

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FOURTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 22, 2008

The Senate was called to order at 1:10 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Dorsey	Michot
Adley	Duplessis	Morrish
Alario	Dupre	Murray
Amedee	Erdey	Nevers
Broome	Kostelka	Riser
Cassidy	LaFleur	Shaw
Cheek	Long	Smith
Donahue	Martiny	
Total - 23		

ABSENT

Cravins	Heitmeier	Scalise
Crowe	Jackson	Shepherd
Gautreaux B	Marionneaux	Thompson
Gautreaux N	McPherson	Walsworth
Gray	Mount	
Hebert	Quinn	
Total - 16		

The President of the Senate announced there were 23 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Larry Roques, 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 Smith, the reading of the Journal was dispensed with and the Journal of April 21, 2008, was adopted.

**Introduction of Senate Bills
and Joint Resolutions**

Senator Smith asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 731—
BY SENATOR DUPRE

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for transfer of certain state properties in the parish of East Baton Rouge; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 732—
BY SENATOR GRAY

AN ACT

To enact Chapter 31-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1271.1 through 1271.4, relative to residential neighborhood enhancement programs; to establish the residential neighborhood enhancement program; to provide for definitions; to provide with respect to program requirements and limitations; and to provide for related matters.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to nine geographical miles.

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

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATORS GRAY AND NEVERS AND REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To commend the Louisiana Foster and Adoptive Parent Association (LFAPA) for its outstanding achievements and to designate Wednesday May 7, 2008, as Louisiana Foster and Adoptive Parent Association Day at the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrish
Adley	Dupre	Mount
Alario	Erdey	Murray
Amedee	Hebert	Nevers
Cassidy	Kostelka	Riser
Cheek	Long	Shaw
Cravins	Martiny	Smith
Dorsey	Michot	
Total - 23		

NAYS

Total - 0

April 22, 2008

ABSENT

Broome	Heitmeier	Scalise
Crowe	Jackson	Shepherd
Donahue	LaFleur	Thompson
Gautreaux B	Marionneaux	Walsworth
Gautreaux N	McPherson	
Gray	Quinn	
Total - 16		

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

SENATE BILL NO. 708— BY SENATOR MURRAY

AN ACT

To amend and reenact the introductory paragraphs of R.S. 47:6034(E)(1)(a)(i), (c), and (d), and (E)(1)(e) and (F)(1), relative to the office of the governor and the commissioner of administration; to remove the office of the governor and the commissioner of administration from the tax credit certification process for musical and theatrical productions; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 21, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 134—

BY REPRESENTATIVE HENRY

AN ACT

To enact R.S. 13:4344.1, relative to the removal of mortgage inscriptions affecting property subject to judicial sale; to provide for the contents and filing of an affidavit by a title insurer; to provide procedures for the removal of mortgage inscriptions; to provide a cause of action for improper cancellation; to provide for indemnification and exemption from liability under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 192—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 37:1437(C)(2)(a) and (c), (5)(b), and (6)(a), relative to licensing by the Louisiana Real Estate Commission; to provide for changes to the initial licensing requirements of a real estate broker; to provide for changes to post-license educational requirements of real estate brokers and salespersons; to remove free courses offered by the commission; and to provide for related matters.

HOUSE BILL NO. 447—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact Children's Code Articles 1117, 1121(A), 1122(B)(4), (5), (10), and (11), and 1130(A) and to enact Children's Code Articles 1130(E) and 1131(H), relative to the surrender of parental rights; to provide for licensing by the Department of Social Services; to provide for the declarations in the act of surrender; to provide time limitations for private adoptions; to provide time limitations for agency adoptions; to provide for the filing of the act of surrender; and to provide for related matters.

HOUSE BILL NO. 461—

BY REPRESENTATIVE RITCHIE

A JOINT RESOLUTION

Proposing to add Article VII, Section 18(G)(6) of the Constitution of Louisiana, relative to the special assessment level when the homestead has been sold or expropriated under certain circumstances; to authorize the transfer of the special assessment level to a new homestead in cases where a homestead has been sold or expropriated under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 622—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 36:4(H) and R.S. 49:220.4(A)(1) and (B)(1) through (4) and 220.5(A)(2) and (D)(4), relative to the Louisiana Recovery Authority; to provide for the membership and terms of office of the board of directors; to provide for the transfer of the authority and its board of directors to the division of administration; to provide for the powers, duties, and functions of the authority, the board, and the executive director; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 852—

BY REPRESENTATIVES AUSTIN BADON, BARROW, BILLIOT, GISCLAIR, HARDY, HENRY, LAFONTA, MARCHAND, PATRICIA SMITH, AND ST. GERMAIN

AN ACT

To enact R.S. 32:300.5, relative to the use of telephones and electronic communication devices while driving; to prohibit the use of wireless telephones while driving; to prohibit text messaging and e-mailing while driving; and to provide for related matters.

HOUSE BILL NO. 985—

BY REPRESENTATIVE ARNOLD

AN ACT

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

HOUSE BILL NO. 1098—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 14:67.21, R.S. 28:825, R.S. 40:1299.58(A)(introductory paragraph) and (1) through (3), (B)(introductory paragraph), and (F), 1300.51(2)(introductory paragraph)(e) and (h), (3), and (5), 1300.122(1), 1300.123(1), 2006(E)(2)(q), (r), and (s), 2009.20(B)(1), 2120.1, 2120.2(2), (4), and (5), 2120.3(A), (B), and (G), 2120.4(A), (B)(6) and (9), (C), and (D), 2120.5(A), (C), and (D), 2120.6(A) and (B), and 2120.7(A)(1) and (4) and R.S. 46:2624(B)(7) and (8) and to repeal R.S. 40:1299.58(G), 1300.51(2)(d), (i), and (j), 2006(E)(2)(t), (u), (v), and (w), 2120.2(6), (7), and (8), 2120.3(H), Part II-E of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2120.11 through 2120.16, and Part II-F of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2120.21 through

2120.26, relative to home and community-based service providers; to define a home and community-based service provider; to provide for the services of home and community-based service providers; to provide for a single home and community-based service provider license and uniform fees for personal care attendant services agencies, respite care services agencies, supervised independent living programs, adult day care agencies, and family support agencies; to provide for home and community-based services for elderly persons and people with disabilities or mental illness; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for fees; to provide for surveys; to provide for penalties; to provide for enforcement upon the promulgation of final rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 1131— (Substitute for House Bill No. 450 by Representative Wooton)

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:44.1(D) and (G), relative to riverboat inspections; to provide for alternative inspections for riverboats licensed to conduct gaming activities; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 134—
BY REPRESENTATIVE HENRY

AN ACT

To enact R.S. 13:4344.1, relative to the removal of mortgage inscriptions affecting property subject to judicial sale; to provide for the contents and filing of an affidavit by a title insurer; to provide procedures for the removal of mortgage inscriptions; to provide a cause of action for improper cancellation; to provide for indemnification and exemption from liability under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 192—
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 37:1437(C)(2)(a) and (c), (5)(b), and (6)(a), relative to licensing by the Louisiana Real Estate Commission; to provide for changes to the initial licensing requirements of a real estate broker; to provide for changes to post-license educational requirements of real estate brokers and salespersons; to remove free courses offered by the commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 447—
BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact Children's Code Articles 1117, 1121(A), 1122(B)(4), (5), (10), and (11), and 1130(A) and to enact Children's Code Articles 1130(E) and 1131(H), relative to the surrender of parental rights; to provide for licensing by the Department of Social Services; to provide for the declarations in the act of surrender; to provide time limitations for private adoptions; to provide time limitations for agency adoptions; to

provide for the filing of the act of surrender; and to provide for related matters.

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

HOUSE BILL NO. 461—
BY REPRESENTATIVE RITCHIE
A JOINT RESOLUTION

Proposing to add Article VII, Section 18(G)(6) of the Constitution of Louisiana, relative to the special assessment level when the homestead has been sold or expropriated under certain circumstances; to authorize the transfer of the special assessment level to a new homestead in cases where a homestead has been sold or expropriated under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 622—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 36:4(H) and R.S. 49:220.4(A)(1) and (B)(1) through (4) and 220.5(A)(2) and (D)(4), relative to the Louisiana Recovery Authority; to provide for the membership and terms of office of the board of directors; to provide for the transfer of the authority and its board of directors to the division of administration; to provide for the powers, duties, and functions of the authority, the board, and the executive director; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 852—
BY REPRESENTATIVES AUSTIN BADON, BARROW, BILLIOT, GISCLAIR, HARDY, HENRY, LAFONTA, MARCHAND, PATRICIA SMITH, AND ST. GERMAIN
AN ACT

To enact R.S. 32:300.5, relative to the use of telephones and electronic communication devices while driving; to prohibit the use of wireless telephones while driving; to prohibit text messaging and e-mailing while driving; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 985—
BY REPRESENTATIVE ARNOLD
AN ACT

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

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1098—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 14:67.21, R.S. 28:825, R.S. 40:1299.58(A)(introductory paragraph) and (1) through (3), (B)(introductory paragraph), and (F), 1300.51(2)(introductory paragraph)(e) and (h), (3), and (5), 1300.122(1), 1300.123(1), 2006(E)(2)(q), (r), and (s), 2009.20(B)(1), 2120.1, 2120.2(2), (4), and (5), 2120.3(A), (B), and (G), 2120.4(A), (B)(6) and (9), (C), and (D), 2120.5(A), (C), and (D), 2120.6(A) and (B), and 2120.7(A)(1) and (4) and R.S. 46:2624(B)(7) and (8) and to

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repeal R.S. 40:1299.58(G), 1300.51(2)(d), (i), and (j), 2006(E)(2)(t), (u), (v), and (w), 2120.2(6), (7), and (8), 2120.3(H), Part II-E of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2120.11 through 2120.16, and Part II-F of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2120.21 through 2120.26, relative to home and community-based service providers; to define a home and community-based service provider; to provide for the services of home and community-based service providers; to provide for a single home and community-based service provider license and uniform fees for personal care attendant services agencies, respite care services agencies, supervised independent living programs, adult day care agencies, and family support agencies; to provide for home and community-based services for elderly persons and people with disabilities or mental illness; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for fees; to provide for surveys; to provide for penalties; to provide for enforcement upon the promulgation of final rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 1131— (Substitute for House Bill No. 450 by Representative Wooton)

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:44.1(D) and (G), relative to riverboat inspections; to provide for alternative inspections for riverboats licensed to conduct gaming activities; and to provide for related matters.

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

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

April 22, 2008

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES LAFONTA, AUSTIN BADON, BARROW, GALLOT, MARCHAND, AND PATRICIA SMITH AND SENATORS CRAVINS, DUPLESSIS, GRAY, JACKSON, AND MURRAY
A CONCURRENT RESOLUTION

To commend the leadership of the Louisiana State University Athletics Department and the chancellor upon the hiring of men's basketball coach Trent Johnson, the first African American head coach of a men's sports team in university history.

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

House Concurrent Resolutions

Senator Murray 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. 62—
BY REPRESENTATIVES LAFONTA, AUSTIN BADON, BARROW, GALLOT, MARCHAND, AND PATRICIA SMITH AND SENATORS CRAVINS, DUPLESSIS, GRAY, JACKSON, AND MURRAY
A CONCURRENT RESOLUTION

To commend the leadership of the Louisiana State University Athletics Department and the chancellor upon the hiring of men's basketball coach Trent Johnson, the first African American head coach of a men's sports team in university history.

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	Michot
Adley	Erdey	Morrish
Alario	Gray	Mount
Amedee	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Long	Scalise
Dorsey	Marionneaux	Shaw
Duplessis	Martiny	Smith
Total - 27		

NAYS

Total - 0

ABSENT

Broome	Gautreaux N	Quinn
Crowe	Kostelka	Shepherd
Donahue	LaFleur	Thompson
Gautreaux B	McPherson	Walsworth
Total - 12		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY C

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 22, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 4—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 14:67.16.1, relative to the registration of persons convicted of identity theft; to require registration of persons convicted of identity theft; to provide penalties for violations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 74—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 32:393(I), relative to motor vehicle traffic regulations; to prohibit traffic violation convictions obtained solely upon evidence from a traffic camera; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 500—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 15:541(12), (13), (14), (15), (16), (17), (18), (19), (20), (21) and (22), 561.2(B), 561.5(2), and (16) and R.S. 51:1425(B) and (D) and to enact R.S. 14:81.3(B)(3), R.S. 15:541(23), (24) and (25), 545.1, 545.2, 549(A)(3), 561.5(17), R.S. 17:280 and R.S. 51:1426 and to repeal R.S. 15:541(14.1) and (14.2), relative to the Internet; to provide for certain penalties for persons convicted of computer aided solicitation of a minor; to require certain restrictions on Internet use by registered sex offenders; requires providers of Internet service to perform certain duties; requires the Department of Education to develop a curriculum for Internet safety; requires sex offenders who are subject to supervision to agree to certain conditions of parole; provides for certain definitions; to require that certain duties be performed by interactive computer services; to require the Department of Public Safety and Corrections to make certain notifications; to provide for unfair trade practices; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

REPORT OF COMMITTEE ON

**AGRICULTURE, FORESTRY,
AQUACULTURE, AND RURAL DEVELOPMENT**

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

April 22, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 11—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 3:3602(4), 3603(A) and (B), 3604, and 3607(A) and (C) and to enact R.S. 3:3601(B)(3) and 3602(16), (17) and (18), relative to the right to farm; to provide for legislative findings; to provide for the right to farm; to provide for the presumption; to provide for local ordinances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 627—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:3807(B)(2), relative to the retail florist examination; to eliminate demonstrations of actual floral design work from the examination; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. THOMPSON
Chairman

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

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

SENATE BILL NO. 12—
BY SENATOR N. GAUTREAUX AND REPRESENTATIVE PERRY

AN ACT

To amend and reenact R.S. 56:799.4(B)(7) and to enact R.S. 56:799.4(B)(9), relative to the White Lake Property Advisory Board; to revise the composition of the White Lake Property Advisory Board; to provide Vermilion Parish School Board with one at-large member on the White Lake Property Advisory Board; and to provide for related matters.

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

SENATE BILL NO. 27—
BY SENATORS B. GAUTREAUX, CASSIDY, CROWE AND SCALISE

AN ACT

To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of pension or retirement benefits; to provide for garnishment or seizure of benefits from public retirement or pension systems, plans, or funds; to provide relative to the applicability of certain court orders to such benefits; to provide for garnishment or seizure of such benefits to pay any fine or restitution ordered for certain felony convictions associated with service as an elected official; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 27 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, line 7 after "**B.**" and before "**Notwithstanding**" insert "**(1)**"

AMENDMENT NO. 2

On page 2, between lines 15 and 16 insert:

"**(2) Notwithstanding any other provision of law to the contrary, a garnishment authorized pursuant to this Subsection may be continuing in nature as necessary to pay the court-ordered restitution or fine in full.**"

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

SENATE BILL NO. 42—

BY SENATOR B. GAUTREUX AND REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:102(B)(3)(introductory paragraph) and (d)(introductory paragraph), (i), (ii), (iii), and (iv) and to enact R.S. 11:102(B)(3)(d)(viii), relative to employer contributions for the State Police Pension and Retirement System; to provide for the annual amortization payments to the system; to specify that the amortization period for certain changes, gains, and losses shall be thirty years from the year in which the change, gain, or loss occurs; to provide for amortization of outstanding balances of previously established amortization bases; to provide for level dollar payments; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 47—

BY SENATOR MCPHERSON
AN ACT

To authorize and provide for the transfer of certain state property in Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 87—

BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 47:32(A), relative to individual income tax; to provide for a reduction of rates and brackets; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Marionneaux, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 99—

BY SENATOR B. GAUTREUX
AN ACT

To amend and reenact R.S. 11:1733(C) and to enact R.S. 11:1903(C)(3), relative to employer contributions of certain statewide retirement systems; to prohibit the transfer of employer contributions from the Municipal Employees' Retirement System and from the Parochial Employees' Retirement System; to provide an exception to such prohibition for the transfer of funds from either system in association with the transfer of a member's service credit from such system to another public retirement or pension system, plan, or fund; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 120—

BY SENATOR B. GAUTREUX
AN ACT

To enact R.S. 11:1456.1 and 1456.2 and to repeal R.S. 11:1456, relative to the Assessors' Retirement Fund; to create the Back-Deferred Retirement Option Program; to provide for eligibility, procedures for application, and calculation of benefits of such program; to provide for rescission of participation in the Deferred Retirement Option Plan; to provide for effective dates; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 120 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, line 3, change "He" to "The member"

AMENDMENT NO. 2

On page 2, line 5, change "He" to "The member"

AMENDMENT NO. 3

On page 2, line 7, change "He" to "The member"

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

SENATE BILL NO. 158—

BY SENATOR CRAVINS
AN ACT

To enact R.S. 32:66, relative to motor vehicles; to prohibit the use of a radar detection device or similar mechanism while operating a motor vehicle upon public highways; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 158 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "detection" to "jammer"

AMENDMENT NO. 2

On page 1, line 9, after "with any" insert "jammer"

AMENDMENT NO. 3

On page 1, line 10, delete "detect or"

AMENDMENT NO. 4

On page 1, line 15, after "person any" insert "jammer"

AMENDMENT NO. 5

On page 1, line 16, delete "detect or"

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

SENATE BILL NO. 159—

BY SENATORS CRAVINS AND ERDEY
AN ACT

To enact R.S. 32:300.5 and 398.10(A)(6), relative to driver distractions; to prohibit the use of any wireless telecommunications device by certain persons while operating a motor vehicle; to provide exceptions; to provide penalties for violation; to require the compilation of statistical information on crashes involving the use of a wireless telecommunication device by any driver; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 159 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 21, after "**constitute a**" insert "**non-**"

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

SENATE BILL NO. 165—

BY SENATOR THOMPSON AND REPRESENTATIVES WADELLE, BOBBY BADON AND SCHRODER

AN ACT

To amend and reenact R.S. 56:103(C)(2), 103.1(B)(2), 104(A)(3) and (4), 104(B)(4), 104.1(A), 116(B) and (C), 302.1(G), 643(B)(2)(a), 646, 649.1(A), 699.8(B) and (D), relative to deer hunting; to authorize the Louisiana Wildlife and Fisheries commission to establish special deer hunting seasons for primitive firearms and crossbows; to authorize the Louisiana Wildlife and Fisheries Commission to define the weapons eligible for use during such special seasons; to authorize special licenses for the use of primitive firearms; and to provide for related matters.

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

SENATE BILL NO. 223—

BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 24:31.5(A)(1), (2) and (4), relative to the legislature; to provide with respect to the funds available for legislative assistants of members of the legislature; to provide for employment of two or more legislative assistants or constituent services managers and provide for their compensation; 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 Engrossed Senate Bill No. 223 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 24:31.5(A)(1)," to "R.S. 24:31.4(A) and (C) and 31.5(A)(1),"

AMENDMENT NO. 2

On page 1, at the end of line 2, after "provide" insert "relative to legislator's office allowances; to provide"

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 24:31.5(A)(1)," to "R.S. 24:31.4(A) and (C) and 31.5(A)(1),"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§31.4. Members' office allowance

A. In addition to the salary, per diem, and all other allowances provided by law for members of the legislature, each member of the legislature shall be paid a monthly expense allowance in the amount of ~~five hundred one thousand~~ dollars per month, or so much thereof as may be necessary, for payment of rent for office space in a parish or parishes which he represents, and for payment of the cost of maintaining utilities in said office or offices and for other expenses related to the holding or conduct of their office.

C. The allowance provided in Subsection A shall be withdrawn from the treasury and paid to the persons entitled thereto in the same manner as is provided by law for the salary provided in R.S. 24:31.1. Each member shall be required to file with the presiding officer, prior to payment of the allowance each month, an itemized statement of expenses, and appropriate invoices or receipts supporting the same. The amount of the allowance paid to each member each month shall be equal to the total amount of the itemized statement, provided that

in no case shall the total reimbursement exceed ~~five hundred one thousand~~ dollars.

* * *

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

SENATE BILL NO. 226—

BY SENATOR SHEPHERD

AN ACT

To name the tunnel in Harvey, Louisiana, the Crosby Tunnel; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Erdey, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 243—

BY SENATOR MCPHERSON

AN ACT

To enact R.S.48:394, relative to private railroad crossings; to provide a procedure relative to the closure or removal of private farm crossings; to provide for notice to the respective governing authority and owner of record; to provide for a public hearing; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 243 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 3, delete "**farm**"

AMENDMENT NO. 2

On page 1, line 8, delete "**farm**"

AMENDMENT NO. 3

On page 1, line 10, delete "**farm**"

AMENDMENT NO. 4

On page 1, line 12, delete "**farm**"

AMENDMENT NO. 5

On page 1, line 13, delete "**farm**"

AMENDMENT NO. 6

On page 1, line 16, delete "**farm**"

AMENDMENT NO. 7

On page 2, line 6, delete "**farm**"

AMENDMENT NO. 8

On page 2, line 13, delete "**farm**"

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

SENATE BILL NO. 287—

BY SENATORS MOUNT, ALARIO, BROOME, CASSIDY, CHEEK, DONAHUE, ERDEY, N. GAUTREAUX, GRAY, JACKSON, LAFLEUR, MICHOT, NEVERS, SMITH AND THOMPSON

AN ACT

To amend and reenact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care data

reporting; to provide for Louisiana health care consumers' right to know; to provide for the collection and publication of provider specific health care quality and outcome data; to provide for the membership of the Health Data Panel; and to provide for related matters.

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

SENATE BILL NO. 352—
BY SENATOR N. GAUTREAUX AND REPRESENTATIVE PERRY
AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 352 by Senator N. Gautreaux

AMENDMENT NO. 1
On page 2, line 1, after "of title to" insert "all or any portion of"

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

SENATE BILL NO. 407—
BY SENATOR DONAHUE AND REPRESENTATIVES SCHRODER AND PEARSON
AN ACT

To enact R.S. 48:1093.1, relative to public bridges; to prohibit the sale, lease, or contract for operations of certain bridges without legislative approval; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 407 by Senator Donahue

AMENDMENT NO. 1
On page 1, delete lines 2 and 3, and insert:
"To enact Part IV of Chapter 5 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1171, relative to public bridges; to prohibit certain contracts with regard to certain bridges without legislative approval; and to provide for related"

AMENDMENT NO. 2
On page 1, delete lines 6 and 7, and insert:
"Section 1. Part IV of Chapter 5 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1171, is hereby enacted to read as follows:
PART IV. GENERAL PROVISIONS
§1171. Prohibited contracts"

AMENDMENT NO. 3
On page 1, at the beginning of line 8, change "No" to :
"**A. Notwithstanding any other law to the contrary, no**"

AMENDMENT NO. 4
On page 1, line 9, after "enter" insert "into" and change "affect" to "**effect**"

AMENDMENT NO. 5
On page 1, at the beginning of line 16, insert "**B.**" and after "**prohibit**" insert "**a**"

AMENDMENT NO. 6
On page 1, line 17, change "**repairs, expansions**" to "**repair, expansion**" and after "**cleaning**" insert a comma ";"

AMENDMENT NO. 7
On page 3, at the end of line 1, delete "**toll**" and delete line 2, and insert: "**the collection of public tolls for a state agency or political subdivision or services related to such toll collection.**"

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

SENATE BILL NO. 471—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:266 and 279; relative to funding certain wildlife resources programs; to provide relative to the Louisiana Fur and Alligator Public Education and Marketing Fund and the allocation of monies thereto and the use of such monies; the Louisiana Alligator Resource Fund and the allocation of monies thereto and the use of such monies; to provide relative to the Louisiana Fur and Alligator Advisory Council and its membership, power, duties and functions; and to provide for related matters.

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

SENATE BILL NO. 486—
BY SENATOR MARIONNEAUX
AN ACT

To authorize and provide for the transfer of certain state property in Iberville Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 541—
BY SENATOR SMITH
AN ACT

To enact R.S. 39:562(O), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 542—
BY SENATOR SMITH
AN ACT

To enact R.S. 47:302.5(E)(5) and 302.54, relative to the dispositions of certain collections in Vernon Parish; to create the Vernon Parish Legislative Improvement Fund No. 2 as a special fund in the state treasury; to provide for the deposit of and use of monies in the fund; to provide for the transfer of certain funds; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 561—
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:2118, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from discussing certain scientific evidence; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 561 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:285.1, relative to curriculum and instruction; to provide relative to the teaching of scientific subjects in public elementary and secondary schools; to promote students' critical thinking skills and open discussion of scientific theories; to provide relative to textbooks and instructional materials; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

AN ACT

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:285.1 is hereby enacted to read as follows:

§285.1. Science education; development of critical thinking skills
A. This Section shall be known and may be cited as the "Louisiana Science Education Act."

B. (1) The State Board of Elementary and Secondary Education, upon request of a city, parish, or other local public school board, shall allow and assist teachers, principals, and other school administrators to create and foster an environment within public elementary and secondary schools that promotes critical thinking skills, logical analysis, and open and objective discussion of scientific theories.

(2) Such assistance shall include support and guidance for teachers regarding effective ways to help students understand, analyze, critique, and review scientific theories in an objective manner.

C. A teacher may use supplemental textbooks and other instructional materials to help students understand, analyze, critique, and review scientific theories in an objective manner, as permitted by the city, parish, or other local public school board.

D. This Section shall not be construed to promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or nonreligion.

E. The State Board of Elementary and Secondary Education and each city, parish, or other local public school board shall adopt and promulgate the rules and regulations necessary to implement the provisions of this Section prior to the beginning of the 2008-2009 school year.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Nevers, the committee substitute bill was adopted and becomes Senate Bill No. 733 by Senator Nevers, substitute for Senate Bill No. 561 by Senator Nevers.

SENATE BILL NO. 733— (Substitute of Senate Bill No. 561 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:285.1, relative to curriculum and instruction; to provide relative to the teaching of scientific subjects in public elementary and secondary schools; to promote students' critical

thinking skills and open discussion of scientific theories; to provide relative to support and guidance for teachers; to provide relative to textbooks and instructional materials; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 591—
BY SENATOR ADLEY

AN ACT

To enact R.S. 39:1405.4, relative to the State Bond Commission; to require certain issuers of bonds to report the costs of issuance to the State Bond Commission; to provide for the contents of the costs of issuance reports; to provide for the report to be filed with the issuer; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 591 by Senator Adley

AMENDMENT NO. 1

On page 1, line 3, after "issuance" and before "to the" insert "and post closing costs"

AMENDMENT NO. 2

On page 1, line 5, after "issuer;" insert "to provide for a penalty for the violation of the reporting requirements;"

AMENDMENT NO. 3

On page 1, delete lines 9 through 13, insert the following:

"A. Bonds, notes, or other issuances of indebtedness of any issuer required by the constitution or laws of Louisiana to be sold or approved by the State Bond Commission, shall not be sold unless and until the estimated costs of issuance have been presented to the issuer in a written report compiled by bond counsel in a public sale of securities or by bond counsel with the assistance of the underwriter in a private sale of securities.

B. No later than forty-five days after the closing and delivery of bonds the issuer or its representative shall submit to the State Bond Commission, the staff of the House Committee on Ways and Means, and the staff of the Senate Committee on Revenue and Fiscal Affairs, a final report with respect to such issue."

AMENDMENT NO. 4

On page 1, at the beginning of line 14, change "**B.**" to "**C.**"

AMENDMENT NO. 5

On page 1, line 17, after "**legal fees,**" and before "**and fees**" insert "**financial advisory fees, consultant or other advisory fees, paying agent fees, registrar fees, fees payable for duties related to the issuance and payment of the securities, remarketing fees,**"

AMENDMENT NO. 6

On page 2, line 2, after "**sources,**" insert "**Such report shall also provide information with regard to the specific role that an individual or company performed for such fee. Annual fees or ongoing costs may be reported in a fixed or parameter mode.**"

AMENDMENT NO. 7

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

AMENDMENT NO. 8

On page 2, at the beginning of line 9, change "**D.**" to "**E.**"

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AMENDMENT NO. 9

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

F. In addition to the other reporting requirements set forth in this Section, any fees which are associated with the bonds and which are incurred after the forty-five day period following issuance and delivery of the bonds, including but not limited to legal, consulting, and financial advisory fees, and fees associated with credit enhancement or derivative projects obtained post-closing, shall be estimated and presented to the issuer, the State Bond Commission, the staff of the House Committee on Ways and Means, and the staff of the Senate Committee on Revenue and Fiscal Affairs. A final report of the actual fees paid shall be furnished to the issuer, the State Bond Commission, the staff of the House Committee on Ways and Means and the staff of the Senate Committee on Revenue and Fiscal Affairs within forty-five days of the payment.

AMENDMENT NO. 10

On page 2, delete line 14, and insert the following:

G. A copy of any report required by this Section shall be filed in the official records of the issuer.

H. Any person or any officer, agent, representative, or employee of any issuer of bonds required by the constitution or laws of Louisiana to be sold or approved by the State Bond Commission, who violates this Section, or who counsels, aids, or abets the violation thereof, or who participates with others, or who engages or attempts to engage, in the payment or receipt of any fee, without filing the reports required herein, shall be fined not less than two times the fee received in violation of this Section, which penalty shall be paid to the State Bond Commission.

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

SENATE BILL NO. 598—
BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 39:33.1(B), relative to the expenditure of state funds; to provide for determination of the expenditure limit; to provide for the factors and method of calculation of the expenditure limit; and to provide for related matters.

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

SENATE BILL NO. 601—
BY SENATOR MICHOT

AN ACT

To enact Subpart P of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71 through 100.77, relative to special treasury funds; to create the Post Employment Benefits Trust Fund as a special permanent trust in the state treasury; to establish sources of funding for the trust; to provide for the deposit, investment, and use of monies in the fund; to establish the Board of Trustees of the Post Employment Benefits Trust Fund; to provide for the composition and powers, duties, and functions of the board; to provide for reports; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 601 by Senator Michot

AMENDMENT NO. 1

On page 4, delete lines 22 through 29 and insert the following: **"accordance with the provisions of R.S. 49:327."**

AMENDMENT NO. 2

Delete pages 5 and 6 and on page 7 delete lines 1 through 23

AMENDMENT NO. 3

On page 7, at the beginning of line 24, change "**E.**" to "**B.**"

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

SENATE BILL NO. 657—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:(1) and (10), 141(C), 296(A), 471(1) and (2), and 473.1(A) and (B), to enact Subpart E-1 of Part IV of Chapter 1 of Title 32 of the Revised Statutes of 1950, to be comprised of R.S. 32:151 through 153, and 296(C), and to repeal R.S. 32:475, all relative to motor vehicles; to create and provide relative to the Open Roads Law; to provide for definitions; to provide relative to motor vehicles stopping, standing, or parking on state roadways and shoulder of roadways; to create and provide relative to the Instant Tow Dispatch Pilot Program and the Expedited Towing Pilot Program; to require submission of reports from pilot programs; to require removal of abandoned vehicles from roadways within a certain time; to repeal certain provisions relating to disposal of vehicles; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 657 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "(10)," insert "125(B),"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 and insert: "and (B), and 1735(C), to enact R.S. 32:125(D), Subpart E-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of 32:151 through 153, 291.1(C), and 296(C), and to"

AMENDMENT NO. 3

On page 1, line 7, after "of roadways;" insert "to provide relative to the procedure upon approaching an authorized emergency vehicle; to provide relative to roadway hazard cleanup;"

AMENDMENT NO. 4

On page 1, line 14, after "(10)," insert "125(B),"

AMENDMENT NO. 5

On page 1, line 15, after "(B)" insert ", and 1735(C)," and after "reenacted, and" insert "R.S. 32:125(D),"

AMENDMENT NO. 6

On page 1, line 16, after "153," insert "291.1(C),"

AMENDMENT NO. 7

On page 2, between lines 24 and 25, insert the following: **"§125. Procedure on approach of an authorized emergency vehicle; passing a parked emergency vehicle**

as authorized by law, including the display of alternately flashing amber or yellow warning lights is parked on or near the highway, the driver of every other vehicle, **as soon as it is safe, shall proceed as follows except when otherwise directed by a police officer:**

(1) When driving on an interstate highway or other highway with two or more lanes traveling in the same direction as the emergency vehicle, **slow to a speed of twenty-five miles per hour until it is safe to proceed at the posted speed limit and merge into the lane farthest from the emergency vehicle yield the right of way by making a lane change into a lane not adjacent to that of the**

authorized vehicle, if possible with due regard to safety and traffic conditions.

(2) When driving on a two-lane road, slow to a speed of twenty-five miles per hour or the posted speed, whichever is lower, until it is safe to proceed at the posted speed limit Maintain a safe speed for road conditions, if unable or unsafe to change lanes.

D. Any person who violates the provisions of this Section shall, upon conviction, be subject to a fine not to exceed two hundred dollars.

AMENDMENT NO. 8

On page 4, line 22, change "follows:" to "provided for in Subsections C and D of this Section."

AMENDMENT NO. 9

On page 4, line 23, after "develop" insert "and implement"

AMENDMENT NO. 10

On page 5, line 14, after "develop" insert "and implement"

AMENDMENT NO. 11

On page 6, between lines 3 and 4, insert:

"D. Prior to implementation of the Instant Tow Dispatch Pilot Program and the Expedited Towing Pilot Program as required in Subsection C of this Section, the participating entities shall develop procedures which they propose will be followed in each of the programs. Such procedures shall be approved by the House and Senate transportation, highways, and public works committees prior to implementation of such programs.

§291.1. Roadway hazard cleanup

C. Nothing in this Section shall require a tow truck owner, operator, or employee to follow a directive or order that is unsafe or beyond the operational standard or capacity of any equipment being used in cleanup or in removing the roadway hazard. If a tow truck owner or operator refuses to follow a directive or order because of an unsafe condition, no adverse action by a law enforcement agency shall be taken against such owner or operator including removal from any rotation list."

AMENDMENT NO. 12

On page 7, at the end of line 1, delete "policing" and delete lines 2 through 5, and insert "policing authority law enforcement officer, such officer of a municipality or parish by reason of the illegal parking or the stationing of such motor vehicle on a public street, way, road, or highway within the municipality or parish, as the case may be, the municipality or parish, through the appropriate policing authority, shall post a notice on the windshield of the vehicle"

AMENDMENT NO. 13

On page 7, between lines 17 and 18 insert the following:
 "§1735. Driver's selection of licensed tow company; law enforcement rotation list; minimum requirements; removal from rotation list

C. Law enforcement agencies may establish a rotation list of towing companies with tow trucks licensed in accordance with the provisions of R.S. 32:1716. However, prior to a tow truck company's participation on a law enforcement agency's rotation list, the tow truck company shall comply with the provisions of R.S. 45:164 and 180.1. Fowing companies selected by the law enforcement agency to participate in the rotation list shall participate at the discretion of the law enforcement agency and may be removed for any violation of law, agency rule, or policy. The Department of Public Safety and Corrections, office of state police shall establish minimum standards, rules, and procedures for participation in a rotation list which shall be approved by the House and Senate

transportation, highways, and public works committees prior to their adoption. Any local law enforcement agency may adopt minimum standards consistent with the office of state police rules or comply with the standards established by the office of state police."

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 1116—
 BY REPRESENTATIVES ELLINGTON AND MORRIS
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2007-2008 to the Department of Agriculture and Forestry for boll weevil eradication; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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.

Regular Order of the Day

Reconsideration

On motion of Senator Martiny, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, April 21, 2008, was reconsidered.

SENATE BILL NO. 404—
 BY SENATOR MARTINY
 AN ACT

To enact R.S. 27:311.10 and to repeal R.S. 27:311.9, relative to the Video Draw Poker Devices Control Law; to provide for a reduction in processing fees for video draw poker licenses issued to qualified truck stop facilities under certain circumstances; to provide for restrictions; to authorize the promulgation of rules; to repeal the exemption from the video poker processing fee when the Louisiana Gaming Control Board determines certain facts are applicable; and to provide for related matters.

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

Special Order of the Day

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

SENATE BILL NO. 588—
 BY SENATORS CRAVINS, DUPRE, HEBERT, LONG AND MORRISH AND REPRESENTATIVE KLECKLEY AND SENATORS ADLEY, ALARIO, AMEDEE, CHAISSON, CHEEK, DORSEY, ERDEY, N. GAUTREAU, GRAY, HEITMEIER, JACKSON, KOSTELKA, MARIONNEAUX, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
 AN ACT

To amend and reenact R.S. 22:3304(D) and (F) and R.S. 36:696(B) and to enact R.S. 22:3312, relative to the Insure Louisiana Incentive Program; to provide for use of unused monies in the program to assist qualified individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for eligibility and participation in the premium program; to

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provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program; and to provide for related matters.

Floor Amendments Sent Up

Senator Donahue sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Donahue and Cravins to Engrossed Senate Bill No. 588 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 4, delete "qualified"

AMENDMENT NO. 2

On page 1, lines 6, delete "eligibility and"

AMENDMENT NO. 3

On page 2, line 1, between "fund" and "shall" insert the following: "and any matching capital fund grant funds that are not earned pursuant to R.S. 22:3310(A)"

AMENDMENT NO. 4

On page 2, line 6, between "use of" and "unexpended" insert the following: "grant funds and"

AMENDMENT NO. 5

On page 2, line 12, change "qualified individuals." to "individuals who paid a homeowner insurance policy premium during the previous twelve calendar months."

AMENDMENT NO. 6

On page 2, line 13, delete "qualified"

On motion of Senator Donahue, the amendments were adopted.

Senator Marionneaux in the Chair

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 588 by Senator Cravins

AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Cravins and adopted by the Senate on April 21, 2008.

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 22:3304(D)" delete the remainder of the line in its entirety.

AMENDMENT NO. 3

On page 1, line 3, delete "22:3312,"

AMENDMENT NO. 4

On page 1, line 4, after "program to" delete the remainder of the line and insert in lieu thereof the following: "pay toward certain bond obligations of the unfunded accrued liability of certain retirement systems;"

AMENDMENT NO. 5

On page 1, delete lines 5 through 9 in their entirety and insert in lieu thereof the following: "and to provide for"

AMENDMENT NO. 6

On page 1, line 12, change "3304(D) and (F) are" to "3304(D) is"

AMENDMENT NO. 7

On page 1, at the end of line 12, delete "and R.S."

AMENDMENT NO. 8

On page 1, line 13, delete "22:3312 is hereby enacted"

AMENDMENT NO. 9

On page 2, line 1, between "fund" and "shall" insert the following: "and any matching capital fund grant funds that are not earned pursuant to R.S. 22:3310(A)"

AMENDMENT NO. 10

On page 2, line 2, after "used" delete the remainder of the line in its entirety and insert in lieu thereof the following: "to pay toward the unfunded accrued liability of the Louisiana State Employees Retirement System."

AMENDMENT NO. 11

On page 2, delete lines 4 through 29 in their entirety and on page 3, delete lines 1 through 17 in their entirety.

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

The Chair ruled that the amendment was germane to the bill.

Senator Cassidy moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cassidy Total - 3 Kostelka McPherson

NAYS

Mr. President Gray Murray
Adley Hebert Nevers
Alario Heitmeier Quinn
Amedee Jackson Riser
Cheek Long Shaw
Cravins Marionneaux Shepherd
Dorsey Martiny Smith
Dupre Michot Thompson
Erdey Morrish Walsworth
Gautreaux N Mount

Total - 29

ABSENT

Broome Duplessis Scalise
Crowe Gautreaux B
Donahue LaFleur
Total - 7

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux N Mount
Adley Gray Murray
Alario Hebert Nevers
Amedee Heitmeier Quinn
Cassidy Jackson Riser

Cheek	Long	Scalise
Cravins	Marionneau	Shaw
Dorsey	Martiny	Shepherd
Duplessis	McPherson	Smith
Dupre	Michot	Thompson
Erdey	Morrish	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Broome	Donahue	Kostelka
Crowe	Gautreaux B	LaFleur
Total - 6		

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

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

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

**SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR B. GAUTREAU AND REPRESENTATIVE ROBIDEAU
A CONCURRENT RESOLUTION**

To authorize the board of trustees of the Teachers' Retirement System of Louisiana 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 favorably by the Committee on Retirement. On motion of Senator Cravins, the resolution was read by title, ordered engrossed, and passed to a third reading.

**SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR SCALISE
A CONCURRENT RESOLUTION**

To direct ICF International, Road Home contractor, to seek and obtain approval of the Joint Legislative Committee on the Budget prior to the implementation of any plan or the granting of any contract to recoup Road Home grant monies from any source.

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

**SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES
DOVE, ST. GERMAIN AND HUTTER
A CONCURRENT RESOLUTION**

To approve the annual Coastal Protection Plan for Fiscal Year 2008-2009, as adopted by the Coastal Protection and Restoration Authority.

Reported favorably by the Committee on Natural Resources.

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

**Senate Concurrent Resolutions on
Third Reading and Final Passage,
Subject to Call**

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

Called from the Calendar

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

**SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR GRAY
A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2008 Regular Session of the Legislature certain provisions of R.S. 40:2116(J)(1) and R.S. 40:2116(J)(1)(c), relative to the date upon which the facility need review approval for licensed nursing homes and intermediate care facilities for people with developmental disabilities (ICF/DD) which were located in an area which was affected by an executive order or proclamation of emergency or disaster will be deemed terminated, expired, or revoked.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Gray	Mount
Alario	Hebert	Murray
Amedee	Heitmeier	Nevers
Cassidy	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	Long	Shaw
Dorsey	Marionneau	Shepherd
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Broome	Donahue	LaFleur
Crowe	Gautreaux B	Scalise
Total - 6		

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

Mr. President in the Chair

Rules Suspended

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

**Introduction of Senate Bills
and Joint Resolutions**

Senator Jackson asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 734—
BY SENATOR JACKSON
AN ACT**

To amend and reenact R.S. 33:2740.38(B) and (C)(1)(f), relative to the Shreveport Downtown Development District; to provide for

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the boundaries of the Shreveport Downtown Development District; to provide for the composition of the governing board; and to provide for related matters.

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

SENATE BILL NO. 735—
BY SENATOR MORRISH

AN ACT

To enact R.S. 33:7729, relative to the Cameron Parish Mosquito Abatement District No. 1; to increase the membership of the board of directors; and to provide for related matters.

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

SENATE BILL NO. 736—
BY SENATOR MORRISH

AN ACT

To enact R.S. 33:3819(E), relative to the Jefferson Davis Parish Water and Sewer Commission No. 1, to increase the per diem paid to the board of commissioners of the district; and to provide for related matters.

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

SENATE BILL NO. 737—
BY SENATOR MORRISH

AN ACT

To designate Louisiana Highway 385 as the "Wilson Anthony 'Boozoo' Chavis Memorial Highway.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 738—
BY SENATOR MORRISH

AN ACT

To enact Section 5 of Subpart A of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:89.6, relative to offenses affecting the public morals; to provide for the crime of human cloning and human-animal hybrids; to provide for the element of such crimes; to provide for definitions; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 739—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 27:93(A)(12), relative to gaming; to provide relative to riverboats; to provide relative to certain funds derived from gaming and riverboats; to provide for certain fees; to create a special fund in the state treasury; and provide for the uses of such monies in the fund; to provide terms, conditions, and procedures, and to provide for related matters.

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

SENATE BILL NO. 740—
BY SENATOR SHEPHERD

AN ACT

To enact Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.81 through 600.82 and R.S. 49:220.5(A)(11)(c), (D)(5), and (H), relative to the Louisiana Road Home Program Applicants' Bill of Rights; to establish the Louisiana Road Home Program Applicants' Bill of Rights Program under the supervision of the Louisiana Recovery Authority; to provide for principles for the operation of the Road Home Program and penalties for violation of applicants' rights; to provide for the duties and functions of the

Louisiana Recovery Authority; to provide for the creation of the office of road home inspector general; to provide for duties and responsibilities of the road home inspector general; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 741—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1124.2(A) and (G)(4) and 1124.3(A), relative to financial disclosure; to require certain disclosures by members of the Board of Supervisors of Community and Technical Colleges; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 742—
BY SENATOR CHEEK

AN ACT

To enact R.S. 33:1981(C)(4) and 2201(C)(3), relative to survivor benefits for firefighters and law enforcement officers; to provide relative to financial security of surviving children of such persons; to provide for the designation of trustees for the children of such persons in certain circumstances; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 743—
BY SENATOR CHEEK

AN ACT

To enact R.S. 32:299.1 relative to the operation of off-road vehicles; to require reports of accidents of certain persons; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 744—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:302.9(H) and to enact R.S. 56:302.9(I), relative to charter boat fishing guide licensees; to require licensees to provide landing reports and information to the Department of Wildlife and Fisheries; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 745—
BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 33:9039.66(A)(1), (B), and (E), 9039.68(B)(3), and 9039.72(B) and to enact R.S. 33:9039.68(A)(16), relative to the Greater New Orleans Bioscience Economic Development District; to provide for the board of commissioners; to provide for general powers; to provide for the promulgation of bylaws; and to provide for related matters.

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

SENATE BILL NO. 746—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 17:46(A)(1), relative to sabbatical leave for teachers employed by the special schools; to provide for eligibility for sabbatical leave for certain other special school employees under certain conditions; and to provide for related matters.

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

SENATE BILL NO. 747—
BY SENATOR DORSEY

AN ACT

To enact Chapter 18A of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2431 through 2440, relative to recycling; to enact the Louisiana Returnable Container Act; to provide for legislative findings; to provide for definitions; to establish guidelines for the creation of redemption centers and rebates; to provide for penalties for violating this Act; to provide for a fund to administer this Act; and to provide for related matters.

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

SENATE BILL NO. 748—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9038.31 and to enact R.S. 33:9038.43, relative to the Thomas H. Delpit Area Special District; to create the district and provide for its authority; to grant to the district certain tax increment finance and tax authority; and to provide for related matters.

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

Regular Order of the Day Resumed
Senate Bills and Joint Resolutions on
Third Reading
and Final Passage

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

SENATE BILL NO. 44—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:3304(C) and to enact R.S. 22:3309(E), relative to Insure Louisiana Incentive Program; to provide for a third invitation for grant applications; to provide for recovery of unearned grants; to provide for rules; to provide for qualifications; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hebert, Cravins and Dupre to Engrossed Senate Bill No. 44 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "3304(C)," to "3304(C), (D), and (F), and R.S. 36:696(B)"

AMENDMENT NO. 2

On page 1, line 2, change "3309(E)," to "3309(E) and 3312,"

AMENDMENT NO. 3

On page 1, line 4, between "grants;" and "to provide for rules" insert the following: "to provide for use of unused monies in the program to assist individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for participation in the premium program; to provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program,"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line and insert in lieu thereof the following: "R.S. 22:3304(C), (D) and (F) are hereby amended and reenacted and R.S. 22:3309(E) and 3312"

AMENDMENT NO. 5

On page 1, line 8, change "is" to "are"

AMENDMENT NO. 6

On page 2, delete line 7 and insert the following:

"D. Once the commissioner has finalized all grants responses from three separate invitations for grant applications authorized under this Chapter, any unexpended and unencumbered monies in the fund and any matching capital fund grant funds that are not earned pursuant to R.S. 22:3310(A) shall be returned to the state general fund used pursuant to the provisions of R.S. 22:3312."

F. Prior to the award of any grant pursuant to the provisions of this Chapter, such grant shall be subject to the review and approval of the Joint Legislative Committee on the Budget. The use of grant funds and unexpended and unencumbered monies pursuant to the provisions of R.S. 22:3312 shall not be subject to review and approval of the Joint Legislative Committee on the Budget.

AMENDMENT NO. 7

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

"§3312. Homeowner policy premium assistance program; eligibility

A. The homeowner policy premium assistance program is hereby created for individuals who paid a homeowner insurance policy premium during the previous twelve calendar months. The homeowner policy premium assistance program shall provide each homeowner with assistance toward payment of the homeowner's insurance premium due on the homeowner's residence. The amount of assistance under this Section shall equal the pro rata share of funds available.

B. The homeowner insurance premium assistance credit shall continue to be received as long as funds are available in the Insure Louisiana Incentive Program Fund as provided in this Chapter or otherwise appropriated by the legislature.

C. The deputy commissioner for consumer advocacy shall coordinate and administer the homeowner policy premium assistance program created pursuant to the provisions of this Section. The commissioner of insurance shall promulgate rules and regulations to implement the provisions of this Section.

D. Rules and regulations promulgated by the commissioner under this Section shall require that any credit or rebate applicable to a policy list on the premium statement the amount of the premium reduction due to the assistance credit provided in this Section and that it be listed on the premium statement as the Louisiana Property Insurance Premium Credit.

Section 2. R.S. 36:696(B) is hereby amended and reenacted to read as follows:

§696. Deputy commissioner for consumer advocacy; functions; office of consumer advocacy

B.(1) The office of consumer advocacy, through the deputy commissioner of consumer advocacy, shall perform the following duties and functions concerning products or services regulated by the Department of Insurance:

- (1) (a) Receive inquiries and complaints from consumers.
- (2) (b) Prepare and disseminate such information as the department deems appropriate to inform or assist consumers.
- (3) (c) Provide direct assistance and advocacy for consumers who request such assistance or advocacy.
- (4) (d) Report, with respect to apparent or potential violations of law or applicable rules or regulations of the department by a person or entity licensed by the department, such apparent or potential violations to the appropriate division or office of the department, which may take such further action as it deems appropriate.
- (5) (e) Ensure compliance with the policyholder bill of rights as provided in R.S. 22:1455.

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(2) The office of consumer advocacy, through the deputy commissioner of consumer advocacy, shall coordinate and administer the homeowner policy premium assistance program created pursuant to the provisions of R.S. 22:3312.

AMENDMENT NO. 8

On page 2, line 20, change "Section 2." to "Section 3."

On motion of Senator Hebert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 44 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 4, between "rules;" and "to provide" insert the following: "to provide for grants to existing insurers to insurer new dwellings when the level of risk of catastrophe is the same or less; to provide for grants to certain insurers who reinstate certain coverages;"

AMENDMENT NO. 2

On page 2, line 10, change "E." to "E.(1)"

AMENDMENT NO. 3

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

(2)(a) Notwithstanding the provisions of this Chapter to the contrary, rules and regulations promulgated by the commissioner pursuant to this Chapter shall provide that grants, made pursuant to a third invitation for grant applications, may be made to insurers providing coverage against damage to an existing dwelling. The grant shall be made only as to those policies transferred from an existing dwelling to a new dwelling provided the risk of catastrophe associated with the new dwelling is the same as or no greater than the level of risk of catastrophe associated with the existing dwelling.

(b) Grants shall also be made under this Paragraph to any insurer that was forced to reduce coverage, or drop coverage entirely, on existing dwellings in order that the insurer maintain its financial stability or solvency. Such grant shall be contingent on the insurer reinstating such former coverage or better coverage on the existing dwellings.

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Morrish, Adley, Gautreaux N, Mount, Alario, Hebert, Murray, Amedee, Heitmeier, Nevers, Cassidy, Jackson, Quinn, Cheek, Kostelka, Riser, Cravins, Long, Shaw, Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Dupre, Michot, Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Broome, Gray, Shepherd, Crowe, LaFleur, Gautreaux B, Scalise, Total - 7

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

SENATE BILL NO. 69— BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:2009.24(F), relative to the Nursing Home Quality and Efficiency Board; to extend the sunset date of the board; and to provide for related matters.

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

SENATE BILL NO. 75— BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 40:2116(J)(1), relative to facility need review; to provide for facility need review approvals for nursing homes and intermediate care facilities for people with developmental disabilities that were located in an area affected by executive order or proclamation of emergency or disaster; to provide for extension of such facility need review approvals; and to provide for related matters.

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

SENATE BILL NO. 122— BY SENATORS DUPRE, CRAVINS, LONG AND MORRISH

AN ACT

To enact R.S. 22:636.2(E), relative to insurance policies; to provide for annual review of certain insurers who cancel or fail to renew certain policies that negatively impact the financial solvency of the insurer; 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

Table with 3 columns: Mr. President, Dupre, Morrish, Adley, Erdey, Mount, Alario, Gautreaux N, Murray, Amedee, Hebert, Nevers, Broome, Jackson, Quinn, Cassidy, Kostelka, Riser, Cheek, Long, Shaw, Cravins, Marionneaux, Shepherd, Donahue, Martiny, Smith, Dorsey, McPherson, Thompson, Duplessis, Michot, Walsworth, Total - 33

NAYS

Total - 0

ABSENT

Crowe	Gray	LaFleur
Gautreaux B	Heitmeier	Scalise
Total - 6		

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

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 122. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 123—
BY SENATOR DUPRE

AN ACT

To enact R.S. 23:921(J), (K) and (L), relative to the prohibition on restraint of business; to provide with regard to corporations; to provide with regard to partnerships; to provide with regard to limited liability companies; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 123 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 17, following "**Subsection H**" and before "." change "**herein**" to "**of this Section**"

AMENDMENT NO. 2

On page 2, line 8, following "**Subsection H**" and before "." change "**herein**" to "**of this Section**"

AMENDMENT NO. 3

On page 2, line 17, following "**Subsection H**" and before "." change "**herein**" to "**of this Section**"

On motion of Senator Marionneaux, 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

Mr. President	Erdey	Murray
Adley	Gautreaux N	Nevers
Alario	Hebert	Quinn
Broome	Jackson	Riser
Cassidy	Kostelka	Shaw
Cheek	Long	Shepherd
Cravins	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrish	
Dupre	Mount	
Total - 31		

NAYS

Marionneaux
Total - 1

ABSENT

Amedee	Gray	Scalise
Crowe	Heitmeier	
Gautreaux B	LaFleur	
Total - 7		

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

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 123. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 174—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 36:746(A)(introductory paragraph), (B), (C), and (D) and R.S. 49:229(A) and (C)(3), relative to the Department of State; to provide for change in name of the First Stop Shop to the Office of GeauxBiz; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 174 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 3, following "and" and before "," change "(C)(3)" to "(C)(introductory paragraph) and (3)"

AMENDMENT NO. 2

On page 2, line 20, following "and" and before "are" change "(C)(3)" to "(C)(introductory paragraph) and (3)"

AMENDMENT NO. 3

On page 3, line 1, following "Section" and before "," delete "and in Section 229.1 of this Title"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Mount
Adley	Gray	Murray
Alario	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson

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Duplessis	McPherson	Walsworth
Dupre	Michot	
Erdey	Morrish	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Scalise
Cassidy	Kostelka	Shepherd
Crowe	LaFleur	
Total - 8		

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

SENATE BILL NO. 190—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 32:1262(B)(1), relative to the Motor Vehicles and Traffic Regulations Act; to provide for audits of automobile dealer records; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	Long	Shaw
Donahue	Marionneaux	Shepherd
Dorsey	Martiny	Smith
Duplessis	McPherson	Thompson
Dupre	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	LaFleur
Crowe	Heitmeier	Scalise
Total - 6		

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

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 190. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 245—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:48, relative to insurers; to provide for the type of insurers and other risk bearing entities regulated by the Louisiana Insurance Code; to provide for the effectiveness; 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	Erdey	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	Long	Shaw
Donahue	Marionneaux	Shepherd
Dorsey	Martiny	Smith
Duplessis	McPherson	Thompson
Dupre	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	LaFleur
Crowe	Heitmeier	Scalise
Total - 6		

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

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 245. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 249—

BY SENATORS MOUNT AND MORRISH AND REPRESENTATIVES FRANKLIN AND GEYMAN

AN ACT

To amend and reenact R.S. 40:2116(D)(2) and to repeal R.S. 40:2116(D)(3), relative to the moratorium on beds in nursing facilities; to remove the prohibition on the replacement of existing nursing facilities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux N	Murray
Alario	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Jackson	Riser
Cheek	Long	Shaw
Cravins	Marionneaux	Shepherd
Donahue	Martiny	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Dupre	Morrish	
Total - 32		

NAYS		
Total - 0		
ABSENT		
Amedee	Heitmeier	Scalise
Crowe	Kostelka	
Gautreaux B	LaFleur	
Total - 7		

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

Notice Regarding Vote

Senator McPherson stated he had voted in error on Senate Bill No. 249. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 249. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 335—
BY SENATOR CRAVINS

AN ACT

To amend and reenact Title 22 of the Louisiana Revised Statutes of 1950; to direct the Louisiana State Law Institute to redesignate the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 into a new format and number scheme without changing the substance of the provisions, to be comprised of R.S. 22:1 through 2371, and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 335 by Senator Cravins

AMENDMENT NO. 1

On page 35, line 14, change "Exemption from examination" to "License"

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

NAYS		
Total - 0		
ABSENT		
Amedee	Heitmeier	Scalise
Gautreaux B	LaFleur	
Total - 5		

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

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote on Senate Bill No. 335. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 347—
BY SENATOR CRAVINS

AN ACT

To repeal Part X of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:391 through 397, relative to insurers on the co-operative or assessment plan; to repeal provisions regarding the continuation of life, health and accident insurers on the co-operative or assessment plan organized as of October 1, 1948, 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	Erdey	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	Long	Shepherd
Donahue	Marionneaux	Smith
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	LaFleur	Thompson
Gautreaux B	Scalise	
Total - 5		

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

SENATE BILL NO. 374—
BY SENATOR CRAVINS

AN ACT

To repeal Part XI of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1931 through 1943, relative to animal insurers; to repeal provisions regarding the licensing and operation of animal insurers; to provide for effectiveness of the Act; and to provide for related matters.

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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

Table with 3 columns of names: Mr. President, Erdey, Morrish, Adley, Gautreaux N, Mount, Alario, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, Long, Shepherd, Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Dupre, Michot.

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Amedee, LaFleur, Gautreaux B, Scalise.

Total - 4

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

SENATE BILL NO. 426— BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:969.20(D), relative to the Motor Vehicle Sales Finance Act; to provide certain duties for the lender or holder of a retail installment contract; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Morrish, Adley, Gautreaux N, Mount, Alario, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, Long, Shepherd, Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Dupre, Michot.

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Amedee, LaFleur, Gautreaux B, Scalise.

Total - 4

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Thompson asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 749— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:902.3(A) and R.S. 46:2755(B)(3) and to enact R.S. 15:902.4 and R.S. 46:2755(B)(4) and (C)(6), relative to the Juvenile Justice Reform Act Implementation Commission; to provide for powers, duties, and functions of the Juvenile Justice Reform Act Implementation Commission; to provide for the closure of Jetson Youth Center-East Baton Rouge Parish Unit; and to provide for related matters.

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

SENATE BILL NO. 750— BY SENATORS MURRAY AND N. GAUTREAUX

AN ACT

To enact Chapter 48 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3030, relative to Louisiana Clean Energy Industry Development Act; to provide relative to electric utilities; to provide legislative findings; to provide for definitions, terms, conditions, and procedures; to provide relative to the Public Service Commission; to establish the Louisiana Clean Energy Industry Development Fund; to establish the Louisiana Clean Energy Industry Development Council; to provide for membership, powers and duties; to provide for the establishment of renewable energy portfolio standards; and to provide for related matters.

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

SENATE BILL NO. 751— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 23:1592(E) and 1595(A) and to enact R.S. 23:1474(I)(4) and 1536(E)(4), relative to workers' compensation benefits; to provide for an increase in the maximum benefit available; to provide an additional procedure for determining such benefit; to provide for a reduction in employer contributions under certain circumstances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 752— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 32:666(B) and (C), to enact R.S. 14:126.4, relative to tests for suspected drunken drivers; to provide relative to electronic signatures of officers; to provide penalties for false certification of arrest documents; and to provide for related matters.

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

SENATE BILL NO. 753—
BY SENATOR AMEDEE

AN ACT

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

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATORS CASSIDY AND DUPRE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to collaborate with the Louisiana State University Health Sciences Center to study the feasibility of the Department of Health and Hospitals electronically posting certain medical records through the electronic systems currently in place with Louisiana State University Health Sciences Center.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 22, 2008

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the United States Congress to increase penalties for any person who knowingly hires, or recruits or refers for a fee, for employment within this state, an individual who is not authorized to work in the United States, or who knowingly continues to employ an unauthorized alien.

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

House Concurrent Resolutions

Senator Nevers 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. 63—
BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the United States Congress to increase penalties for any person who knowingly hires, or recruits or refers for a fee, for employment within this state, an individual who is not authorized to work in the United States, or who knowingly continues to employ an unauthorized alien.

The resolution was read by title and referred by the President to the Committee on Labor and Industrial Relations.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

April 22, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 117—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 13:2563.17(A) and (B) and to enact R.S. 13:2563.17(D), relative to the judicial expense fund of the Parish Court for the parish of Ascension; to provide for the collection of fees; to provide for creation of the Parish Court Probation Fee Fund as a separate account in the judicial expense fund; to provide for inspection; to provide for an audit; to provide for purposes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 161—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 9:397.1(B), R.S. 13:4291(A), and R.S. 46:236.3(B)(1) and (K), relative to income assignment orders; to provide for the interruption of prescription of child support payments intercepted through any means; to authorize the use of income assignment orders to collect paternity testing costs; to provide for fines against employers for failing to withhold payments from income assignment orders; to provide terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 179—
BY SENATOR QUINN

AN ACT

To amend and reenact Civil Code Article 2339, relative to community property; to provide relative to the fruits and revenues of separate property; to provide for reservation as separate property; to provide certain terms, conditions, procedures, requirements and effects, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 260—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 9:406 and to enact R.S. 9:399.1, relative to child support; to provide for formal notice of revocation of acknowledgments; to provide for nullification of an

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acknowledgment when judgment establishing child support is dismissed on the basis of non-paternity; to provide time periods for bringing a petition to vacate judgments establishing paternity; to provide time periods for nullification of a judgment of paternity when the judgment establishing child support is dismissed on the basis of non-paternity; to provide certain terms, conditions, procedures and requirements, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 265— BY SENATOR QUINN

AN ACT

To amend and reenact Chapter 2 of Title VIII of Book I of the Civil Code, formerly comprised of Articles 365 through 385, to be comprised of Articles 365 through 371, Civil Code Article 2318, and Title V of Book VII of the Louisiana Code of Civil Procedure, formerly comprised of Articles 3991 through 3994, to be comprised of Articles 3991 through 3998, all relative to the emancipation of minors; to provide for the kinds of emancipation; to provide for judicial emancipation; to provide for emancipation by marriage; to provide for limited emancipation by authentic act; to provide for the effective date of an emancipation; to provide for the modification or termination of an emancipation; to provide for parental liability of an unemancipated minor; to provide for a petition for a judicial emancipation; to provide for the venue for a judicial emancipation; to provide for the hearing of a petition for a judicial emancipation; to provide for an appeal of a judicial emancipation; to provide for the termination or modification of an emancipation; to provide when an emancipation is effective; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 301— BY SENATOR CHAISSON

AN ACT

To enact R.S. 29:735.3, relative to civil liability of medical personnel; to provide immunity for medical personnel during a declared state of emergency who render emergency care, healthcare services, or first aid as a result of evacuations or treatment conducted in accordance with disaster medicine protocol and at the direction of military or government authorities; to provide for a definition of disaster medicine protocol; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 427— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:304, relative to cemeteries; to provide relative to dedication of property to cemeteries; to require the filing of an act of dedication; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 579— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:841.3, R.S. 44:183(F), and Section 8(A)(1) as enacted by Act No. 621 of the 2006 Regular Session of the Legislature, relative to district courts; to provide for the handling of funds by the clerk of the Forty-First Judicial District Court; to provide for the depositing of certain collected fees or sums into a specific account; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 690— BY SENATOR LONG

AN ACT

To amend and reenact R.S. 3:2773(B), relative to seizure of dogs found unaccompanied by their owners; to require impoundment of dogs with no collar identifying the owner or other form of identification; to provide for impoundment fees; to provide relative to disposal; and to provide for related matters.

Reported favorably.

Respectfully submitted, JULIE QUINN Chairman

Motion to Recommit

Senator Thompson asked for and obtained a suspension of the rules and recommitted Senate Bill No. 724 from the Committee on Senate and Governmental Affairs to the Committee on Education.

Regular Order of the Day Resumed

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

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

Called from the Calendar

Senator Gray asked that Senate Bill No. 75 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 75— BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 40:2116(J)(1), relative to facility need review; to provide for facility need review approvals for nursing homes and intermediate care facilities for people with developmental disabilities that were located in an area affected by executive order or proclamation of emergency or disaster; to provide for extension of such facility need review approvals; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Michot, Adley, Gautreaux N, Morrish, Alario, Gray, Mount, Broome, Hebert, Murray, Cassidy, Heitmeier, Nevers, Cheek, Jackson, Quinn, Cravins, Kostelka, Riser, Crowe, LaFleur, Shaw, Donahue, Long, Shepherd, Dorsey, Marionneaux, Smith, Duplessis, Martiny, Thompson, Dupre, McPherson, Walsworth, Total - 36

NAYS

Total - 0

ABSENT

Amedee Gautreaux B Scalise
Total - 3

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

Recess

On motion of Senator Marinneaux, the Senate took a recess until 4:45 o'clock P.M.

After Recess

The Senate was called to order at 4:50 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Gautreaux B	Murray
Adley	Gray	Riser
Broome	Hebert	Shaw
Cassidy	Kostelka	Smith
Cheek	LaFleur	Thompson
Cravins	Long	Walsworth
Crowe	Martiny	
Duplessis	Mount	
Total - 22		

ABSENT

Alario	Gautreaux N	Morrish
Amedee	Heitmeier	Nevers
Donahue	Jackson	Quinn
Dorsey	Marionneaux	Scalise
Dupre	McPherson	Shepherd
Erdey	Michot	
Total - 17		

The President of the Senate announced there were 22 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Broome asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 754—
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:4(K) and 4.1(K), and R.S. 38:3097.3(E), relative to uses of ground water; to provide for the powers and duties of the

assistant secretary and the commissioner of conservation; to prohibit certain uses of ground water; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 755—
BY SENATOR HEBERT

AN ACT

To enact R.S. 40:600.66(B), relative to the Louisiana Road Home Housing Corporation Act; to provide for the powers and responsibilities of the Road Home Corporation; to provide for the binding effect on certain appraisals; and to provide for related matters.

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

SENATE BILL NO. 756—
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:122(3), 242(E)(introductory paragraph) and (1), 271(C)(1) and (2), 768(D)(3), 1191, 1549(B), and 2260(A)(11)(d), the title of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, R.S. 24:38(B)(1), 512, 514(G) and (H), and 554(A)(1), and R.S. 33:1531(C); to enact Part III of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:571 through 575; and to repeal R.S. 24:513(C) and (D)(2), 514(D), and 521, relative to legislative agencies and employees; to provide with respect to the powers, duties, and functions of the legislative actuary; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 757—
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 32:299 and to enact R.S. 32:299.1, relative to the operation of off-road vehicles; to provide relative to the operation of such vehicles on public roads; to provide relative to the operation of such vehicles by minors including requirements for protective equipment and training; to provide for reports on accidents; to provide penalties for violations; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 758—
BY SENATOR BROOME

AN ACT

To amend and reenact Children's Code Articles 1245 and 1255(A) and to enact Children's Code Articles 1243.3, 1245.1, 1248.1, and 1256(E), relative to intrafamily adoptions; to provide for a burden of proof; to provide for the appointment of counsel; to provide for notice of rights of natural parent; to provide for the terms and effects of a final decree; and to provide for related matters.

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

SENATE BILL NO. 759—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 46:261, relative to the Department of Social Services; to provide with respect to the TANF block grant; to provide with respect to programs to build stronger father-child relationships; to provide with respect to the promotion of healthy marriages; and to provide for related matters.

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

SENATE BILL NO. 760—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 25:1242(C), relative to the membership of the Eddie G. Robinson Museum Commission; to provide for changes to the membership of the commission; and to provide for related matters.

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

SENATE BILL NO. 761—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:303.6(D), relative to certain commercial fisheries licenses; to provide relative to commercial oyster harvester licenses; to provide relative to certain commercial gear licenses; to provide certain license conditions and requirements; and to provide for related matters.

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

SENATE BILL NO. 762—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 40:2116(K), relative to facility need review of nursing home licenses; to provide for the owners of nursing homes destroyed by hurricanes Katrina or Rita to demonstrate a failure to receive notice of surrender of their license; to provide for circumstances under which such facilities may have pre-storm licenses re-issued; to provide for possible extensions of time to rebuild once the license is re-issued; and to provide for related matters.

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

SENATE BILL NO. 763—
BY SENATOR DONAHUE

AN ACT

To authorize and provide for the transfer of certain state property; to provide for the transfer of state property in St. Tammany Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 764—
BY SENATORS DORSEY AND DUPLESSIS

AN ACT

To amend and reenact R.S. 6:969.17 and 1097(B)(6), and R.S. 9:3529, relative to bank charges; to provide charges for checks returned for insufficient funds; to provide for residential loan fees and charges; to provide for installment of consumer credit transactions returned; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 765—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 46:979, relative to Medicaid; to provide for maximizing Medicaid funding; to provide for department responsibility; and to provide for related matters.

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

SENATE BILL NO. 766—
BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact Code of Civil Procedure Article 1561(A), relative to consolidation of cases; to provide for consent; and to provide for related matters.

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

SENATE BILL NO. 767—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 33:4546.18 (F), relative to the Louisiana Municipal Natural Gas Purchasing and Distribution Authority; to provide with respect to the withdrawal of a political subdivision from the authority; and to provide for related matters.

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

SENATE BILL NO. 768—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 34:3457.2, relative to the Port Construction and Development Priority Program; to authorize port authorities to make application for homeland security projects; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 769—
BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3) and (4), 1114.3(A)(1), (2), and (4), (B), and (C)(3), 1115.1(D), and 1123(13) and (39)(a), and to enact R.S. 42:115.1(E), relative to the Code of Governmental Ethics; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide relative to restrictions regarding such contracts; to provide for disclosure of such contracts; to provide for enforcement and penalties; to provide relative to applicability; to provide exceptions; to provide for effectiveness; to provide relative to the acceptance of complimentary admission to certain events by public servants; to provide definitions; to provide for limitations on food, drink, and refreshments provided to public servants; to provide relative to restrictions on immediate family members of a legislator serving as a registered lobbyist; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 770—
BY SENATOR CHAISSON
AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 771—
BY SENATOR HEBERT
AN ACT

To enact R.S. 32:297.1, relative to motor vehicles; to authorize Kie series mini-trucks to operate on the streets and highways under certain conditions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 772—
BY SENATOR HEBERT

AN ACT

To enact Subpart P of Part II-A of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39.100.71, relative to special funds; to provide for legislative findings; to establish the Enough is Enough Fund; to provide for the dedication of certain revenues to the fund; to provide for the deposit of 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 and referred by the President to the Committee on Finance.

SENATE BILL NO. 773—
BY SENATOR MARTINY

AN ACT

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

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

SENATE BILL NO. 774—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1115.1(A) and (B); relative to certain expenditures for food, drink, and refreshment for the benefit of public servants; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 775—
BY SENATOR NEVERS

AN ACT

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

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

SENATE BILL NO. 776—
BY SENATOR MICHOT

AN ACT

To enact Chapter 2-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2345 and R.S. 36:109(C), relative to trusts created for a public purpose; to create such a trust and provide for its powers and duties; to provide for use of money received by the trust; and to provide for related matters.

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

SENATE BILL NO. 777—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 45:844.55(D)(2), relative to telecommunications; to provide for enforcement; to provide for cost allocation and affiliate transaction rules; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 778—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 13:4249, relative to judgments; to provide for tribal courts; to provide standards for recognizing records and proceedings of tribal courts; and to provide for related matters.

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

SENATE BILL NO. 779—
BY SENATOR NEVERS

AN ACT

To enact R.S. 33:4546.18(F), relative to the Louisiana Natural Gas Purchasing and Distribution Authority; to authorize long term contracts for the purchase of natural gas by political subdivisions; and to provide for related matters.

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

SENATE BILL NO. 780—
BY SENATOR CROWE

AN ACT

To enact Chapter 49 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3491 through 3506, relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to create the authority and provide for a board of commissioners to govern the authority; to provide for the authority's powers, duties, and responsibilities; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 781—
BY SENATOR JACKSON

AN ACT

To enact Children's Code Art. 554, relative to legal representation of children; to provide with respect to multi-disciplinary interaction of an attorney representing a child in a child abuse and neglect case, together with other professionals involved with the child; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 782—
BY SENATOR JACKSON

AN ACT

To enact Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2861 and 2862, relative to rendering plants and transfer centers; to provide for definitions; to provide relative to prohibiting rendering plants and transfer centers within the corporate limits of the city of Shreveport; and to provide for related matters.

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

SENATE BILL NO. 783—
BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 3:2364(F), relative to the Louisiana Animal Welfare Commission; to provide relative to powers of the chairman of the commission; to permit the chairman to appoint an agent to obtain records and inspect facilities; and to provide for related matters.

April 22, 2008

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 784—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 27:323(B)(1), relative to gaming; to provide with respect to the Video Draw Poker Devices Control Law; to provide with respect to the Video Draw Poker Device Purse Supplement Fund; to provide with respect to purse supplements; and to provide for related matters.

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

SENATE BILL NO. 785—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 4:181(A) and 211(5), and to enact R.S. 4:147.3, relative to racing; to provide relative to horse racing; to provide relative to offtrack wagering; to provide for certain horse races; to provide for transfer of certain purses; to provide for certain parish-wide elections on horse racing meets; to provide certain exceptions; to provide definitions, terms, conditions, and procedures; and to provide for related matters.

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

SENATE BILL NO. 786—
BY SENATOR GRAY
AN ACT

To amend and reenact R.S. 28:313 and R.S. 46:1941.8(A)(3), relative to the Louisiana Youth Enhanced Services Consortium; to provide for funding; to provide for representation of the consortium on the children and youth services advisory boards; and to provide for related matters.

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

SENATE BILL NO. 787—
BY SENATOR WALSWORTH
AN ACT

To enact R.S. 33:1236(65), relative to police juries and other parish governing authorities; to provide for the powers of police juries and other parish governing authorities; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 788—
BY SENATOR WALSWORTH
AN ACT

To enact R.S. 29:723(7), (8), (9), (10), (11) and (12) and 725.3 through 725.6, relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for definitions; to provide for the creation of the office of interoperability; to provide for an assistant deputy director of interoperability; to establish the interoperability committee, regional parish office of emergency preparedness directors committee, and first responders committee under the unified command group to design, construct, administer, and maintain a statewide shared communications system for first responders and to design, construct, administer, and maintain a statewide communication interoperability plan; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 789—
BY SENATORS HEBERT AND N. GAUTREAUX AND
REPRESENTATIVES BARRAS, CHAMPAGNE, PERRY AND TRAHAN
AN ACT

To enact Chapter 31-A of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2106, relative to expressway commissions; to provide for membership on certain such commissions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 790—
BY SENATOR CROWE
AN ACT

To enact Part 1-A of Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2010 through 2021, relative to the Louisiana Initiative for Small Entrepreneurships (Hudson Initiative); to provide for small entrepreneurship procurements; to provide for goals and objectives; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

Rules Suspended

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

Senate Bills and Joint Resolutions on Second Reading to be Referred, Subject to Call

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

Called from the Calendar

Senator Murray asked that Senate Bill No. 708 be called from the Calendar at this time.

SENATE BILL NO. 708—
BY SENATOR MURRAY
AN ACT

To amend and reenact the introductory paragraphs of R.S. 47:6034(E)(1)(a)(i), (c), and (d), and (E)(1)(e) and (F)(1), relative to the office of the governor and the commissioner of administration; to remove the office of the governor and the commissioner of administration from the tax credit certification process for musical and theatrical productions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

Rules Suspended

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

Messages from the House

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

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 22, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 302—

BY REPRESENTATIVES SAM JONES AND HARRISON AND SENATORS
DUPRE AND B. GAUTREAUX
AN ACT

To amend and reenact R.S. 22:1430.12(D), relative to the Louisiana Citizens Property Insurance Corporation; to provide with respect to the rates charged by the corporation in St. Mary Parish; and to provide for related matters.

HOUSE BILL NO. 959—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 39:29(A)(2), relative to budget guidelines; to change the submission date of the continuation budget to the Joint Legislative Committee on the Budget; and to provide for related matters.

HOUSE BILL NO. 52—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 47:302.12(B), relative to state funds; to provide for use of monies appropriated from the West Calcasieu Community Center Fund; and to provide for related matters.

HOUSE BILL NO. 104—

BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 47:322.47 and 332.53, relative to the disposition of certain sales tax collections on hotel occupancy in Webster Parish; to provide for deposit of proceeds from such taxes into the Webster Parish Convention and Visitors Bureau Fund; and to provide for related matters.

HOUSE BILL NO. 158—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact Title II of Book I of the Civil Code, comprised of Civil Code Articles 38 through 46, and to enact Code of Civil Procedure Article 11, relative to domicile; to provide for the domicile of a natural person; to provide that a person may not have more than one domicile; to provide for the lack of a habitual residence; to provide for the domicile of spouses; to provide for the domicile of interdicts; to provide for the domicile of a person under continued or permanent tutorship; to provide for the domicile of unemancipated minors; to provide for a change of domicile; to provide for the intent to change domicile; to provide for the domicile of persons who hold a temporary position; to provide for the domicile of military personnel; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 380—

BY REPRESENTATIVE ARNOLD
AN ACT

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

security, and security; to provide for registration of investment adviser representatives; to provide for the suspension or revocation of the registration of investment adviser representatives in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 498—

BY REPRESENTATIVE EDWARDS
AN ACT

To enact Children's Code Articles 739(E) and 821(F), relative to continued custody hearings; to provide that continued custody hearings may be conducted in any parish within a judicial district when the judicial district is comprised of more than one parish; and to provide for related matters.

HOUSE BILL NO. 553—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 51:911.22(10)(introductory paragraph), 911.24(J)(2) and (L), and 911.34 and to enact R.S. 51:911.22(13) and (14), relative to the Uniform Standards Code for Manufactured Housing; to provide for definitions; to provide for changes in guidelines for a retailer's license; to provide for guidelines for suits filed by the Louisiana Manufactured Housing Commission; to provide for a venue for a suit filed by the commission; to provide for reasonable costs payable to the commission; and to provide for related matters.

HOUSE BILL NO. 566—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 48:205(A), relative to general administrative functions of the Department of Transportation and Development; to authorize a notice when the purchase exceeds twenty-five thousand dollars to persons who furnish commodities by notice sent through an electronic interactive environment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 91—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:2(16) and 4 and to enact R.S. 6:2(17), relative to financial institution employment references; to provide that trust companies may release certain information to other financial institutions; and to provide for related matters.

HOUSE BILL NO. 320—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 56:1948.6(C), relative to the Louisiana Byways Program; to provide relative to the official logo; and to provide for related matters.

HOUSE BILL NO. 219—

BY REPRESENTATIVE ARNOLD
AN ACT

To repeal R.S. 13:3737, relative to the quality review privilege of accountants.

HOUSE BILL NO. 785—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 32:427(A)(4) and (5), relative to the operation of commercial motor vehicles; to provide for willful violations of the operation of commercial motor vehicles; and to provide for related matters.

HOUSE BILL NO. 913—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 39:98.4(C)(2), relative to the Louisiana Fund; to provide relative to the date for submission of the governor's plan of expenditures from such fund; to change such date; and to provide for related matters.

April 22, 2008

HOUSE BILL NO. 40—
BY REPRESENTATIVES HAZEL AND NORTON
AN ACT

To amend and reenact R.S. 14:82(B), (C), (D), and (E) and 82.1(B) and to enact R.S. 14:82(F) and 82.1(C), relative to prostitution; to provide with respect to the crimes of prostitution and prostitution involving persons under age seventeen; to provide for a definition of "sexual intercourse"; and to provide for related matters.

HOUSE BILL NO. 71—
BY REPRESENTATIVE KLECKLEY
AN ACT

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

HOUSE BILL NO. 305—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 17:95, relative to requirements that the superintendent of a city, parish, or other local public school board serve as the treasurer of certain school funds and perform specified duties; to remove the exception applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 306—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 17:91, relative to certain supervisory duties and responsibilities of the superintendent of a city, parish, or other local public school system, including but not limited to duties pertaining to the office of the secretary of the school board; to remove certain exceptions, prohibitions, and requirements applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 694—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

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

HOUSE BILL NO. 695—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

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

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

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

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

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

HOUSE BILL NO. 752—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 14:102.8(D) and (E), relative to the crime of injuring or killing of a police animal; to amend the criminal penalties for the crime of injuring or killing of a police animal;

to require the offender to pay restitution; and to provide for related matters.

HOUSE BILL NO. 31—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 15:574.15(A)(1) and to repeal R.S. 15:574.15(C), relative to violations of municipal ordinances; to repeal the authority of certain elected parish or municipality officials to parole persons arrested for violations of certain municipal ordinances in municipalities having a population of more than four hundred fifty thousand; to repeal provision of law allowing members of the state central committee, parish executive committees, and municipal executive committees to be considered elected state, parochial, or municipal officials; and to provide for related matters.

HOUSE BILL NO. 191—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:250.34(E), relative to health insurance; to provide with respect to limitations on retroactive denial and recoupment of health insurance claims; and to provide for related matters.

HOUSE BILL NO. 277—
BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:1505.2(O) and to enact R.S. 18:1505.2(I)(5), relative to the use of campaign funds to pay certain fines, fees, and penalties; to prohibit the use of such funds to pay certain fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; to remove provisions that authorize the supervisory committee to prohibit the use of campaign funds to pay fines, fees, or penalties assessed for violations of the Campaign Finance Disclosure Act; and to provide for related matters.

HOUSE BILL NO. 361—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:416(B)(3)(d)(i), relative to student discipline; to provide relative to certain documentation required for certain expelled students to be admitted or readmitted to public school; and to provide for related matters.

HOUSE BILL NO. 371—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 18:1505.2(I)(5), relative to the use of campaign funds for payments or expenditures to family members of a candidate; to prohibit the use of a campaign contribution, loan, or transfer of funds by a candidate or the principal or any subsidiary political committee of a candidate to make any payment or expenditure to any immediate family member of the candidate; to provide definitions and exceptions; to provide for penalties; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 31—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 15:574.15(A)(1) and to repeal R.S. 15:574.15(C), relative to violations of municipal ordinances; to repeal the authority of certain elected parish or municipality officials to parole persons arrested for violations of certain municipal ordinances in municipalities having a population of

more than four hundred fifty thousand; to repeal provision of law allowing members of the state central committee, parish executive committees, and municipal executive committees to be considered elected state, parochial, or municipal officials; and to provide for related matters.

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

HOUSE BILL NO. 40—
BY REPRESENTATIVES HAZEL AND NORTON
AN ACT

To amend and reenact R.S. 14:82(B), (C), (D), and (E) and 82.1(B) and to enact R.S. 14:82(F) and 82.1(C), relative to prostitution; to provide with respect to the crimes of prostitution and prostitution involving persons under age seventeen; to provide for a definition of "sexual intercourse"; and to provide for related matters.

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

HOUSE BILL NO. 52—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 47:302.12(B), relative to state funds; to provide for use of monies appropriated from the West Calcasieu Community Center Fund; and to provide for related matters.

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

HOUSE BILL NO. 71—
BY REPRESENTATIVE KLECKLEY
AN ACT

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

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

HOUSE BILL NO. 91—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:2(16) and 4 and to enact R.S. 6:2(17), relative to financial institution employment references; to provide that trust companies may release certain information to other financial institutions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 104—
BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 47:322.47 and 332.53, relative to the disposition of certain sales tax collections on hotel occupancy in Webster Parish; to provide for deposit of proceeds from such taxes into the Webster Parish Convention and Visitors Bureau Fund; and to provide for related matters.

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

HOUSE BILL NO. 158—
BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact Title II of Book I of the Civil Code, comprised of Civil Code Articles 38 through 46, and to enact Code of Civil Procedure Article 11, relative to domicile; to provide for the

domicile of a natural person; to provide that a person may not have more than one domicile; to provide for the lack of a habitual residence; to provide for the domicile of spouses; to provide for the domicile of interdicts; to provide for the domicile of a person under continued or permanent tutorship; to provide for the domicile of unemancipated minors; to provide for a change of domicile; to provide for the intent to change domicile; to provide for the domicile of persons who hold a temporary position; to provide for the domicile of military personnel; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 191—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:250.34(E), relative to health insurance; to provide with respect to limitations on retroactive denial and recoupment of health insurance claims; and to provide for related matters.

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

HOUSE BILL NO. 219—
BY REPRESENTATIVE ARNOLD
AN ACT

To repeal R.S. 13:3737, relative to the quality review privilege of accountants.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 277—
BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:1505.2(O) and to enact R.S. 18:1505.2(I)(5), relative to the use of campaign funds to pay certain fines, fees, and penalties; to prohibit the use of such funds to pay certain fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; to remove provisions that authorize the supervisory committee to prohibit the use of campaign funds to pay fines, fees, or penalties assessed for violations of the Campaign Finance Disclosure Act; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 302—
BY REPRESENTATIVES SAM JONES AND HARRISON AND SENATORS
DUPRE AND B. GAUTREAUX
AN ACT

To amend and reenact R.S. 22:1430.12(D), relative to the Louisiana Citizens Property Insurance Corporation; to provide with respect to the rates charged by the corporation in St. Mary Parish; and to provide for related matters.

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

HOUSE BILL NO. 305—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 17:95, relative to requirements that the superintendent of a city, parish, or other local public school board serve as the treasurer of certain school funds and perform specified duties; to remove the exception applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

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

April 22, 2008

HOUSE BILL NO. 306—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 17:91, relative to certain supervisory duties and responsibilities of the superintendent of a city, parish, or other local public school system, including but not limited to duties pertaining to the office of the secretary of the school board; to remove certain exceptions, prohibitions, and requirements applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 320—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 56:1948.6(C), relative to the Louisiana Byways Program; to provide relative to the official logo; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 361—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:416(B)(3)(d)(i), relative to student discipline; to provide relative to certain documentation required for certain expelled students to be admitted or readmitted to public school; and to provide for related matters.

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 18:1505.2(I)(5), relative to the use of campaign funds for payments or expenditures to family members of a candidate; to prohibit the use of a campaign contribution, loan, or transfer of funds by a candidate or the principal or any subsidiary political committee of a candidate to make any payment or expenditure to any immediate family member of the candidate; to provide definitions and exceptions; to provide for penalties; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 380—
BY REPRESENTATIVE ARNOLD
AN ACT

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

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 498—
BY REPRESENTATIVE EDWARDS
AN ACT

To enact Children's Code Articles 739(E) and 821(F), relative to

continued custody hearings; to provide that continued custody hearings may be conducted in any parish within a judicial district when the judicial district is comprised of more than one parish; and to provide for related matters.

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

HOUSE BILL NO. 553—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 51:911.22(10)(introductory paragraph), 911.24(J)(2) and (L), and 911.34 and to enact R.S. 51:911.22(13) and (14), relative to the Uniform Standards Code for Manufactured Housing; to provide for definitions; to provide for changes in guidelines for a retailer's license; to provide for guidelines for suits filed by the Louisiana Manufactured Housing Commission; to provide for a venue for a suit filed by the commission; to provide for reasonable costs payable to the commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 566—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 48:205(A), relative to general administrative functions of the Department of Transportation and Development; to authorize a notice when the purchase exceeds twenty-five thousand dollars to persons who furnish commodities by notice sent through an electronic interactive environment; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 694—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

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

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

HOUSE BILL NO. 695—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

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

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

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

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

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

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

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

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

HOUSE BILL NO. 752—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 14:102.8(D) and (E), relative to the crime of injuring or killing of a police animal; to amend the criminal penalties for the crime of injuring or killing of a police animal; to require the offender to pay restitution; and to provide for related matters.

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 32:427(A)(4) and (5), relative to the operation of commercial motor vehicles; to provide for willful violations of the operation of commercial motor vehicles; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 913—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 39:98.4(C)(2), relative to the Louisiana Fund; to provide relative to the date for submission of the governor's plan of expenditures from such fund; to change such date; and to provide for related matters.

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

HOUSE BILL NO. 959—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 39:29(A)(2), relative to budget guidelines; to change the submission date of the continuation budget to the Joint Legislative Committee on the Budget; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Broome asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 791—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 4:251.1, relative to racing; to provide with respect to horse racing; to provide for the Horsemen's Self-Help Pension Program; to provide relative to pension benefits; to provide relative to purses and purse supplements; and to provide for related matters.

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

SENATE BILL NO. 792—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 18:1463(A), (C)(1), (D), (E), and (F), relative to the Louisiana Election Code; to provide for election offenses; to provide for legislative findings; to provide relative to election materials and communications; to provide relative to prohibitions on distribution or transmission of certain materials and communications; to provide for application and enforcement; to provide for penalties; to provide for effective dates; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 793—

BY SENATOR SHEPHERD

AN ACT

To enact R.S. 47:463.136, relative to motor vehicle prestige license plates; to provide for creation and issuance of the New Home Ministries Community Development Corporation license plate; to provide for the design of the plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 794—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:2740.27, relative to the Algiers Development District; to provide relative to the governance and purpose of the district; to provide relative to the powers and duties of the district and its governing board; to provide relative to district funding, including the levying of taxes and the issuance of bonds; to provide relative to obligations, contractual or otherwise, incurred by or on behalf of the district; to provide relative to the authority granted to the governing authority of the city of New Orleans with respect to the district; to provide relative to the New Orleans Federal Alliance; and to provide for related matters.

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

SENATE BILL NO. 795—

BY SENATOR DUPLESSIS

AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4011 through 4026, relative to educational choice; to establish and provide for the implementation of the Student Scholarships for Educational Excellence Program; to provide for legislative findings; to provide for definitions; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education and the state Department of Education; to provide relative to eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and scholarship payments to eligible schools; to provide relative to testing; to provide for reports; and to provide for related matters.

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

SENATE BILL NO. 796—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iii), and to enact R.S. 39:1367(E)(2)(b)(v), relative to state debt; to provide that certain debt secured by statewide tax revenues or statewide special assessments be excluded from the definition of net state tax supported debt; to provide for an effective date; and to provide for related matters.

April 22, 2008

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

SENATE BILL NO. 797—

BY SENATOR MCPHERSON

AN ACT

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

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

SENATE BILL NO. 798—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3410.1(B), (C), and (D) and 3411(F), (G), (H), (I), and (J) and R.S. 9:4770(A) and 5021 and to enact R.S. 3:3410.1(E) and 3411(K) and (L), relative to grain dealer licenses; to provide for surety bond requirements; to provide for a formula in determining the amount of the surety bond; to provide relative to the self-insurance fund; to provide relative to privileges for producers of agricultural and dairy products; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 799—

BY SENATOR MCPHERSON

AN ACT

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

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

SENATE BILL NO. 800—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 41:1217.1, relative to leases of public lands; to provide for the powers and duties of the commissioner of administration and department secretaries; to provide relative to the renewal of certain leases; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 801—

BY SENATOR NEVERS

AN ACT

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

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

SENATE BILL NO. 802—

BY SENATOR GRAY

AN ACT

To amend and reenact Chapter 33 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1301 through 1307; to reestablish and provide for the Hurricane Katrina Memorial Commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

Motion to Recommit

Senator Chaisson asked for and obtained a suspension of the rules and recommitted Senate Bill No. 612, which is Special Order of the Day No. 1 for Wednesday, April 23, 2008, to the Committee on Finance.

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

Senator Broome 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. 25—

BY SENATOR BROOME

A RESOLUTION

To commend and congratulate Dr. George L. Reese for receiving the Faculty Performance Award for Service in the College of Veterinary Medicine, Nursing and Allied Health at Tuskegee University.

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

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the Louisiana Dental Association for its achievement and to designate April 23, 2008, as Dentists' Day at the Louisiana Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 31

NAYS

Total - 0

ABSENT

Alario	Gautreaux B	Scalise
Amedee	Heitmeier	Shepherd
Donahue	Michot	

Total - 8

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 22, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 891— BY REPRESENTATIVE FANNIN AN ACT

To amend and reenact R.S. 39:1490(B)(5), 1522, and 1526(A), relative to state procurement of professional, personal, consulting, and social services; to provide relative to appeal and review procedures for such procurement; to authorize the office of contractual review to adopt certain rules and regulations; to clarify the meaning of the term "court"; to provide relative to judicial review of certain claims or controversies; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 891— BY REPRESENTATIVE FANNIN AN ACT

To amend and reenact R.S. 39:1490(B)(5), 1522, and 1526(A), relative to state procurement of professional, personal, consulting, and social services; to provide relative to appeal and review procedures for such procurement; to authorize the office of contractual review to adopt certain rules and regulations; to clarify the meaning of the term "court"; to provide relative to judicial review of certain claims or controversies; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Broome asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 803— BY SENATOR ERDEY AN ACT

To amend and reenact R.S. 40:1472.2(6), (10) through (27), 1472.3(A), (B), (D) and (E), 1472.5(B), (C) and (E), 1472.6(A), 1472.7(A) and to enact R.S. 40:1472.2(28) and 1472.3(C)(3) and (F), relative to the regulation of explosives; to provide for definitions; to provide for training; to provide for application and licensure of persons handling explosives; to provide for revocation of licenses under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 804— BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 27:28(F), relative to the Louisiana Gaming Control Law; to provide for suitability; to provide for the revocation of a license or permit; and to provide for related matters.

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

SENATE BILL NO. 805— BY SENATOR B. GAUTREAUX AN ACT

To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings and purpose; to provide for joint bargaining and contracting; to provide for immunity from certain antitrust provisions; to provide for applicability; and to provide for related matters.

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

Regular Order of the Day Resumed

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

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 48 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 48— BY SENATOR MCPHERSON AN ACT

To enact R.S. 56:1847(63), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; 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: Mr. President, Mr. Broome, Mr. Nevers, Mr. Cheek, Mr. Heitmeier, Mr. Quinn, Mr. Murrish, Mr. Mount, Mr. Murray, Mr. Nevers, Mr. Quinn

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Cravins	Jackson	Riser
Crowe	Kostelka	Shaw
Dorsey	LaFleur	Smith
Duplessis	Long	Thompson
Dupre	Marionneau	
Erdey	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Alario	Martiny	Shepherd
Amedee	Michot	Walsworth
Donahue	Scalise	
Total - 8		

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

Motion to Recommit

Senator Smith asked for and obtained a suspension of the rules and recommitted Senate Bill No. 712 from the Committee on Judiciary B to the Committee on Commerce, Consumer Protection, and International Affairs.

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

ABSENT

Total - 0

Leaves of Absence

The following leaves of absence were asked for and granted:

B. Gautreaux 1/2 Day

Adjournment

Senator Broome moved that the Senate adjourn until Wednesday, April 23, 2008, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, April 23, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk