line and insert in lieu thereof "R.S. 28:451.2(12)." and delete line 6 in its entirety

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

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

Table with 3 columns: Name, Name, Name. Lists names of senators who voted 'YEAS'.

NAYS

Fontenot Total - 1

ABSENT

Shepherd Total - 1

The Chair declared the 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. 606— BY REPRESENTATIVES LAMBERT, BRUNEAU, AND LANCASTER AN ACT

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

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

HOUSE BILL NO. 607— BY REPRESENTATIVE TUCKER AN ACT

To amend and reenact R.S. 39:1367(E)(2)(b)(iii) and to enact R.S. 39:1367(E)(2)(b)(iv), relative to state debt; to exclude from the definition of net state tax supported debt certain bonds, notes, certificates, reimbursement obligations, or other evidences of indebtedness issued to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita or issued in connection with the financing and funding of the state's account in the Unemployment Trust Fund; to provide for an effective date; 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	Marionneaux
Adley	Fields	McPherson
Amedee	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Cheek	Cravins	Shepherd
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Total - 3

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. 657—
BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Section 1 and to repeal Section 2 of Act No. 453 of the 2005 Regular Session of the Legislature, which authorizes the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; 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	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Cheek	Shepherd
-------	----------

Total - 2

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. 658—
BY REPRESENTATIVE SALTER
AN ACT

To authorize and provide for the acceptance of the donation of certain property in Sabine Parish to the state of Louisiana, through the Department of Culture, Recreation and Tourism; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 658 by Representative Salter

AMENDMENT NO. 1

On page 1, line 8, after "R.S. 39:11" and before "is" delete the comma and insert the following:

"and after compliance with the procedures and requirements set forth in R.S. 41:151 for the receipt of donation of immovable property by the state,"

On motion of Senator Malone, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Kostelka	Schedler	Shepherd
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Total - 3

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

HOUSE BILL NO. 686—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:100.21, relative to state funds; to extend the effective date of the 2004 Overcollections Fund until June 30, 2007; 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.

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HOUSE BILL NO. 693—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:972, 973(A), (C), (E), (F), (G)(1) and (2)(a), 974(A)(introductory paragraph) and (C), 975(A)(introductory paragraph) and (5), (B) through (E), and (G)(1) and (3), 976, 977, 984(introductory paragraph), 986(B)(introductory paragraph) and (3)(b), 988(A)(introductory paragraph), (B), and (C), 990(C), 992(A)(introductory paragraph), (B)(introductory paragraph), and (C) through (E), and 994, relative to controlled dangerous substances licenses; to provide for the transfer of the authority to issue licenses from the Department of Health and Hospitals to the Louisiana Board of Pharmacy; to provide for a fee schedule; to provide for administrative and enforcement exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Marionneaux, Adley, Ellington, McPherson, Amedee, Fields, Michot, Bajoie, Fontenot, Mount, Barham, Gautreaux B, Murray, Boasso, Gautreaux N, Nevers, Broome, Heitmeier, Quinn, Cain, Hollis, Romero, Chaisson, Jackson, Schedler, Cheek, Jones, Shepherd, Cravins, Kostelka, Smith, Dardenne, Lentini, Theunissen, Duplessis, Malone, Ullo, Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 708—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the use of a portion of such monies to support functions of the Louisiana Racing Commission; to provide for an effective date; 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

Table with 3 columns: Mr. President, Dupre, McPherson, Adley, Ellington, Michot, Amedee, Fields, Mount, Bajoie, Fontenot, Murray

Table with 3 columns: Barham, Gautreaux B, Nevers, Boasso, Gautreaux N, Quinn, Broome, Heitmeier, Romero, Cain, Hollis, Schedler, Chaisson, Jones, Shepherd, Cheek, Kostelka, Smith, Cravins, Lentini, Theunissen, Dardenne, Malone, Ullo, Duplessis, Marionneaux

Total - 38

NAYS

Total - 0

ABSENT

Jackson Total - 1

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.

Mr. President in the Chair

HOUSE BILL NO. 714—

BY REPRESENTATIVES GALLOT, FANNIN, BALDONE, CURTIS, HILL, KENNEY, MONTGOMERY, ODINET, JANE SMITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CHANDLER, DAMICO, DARTEZ, DOERGE, DOVE, DOWNS, ERDEY, FARRAR, FAUCHEUX, GLOVER, GRAY, GREENE, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SMILEY, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WOOTON AND SENATORS ADLEY, DUPLESSIS, DUPRE, N. GAUTREAUX, KOSTELKA, MALONE, MICHOT, MOUNT, MURRAY, AND NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Michot, Adley, Fontenot, Mount, Amedee, Gautreaux B, Murray, Bajoie, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Broome, Hollis, Romero, Cain, Jackson, Schedler, Chaisson, Jones, Shepherd, Cravins, Kostelka, Smith, Dardenne, Lentini, Theunissen, Duplessis, Malone, Ullo, Dupre, Marionneaux, Ellington, McPherson, Total - 37

NAYS

Total - 0

ABSENT

Boasso Cheek Total - 2

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

HOUSE BILL NO. 728—

BY REPRESENTATIVES LAMBERT, ALEXANDER, ARNOLD, BADON, BAUDOIN, BAYLOR, BRUCE, BURNS, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LANCASTER, McDONALD, MCVEA, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 47:481 and to enact Part XI-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:194, relative to certain state highways; to create the State Highway Improvement Fund as a special fund in the state treasury; to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Amedee 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	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

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

HOUSE BILL NO. 767—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 15:921(A), to enact R.S. 39:100.25 and 100.26, and to repeal R.S. 15:921(D), relative to state funds; to create the FEMA Reimbursement Fund; to create the State Emergency Response Fund; to provide for the deposit, investment, use, and appropriation of monies in the FEMA Reimbursement Fund and the State Emergency Response Fund; to provide for the deposit of certain funds into the Youthful Offender Management Fund; to repeal the cap on the Youthful Offender Management 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 returned to the Calendar, subject to call.

HOUSE BILL NO. 768—

BY REPRESENTATIVES STRAIN, PINAC, BADON, BARROW, FANNIN, GREENE, HONEY, KENNEY, AND T. POWELL
AN ACT

To amend and reenact Section 2 of the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature and to enact R.S. 17:170.1(F), relative to immunizations; to provide relative to the implementation of the provisions of R.S. 17:170.1 relative to providing documentation of certain immunizations as enacted by the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 772—

BY REPRESENTATIVES CROWE, BRUCE, DOWNS, FRITH, KENNEY, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, AND STRAIN
AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 3:2365 and R.S. 29:726(E)(21) and 729(E)(14), relative to the creation of a pet disaster operation plan and registration system; to provide for the Louisiana Pet Registry; to provide for registration requirements; to provide relative to identification numbers; to provide relative to fees; 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.

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

HOUSE BILL NO. 778—

BY REPRESENTATIVES HUNTER, BAUDOIN, AND THOMPSON
AN ACT

To enact R.S. 9:315.26 and R.S. 32:708.1, relative to child support; to provide for the collection of past due child support; to authorize the filing of liens on motor vehicles owned by a party

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owing past due support; to provide procedures for the filing of judgments; 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. 778 by Representative Hunter

AMENDMENT NO. 1

On page 2, line 7, after "debtor", insert "at the time the judgment is filed with the office of motor vehicles"

AMENDMENT NO. 2

On page 2, line 8, after "The", change "security interest" to "privilege"

AMENDMENT NO. 3

On page 2, line 11, after "interests" insert ", so long as such receipt subsequently is validated by the commissioner of the office of motor vehicles"

AMENDMENT NO. 4

On page 2, at the end of line 12, change "perfecting of a security interest" to "creation of a privilege"

AMENDMENT NO. 5

On page 3, at the end of line 4, add "If the certificate of title is held by an existing lienholder, the court shall order the lienholder to submit the certificate of title to the commissioner of the office of motor vehicles in order that the privilege shall be added to the certificate of title. The certificate of title shall then be returned to the ranking lienholder in accordance with R.S. 32:708."

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

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

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Cravins, Schedler, Total - 2

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. 782— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 33:1448(S), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs throughout the state and certain employees of other entities; to provide restrictions on eligibility to receive the benefit of having the premium cost of group insurance; to require a retiree or prospective retiree to retire directly from the sheriff's office or other designated entities in order to be eligible for the benefit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Cravins, Schedler, Total - 2

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

HOUSE BILL NO. 807— BY REPRESENTATIVE KENNARD AN ACT

To enact R.S. 33:1572(A)(2)(d), relative to operating expenses for the coroner's office in East Baton Rouge Parish; to require the assessment of a fee in all criminal cases, including traffic violations, in all courts in East Baton Rouge Parish; 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. 849— BY REPRESENTATIVE LAMBERT AN ACT

To amend and reenact Children's Code Articles 1569(B) and 1570.1 and R.S. 46:2135(B) and 2136.1, relative to domestic abuse assistance; to provide for protective orders; to reduce the time periods for hearings; to provide for the payment of attorney fees; 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	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	

Total - 38

NAYS

Total - 0

ABSENT

Cravins
Total - 1

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. 851—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2186(A) and to enact R.S. 30:2011(D)(25), relative to reviews and determination conducted by the Department of Environmental Quality; to provide for request for reviews of certain immovable property; to provide for reviews and determinations of environmental media; to provide for fees; to provide for authority to promulgate rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed House Bill No. 851 by Representative Damico

AMENDMENT NO. 1
On page 1, line 17, after "request" insert "by the landowner or a party with an interest in a real estate transaction involving the specified property"

On motion of Senator Fontenot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Cain
Total - 3

Marionneaux Shepherd

The Chair declared the amended 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. 877—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; 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	Lentini
Adley	Ellington	Malone
Amedee	Fields	Mount
Bajoie	Fontenot	Nevers
Broome	Gautreaux B	Quinn
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Theunissen
Duplessis	Jones	Ullo

Total - 27

NAYS

Barham	Dardenne	Michot
Boasso	Gautreaux N	Smith
Cain	Kostelka	

Total - 8

ABSENT

Marionneaux	Murray
McPherson	Shepherd

Total - 4

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.

Senator Bajoie in the Chair

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

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

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 971 by Representative Quezaire

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 and 2 proposed by Senator Ellington (# 3734) and adopted by the Senate on June 12, 2006

AMENDMENT NO. 2

In Senate Floor Amendment No. 4 proposed by Senator Ellington and adopted by the Senate on June 12, 2006, on page 2, line 3, after "administer" insert "and enforce"

AMENDMENT NO. 3

In Senate Floor Amendment No. 4 proposed by Senator Ellington and adopted by the Senate on June 12, 2006, on page 2, line 11, after "administer" insert "and enforce"

AMENDMENT NO. 4

In Senate Floor Amendment No. 4 proposed by Senator Ellington and adopted by the Senate on June 12, 2006, on page 2, line 57, after "Corrections" insert "and the Department of Transportation and Development"

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 971 by Representative Quezaire

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 5, 2006, on page 2, delete lines 35 through 46 and insert as follows:

"for in this Act, such veteran employees which the Public Service Commission determines are not needed for the administration and enforcement of laws relating to the control of motor carriers which transport household goods, passengers, or waste, and of wreckers and towing services, under the jurisdiction of the commission shall be transferred to the Department of Public Safety and Corrections to administer or assist in the administration or enforcement of the Unified Carrier Registration Agreement by such department."

On motion of Senator Adley, 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

Table listing names of senators voting 'YEAS' for the amendment: Mr. President, Adley, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dupre, Ellington, Fields, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith.

Dardenne Duplessis Total - 36

Lentini Malone

Theunissen Ullo

NAYS

Amedee Total - 2

Fontenot

ABSENT

Shepherd Total - 1

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. 979

BY REPRESENTATIVE E. GUILLORY AN ACT

To amend and reenact R.S. 49:220.5(C)(3), relative to the Louisiana Recovery Authority; to provide for the use of minority-owned businesses in certain recovery-related activities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' for the bill: Mr. President, Adley, Amedee, Bajoie, Boasso, Chaisson, Cheek, Cravins, Dardenne, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Heitmeier, Hollis, Jackson, Jones, Lentini, Marionneaux, Mount, Murray, Nevers, Quinn, Shepherd, Smith, Theunissen, Ullo.

NAYS

Cain Malone Total - 5

Michot Romero

Schedler

ABSENT

Barham Broome Total - 6

Duplessis Gautreaux N

Kostelka McPherson

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.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 979. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 979. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Personal Privilege

Senator Broome asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on House Bill No. 979. She had intended to vote yea on the bill. She asked that the Official Journal so state.

HOUSE BILL NO. 1017—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:403(5)(a) and (b)(i) and 441(B), to enact R.S. 11:421(I) and 471(F), and to repeal R.S. 11:531(A)(1)(b), relative to the Louisiana State Employees' Retirement System; to provide relative to average compensation; to provide relative to computation of service credit; to provide with respect to benefits for part-time employees; to provide for a retired member's minor children to receive certain benefits upon his death; to repeal provisions for monthly reports of base pay; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 1017 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, delete "and 441(B)" and insert ", 441(B) and 537(D)"

AMENDMENT NO. 2

On page 1, line 5, after "credit;" insert "to provide for repayment of refunded contributions;"

AMENDMENT NO. 3

On page 1, line 13, delete "and 441(B)" and insert ", 441(B) and 537(D)"

AMENDMENT NO. 4

On page 5, between lines 9 and 10 insert the following:
"§537. Refund of contributions; application, payment, effect, repayment to system; restoration of service
* * *"

D.(1) A member may repay a refund to the system upon returning to state service and contributing to the system for eighteen months, whether full-time or part-time, provided such repayment is made prior to before retirement. Repayment Except as provided in Paragraph (2) of this Subsection, repayment of a refund shall include the amount refunded plus interest thereon charged at the board-approved actuarial valuation rate compounded annually from the date of refund to the date of repayment. All repayments of refund refunds shall be made in lump sum only sums.

(2) Any member who is an employee of the State Licensing Board for Contractors, who has attained the age of sixty-five, and who has credit for at least ten years of service in the system shall have all creditable service that he forfeited upon refund restored upon repayment of the refunded amount without interest.
* * *"

Senator Ullo moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Malone

Broome	Fields	McPherson
Cain	Fontenot	Murray
Chaisson	Heitmeier	Nevers
Cheek	Jackson	Smith
Cravins	Jones	Ullo
Dupre	Kostelka	

Total - 20

NAYS

Adley	Hollis	Romero
Barham	Lentini	Schedler
Dardenne	Michot	Theunissen
Gautreaux B	Mount	
Gautreaux N	Quinn	

Total - 13

ABSENT

Amedee	Boasso	Marionneaux
Bajoie	Duplessis	Shepherd

Total - 6

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 1028—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group benefits programs; to provide that certain former members of the legislature shall be eligible for group benefits programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1028 by Representative Hopkins

June 15, 2006

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 13, 2006, on line 4, change "current or member" to "current or former"

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux B	Nevers
Cain	Heitmeier	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Amedee	Theunissen
Total - 2	

ABSENT

Gautreaux N	Marionneaux
Hollis	Shepherd
Total - 4	

The Chair declared the amended 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. 1064—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 47:103(D), 306(A)(4), 337.18(A)(4) and 1514, relative to extension of time to file returns and pay state taxes; to provide for an extension of time to file returns and pay state taxes; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1064 by Representative Winston

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "9," and change "and 1514" to ", 1514, 337.19(A), R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C), to enact R.S. 47:1508(B)(23) and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7), and to repeal R.S. 47:306(D)"

AMENDMENT NO. 2

On page 1, line 3, after "taxes;" insert:
"to provide for the manner in which certain contractors shall file and pay state taxes and for registration, certification, and required security for the payment of such taxes;"

AMENDMENT NO. 3

On page 1, delete line 7, and insert:

"Section 1. R.S. 47:9, 103(D), 306(A)(4), 337.18(A)(4), 337.19(A), and 1514 are hereby amended"

AMENDMENT NO. 4

On page 1, line 8, after "reenacted" insert "and R.S. 47:1508(B)(23) is hereby enacted"

AMENDMENT NO. 5

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

"§9. Collection of taxes from nonresident contractors and subcontractors; **certification and** registration; bond

A.(1) ~~To the end that the state of Louisiana and the political subdivisions thereof may receive all taxes due in every instance, including contributions due under the Employment Security Law; contractors and subcontractors who are nonresidents of this state, desiring to engage in, prosecute, follow or carry on the business of contracting as defined in this Section shall register with the secretary of the Department of Revenue for each contract where the total contract price or compensation to be received amounts to more than three thousand dollars. The secretary of the Department of Revenue shall charge a fee for such registration in an amount of ten dollars for each such contract. All such fees received by the secretary of the Department of Revenue shall be deposited with the state treasurer. The state treasurer shall thereupon credit the amount of said fees to the State General Fund.~~

For purposes of this Section, the following definitions shall apply:

(1) **"Contractor" means any individual, partnership, corporation, association or other legal entity who undertakes to, attempts to, or submits a price or bid or offers to construct, supervise, superintend, oversee, direct, or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down, or furnishing labor, or furnishing labor together with material or equipment, or installing the same for any building, highway, road, railroad, sewer, grading, excavation, pipeline, public utility structure, project development, housing or housing development, improvement or any other construction undertaking. The term "contractor" includes general contractors, subcontractors, architects, and engineers who receive an additional fee for the employment or direction of labor, or any other work beyond the normal architectural or engineering services.**

(2) **"Nonresident contractor" means all persons, including individuals, partnerships, corporations, associations, and other legal entities that are not resident contractors.**

(3) ~~"Resident contractor" means (2) For the purpose of determining whether a contractor is resident or nonresident under this Section; individuals who have maintained their permanent domiciles in Louisiana for at least one year prior to bidding on work; corporations who have operated permanent business facilities in Louisiana for at least one year prior to bidding on work; and corporations, at least fifty percent of whose outstanding and issued common shares are owned by individuals who have maintained their domiciles in Louisiana for at least one year prior to bidding on work, shall be considered residents and will not be subject to the contract registration and bond requirements of this Section; and partnerships, associations, and other legal entities in which resident corporations or individuals, as defined in this Paragraph, have at least a fifty percent ownership interest, shall also be considered residents resident contractors. All other persons, including individuals, partnerships, corporations, associations, and other legal entities shall be considered nonresidents and shall be subject to the contract registration and bond requirements.~~

(4) **"Subcontractor" means any individual, partnership, corporation, association, or other legal entity who contracts directly with the general contractor for the performance of a part of the principal contract or contracts with another subcontractor for the performance of a part of the principal contract.**

B.(1) ~~Every contractor required to register any contract or contracts, as defined in this Section, shall, before entering into the performance of such contract or contracts, execute and file with the secretary of the Department of Revenue a good and valid bond in a~~

surety company authorized to do business in this state, or with sufficient sureties to be approved by the secretary, conditioned that all taxes, including contributions due under the employment security law and including personal income taxes due from employees which the contractor is required to withhold and remit, which may accrue to the state of Louisiana and all taxes which may accrue to the political subdivisions thereof on account of the execution and performance of such contract or contracts, will be paid when due, and the execution and filing of said bond shall be a condition precedent to commencing work on any contract in this state. Such bond shall be conditioned as hereinabove provided with respect to all contracts to be performed during the current calendar year and shall be in a sum of not less than one thousand dollars. If at any time during the current calendar year the secretary determines that the amount of the above bond is not sufficient to cover the tax liabilities accruing to the state of Louisiana or the political subdivisions thereof for the current calendar year or, upon written request of the employment security division, the secretary shall require such bond to be increased in such sum as the secretary may determine to be proper. When any contractor has fully performed all contracts registered during the current calendar year, the hereinabove required bond may be released by the secretary.

(2) Any contractor who is or becomes subject to the provisions of this Section and every contractor required to register any contract or contracts, as defined in this Section, who contracts with any subcontractor, who also is or becomes subject to the provisions of this Section or is required to register any contract or contracts as defined in this Section, shall withhold sufficient moneys on said contract to guarantee that all taxes, including contributions due under the employment security law and including personal income taxes due from employees which the contractor is required to withhold and remit, which may accrue to the state of Louisiana and all taxes which may accrue to the political subdivisions thereof on account of the execution and performance of such contract or contracts, will be paid when due.

To ensure that the state of Louisiana and the political subdivisions thereof receive all taxes due in every instance, including contributions due under the Employment Security Law, contractors and subcontractors desiring to engage in, prosecute, follow or carry on the business of contracting shall register with the secretary of the Department of Revenue annually and receive certification as either a resident contractor or a nonresident contractor. This certification shall only be issued if the applicant is current in the filing of all applicable tax returns and reports, and in the payment of all final and nonappealable taxes, interest, and penalties owed to the state of Louisiana in the case of a resident contractor, or if the applicant has filed the appropriate bond in the case of a nonresident contractor.

C.(1) At the time of registering with the Department of Revenue and receiving a certification, all nonresident contractors shall file with the secretary of the Department of Revenue a good and valid blanket bond with a surety company authorized to do business in this state, or with sufficient sureties to be approved by the secretary, in order to ensure payment of all taxes, interest, and penalties that may accrue to the state of Louisiana and its political subdivisions. The secretary shall determine the amount of the required bond based on the nonresident contractors anticipated gross receipts for the year. Gross receipts of prior years may be analyzed in making this determination.

(2) The secretary may, at her discretion and for good cause shown, allow a nonresident contractor to execute a bond for a specific contract, instead of the blanket bond required in Paragraph (1) of this Subsection.

(3) If at any time during the year the secretary determines that the amount of the nonresident contractor's bond is not sufficient to cover all taxes, interest, and penalties accruing to the state of Louisiana and its political subdivisions, or upon written request of the employment security division, the secretary shall require the amount of the bond to be increased as the secretary determines proper. The nonresident contractor shall have thirty days from the date of the secretary's notice to increase the amount of the bond. If the nonresident contractor fails to increase the amount of the bond, a penalty may be assessed, in addition to any other penalty that may be assessed, of up to ten thousand dollars or ten percent of the contract amount,

whichever is greater. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

D.(1)(a) Notwithstanding any other law to the contrary, any resident or nonresident contractor who is not contracting for commercial purposes and who utilizes a nonresident subcontractor who is not licensed or registered with the Louisiana State Licensing Board for Contractors or an appropriate subcommittee of such board shall withhold and remit to the Department of Revenue three percent of the payments due to the nonresident subcontractor arising out of the contract unless the nonresident has posted the bond as set forth in Subsection C and received certification from the Department of Revenue as set forth in Subsection B. The nonresident subcontractor shall provide the certification to the contractor. However, if the subcontractor is included in the list which shall be provided by the Department of Revenue of those resident and nonresident contractors who have received certification from the Department of Revenue, the contractor shall not be required to obtain the certification.

(b) For purposes of this Section, "contracting for commercial purposes" means entering into contracts other than for the following:

(i) A single residential duplex.

(ii) A single residential triplex.

(iii) A single residential fourplex.

(iv) Any residential home or homes; which shall include those for which the contractor has a single contract for the construction of two or more homes within the same subdivision.

(2) The contractor shall obtain the certification issued to his resident subcontractors by the Department of Revenue as provided for in Subsection B of this Section to prove that this withholding is not required. However, if the subcontractor is included in the list which shall be provided by the Department of Revenue of those resident and nonresident contractors who have received certification from the Department of Revenue, the contractor shall not be required to obtain the certification.

(3) Any contractor or subcontractor required to withhold pursuant to Paragraph (D)(1) of this Section found to have a contract or subcontract with a nonresident contractor who has not received certification from the Department of Revenue as provided for in Subsection B of this Section, and such contractor or subcontractor has not withheld and remitted to the Department of Revenue the requisite three percent of the payments due to the nonresident contractor, may be assessed a penalty of up to ten percent of the total contract amount. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

E. All nonresident contractors shall withhold and remit to the Department of Revenue four and two-tenths percent of all amounts payable to those who are not their employees and are also not Louisiana residents. Failure to do so may result in the assessment of a penalty in the amount of up to ten percent of the contract amount. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

(3) F. Failure to comply with the provisions of this Section shall render ~~said~~ the contractor directly liable for ~~such~~ all taxes, contributions, penalties, and interest due from ~~said~~ the subcontractor and the secretary shall have all of the remedies of collection against ~~said~~ the contractor under the provisions of this Section as though the services in question were performed directly ~~for~~ said by the contractor.

G. Any person found producing fraudulent certificates or documents under this Section shall be assessed a penalty of twenty thousand dollars or twenty-five percent of the contract, whichever is greater, and may be subject to criminal prosecution.

(4) H. No state entity, including but not limited to the office of state fire marshal, code enforcement and building safety or local governing authority charged with the responsibility of issuing any permit, license, or certificate necessary for the lawful commencement of any construction contract shall issue such permit, license, or certificate to a nonresident contractor until sufficient evidence is presented by the applicant that he has posted the bond required by this Subsection the applicant has presented the certificate issued by the Department of Revenue evidencing the fact that he has

executed the appropriate bond required by this Section or that he is a resident contractor current on all final and nonappealable taxes, interest and penalties due to the state. However, contractors who possess a current license issued by the Louisiana State Licensing Board for Contractors or a subcommittee of such board may present such license in lieu of the certificate issued by the Department of Revenue as evidence that he has executed the appropriate bond or is current on all final and nonappealable taxes, interest and penalties due to the state.

(5) L(1) Every person failing to register as required by this Section or to execute the bond herein provided before beginning the performance of any contract shall be denied the right to perform such any contract until he complies with such requirements, and the district attorney for any parish in which the contract is to be performed, the employment security division, or the secretary, or the attorney general is hereby authorized to proceed by injunction to prevent any activity in the performance of such contract until such registration is made and such bond is executed and filed, and any temporary injunction enjoining the execution of such contract shall be granted without notice by any judge authorized by law to grant injunctions.

(2) The secretary is further authorized to impose a penalty for commencement of a contract without the proper registration and bond required by this Section in the amount of five hundred dollars or five percent of the construction contract, whichever is greater.

J. The secretary of the Department of Revenue may promulgate such rules and regulations as are necessary to effectuate the provisions of this Section.

K. Nothing herein shall be construed so as to affect the licensing requirements of R.S. 47:341 et seq.

L. Money received by the secretary from the penalties imposed by this Section shall be deposited immediately upon receipt into the state treasury and after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, shall be designated as self-generated revenues of the agency and shall be used by the department solely for the purpose of administering and enforcing the provisions of this Section.

AMENDMENT NO. 6

On page 2, between lines 15 and 16, insert:

"§337.19. Withholding of state funds; assessment and collection standards

A. The secretary of the Department of Revenue, after consultation with representatives of the Louisiana Municipal Association, the Louisiana Police Jury Association, the Louisiana School Boards Association, and the Louisiana Association of Tax Administrators, is hereby authorized and directed to promulgate rules, pursuant to the enforcement of R.S. 47:306(D) 47:9. Such rules shall also apply to R.S. 47:337.18(C). The municipal and parish permitting agencies of each parish as specified in R.S. 47:306(D)(a) 47:9 and R.S. 47:337.18(C)(2)(a) shall comply with rules authorized by this Subsection within six months of the effective date of such rules.

§1508. Confidential character of tax records

B. Nothing herein contained shall be construed to prevent:

(23) The secretary from disclosing to the Louisiana State Licensing Board for Contractors or an appropriate subcommittee of such board taxpayer information for the sole purpose of administering the provisions of R.S. 47:9 or from publishing the names of those resident and nonresident contractors that have received certification from the Department of Revenue pursuant to R.S. 47:9.

AMENDMENT NO. 7

On page 2, after line 28, insert:

"Section 2. R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C) are hereby amended and reenacted and R.S.

37:2156.1(M), 2158(A)(11), and 2186(B)(7) are hereby enacted to read as follows:

§2156. Unexpired licenses; fees; renewals

A. (1) All licenses and renewals issued under the provisions of this Chapter shall expire December 31 of the year in which they are issued. The license is an annual license and becomes invalid on that date unless renewed; however, after a license has expired, the person to whom such license was issued shall have until the second Tuesday of January next following the expiration date, to file an application for the renewal of such license without the payment of a penalty and without further examination, and any person who makes an application for the renewal of a license after the second Tuesday of January next following the expiration date of the license may, at the discretion of the board, have his license renewed after paying the required license fees and such penalty, not exceeding the sum of fifty dollars, that the board may impose.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, no license shall be issued or renewed unless the board or an appropriate subcommittee of the board has received certification that the applicant is in compliance with R.S. 47:9.

E. Any other provisions of this Chapter notwithstanding:

(1) No license shall be issued or reissued to any foreign corporation which has not obtained from the secretary of state a certificate of authority to do business, as provided in Chapter 3 of Title 12 of the Louisiana Revised Statutes of 1950 and a certificate from the secretary of the Department of Revenue evidencing compliance with the requirements of R.S. 47:9.

(2) No license shall be issued or reissued to any resident or nonresident contractor or subcontractor as defined in R.S. 47:9 who has not obtained from the secretary of the Department of Revenue a certificate evidencing compliance with the requirements of that Section.

§2156.1. Requirements for issuance of a license

L. Each applicant shall present a certificate evidencing compliance with the requirements of R.S. 47:9.

M. Upon completion of the above requirements, the application shall be submitted to the board for review at its next regularly scheduled meeting.

§2158. Revocation, suspension, and renewal of licenses; issuance of cease and desist orders; debarment

A. The board may revoke any license issued hereunder, or suspend the right of the licensee to use such license, or refuse to renew any such license, or issue cease and desist orders to stop work, or debar any person or licensee, for any of the following causes:

(11) Failure to obtain the certification required by R.S. 47:9(B) evidencing the fact that the contractor is a resident and has paid all final and nonappealable taxes, interest and penalties due to the state or is a nonresident and executed the appropriate bond under R.S. 47:9(C).

§2171.1. Inspection of local building permits

Each month the board or its staff shall inspect the list of residential building permits issued by each local building permit official in this state to ensure that no person is working as a residential building contractor without an active license. The board or its staff shall forward a list of all persons found working as residential building contractors without an active license to the secretary of the Department of Revenue each month.

§2171.2. Requirements; building permit

A. Prior to the issuance of any building permit, the local building permit official shall require that the applicant for such permit produce proof that the applicant possesses an active, applicable contractors license issued by the board, or that the applicant's proposed building activity is exempt from such licensure under this Chapter. The local building permit official shall require any applicant claiming an exemption for residential construction activities to execute an affidavit attesting to the claimed exemption. Such affidavit shall be submitted to the local building permit official prior to the issuance of a permit. Such affidavit shall be executed on

a form provided by the board.

B. If for any reason, including the exemptions provided for in Subsection A of this Section, the applicant is not required to produce a current active license issued by the board or its subcommittees prior to receiving a local building permit, the contractor shall be required to produce the certification provided for in R.S. 47:9(B) evidencing the fact that the contractor is a resident and has paid all final and nonappealable taxes, interest and penalties due to the state or is a nonresident and executed the appropriate bond under R.S. 47:9. Such certificate shall be submitted to the local building permit official prior to the issuance of a permit.

C. Liability shall not be imposed on a political subdivision or its officers or employees based upon the exercise or performance of, or the failure to exercise or perform any act or duty provided for in this Section.

§2175.2. Home improvement contracting; registration required
* * *

C. The applicant shall furnish the board proof of workers' compensation insurance and proof of registration with the Department of Revenue by providing a **current** certificate of **resident/nonresident status issued by the Department of Revenue pursuant to R.S. 47:9. However, proof of workers' compensation insurance shall not be required if the applicant is an independent contractor who is a sole proprietor with no employees and has elected not to be covered by workers' compensation insurance as provided by law.**
* * *

§2186. Qualifications for licensure; application; fees
* * *

B. An applicant for a license to perform mold remediation shall meet the following requirements:
* * *

(7) Possess a current certificate issued by the Department of Revenue pursuant to R.S. 47:9.

Section 3. R.S. 47:306(D) is hereby repealed."

AMENDMENT NO. 8

On page 3, line 1, change "Section 2." to "Section 4."

On motion of Senator Hines, the amendments were adopted.

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

NAYS

Total - 0

ABSENT

Cheek
Total - 1

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

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; 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	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Malone	Uilo
Dardenne	Marionneaux	
Duplessis	McPherson	

Total - 37

NAYS

Total - 0

ABSENT

Hollis
Total - 2
Lentini

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. 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.

June 15, 2006

On motion of Senator Schedler, House Bill No. 1130 was made Special Order of the Day No. 1 on Friday, June 16, 2006, immediately following the Morning Hour.

HOUSE BILL NO. 1153— (Substitute for House Bill No. 549 by Representative Hopkins)
BY REPRESENTATIVES HOPKINS, CAZAYOUX, AND WADDELL
AN ACT

To enact R.S. 14:102.21, relative to offenses affecting public sensibility; to create the crime of harboring or concealing an animal which has bitten or inflicted serious bodily injury to a human; to provide for penalties; to provide for definitions; to provide for reports; 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	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Lentini
Total - 1

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. 1172—
BY REPRESENTATIVES TUCKER AND SCALISE
AN ACT

To enact R.S. 38:2182 and R.S. 39:1518.1 and 1658, relative to public contracts and procurement; to require certain information be furnished with respect to certain contracts let during a state of emergency; to provide for notification to contractors; to provide for the maintenance of a list or registry of such information; to provide for the crime of failure to submit such required information; to provide for penalties; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1172 by Representative Tucker

AMENDMENT NO. 1
On page 2, line 12, after "percent" and before "of the original" insert "in the aggregate"

AMENDMENT NO. 2
On page 3, line 27, after "percent" and before "of the original" insert "in the aggregate"

AMENDMENT NO. 3
On page 5, line 12, after "percent" and before "of the original" insert "in the aggregate"

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator Heitmeier 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
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Broome
Dardenne
Total - 4

The Chair declared the amended 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. 1186—
BY REPRESENTATIVE ALARIO
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2006-2007; and to provide for related matters.

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

HOUSE BILL NO. 1208—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

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

HOUSE BILL NO. 1209—
BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, SALTER, TOOMY, AND TOWNSEND AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds to defray the expenses of the Louisiana

Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

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

HOUSE BILL NO. 1215—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact Section 13 of Act No. 465 of the 2005 Regular Session of the Legislature as amended by Act No. 20 of the 2006 First Extraordinary Session of the Legislature, relative to revenue sharing; to provide for certain parish allocations for Fiscal Year 2005-2006; to provide with respect to the distribution of certain revenue sharing allocations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1235—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 37:1226.2(B), (C), (D), and (E) and to enact R.S. 37:1226.2 (A)(3), (F), (G), and (H), relative to prescription drug returns, exchanges, and redispensing; to allow a penal institution or state hospital for the mentally ill to receive donated medications for redispensing to individuals in its facility; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1244—
BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOIE, FIELDS, JONES, AND HEITMEIER
AN ACT

To appropriate funds for Fiscal Year 2006-2007 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

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

HOUSE BILL NO. 1260—
BY REPRESENTATIVES M. POWELL AND SCALISE
AN ACT

To amend and reenact R.S. 14:38.2(A)(2) and R.S. 17:416(A)(1)(c)(vii)(aa), (bb), and (cc), relative to assault on a school employee; to define the crime of assault on a school employee; to provide for the discipline of public elementary and secondary school pupils found guilty of certain offenses involving assault on a school employee; to provide an effective date; and to provide for related matters.

The bill was read by title. 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	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers

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

Total - 36
NAYS

Total - 0
ABSENT

Cravins	Hollis	Schedler
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Total - 3

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. 1274—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b) and to enact R.S. 1:55(E)(5), relative to holidays for the clerk of court's office of a district court, parish court, and city court and holidays of all the courts; to authorize a clerk of court to close his office when an emergency has been declared by either the governor or the local governing authority; to provide clarification for the holidays of courts generally; 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
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36
NAYS

Total - 0
ABSENT

Adley	Cravins	Quinn
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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.

HOUSE BILL NO. 1275—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 15:85(3)(d), relative to bond forfeitures; to require a defendant to reimburse the clerk of court for postage and expenses associated with mailing out required notices; and to provide for related matters.

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

June 15, 2006

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
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins	Quinn
Total - 2	

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.

HOUSE BILL NO. 1311—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 26:2(12) and 71(A)(3)(c), 241(12), and 271(A)(4) and (5) and to enact R.S. 26:71(A)(3)(d), 71.2, 271(A)(6), and 271.3, relative to permits to engage in the business of dealing in beverages of high or low alcoholic content; to provide for a Retail Class C-Package Store permit; to provide for a fee for the permit; to define "Class C-Package Store"; to define Package House-Class B; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 1311 by Representative Townsend

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1, 3, and 4 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 13, 2006

AMENDMENT NO. 2

On page 1, line 2, after "71(A)(3)(c)," delete the remainder of the line and insert "71.1(1)(b) and (f) and (3)(a), 241(8), (12), and (18), 271(A)(1), (4), and (5), and 271.2(1)(b) and (f) and (3)(a) and"

AMENDMENT NO. 3

On page 1, line 6, after "House-Class B;" insert "to define restaurant establishment as it relates to Restaurant "R" permits; to provide relative to Class A retail liquor permits; to provide relative to wholesale dealers of malt beverages;"

AMENDMENT NO. 4

On page 1, line 9, after "71(A)(3)(c)," delete the remainder of the line and insert "71.1(1)(b) and (f) and (3)(a), 241(8), (12), and (18), 271(A)(1), (4), and (5), and 271.2(1)(b) and (f) and (3)(a) are hereby"

AMENDMENT NO. 5

On page 3, between lines 21 and 22, insert the following:

"The following terms have the respective meanings ascribed to them except in those instances where the context indicates a different meaning:

* * *

(8)(a) "Malt beverages containing not more than six percent alcohol by volume" means beverages obtained by alcoholic fermentation of an infusion or by a brewing process or concoction of barley or other grain, malt, sugars, and hops in water, including among other things, ale, beer, stout, porter, and the like. Malt beverages are exclusive of all "liquors" whether they be defined as intoxicating or spirituous liquors, or as alcoholic, vinous, or malt liquors, or however otherwise defined as liquors, which are produced by distillation.

(b) "Malt beverages containing more than six percent alcohol by volume" means beverages obtained by alcoholic fermentation of an infusion or by a brewing process or concoction of barley or other grain, malt, sugars, and hops in water, including among other things, ale, beer, stout, porter, and the like. Malt beverages are exclusive of all "liquors" whether they be defined as intoxicating or spirituous liquors, or as alcoholic, vinous, or malt liquors, or however otherwise defined as liquors, which are produced by distillation.

(c) For purposes of R.S. 26:287(9) and (10) and 741 only, malt beverages shall mean all beverages, regardless of alcoholic content, as defined in this Paragraph and all beverages of low alcoholic content as defined in Paragraphs (16) and (17) of this Section."

AMENDMENT NO. 6

On page 3, after line 29, insert the following:

"(18)(a) "Wholesale dealer" of malt beverages containing not more than six percent alcohol by volume" means those persons who sell malt beverages containing not more than six percent alcohol by volume and alcoholic beverages of low alcoholic content to licensed wholesale dealers or licensed retail dealers exclusively, within the state or to any person for delivery beyond the borders of the state to a licensed dealer in that state and who conduct a bona fide wholesale business and maintain a warehouse or warehouses for the storage and warehousing of malt beverages and alcoholic beverages of low alcoholic content in the area where domiciled and licensed by the state, and conduct and maintain systematic and regular solicitations, distribution, deliveries, and sales of said beverages to licensed retail dealers located within the boundary of each parish, municipality, or geographic area, as contractually defined between the wholesaler and his supplier, in which the wholesale dealer makes any sale or delivery.

(b) Wholesale dealer of malt beverages containing more than six percent alcohol by volume" means those persons who sell malt beverages containing more than six percent alcohol by volume and alcoholic beverages of low alcoholic content to licensed wholesale dealers or licensed retail dealers exclusively, within the state or to any person for delivery beyond the borders of the state to a licensed dealer in that state and who conduct a bona fide wholesale business and maintain a warehouse or warehouses for the storage and warehousing of malt beverages and alcoholic beverages of low alcoholic content in the area where domiciled and licensed by the state, and conduct and maintain systematic and regular solicitations, distribution, deliveries, and sales of said beverages to licensed retail dealers located within the boundary of each parish, municipality, or geographic area, as contractually defined between the wholesaler and his supplier, in which the wholesale dealer makes any sale or delivery."

AMENDMENT NO. 7

On page 4, line 2, after "dealing in" insert "malt" and after "beverages" insert "or beverages"

AMENDMENT NO. 8

On page 4, between lines 7 and 8 insert the following:

"(1)(a). Wholesalers dealers of malt beverages containing not more than six percent alcohol by volume -- one thousand dollars.

(b) Wholesaler dealers of malt beverages containing more than six percent alcohol by volume. To obtain this permit, the applicant shall hold the permit provided in Subparagraph (a) of this Paragraph.

* * *

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 1311 by Representative Townsend

AMENDMENT NO. 1

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 13, 2006, on line 17, change "only" to "not" and at the end of the line 17 change "never" to "applied to or have" and on line 18 after "2006" and before the period ":" insert ", and have not discontinued the sale and service of such beverages for more than six months"

AMENDMENT NO. 2

In Senate Committee Amendment No. 9 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 13, 2006, on line 10, change "only" to "not" and at the end of line 10 change "never" to "applied to or have" and on line 11 after "2006" and before the period ":" insert ", and have not discontinued the sale and service of such beverages for more than six months"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Bajoie	Gautreaux B	McPherson
Chaisson	Heitmeier	Michot
Cheek	Hollis	Romero
Cravins	Jackson	Schedler
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total - 23		

NAYS

Barham	Dardenne	Murray
Broome	Fontenot	Nevers
Cain	Malone	Smith
Total - 9		

ABSENT

Adley	Gautreaux N	Shepherd
Amedee	Mount	
Boasso	Quinn	
Total - 7		

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

HOUSE BILL NO. 1315—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to charitable gaming; to provide for the number of electronic video bingo machines which may be operated at a licensed establishment; to provide for limitations on the times electronic video bingo machines may be operated; to provide with respect to the beginning of bingo sessions; to provide with

respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to provide for related matters.

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

HOUSE BILL NO. 1364— (Substitute for House Bill No. 50 by Representative Thompson)

BY REPRESENTATIVES THOMPSON AND KENNEY AND SENATORS ELLINGTON, MARIONNEAUX, AND SHEPHERD
AN ACT

To amend and reenact R.S. 14:103(B) and to enact R.S. 14:103(A)(7) and (8), relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace relative to funerals; to provide for additional penalties; 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	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Gautreaux N
Total - 1

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. 1382— (Substitute for House Bill No. 582 by Representative Crowe)

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 40:1299.35.6(C)(1)(a) and to enact R.S. 40:1299.35.6(A)(5)(d) and (B)(1)(g), relative to the performance of abortions; to provide for informed consent requirements; to provide for publication of materials by the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 1383— (Substitute for House Bill No. 875 by Representative Townsend)

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 40:4(A)(1)(c), relative to retail food establishments; to provide for rules and regulations; and to provide for related matters.

June 15, 2006

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

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Quinn
Ellington	Nevers	
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. 1386— (Substitute for House Bill No. 808 by Representative Hopkins)

BY REPRESENTATIVE HOPKINS
AN ACT

To enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, relative to animal control agency officers; to authorize the appointment of certain animal control officers by parish governing authorities in certain parishes; to provide for qualifications; to provide for enforcement powers; to provide for P.O.S.T. certification; to provide for limitations; 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	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Mount
Total - 3		

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. 1387— (Substitute for House Bill No. 1009 by Representative Toomy)

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:2(10) and (17), 85, 142, and 359(B), (C), (D), (E), and (G), to enact R.S. 26:2(21) and (22) and 71(A)(6) and (7), and to repeal Part II-A of Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, comprised of R.S. 26:321 through 327, and R.S. 26:341(A)(5) and (B), relative to wine producers under the Alcoholic Beverage Control Law; to provide for definitions; to provide for permits; to authorize a wine producer to sell or serve its product at retail directly to consumers at its winery, at specified other locations, and to directly ship to consumers in Louisiana; to authorize the selling and direct shipment of sparkling or still wine directly to a consumer in Louisiana by a manufacturer or retailer domiciled outside of the state or by a wine producer domiciled inside or outside of the state; to provide for exceptions requiring shipment to a wholesaler; to repeal all provisions of Louisiana's Native Wine Law; to repeal provisions providing for an excise or license tax on native wines; to repeal provisions providing for an additional tax on manufacturers or retailers of sparkling wine or still wine domiciled outside the state who directly ship to a consumer within the state; 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	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

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.

Senator Fields in the Chair

HOUSE BILL NO. 1399— (Substitute for House Bill No. 974 by Representative Gray)

BY REPRESENTATIVE GRAY

AN ACT

To enact Part VIII of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:5001 through 5003, relative to inclusionary zoning for affordable housing; to authorize and permit any municipality or parish with land use or zoning ordinances or regulations to adopt ordinances for inclusionary zoning for affordable housing; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Reengrossed House Bill No. 1399 by Representative Gray

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 14, 2006.

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Shepherd
Total - 3		

The Chair declared the amended 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. 1403— (Substitute for House Bill No. 1318 by Representative Harris)

BY REPRESENTATIVES HARRIS AND RICHMOND

AN ACT

To enact Code of Criminal Procedure Article 334.1, relative to bail; to provide that a person arrested for a felony offense involving a firearm shall not be released on their own recognizance; and to provide for related matters.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed House Bill No. 1403 by Representative Harris

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact Code of Criminal Procedure Article 230.1(A) and to" and change "bail" to "arrest; to provide for the maximum time for appearance before a judge for the purpose of appointment of counsel for persons held in custody who are incapacitated or unconscious and unable to appear;"

AMENDMENT NO. 2

On page 1, line 6, between "Section 1." and "Code" insert "Code of Criminal Procedure Article. 230.1(A) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"Art. 230.1. Maximum time for appearance before judge for the purpose of appointment of counsel; court discretion to fix bail at the appearance; extension of time limit for cause; effect of failure of appearance

A. The sheriff or law enforcement officer having custody of an arrested person shall bring him promptly, and in any case within seventy-two hours from the time of the arrest, before a judge for the purpose of appointment of counsel. Saturdays, Sundays, and legal holidays shall be excluded in computing the seventy-two-hour period referred to herein. The defendant shall appear in person unless the court by local rule provides for such appearance by telephone or audio-video electronic equipment. However, upon a showing that the defendant is incapacitated, unconscious, or otherwise physically or mentally unable to appear in court within seventy-two hours, then the defendant's presence is waived by law, and a judge shall appoint counsel to represent the defendant within seventy-two hours from the time of arrest.

On motion of Senator Quinn, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N	McPherson
Total - 2	

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

June 15, 2006

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

HOUSE BILL NO. 1404— (Substitute for House Bill No. 337 by Representative M. Guillory)

BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 40:1300.52(A)(1), (B)(1), (C), (D)(2), and (E) and to enact R.S. 40:1300.52(B)(3), relative to nonlicensed persons and licensed ambulance personnel; to provide for security checks; 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.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules to take up at this time

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

The following House 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 Chaisson asked that House Bill No. 54 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 54—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 44:9(J), relative to expungement or destruction of criminal records; to provide a procedure for the destruction of certain expunged arrest records; to provide for applicability; to provide with respect to the rights of a person having an arrest record destroyed; to provide for retroactive application; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Malone
Total - 3		

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

Called from the Calendar

Senator Chaisson asked that House Bill No. 79 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 79—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 27:311.9, relative to the licensing and operation of video draw poker devices; to provide for an exemption from processing fees for new video poker license applications when there is a transfer of ownership among subsidiaries and the corporate structure of a licensee changes; to provide for applicability; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Boasso	Ellington	Michot
Cain	Fields	Murray
Chaisson	Gautreaux B	Romero
Cheek	Heitmeier	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total - 24		

NAYS

Amedee	Fontenot	Nevers
Barham	Lentini	
Broome	Malone	
Total - 7		

ABSENT

Adley	Kostelka	Quinn
Bajoie	McPherson	Shepherd
Gautreaux N	Mount	
Total - 8		

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

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 79. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Mr. President in the Chair

Called from the Calendar

Senator Jones asked that House Bill No. 335 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 335—
BY REPRESENTATIVES BOWLER AND MARCHAND
AN ACT

To amend and reenact R.S. 49:992(D)(2) and to enact R.S. 49:992(I), relative to adjudications and hearings functions of the division of administrative law and certain state departments; to provide

for adjudications and hearings functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; and to provide for related matters.

Floor Amendments Sent Up

Senator Broome sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed House Bill No. 335 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, before "(D)(2)" insert "(B)(2) and"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, before "(D)(2)" insert "(B)(2) and"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"B. * * *

(2) ~~It~~ Except as provided in Subsection (D)(2), in an adjudication commenced by the division, the administrative law judge shall issue the final decision or order, whether or not on rehearing, and the agency shall have no authority to override such decision or order. Upon the issuance of such a final decision or order, the agency or any official thereof shall comply fully with the final order or decision of the administrative law judge.

* * *

AMENDMENT NO. 4

On page 2, line 28, delete "initial" and insert "recommended"

AMENDMENT NO. 5

On page 2, line 29, delete "initial" and insert "recommended"

AMENDMENT NO. 6

On page 3, line 1, after "days to" insert "issue a final" and delete "reject, modify, or approve the"

AMENDMENT NO. 7

On page 3, line 1, delete "If he rejects or" and delete lines 2 through 7

Motion

Senator Jones moved for a division of the question on the floor amendments.

Without objection, the division of the question was ordered.

Senator Broome moved the adoption of Amendments No. 1-5.

Without objection, Amendments No. 1-5 were adopted.

Senator Broome moved Amendments No. 6-7 be withdrawn.

Without objection, Amendments No. 6-7 were withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Ellington Michot

Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total - 37

Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone
Marionneaux
McPherson

Mount
Murray
Nevers
Quinn
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Mr. President
Total - 1

ABSENT

Gautreaux N
Total - 1

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

Without objection, so ordered.

Called from the Calendar

Senator Dupre asked that House Bill No. 488 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 488—

BY REPRESENTATIVE MARTINY AND SENATOR DUPRE
AN ACT

To enact R.S. 36:509(E)(1) and to repeal R.S. 36:509(B)(5), relative to the Hurricane Flood Protection Advisory Commission; to provide for the nature of its placement within the Department of Transportation and Development; 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
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cravins
Dardenne
Duplessis
Total - 34

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jones
Kostelka
Lentini
Malone
McPherson

Michot
Mount
Murray
Nevers
Quinn
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Cheek
Gautreaux N
Total - 5

Jackson
Marionneaux

Shepherd

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.

Called from the Calendar

Senator Murray asked that House Bill No. 1354 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 1354 by Representative Gray

AMENDMENT NO. 1

On page 1, line 3, after "and" and before "relative" change "R.S. 36:4(B)(1)(g)," to "R.S. 36:4(B)(1)(o),"

AMENDMENT NO. 2

On page 3, line 29, after "Section 2." and before "is" change "R.S. 36:4(B)(1)(g)" to "R.S. 36:4(B)(1)(o)"

AMENDMENT NO. 3

On page 4, at the beginning of line 8, change "(g)" to "(o)"

On motion of Senator Murray, the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 1354 by Representative Gray

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 11, after "by the" and before "New Orleans" insert "president of the"

AMENDMENT NO. 3

On page 2, line 12, change "Five members" to "One member"

AMENDMENT NO. 4

On page 2, between lines 12 and 13, insert the following:

"(8) Three members appointed by the president of the Senate.

(9) Three members appointed by the speaker of the House of Representatives."

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

NAYS

Total - 0

ABSENT

Cravins	Kostelka
Jackson	Shepherd
Total - 4	

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.

Called from the Calendar

Senator Cheek asked that House Bill No. 204 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 204—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 40:2009.4.1, relative to nursing homes; to require the installation of supervised automatic fire sprinkler systems; to provide for the offset of costs; to provide for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed House Bill No. 204 by Representative Hunter

AMENDMENT NO. 1

On page 1, at the beginning of line 14, change "B." to "B.(1)"

AMENDMENT NO. 2

On page 1, after line 22, insert the following:

"B(2) The Medicaid-certified nursing homes that installed sprinkler systems or two-hour rated walls, or both, after August 1, 2001, and before the effective date of this Act, shall be reimbursed for the cost of such installation over a five-year period beginning July 1, 2007, based on each nursing home's Medicaid cost ratio as computed by the Department of Health and Hospitals at the time of completion of the installation. The cost reimbursement shall be calculated as total installation costs less any change in the fair rental value per diem that has been recognized by the department and included in the Medicaid rate as a result of the installation of the sprinkler system or the two-hour walls, or both. The cost of installation shall not be included in the nursing home's Medicaid rate calculations, but shall be reimbursed to the nursing home's Medicaid per diem rate."

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Cravins	Shepherd
Cain	Jackson	
Total - 5		

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

Called from the Calendar

Senator Barham asked that House Bill No. 55 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 55 by Representative McDonald

AMENDMENT NO. 1
On page 1, line 2, after "(introductory paragraph)" insert ", (I)(2) and (3), and (N)"

AMENDMENT NO. 2
On page 1, line 4, after "sales;" insert "to provide relative to undisputed obligations; to provide for payments to a waste processor; to provide relative to the applicability to claims or actions pending on the effective date;"

AMENDMENT NO. 3
On page 1, line 6, after "(introductory paragraph)" insert ", (I)(2) and (3), and (N) are" and delete "is"

AMENDMENT NO. 4

On page 1, delete line 21, and insert the following:

I. (1) * * *
(2) A permitted waste tire processing facility shall be eligible to receive paid a minimum of one dollar and fifty cents per twenty pounds of waste tire material that is recycled or that reaches end-market uses or per twenty pounds of whole waste tires marketed and shipped to a qualified recycler. This payment shall be conditioned on the facility providing to the department any documentation, including but not limited to manifests, statements, or certified scale-weight tickets, required by law or by rules and regulations promulgated by the department. The secretary shall not make payments from the fund or obligate the department to make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, in an amount greater than fifty percent of the amount otherwise eligible to receive pursuant to this Paragraph until one of the following occurs:

(a) Payments have been made from the fund to waste tire processors, as provided for in Subparagraph (I)(3)(b), for a period of three consecutive months.

(b) All undisputed obligations owed to waste tire processors have been paid in full.

(c) For purposes of this Section, "undisputed obligations" means those waste tire material payments which should have been paid by the department to a waste tire processor since January 1, 2003, but which have not been paid due to the insufficiency of the Waste Tire Management Fund.

(3)(a) In the event the balance of the fund is insufficient to meet the obligations to waste tire processors provided for above, the department, after meeting all payments required by law, shall pay any undisputed amounts obligations in a pro rata share to waste tire processors ~~having a standard permit~~. Any remaining undisputed obligations which would have been paid to waste tire processors, but for the insufficiency of the Waste Tire Management Fund, shall be paid from future surplus funds in the Waste Tire Management Fund as provided in Subparagraph(I)(3)(b) of this Section.

(b) In the event the fund has a surplus after meeting all obligations of the fund for the month, including any payments required by law, such surplus shall be distributed in a pro rata share to those waste tire processors ~~having a standard permit~~ for whom there are unpaid obligations of the fund, excluding any disputed amounts. Such surplus shall be processed for payment by the department within fifteen days after the end of the month in which the surplus arose.

* * *

N. The secretary shall promulgate rules to make payments to processors on the basis of weight or tire count at the option of the processor. Payments to a waste processor, or any portion thereof, shall not be terminated prior to an adjudication and issuance of a decision, after adequate notice and an opportunity for a hearing, as provided in the Administrative Procedure Act.

* * *

Section 2. The provisions of this Act are interpretive of R.S. 30:2418(I) and are intended to explain and clarify its original intent, notwithstanding the contrary interpretation given in La. Atty. Gen. Op. No. 05-0385, November 10, 2005. Therefore, the provisions of this Act shall be applicable to all claims or actions pending on its effective date and to all claims arising or actions filed on and after its effective date.

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

On motion of Senator Barham, the amendments were adopted.

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

June 15, 2006

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cain	Duplessis
Cravins	Shepherd
Total - 4	

The Chair declared the amended 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.

Called from the Calendar

Senator Dardenne asked that House Bill No. 791 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 791—

BY REPRESENTATIVES LANCASTER, SMILEY, ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOIE, HINES, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 17:2047(B) and 2048(C), R.S. 23:1871(O) and (P), R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 37:1005(B), and R.S. 46:2674(A)(2), to enact R.S. 36:209(H)(3) and 259(D), and to repeal Part X of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.81 through 551.85, R.S. 23:103 and 1871(C)(13) and (G)(2), R.S. 25:1222(C) and 1223.1, Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1261 through 1264, Part I of Chapter 6 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:401, Chapter 27 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2351 through 2357, R.S. 36:109(G)(2), 209(I), (R), (T), and (Y), 239(C), 259(E)(2) and (HH), 309(H), 359(H), 629(E)(2), 744(K), 802.13, 802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(I), Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751 through 1753, Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347, Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:109.1, R.S. 49:229.1, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, and Act No. 319 of the 1977 Regular Session of the Legislature, relative to boards, commissions, districts, authorities, and like entities; to abolish certain boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Pork Promotion Board; to remove references to and provisions for the Louisiana-Mississippi Tangipahoa River Waterway Compact;

to remove references to, provisions for, and the powers, functions, and duties of the Grant Parish Port Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Advisory Committee on Assisted Living; to remove references to, provisions for, and the powers, functions, and duties of the Education Facilities Trust Fund District and its board of trustees; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Private Employment Service Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Purchase Commemorative Act Commission; to remove certain references to the Louisiana Biomedical Research and Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Eastern New Orleans Interstate Oversight Commission; to remove references to, provisions for, and the powers, functions, and duties of the First Stop Shop Coordinating Council; to remove references to, provisions for, and the powers, functions, and duties of the Manchac Parkway and its commission; to remove references to, provisions for, and the powers, functions, and duties of the Red River Development Council; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; to abolish the Louisiana Unmarked Burial Sites Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; 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	Fields	McPherson
Adley	Fontenot	Michot
Amedee	Gautreaux B	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cain	Ellington
Cravins	Shepherd
Total - 4	

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.

Senator Dardenne in the Chair

Called from the Calendar

Senator McPherson asked that House Bill No. 1097 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1097—

BY REPRESENTATIVES LAFLEUR, ALEXANDER, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GLOVER, GREENE, M. GUILLORY, HEBERT, HILL, HUTTER, JOHNS, KATZ, KENNEY, LABRUZZO, MCDONALD, MONTGOMERY, ODINET, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WHITE, AND WINSTON

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Total. Lists names like Mr. President, Fontenot, Michot, etc., and a total of 34.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Total. Lists names like Amedee, Cravins, Shepherd, etc., and a total of 5.

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

Called from the Calendar

Senator Dupre asked that House Bill No. 475 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 475—

BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 38:3086.23(A)(2) as amended by Section 1 of Act No. 2 of the 2005 Regular Session of the Legislature, relative to the Ascension Parish members of the Bayou Lafourche Fresh Water District board of commissioners; to provide for the continued effectiveness of certain provisions; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed House Bill No. 475 by Representative Quezaire

AMENDMENT NO. 1

On page 1, delete lines 18 through 20 in their entirety.

AMENDMENT NO. 2

On page 1, line 18 insert the following:

"(b) One commissioner shall be a resident of the Parish of Ascension, who resides within the district, who shall be appointed by the governor from a list of nominees submitted by the majority of the members of the Legislative Delegation whose districts include that portion of Ascension Parish within the district."

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Total. Lists names like Mr. President, Fields, McPherson, etc., and a total of 35.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Total. Lists names like Cain, Ellington, Cravins, Shepherd, etc., and a total of 4.

The Chair declared the amended 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.

Called from the Calendar

Senator Hollis asked that House Bill No. 1380 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1380— (Substitute for House Bill No. 1181 by Representative LaBruzzo)

BY REPRESENTATIVE LABRUZZO AN ACT

To enact R.S. 8:655(C) and (D) and R.S. 37:876(F) and (G), relative to funeral homes; to provide for a child's right to view the body of a deceased parent; to provide for exceptions; to provide for a civil action; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

June 15, 2006

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1380 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 13, after "crematory" and before the period "." insert the following:

"if the child requests the viewing and the viewing can be accomplished within a reasonable period of time not to exceed four days"

AMENDMENT NO. 2

On page 1, delete line 14, and insert the following:

"D. A child shall have a cause of action against a person who controls the right of interment"

AMENDMENT NO. 3

On page 1, at the beginning of line 15, delete "the deceased"

AMENDMENT NO. 4

On page 2, line 5, after "crematory" and before the period "." insert the following:

"if the child requests the viewing and the viewing can be accomplished within a reasonable period of time not to exceed four days"

AMENDMENT NO. 5

On page 2, delete line 6, and insert the following:

"G. A child shall have a cause of action against a person that serves as an authorizing agent"

AMENDMENT NO. 6

On page 2, at the beginning of line 7, delete "the deceased"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cain Ellington
Cravins Shepherd
Total - 4

The Chair declared the amended 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.

Called from the Calendar

Senator Boasso asked that House Bill No. 317 be called from the Calendar at this time for its final passage.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cain Ellington Shepherd
Cravins Jones
Total - 5

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

Called from the Calendar

Senator Hines asked that House Bill No. 1262 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1262 by Representative Salter

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 11, after "B.(1)" insert "(a)"

AMENDMENT NO. 3

On page 1, line 12, after "law." delete the remainder of the line and delete lines 13 and 14

AMENDMENT NO. 4

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

"(b)(i) The legislature finds the following:

(aa) Many pharmacies are in critical financial condition as a result of the implementation of Medicare Part D and from the uncompensated care that pharmacies provided to evacuees during the aftermath of Hurricanes Katrina and Rita.

(bb) Medicaid reimbursement rates for the dispensing fee component of prescription drugs have not been increased since 1994.

(cc) The enactment of the Deficit Reduction Act of 2005 will result in significantly reduced reimbursement rates for the ingredient cost of generic prescription drugs in the medical assistance program.

(dd) The Centers for Medicare and Medicaid Services (CMS) has issued guidance encouraging states to continue paying pharmacists more in dispensing fees to support state savings from greater use of generic prescription drugs.

(ee) Pharmacy is a vital link in the health care delivery system of the state and adequate access to prescription drugs, supplies, and pharmacist services for Louisiana citizens are in jeopardy.

(ii) The legislature further finds that the current Medicaid dispensing fee reimbursement rates are inadequate, that a reasonable dispensing fee is necessary to assure adequate access by Medicaid beneficiaries to prescription drugs, supplies, and pharmacist services, and that a rate of at least fifteen dollars per prescription on all prescription drugs for which a federal upper limit has been set or is set in the future, and at least ten dollars per prescription on all other prescription drugs would assure adequate access.

(iii) The legislature further finds that time is of the essence and that all steps necessary to implement the rate increase pursuant to Subparagraphs (c) and (d) of this Paragraph be taken timely so that an increase in the Medicaid dispensing fee begins on January 1, 2007.

(c) The legislature recognizes that any change in the rate of reimbursement by the medical assistance program must be submitted to and approved or deemed approved by CMS in order to receive federal matching funds. It is the intent of the legislature that the department shall submit to CMS for approval a state plan amendment reflective of the legislative findings in Items (B)(1)(b)(i) and (ii) of this Section and shall negotiate with CMS to obtain the reimbursement rates that assure adequate access to prescription drugs, supplies, and pharmacist services in accordance with Item (B)(1)(b)(ii) of this Section.

(d) The department shall submit a state plan for increased pharmacy dispensing fees as soon as practical. Provided, however, no increase in the dispensing fee rate shall be implemented until CMS shall approve or deem approved a specific rate for pharmacy services, and subject to the conditions of Subparagraph (e) of this Paragraph.

(e) Upon CMS approving or deeming approved the state plan amendment, the Department of Health and Hospitals shall submit for approval by the commissioner of administration and the Joint Legislative Committee on the Budget a funding plan to implement the approved dispensing fee as of January 1, 2007. The funding plan shall include any funds appropriated or allocated by the legislature specifically for this purpose and the cost savings that accrue from implementation of AMP reimbursement rates mandated by CMS, as provided in House Bill No. 1 of the 2006 Regular Session of the Legislature. Provided, however, in the event that available funds are insufficient to fund the pharmacy dispensing fee as approved by CMS, the Department of Health and Hospitals shall submit its

funding plan with a pharmacy dispensing fee that does not exceed the available funding."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Cain	Ellington	Shepherd
Cravins	Lentini	

Total - 5

The Chair declared the amended 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.

Called from the Calendar

Senator Chaisson asked that House Bill No. 278 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 278—

BY REPRESENTATIVES MARTINY, BRUCE, CAZAYOUX, CRAVINS, LAFLEUR, JANE SMITH, AND WHITE
AN ACT

To amend and reenact R.S. 15:542(A)(2)(a), relative to registration requirements of sex offenders; to require sex offenders who enter an emergency shelter to notify the local sheriff; to provide notice to the chief of police in municipalities where a shelter is located; to provide for notice to the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Chaisson	Jones	Smith

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Cheek	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Cain	Ellington	Shepherd
Cravins	Lentini	
Total - 5		

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

Mr. President in the Chair

Called from the Calendar

Senator Hollis asked that House Bill No. 659 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 659—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:1004.1(A) and (B)(1), 1004.2, 1006(A) and (B)(2), and 1007(A) and (B) and to enact R.S. 6:1004(D) and 1006(C), relative to the Louisiana Check Cashing Law; to provide for change of control provisions; to provide for application and renewal fees; to provide for investigation of violations; to provide relative to application and reapplication for licenses; to provide for hearings for violators; to provide for fees and name and location changes; 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	Fields	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	
Total - 31		

NAYS

Quinn
Total - 1

ABSENT

Bajoie	Ellington	Shepherd
Cain	Kostelka	
Cravins	Lentini	
Total - 7		

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.

Called from the Calendar

Senator Hollis asked that House Bill No. 742 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 742—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1730.27(B), 1730.35(A) and (C), and 1730.36, relative to state building codes; to provide for effective period of emergency provisions; to provide for application process; to provide for registration; 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	Dupre	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Cain	Ellington	Lentini
Cravins	Gautreaux N	Shepherd
Total - 6		

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.

Called from the Calendar

Senator Amedee asked that House Bill No. 1206 be called from the Calendar at this time for its final passage.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray

Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Cain	Ellington	Lentini
Cravins	Kostelka	Shepherd
Total - 6		

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

Called from the Calendar

Senator Murray asked that House Bill No. 108 be called from the Calendar at this time for its final passage.

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.

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. 108 by Representative Bruneau

AMENDMENT NO. 1
On page 1, line 14, after "employed" and before "to act" insert "or engaged for compensation"

AMENDMENT NO. 2
On page 1, line 16, after "employment" and delete the period "." and insert "or engagement; however, any person who is engaged or employed to provide a professional service to a person and incidental to such professional service such person communicates with an executive branch agency or official or makes an appearance or assists in an appearance with an executive branch agency or official shall not be a lobbyist unless such person or the person who engaged the professional services of or employed such person makes an expenditure as defined in this Section."

AMENDMENT NO. 3
On page 1, line 17, after "kind" and before "to act" insert a comma "," and "including reimbursement of expenditures."

AMENDMENT NO. 4
On page 2, line 4, after "employed" and before "and" insert "or engaged"

AMENDMENT NO. 5
On page 2, line 23, after "Section 3." delete the remainder of the line and delete lines 24 through 27 and insert "This Act shall become effective on January 1, 2007."

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

Adley	Fontenot	Michot
Amedee	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Chaisson	Hollis	Quinn
Cheek	Jackson	Romero
Dardenne	Jones	Schedler
Duplessis	Kostelka	Smith
Dupre	Malone	Theunissen
Fields	McPherson	Ullo
Total - 30		

NAYS

Mr. President
Total - 1

ABSENT

Bajoie	Cravins	Marionneaux
Broome	Ellington	Shepherd
Cain	Lentini	
Total - 8		

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.

Called from the Calendar

Senator Murray asked that House Bill No. 367 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 367—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:861(A)(2), relative to compulsory motor vehicle liability security; to provide an exemption for water-damaged vehicles; 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	Fields	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Heitmeier	Nevers
Barham	Hollis	Quinn
Boasso	Jackson	Romero
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Duplessis	Malone	
Dupre	McPherson	
Total - 28		

NAYS

Smith
Total - 1

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ABSENT

Broome	Ellington	Schedler
Cain	Gautreaux N	Shepherd
Cravins	Lentini	
Dardenne	Marionneaux	
Total - 10		

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.

Rules Suspended

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 15, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 62— BY SENATOR B. GAUTREAUX AN ACT

To amend and reenact R.S. 11:233(B) and 1903(A)(introductory paragraph), relative to the Parochial Employees' Retirement System; to provide with respect to benefit computation; to clarify definition of earnable compensation; to clarify provisions authorizing system membership; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 427— BY SENATOR CHAISSON AN ACT

To amend and reenact R.S. 18:461(B), relative to qualifying for election; to provide relative to qualifying for multiple office in the same qualifying period; to provide that the last qualifying papers filed by a candidate is determinative of the office for which he is a candidate; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 467— BY SENATOR FONTENOT AN ACT

To enact R.S. 40:971(D) and (E), relative to controlled dangerous substances; to require production of photographic identification under certain circumstances; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 417— BY SENATOR BAJOIE AN ACT

To enact Part VI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1181, relative to kidney disease; to require that clinical laboratories determine the estimated glomerular filtration rate of certain patients; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 596— BY SENATOR SCHEDLER AN ACT

To enact R.S. 28:185, relative to mental health; to provide for penalties for performing mental health or substance abuse counseling without a license; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 737— BY SENATOR JONES AN ACT

To enact Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.11, relative to the Teachers Education Trust Fund Incentive Program; to provide incentives for qualified teachers to locate and work in disadvantaged areas; to authorize the development and establishment of Teachers Education Trust Fund Incentive Program within the state treasury; to provide for program approval; to authorize the office of student financial assistance to administer the program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 749— (Substitute of Senate Bill No. 335 By Senator Nevers) BY SENATORS NEVERS AND HINES AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.5, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the governing boards of public schools not under the jurisdiction of a local board; to provide relative to the funding for dual enrollment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 666— BY SENATOR SCHEDLER AN ACT

To amend and reenact R.S. 40:2198.11(4) and 2198.12(A) and (D)(1), relative to pain management clinics; to provide for definitions; to provide for licensure; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 614— BY SENATOR BAJOIE AN ACT

To amend and reenact R.S. 46:2116, 2116.1(2), the introductory paragraph of 2116.1(3) and (3)(e) and (5), 2116.2(A) and (B)(1), (2), (3) and (4), the introductory paragraph of (C) and (C)(1), (2), and (3), and (D)(1) and (2), 2116.3(A), 2116.5(A) and (D), relative to the personal care assistants program; to provide for flexibility by Department of Social Services, office of rehabilitation services for the standards of eligibility; to provide for definitions for individuals determined to be in need of personal care assistants; provides for members to the advisory panel to develop criteria for prioritization; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 701—
BY SENATOR JONES

AN ACT

To enact R.S. 17:3981(6), relative to charter schools; to require the State Board of Elementary and Secondary Education to provide certain financial information upon the request of certain school systems; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 727—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to provide for a self-insurance fund; to create the Northeast Delta Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 450—
BY SENATOR JACKSON

AN ACT

To enact R.S. 46:2605(B)(41) and to repeal R.S. 46:2605(B)(17) and (35), relative to the Children's Cabinet Advisory Board; to provide for members of such board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 86—
BY SENATORS JONES AND BAJOE

AN ACT

To amend and reenact R.S. 18:1309(A), relative to early voting; to provide relative to the time for conducting early voting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 160—
BY SENATOR JONES

AN ACT

To enact 4-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1051 through 1054, relative to establishing an alliance among states effected by hurricanes Katrina and Rita; to provide for the purpose of restoring and revitalizing the states of Mississippi, Alabama, Louisiana and Texas; to provide for an alliance between states and agree to the alliance on behalf of Louisiana; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 286—
BY SENATORS FIELDS AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 49:149.23, relative to the Department of Social Services; to provide for the naming of the floor in the social services building on which the executive offices are located; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 411—
BY SENATOR MALONE

AN ACT

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

duties; to provide for jurisdiction and venue of suits; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 613—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (1), (2), (4)(introductory paragraph), (5)(a), (b) and (c), (6) and (8) and to enact R.S. 46:2742(B)(5)(d) and (10) and (C), relative to the case mix reimbursement for nursing facilities; to require payment and resource requirement be adjusted quarterly; to provide for a floor for direct care costs; to provide relative to square footage per bed to be allowed; to provide relative to depreciation and a minimum rate of return for facilities; to provide relative to renovations, long-term ownership, and property insurance; to provide relative to pass-through expenses, allowable costs and impact of budget reductions on nursing home reimbursement; and to provide for related matters.

Reported with amendments.

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 certain entities for coastal projects; to provide certain requirements, procedures and definitions; to provide for the adoption of rules and regulations; 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.

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

AN ACT

To enact R.S. 40:1238.1, 1238.2, and 1238.3, relative to public health and safety; to prohibit certain acts without a prescription for legend drugs; to prohibit prescriptions in certain circumstances; to provide for exceptions; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 18—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), the introductory paragraph of 110(B)(1), 197, 401(B), 402(B), the introductory paragraph of (C), (E) and (G), 431(A)(1)(b), 433(G)(1) and the introductory paragraph of (H)(1), 434(A)(1), the introductory paragraph of (C), and (D)(1) and (2), 435(A)(1) and (B), 436, 453, the introductory paragraph of 467, 467(2), 468(A), 491(A) and (C), the introductory paragraph of 552(A), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (E), 1308(A)(2)(a), 1311(D)(5)(a), 1314(B)(1) and (2) and (C), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.24, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the

party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

Reported with amendments.

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

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

AN ACT

To amend and reenact R.S. 40:1300.45(B) and to enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251 through 1300.253, 1300.255, 1300.261 through 1300.263, and to repeal Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.28, and R.S. 40:1300.41, 1300.42, 1300.43, 1300.46, 1300.47, and 1300.48, relative to prohibiting and penalizing smoking in certain places; to provide relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Smokefree Air Act; to provide relative to purposes, definitions, restrictions, and exceptions; to prohibit certain activity and to provide penalties for violation; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Appointment of Conference Committee on House Bill No. 699

The President of the Senate appointed on the Conference Committee on House Bill No. 699 the following members of the Senate: Senators Ellington, Hollis and Nevers.

Privilege Report of the Legislative Bureau

June 15, 2006

To the President and Members of the Senate:

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

The following concurrent resolution and bills are approved as to construction and duplication.

HOUSE CONCURRENT RESOLUTION NO. 290—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

Reported without amendments.

HOUSE BILL NO. 1178—

BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAUX, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO

AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1199—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (D) and to enact R.S. 15:542(B)(7), relative to registration of sex offenders; to provide for registration of sex offenders ten days prior to release from confinement from a state correctional facility; to provide for the offender's photograph to be placed on the office of state police's website; to provide for the initial payment of the registration fee upon release from confinement; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1256—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 29:726(E)(20) and to enact R.S. 29:726(E)(21), relative to the duties of the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to study the pre-bidding of certain disaster response contracts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1334—

BY REPRESENTATIVE BURRELL

AN ACT

To enact Part IV of Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1101 through 1109, relative to residential mortgage lending; to provide for definitions; to prohibit certain acts and practices in connection with loans secured by residential immovable property; to provide for disclosures; to provide for reinstatement; to provide for enforcement and civil liability; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

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

Motion to Make Special Order

Senator Jones asked for and obtained a suspension of the rules for the purpose of making House Bill No. 194, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 2 on Friday, June 16, 2006, immediately following the Morning Hour.

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:

June 15, 2006

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 95—
BY SENATOR BROOME

AN ACT

To enact R.S. 40:600.6(A)(4)(b)(x) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.27 and 600.28, relative to the Louisiana Housing Finance Agency; to create the Louisiana Habitat for Humanity Loan Purchase Program; to provide for the purposes, funding, and procedures of the loan purchase program; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 122—
BY SENATOR MURRAY

AN ACT

To enact R.S. 33:2588, relative to municipal employees laid off due to the hurricanes of 2005; to provide a preference for displaced municipal employees; to provide for a termination date after which the preference shall no longer apply; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 137—
BY SENATORS DUPRE AND MURRAY AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 49:220.6, relative to the Louisiana Recovery Authority; to provide for the expenditure or disbursement of hazard mitigation grant funds; to provide for the expenditure or disbursement of such fund to certain parishes; and to provide for related matters.

SENATE BILL NO. 141— (Duplicate of House Bill No. 642)
BY SENATOR DUPLESSIS AND REPRESENTATIVE BADON AND COAUTHORED BY SENATORS BOASSO, QUINN, SHEPHERD, DARDENNE, HOLLIS AND SCHEDLER AND REPRESENTATIVE SCALISE

A JOINT RESOLUTION

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

SENATE BILL NO. 151—
BY SENATOR MCPHERSON

AN ACT

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

SENATE BILL NO. 159—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Section 7(B)(1) of Act No. 1225 of the 2003 Regular Session of the Legislature, relative to juvenile justice; to add Franklin Parish to the list of parishes that are to be provided with increased availability of alternative programs for adjudicated juveniles and with a community-based system of care for such juveniles residing in those listed parishes; and to provide for related matters.

SENATE BILL NO. 193—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 46:236.1.8(D) and (E), relative to child support programs; to authorize certain support enforcement service support personnel to administer oaths; and to provide for related matters.

SENATE BILL NO. 210—
BY SENATOR JONES AND REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 42:1111(A)(4), relative to the Code of Governmental Ethics; to provide relative to the prohibition on the payment from nonpublic sources; to permit certain government employees to participate in a program established to reduce the burden of student loan debt; to provide relative to such program and such participation; and to provide for related matters.

SENATE BILL NO. 215—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:154(A)(1), relative to unclaimed property; to reduce the time period under which travelers checks are presumed abandoned; and to provide for related matters.

SENATE BILL NO. 249—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 22:1193(D) and (E)(2) and to enact R.S. 22:1193(M), relative to continuing education requirements for insurance brokers, solicitors or agents; to require certain insurance persons to receive training in flood insurance; to provide for the sunset of the requirement for flood insurance training; and to provide for related matters.

SENATE BILL NO. 263—
BY SENATOR HINES AND REPRESENTATIVE SALTER

AN ACT

To amend and reenact the introductory paragraph of R.S. 42:1102(22)(a), relative to the Code of Governmental Ethics; to provide for definitions; to exclude pharmaceutical samples in the definition of a thing of economic value; and to provide for related matters.

SENATE BILL NO. 296—
BY SENATORS QUINN AND HINES AND REPRESENTATIVE TOOMY

A JOINT RESOLUTION

Proposing to amend Article VI, Section 14 of the Constitution of Louisiana, to provide that no law, unless enacted by two-thirds of the elected members of each house of the legislature, requiring increased expenditures for any purpose shall be applicable to a city, parish, or other local public school board except under certain circumstances; to provide for exceptions to such prohibition; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 307—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 42:1121(B), relative to the Code of Governmental Ethics; to prohibit a former employee from rendering certain services to or for his former employer during a specified period regardless of the parties to the contract; and to provide for related matters.

June 15, 2006

SENATE BILL NO. 317—

BY SENATOR B. GAUTREAUX

AN ACT

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

SENATE BILL NO. 320—

BY SENATOR HINES AND REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 49:72(2), relative to executive branch lobbying; to revise the definition of executive branch action; and to provide for related matters.

SENATE BILL NO. 329—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:699.8, relative to wildlife and fisheries; to provide for hunting licenses; to provide certain exemptions to firearm and hunter education; to authorize issuance of a temporary firearm and hunter education deferral license; and to provide for related matters.

SENATE BILL NO. 358—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:1482(A)(1)(b), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain general requirements for consulting contract procurements; and to provide for related matters.

SENATE BILL NO. 369—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:9038.28, relative to special districts; to authorize the governing authority of the town of Washington to create a special district; to grant to such district certain rights and powers, including the power to provide for tax increment financing and to incur debt and issue evidences of indebtedness; and to provide for related matters.

SENATE BILL NO. 376—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:105(D), relative to provisions affecting more than one system; to provide for employer contributions; to provide for maintaining rates; to allow the Clerks' of Court Retirement and Relief Fund to reamortize certain unfunded accrued liabilities; to provide for approval of such reamortization; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 383—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Chapter 1 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 2 and consisting of R.S. 10:1-101 through 1-209, to be comprised of Parts 1 through 3 and consisting of R.S. 10:1-101 through 1-310, to amend and reenact R.S. 9:3306(12) and (26), 3353(A)(8), and 4770(B), R.S. 10:3-101 and 3-103(a)(10), R.S. 10:4-101, 4A-101, 4A-105(a)(6) and (7), 4A-106(a), and 4A-204(b), R.S. 10:5-101, 5-102(b), and 5-103(c), R.S. 10:7-101, R.S. 10:8-102(a)(10), and R.S. 10:9-102(a)(43), and to enact R.S. 10:5-102(a)(6.1), all relative to general provisions under the Louisiana Commercial laws; to revise the entirety of Chapter 1 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for when value is given; to provide for usages of trade; to provide for when actions are taken within a reasonable time; to provide for the relation to Electronic Signatures in Global and National

Commerce Act; to provide for the territorial applicability of the commercial laws and the parties' power to choose applicable law; to provide for the variation of the commercial laws by agreement; to provide for obligation of good faith; to provide for prima facie evidence by third-party documents; to provide for performance or acceptance under reservation of rights; to provide for the option to accelerate at will; to provide for subordinated obligations; to provide for the correction of cross referenced citations; and to provide for related matters.

SENATE BILL NO. 404—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 43:31(B)(1), relative to uniform standards for printed matter; to authorize the legislative budgetary control council to make certain determinations regarding required statements on printed matter; and to provide for related matters.

SENATE BILL NO. 412—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 51:2133(A)(1) and (3) and (C), relative to the Child Performance Trust Act; to provide for the placing of a portion of gross earnings of a minor under contract for artistic or creative services in a trust account; to provide for financial institutions in which such a trust fund may be created; to provide for the charging of reasonable fees by a financial institution providing services as a fiduciary or trustee; to provide for which institutions operating in Louisiana may serve as a trustee of such a trust fund; and to provide for related matters.

SENATE BILL NO. 535—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 22:1137(A)(13), relative to life insurance, including funeral benefits; to authorize certain insurance producers to sell life insurance policies; and to provide for related matters.

SENATE BILL NO. 539—

BY SENATOR ULLO

AN ACT

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

SENATE BILL NO. 541—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 42:1121(B), relative to the Code of Governmental Ethics; to provide an exception from the prohibition on contracting with a former agency for persons who contract to provide sign language or interpretive services; and to provide for related matters.

SENATE BILL NO. 570—

BY SENATOR HINES

AN ACT

To enact Part I-B of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1306 through 1310, relative to rural hospitals and physician referral practices; to provide for the encouragement of collaboration between rural hospitals and physicians; to provide definitions; to provide standards for ethical referral by physicians; to provide prohibitions and exceptions; and to provide for related matters.

June 15, 2006

SENATE BILL NO. 620—
BY SENATOR MURRAY AND REPRESENTATIVES FARRAR AND RICHMOND

AN ACT

To amend and reenact R.S. 22:658(B)(1), relative to insurance claims; to increase the penalties for failure to timely pay a claim; to authorize the assessment of attorney fees and cost against an insurer who fails to timely pay a claim; and to provide for related matters.

SENATE BILL NO. 622—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:1448(S), relative to group insurance; to provide for the payment of group insurance for certain retired sheriffs or deputy sheriffs who retired from the Franklin Parish Sheriff's Office; and to provide for related matters.

SENATE BILL NO. 640—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:4711.1, relative to the sale of surplus movable property; to authorize Internet sales by political subdivisions; and to provide for related matters.

SENATE BILL NO. 643—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 13:996.52(A), relative to courts; to provide for the judicial expense fund for the Thirty-Eighth Judicial District Court; to increase court costs collected from a defendant who is convicted after trial, after plea of guilty, or who forfeits bond; and to provide for related matters.

SENATE BILL NO. 658—
BY SENATOR ROMERO

AN ACT

To enact R.S. 33:2495.1, relative to civil service; to provide relative to municipal fire and police civil service systems; to provide for continuance of certain municipal fire and police civil service systems under certain circumstances; to provide certain requirements, terms, and conditions; and to provide for related matters.

SENATE BILL NO. 685—
BY SENATOR ELLINGTON

AN ACT

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

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

BY SENATOR NEVERS

AN ACT

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

SENATE BILL NO. 418—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1041(B), (C)(4)(b), and (5), the introductory paragraph of 1048, 1048(4), and (5)(a), 1057, 1061, 1063, 1065, and the introductory paragraph of 1068 and to enact R.S. 37:1048(7) through (14), and 1063.1, relative to the professional licensing and regulation of the conduct of optometrists; to provide relative to the purpose of such law; to

provide relative to the powers of the Louisiana State Board of Optometry Examiners; to provide relative to license renewals; to provide relative to violations and causes for refusal, suspension, or revocation of certificates; to provide relative to the obtaining of a criminal history record; to authorize a compulsory evaluation; to provide relative to exemptions; to provide relative to criminal penalties; and to provide for related matters.

SENATE BILL NO. 647— (Duplicate of House Bill No. 656)
BY SENATOR DUPLESSIS AND REPRESENTATIVE BADON AND COAUTHORED BY SENATORS BOASSO, QUINN, SHEPHERD, DARDENNE AND HOLLIS AND REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 9:1425, R.S. 11:1481(2)(b)(i), (c), and (d)(i), R.S. 13:4405, R.S. 18:602(C), R.S. 35:281, R.S. 42:261(D)(2), R.S. 44:205, R.S. 47:1901, 1901.1, 1903, 1903.2, 1904(A) and (B), 1905, 1906, 1907(A), 1908(C), 1925.3(A), 1931, 1932, 1952(F), 1956(A), 1958(E), 1959, 1964, 1969, 1987(A), 1992(F), 1993(D)(1), and 1997 and to repeal R.S. 47:1909, 1910, 1910.1, 1910.2, 1960, and 1992(G), relative to assessors; to provide for the consolidation of the assessors of Orleans Parish; to provide for changes to various provisions of law pertaining to assessment of property for ad valorem tax purposes to reflect a single assessor in Orleans Parish; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 15, 2006

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the practicality and feasibility of enrolling clinical social workers as providers in the Louisiana medical assistance program.

SENATE CONCURRENT RESOLUTION NO. 129—

BY SENATORS SCHEDLER, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES TUCKER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD,

June 15, 2006

MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To commend the humanitarian efforts of the citizens of the United States of America and of the nations around the world who contributed to the rescue and recovery of this state after the devastation resulting from hurricanes Katrina and Rita; to express the heartfelt and unceasing gratitude of those affected by the tragedy; to convey the sentiment that "Louisiana Thanks You!" for each and every act of kindness bestowed upon the state; and to extend an open invitation to come experience, firsthand, Louisiana's hospitality and renewal.

SENATE CONCURRENT RESOLUTION NO. 132—

BY SENATOR CHAISSON AND REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To recognize the achievements of Curtis T. Johnson, Sr. and to express the sincere condolences of the Legislature of Louisiana to his family upon his passing.

SENATE CONCURRENT RESOLUTION NO. 133—

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

A CONCURRENT RESOLUTION

To commend Antoine Dominique "Fats" Domino for his exceptional and unique rock 'n roll singing style and to designate June 19, 2006, as Fats Domino Day in Louisiana.

Respectfully submitted, CHARLES D. JONES Chairman

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

Message to the Governor

SIGNED SENATE BILLS

June 15, 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 Bills:

SENATE BILL NO. 67—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:130.532(A)(2)(e) and 130.535(D)(1)(g), relative to the Hopkins Street Economic Development District; to provide for the board of commissioners and the senate member who serves on the board; to provide with respect to projects constructed in the district; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 178—

BY SENATOR KOSTELKA AND REPRESENTATIVES THOMPSON AND WALSWORTH

AN ACT

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

SENATE BILL NO. 221—

BY SENATOR MOUNT

AN ACT

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

SENATE BILL NO. 237—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:136(A)(1)(a) and (b), relative to state mineral leases; to require certain payments to the office of mineral resources to be paid by check or electronic wire transfer; and to provide for related matters.

SENATE BILL NO. 238—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:209.1(B) and 213(A), relative to the State Mineral Board; to allow for the use of certain confidential geological information and data; to provide for certain conditions, procedures and penalties; and to provide for related matters.

SENATE BILL NO. 246—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to repeal R.S. 47:8051 through 8060, relative to common payment methodology for hospitals; to provide for the adoption by the Department of Health and Hospitals of a Medicaid common payment methodology; to repeal the Healthcare Affordability Act; and to provide for related matters.

SENATE BILL NO. 490—

BY SENATOR BARHAM AND REPRESENTATIVE WALSWORTH

AN ACT

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

SENATE BILL NO. 578—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:703(D), relative to investment advisers; to provide for the registration of investment advisers; to provide requirements for registration; to require written examination; to provide exceptions from such written examination; and to provide for related matters.

SENATE BILL NO. 621—

BY SENATOR MURRAY

AN ACT

To enact R.S. 9:2800(H), relative to limitations of liability for public entities; to provide for a limitation of liability for public bodies when damage is a result of conditions caused by either hurricanes Katrina or Rita; to provide terms and conditions; to provide for the expiration of such limitation of liability; to provide for retroactivity of such limitation of liability; and to provide for related matters.

SENATE BILL NO. 623—

BY SENATOR SMITH

AN ACT

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

SENATE BILL NO. 634—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 40:401.11, relative to municipal and parish housing authorities; to provide for membership and representation on the board; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 654—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 33:9038.27(B), (C), (F)(1), (H), and (I) and to enact R.S. 33:9038.27(J), relative to sales tax increment finance in the city of Lake Charles; to provide for the boundaries of a certain district in the city of Lake Charles; to provide for such district to utilize sales tax increment financing of the costs and expenses associated with certain commercial or residential development; and to provide for related matters.

SENATE BILL NO. 635—
BY SENATORS DUPRE AND DARDENNE

AN ACT

To amend and reenact R.S. 49:214.32(B) and (D), and 214.41(A)(6), to enact R.S. 49:214.22(8), 214.32(C)(8), and 214.41(A)(7), and to repeal R.S. 49:214.51, relative to coastal resources; to provide relative to coastal resources management; to provide relative to the coastal zone; to provide relative to coastal zone management; to provide certain terms, conditions, definitions, requirements, functions, and procedures; to repeal the Louisiana Coastal Restoration Fund; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 659—
BY SENATOR BARHAM

AN ACT

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

SENATE BILL NO. 681—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2116(A), (B)(2) and the introductory paragraph of (D)(2), relative to the moratorium on beds in nursing facilities; to provide for facility need review; to extend the moratorium on beds in nursing facilities; and to provide for related matters.

SENATE BILL NO. 733—
BY SENATORS BROOME, CRAVINS, CAIN AND ROMERO

AN ACT

To amend and reenact R.S. 22:2044, relative to certain indemnity trust funds; to provide authority for indemnification or payment for physical damage and collision coverage arising from the operation of tow trucks; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 15, 2006

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To authorize and request the Successions Committee of the Louisiana State Law Institute to study and make recommendations to the legislature on the laws of usufruct and naked ownership especially in light of Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute review and make recommendations for revisions to the Gaming Control Law contained in Title 27 of the Louisiana Revised Statutes of 1950 to incorporate changes made by Act No. 7 of the 1996 First Extraordinary Session.

HOUSE CONCURRENT RESOLUTION NO. 191—
BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2007 Regular Session of the Legislature of Louisiana that portion of Act No. 57 of the 2005 Regular Session of the Louisiana Legislature that delineates the coordinates of the approximately five acres to be used by the Grand Isle Port Commission for off-bottom oyster culture.

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals (DHH) to develop and implement a statewide pharmacy access program to increase access to prescription drugs by our underinsured and uninsured citizens.

HOUSE CONCURRENT RESOLUTION NO. 281—
BY REPRESENTATIVE HAMMETT AND SENATOR MICHOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to review the provisions of law regarding criminal trespass as they relate to professional land surveyors and make recommendations to the Louisiana Legislature prior to the 2008 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 293—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to be known as the Atchafalaya Parkway Advisory Commission to study the need for constructing and managing improvements to highways in St. Landry, Iberia, and St. Martin parishes and to make recommendations regarding same to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 301—

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

A CONCURRENT RESOLUTION

To commend Frank Stronach of Canada for his extraordinary generosity to the citizens of Louisiana following the hurricanes of 2005.

HOUSE CONCURRENT RESOLUTION NO. 302—

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

A CONCURRENT RESOLUTION

To commend the staff members of Charity Hospital for their extraordinary selflessness and bravery during and following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 303—

BY REPRESENTATIVES BOWLER AND LABRUZZO
A CONCURRENT RESOLUTION

To commend Rob Pugliese and the students of Northern Valley Regional High School in Demarest, New Jersey, for their assistance to Louisiana after Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE MARTINY AND SENATOR JACKSON
A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To recognize that the passage of House Bill No. 1387 by Representative Toomy, which authorizes a wine producer to sell or serve its product at retail directly to consumers at its winery, at other specified locations, and to directly ship to consumers in Louisiana, will greatly contribute to the agricultural industry and the economy of this state.

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.

HOUSE CONCURRENT RESOLUTION NO. 268—

BY REPRESENTATIVES GLOVER AND MONTGOMERY
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, the Department of Agriculture and Forestry, and the Department of Environmental Quality to take all action allowable by law to ensure that Louisiana Proteins, Inc. is in compliance with all laws, regulations, and permitting requirements applicable to its facility; to require Louisiana Proteins, Inc. to implement to the extent allowable by law any and all controls necessary to mitigate and eliminate the noxious odor emanating from its meat processing and rendering facility; and to take enforcement action to the maximum extent allowable by law if Louisiana Proteins, Inc. is found to be in violation of any permit condition, law, or regulation.

HOUSE CONCURRENT RESOLUTION NO. 295—

BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of providing for interoperability of automatic vehicle identification tags at toll facilities around the state.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 8:78, relative to the Louisiana Cemetery Board; to provide for exemption from board authority; and to provide for related matters.

HOUSE BILL NO. 22—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 13:783(F)(6), relative to the offices of the clerk of court in East Carroll Parish, Richland Parish, and Jefferson Davis Parish; to require the payment of premium costs for certain life and group medical insurance for retired personnel; to require years of service; to provide for limitations; and to provide for related matters.

HOUSE BILL NO. 45—

BY REPRESENTATIVE TRICHE
AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

HOUSE BILL NO. 69—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; and to provide for related matters.

HOUSE BILL NO. 91—

BY REPRESENTATIVE FARRAR
AN ACT

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

HOUSE BILL NO. 178—

BY REPRESENTATIVE SCHNEIDER AND SENATORS BARHAM,
BOASSO, B. GAUTREUX, AND SHEPHERD
AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 228—

BY REPRESENTATIVE WALKER
AN ACT

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

HOUSE BILL NO. 229—

BY REPRESENTATIVE WALKER
AN ACT

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:2259(A)(Option 4), relative to the Firefighters' Retirement System; to provide regarding the retirement benefit option allowing a member to designate a person to receive a predetermined amount of benefits; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 310—

BY REPRESENTATIVE TUCKER
AN ACT

To repeal R.S. 17:10.6(C) and (D), relative to school and district accountability; to repeal certain provisions relative to a local public school system that is academically in crisis and the powers of the school board and superintendent of such system.

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.

HOUSE BILL NO. 351—

BY REPRESENTATIVE M. POWELL
AN ACT

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

HOUSE BILL NO. 412—

BY REPRESENTATIVES JOHNS AND MONTGOMERY
AN ACT

To amend and reenact R.S. 40:1299.41(A)(3), (8), and (9), relative to medical malpractice; to revise the definitions of "patient", "malpractice", and "health care"; to provide for the inclusion of blood donors; and to provide for related matters.

HOUSE BILL NO. 453—

BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER AND
SENATOR HINES
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 under certain circumstances; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

HOUSE BILL NO. 492—

BY REPRESENTATIVE HAMMETT
AN ACT

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

HOUSE BILL NO. 493—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:4715.2(A), (C)(11), and (E) and to enact R.S. 33:4715.2(C)(4)(g) and (h) and (D)(7), relative to the Plaquemines Parish Courthouse District; to provide relative to district purposes; to provide relative to the powers and duties of the governing board of the district; to provide relative to district funding; and to provide for related matters.

HOUSE BILL NO. 535—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 9:5609 and 5645, relative to contracts to purchase, sell, exchange, or transfer immovable property; to provide relative to certain effects of preemption; to provide certain terms, conditions, and effects; to provide relative to recordation and reinscription and effects; to provide for application; to provide relative to prescription for certain actions; and to provide for related matters.

HOUSE BILL NO. 578—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 591—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3802(C)(2)(a), relative to appropriations to the Board of Regents and to the State Board of Elementary and Secondary Education for administrative costs related to the Louisiana Quality Education Support Fund; to provide limitations; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 598—

BY REPRESENTATIVE GREENE
AN ACT

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

June 15, 2006

HOUSE BILL NO. 794—

BY REPRESENTATIVES M. POWELL, ALEXANDER, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMANN, GLOVER, GREENE, M. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MCDONALD, MCVEA, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 29:731.2, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to require any person applying to receive or receiving disaster assistance to provide identification information when requested to do so by a sheriff of the jurisdiction under certain circumstances; to provide for consent to provide certain information when applying for emergency assistance grants; to require a state or local agency who receives personal identification information to provide the information to a sheriff upon request; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 795—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:39(A) and 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 relative to certain penalties, including forfeiture; and to provide for related matters.

HOUSE BILL NO. 813—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 33:3074(D)(5) and Section 3 and Section 4 of Act 579 of the 2003 Regular Session of the Legislature of Louisiana, relative to the city of Central; to provide relative to the powers and duties of governing of the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; to authorize the governing authority of the city of Central to enter into a cooperative endeavor agreement with the commissioner of administration and the secretary of the Department of Health and Hospitals relative to certain property; and to provide for related matters.

HOUSE BILL NO. 816—

BY REPRESENTATIVE SALTER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 11:62(5)(b), 403(5)(a) and (b)(iii), 441(A)(1)(introductory paragraph), 444(A)(2), 450(B), and 461(B)(3)(a) and (b), relative to the Department of Public Safety and Corrections peace officers who are members of the Louisiana State Employees' Retirement System; to provide for calculation of benefits; to provide for average compensation; to provide for eligibility; to provide for employee contributions; to provide for an effective date; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1133—

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

AN ACT

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

HOUSE BILL NO. 1175—

BY REPRESENTATIVE SALTER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1239—

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 42:1112(D) and to enact R.S. 42:1120.3, relative to ethics; to provide for the recusal of a member of a parish planning or zoning commission in a parish with a population of less than fifty thousand under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 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.

HOUSE BILL NO. 1289— (Duplicate of Senate Bill No. 740)

BY REPRESENTATIVE MORRELL AND SENATOR QUINN AND COAUTHORED BY REPRESENTATIVES ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, K. CARTER, DANIEL, DARTEZ, DORSEY, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MCDONALD, ODINET, PIERRE, QUEZAIRE, RICHMOND, ROMERO, SCHNEIDER, JANE SMITH, ST. GERMAIN, AND TRAHAN AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 22:629 and to enact R.S. 22:658.3, relative to insurance claims; to provide relative to certain time limitations on actions; to extend the time for filing certain insurance claims for damages arising from hurricane activity; to provide for an emergency effective date; and to provide for related matters.

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.

HOUSE BILL NO. 1378— (Substitute for House Bill No. 559 by Representative Hebert)

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Children's Code Article 638, relative to children in need of care; to provide for service of the petition; and to provide for related matters.

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

BY REPRESENTATIVES ALEXANDER, ANSARDI, BEARD, BRUCE, BURNS, CRANE, CROWE, DORSEY, ERDEY, FRITH, E. GUILLORY, KATZ, 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.

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.

HOUSE BILL NO. 339—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 13:3667.1(A), 3667.3, and 4163(A)(1)(a) and (B) and to enact R.S. 49:956.1, Code of Civil Procedure Article 1469(5), and Code of Criminal Procedure Article 740, relative to the attendance and testimony of legislators and legislative personnel in certain court and administrative proceedings; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the compulsory

appearance and testimony of legislators and personnel during legislative sessions; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; and to provide for related matters.

HOUSE BILL NO. 527—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

HOUSE BILL NO. 762—

BY REPRESENTATIVE WINSTON
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to the village of Folsom; to authorize the governing authority of the village to impose impact fees, subject to voter approval, on new development; to provide for the adoption of a capital improvement plan; to provide relative to the waiver and refund of any such fee; and to provide for related matters.

HOUSE BILL NO. 763—

BY REPRESENTATIVES WADDELL, GLOVER, AND M. POWELL
AN ACT

To amend and reenact R.S. 11:3714(B)(5)(a) and to repeal R.S. 11:3731(D), relative to the Police Pension Fund of the city of Shreveport; to provide for the composition of the board of trustees; and to provide for related matters.

HOUSE BILL NO. 1018—

BY REPRESENTATIVE SCHNEIDER AND SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:2178(B)(1)(b), (C)(1), (K)(introductory paragraph) and (1), and (M), relative to the Sheriffs' Pension and Relief Fund; to provide for the calculation of final average compensation; to provide with respect to the funding of and limitations on cost-of-living increases; to provide for a one-time adjustment in benefits for certain members subject to limitations; and to provide for related matters.

HOUSE BILL NO. 1029— (Duplicate of Senate Bill No. 195)

BY REPRESENTATIVE DORSEY AND SENATOR MCPHERSON AND COAUTHORED BY SENATORS CHEEK, ELLINGTON, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES, AND ULLO
AN ACT

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

HOUSE BILL NO. 1082—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 44:4.1(B)(8) and to enact R.S. 17:81.9, relative to local public school boards; to require each city, parish, and other local public school board to develop and adopt certain policies with regard to hiring school employees, including certain contractors and other persons; to require applicants for employment to sign certain statements; to provide relative to the disclosure of certain information about such applicants; to exempt such disclosure from the public records law; to prohibit certain disclosure of such information and to provide that violation of such prohibition shall be a misdemeanor offense; to provide for penalties; to provide for the use of such information by local public school boards; to provide an effective date; and to provide for related matters.

June 15, 2006

HOUSE BILL NO. 1160—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:103(C)(1)(I), relative to members of certain municipal planning commissions; to authorize the governing authority of certain municipalities to pay a per diem to members of the municipal planning commission; to provide for the rate of per diem and the number of meetings for which per diem is to be paid; and to provide for related matters.

HOUSE BILL NO. 1225—

BY REPRESENTATIVE DOVE
AN ACT

To enact Subpart B-36 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.721, relative to certain economic development authorities; to provide relative to the membership of the governing board of any such authority; to provide relative to the qualifications of governing board members; to provide relative to the adoption of an annual budget by the authority; and to provide for related matters.

HOUSE BILL NO. 1250—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:5607(A)(introductory paragraph), relative to preemptive periods; to provide for actions against real estate developers; and to provide for related matters.

HOUSE BILL NO. 1276—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 13:995.1(E), relative to the service charge on filings in civil cases and the security charge imposed in criminal cases as an additional fee in the Twenty-Fourth Judicial District Court; to provide for termination of the service charges upon completion of certain conditions; and to provide for related matters.

HOUSE BILL NO. 1394— (Substitute for House Bill No. 896 by Representative Walsworth)

BY REPRESENTATIVE WALSWORTH AND SENATORS CHEEK AND SCHEDLER

AN ACT

To amend and reenact R.S. 37:766 and to enact R.S. 37:771.1 and 1302, relative to the practice of medicine and the practice of dentistry; to allow a physician or dentist to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician or dentist to an uninsured individual shall not reduce the contracted reimbursement amount between a physician or dentist and a health insurance issuer; to provide for the supervision of dental hygienists; to provide for definitions; to provide for an effective date; and to provide for related matters.

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

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

Adjournment

Senator Bajoie moved that the Senate adjourn until Friday, June 16, 2006, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Friday, June 16, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk