

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FIFTEENTH 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

Wednesday, April 23, 2008

The Senate was called to order at 1:25 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	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	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

ABSENT

Shepherd
Total - 1

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

Prayer

The prayer was offered by Dr. Rodney Wooten, 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 Scalise, the reading of the Journal was dispensed with and the Journal of April 22, 2008, was adopted.

**Privilege Report of the
Legislative Bureau**

April 23, 2008

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bill is approved as to construction and duplication.

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 without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneau, the Bill was read by title and passed to a third reading.

**Introduction of
Senate Concurrent Resolutions**

Senator Nevers 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. 42—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To approve the establishment of a learning center in St. Tammany Parish, pursuant to the provisions of R.S. 17:3228, by the Louisiana Board of Regents in cooperation with the parish of St. Tammany and existing institutions of postsecondary education.

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

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. 334—

BY REPRESENTATIVES ELBERT GULLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GULLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LEGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, AND MURRAY
AN ACT

To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce development; to enact the Inmate Rehabilitation and Workforce Development Act; to provide for the development and administration of the inmate rehabilitation and workforce development program; to provide for definitions; to provide for legislative findings; to create the inmate rehabilitation and workforce development advisory council; to provide for the membership of the council; to provide for the powers and duties of the council; to authorize the receipt of per diem by certain members of the council; to provide for the purposes of the program; to provide for the components of the program; to provide for applicability; to provide for inmate eligibility for participation in the program; to

provide for selection of eligible inmates; to provide for the duration of the program; to provide criteria for removal from the program; to provide for rulemaking; to provide for annual reporting; to provide for the powers, duties, and responsibilities of the Department of Public Safety and Corrections regarding the implementation and administration of the program; to authorize and provide for workforce development work release programs; to provide for the collection and distribution of inmate wages; to provide for substance abuse counseling and treatment; to provide for mandatory and random drug testing of inmates; and to provide for related matters.

HOUSE BILL NO. 28—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for a crime of violence shall not be released on his own recognizance; and to provide for related matters.

HOUSE BILL NO. 120—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:833(A), (B)(1) and (3), and (C) and to enact R.S. 15:833(D) and 833.2, relative to the temporary release of inmates; to provide for eligibility for temporary furlough; to provide for the release of inmates for medical care under certain circumstances; to provide for temporary secured release of inmates; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 208—
BY REPRESENTATIVE ARNOLD
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)(introductory paragraph) and (3), relative to the First Stop Shop within the Department of State; to change the name from the First Stop Shop to the office of GeauxBiz; and to provide for related matters.

HOUSE BILL NO. 253—
BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 6:420(D) and (E) and to enact R.S. 6:420(F), relative to suspicious activities reported by financial institutions; to provide that state-chartered financial institutions provide a report of suspicious activity to the office of financial institutions in accordance with federal law; to provide that the commissioner may report suspicious activity to the attorney general or appropriate district attorney; and to provide for related matters.

HOUSE BILL NO. 300—
BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 47:322.33(B), relative to the state sales and use tax; to provide relative to the disposition of the monies deposited into the Lincoln Parish Municipalities Fund; and to provide for related matters.

HOUSE BILL NO. 322—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact the heading of Chapter 4 of Title VII of Book I of the Civil Code and Civil Code Article 214, Code of Civil Procedure Article 10(A)(1), and R.S. 9:461 and 462 and to enact Civil Code Articles 212 and 213, Code of Civil Procedure Article 74.5, and R.S. 9:463, 464, and 465, relative to adult adoption; to provide for the form for an adult adoption; to provide for the recordation; to provide for jurisdiction; to provide for venue; to provide for the effects of an adult adoption; to provide for the effective date of an adult adoption; to provide for birth certificates; to provide for the change of a name; and to provide for related matters.

HOUSE BILL NO. 375—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 3:4383(C), R.S. 30:6.1(C), 77, 90(A), 101.10(A), 142(E)(3), 144(B), 1355(C)(4), 1356, 1402(A), 2004(9), 2011(D)(16) and (21)(e), 2050.7(E)(3), 2058(1), 2060(N)(10), 2106(B)(3), 2117(D) and (G), 2162(A)(2), 2179(C), 2191.1, 2195(B) and (E), 2195.9(A)(6), 2226(B)(introductory paragraph) and (E), 2377 (introductory paragraph), 2378(B), 2413(A)(8) and (9)(b), 2418(H)(introductory paragraph) and (3) and (J), 2457(C)(1), 2458(A)(1)(c), 2525(C)(18), and 2551(H), R.S. 31:149(A), R.S. 38:245(B)(3), 3097.3(C)(10), and 3097.6(A), R.S. 41:16(B), 134(D), 140(B), (C), and (F), 151(B), (C), (G), and (H), 1702(D)(2)(d), and 1733(D), R.S. 49:213.4(A)(3), 213.6(D)(1), 214.7(C), 214.9(C), 214.12(A)(1)(o), 214.37, 953(F)(3)(h), and 968(B)(11), (13), and (22), and R.S. 56:109.2(B), 266(F), 279(E), 360.3(A)(5), 409.1(C), 431.1(A)(2)(c), 575, 699.21(B)(12), 700.2(A)(3), 700.3(C), and 700.14(C), relative to the House Committee on Natural Resources and Environment; to provide for the oversight of rules and regulations, the receipt of certain reports, and the approval of certain actions by the House Committee on Natural Resources and Environment; to provide for instructions to the Louisiana State Law Institute; and to provide for related matters.

HOUSE BILL NO. 418—
BY REPRESENTATIVE MICKEY GULLORY
AN ACT

To amend and reenact R.S. 14:134.3(C), relative to the crime of abuse of office; to provide for an exception in the case of an elected official responding to his constituency; and to provide for related matters.

HOUSE BILL NO. 508—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 37:77(H), 83(A), (B), and (C), and 86(C) and to enact R.S. 37:73(18), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for changes to the acceptance of peer reviews by the board; to provide that peer reviews are privileged; to provide for changes to unlawful acts by certified public accountants; and to provide for related matters.

HOUSE BILL NO. 545—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 51:912.21(6) and (8), 912.22(5), (6), and (9), 912.23(1)(e), 912.24, 912.25(3), and 912.27(C) and to enact R.S. 51:912.21(10), relative to minimum standards for installation of manufactured homes; to provide for definitions; to provide for minimum standards for installation of manufactured homes; to provide for the design of foundations and piers; to provide for installation standards for anchors and tie-downs; to provide for installation standards for used manufactured homes in hurricane zones; to provide for installation permit stickers; and to provide for related matters.

HOUSE BILL NO. 791—
BY REPRESENTATIVE HUTTER
AN ACT

To repeal R.S. 48:221(C), relative to expropriation, to repeal provisions requiring the Department of Transportation and Development to offer to sell excess expropriated property.

HOUSE BILL NO. 831—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 39:461.3(A) and (B), relative to the Interim Emergency Board; to delete certain references; and to provide for related matters.

HOUSE BILL NO. 916—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 47:9029(B), relative to the Compulsive and Problem Gaming Fund; to provide that the treasurer shall annually transfer five hundred thousand dollars from the Louisiana Lottery Proceeds Fund to the Compulsive and Problem Gaming Fund; and to provide for related matters.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 13:3667.3(B) and (C), R.S. 49:956.1, Code of Civil Procedure Article 1469(5), and Code of Criminal Procedure Article 740 and to enact R.S. 13:3667.3(D) and (E), relative to the attendance and testimony of legislators and legislative personnel in certain court and administrative proceedings; to provide for a definition of "legislative employee"; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; to authorize the taking of supervisory writs; and to provide for related matters.

HOUSE BILL NO. 1069—

BY REPRESENTATIVE WILLIAMS
AN ACT

To enact R.S. 17:1970.24(E)(1)(o), relative to the New Orleans Center for the Creative Arts/Riverfront; to require its board of directors to develop a plan with respect to providing educational services to students in public school systems throughout the state; to require the board to report to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session of the Legislature; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator McPherson 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. 28—

BY REPRESENTATIVE RICHMOND
AN ACT

To enact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for a crime of violence shall not be released on his own recognizance; 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. 120—

BY REPRESENTATIVE WOOTEN
AN ACT

To amend and reenact R.S. 15:833(A), (B)(1) and (3), and (C) and to enact R.S. 15:833(D) and 833.2, relative to the temporary release of inmates; to provide for eligibility for temporary furlough; to provide for the release of inmates for medical care under certain circumstances; to provide for temporary secured release of inmates; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 208—

BY REPRESENTATIVE ARNOLD
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)(introductory paragraph) and (3), relative to the First Stop Shop within the Department of State; to change the name from the First Stop Shop to the office of GeauxBiz; 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. 253—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 6:420(D) and (E) and to enact R.S. 6:420(F), relative to suspicious activities reported by financial institutions; to provide that state-chartered financial institutions provide a report of suspicious activity to the office of financial institutions in accordance with federal law; to provide that the commissioner may report suspicious activity to the attorney general or appropriate district attorney; 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. 300—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 47:322.33(B), relative to the state sales and use tax; to provide relative to the disposition of the monies deposited into the Lincoln Parish Municipalities 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. 322—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact the heading of Chapter 4 of Title VII of Book I of the Civil Code and Civil Code Article 214, Code of Civil Procedure Article 10(A)(1), and R.S. 9:461 and 462 and to enact Civil Code Articles 212 and 213, Code of Civil Procedure Article 74.5, and R.S. 9:463, 464, and 465, relative to adult adoption; to provide for the form for an adult adoption; to provide for the recordation; to provide for jurisdiction; to provide for venue; to provide for the effects of an adult adoption; to provide for the effective date of an adult adoption; to provide for birth certificates; to provide for the change of a name; 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. 334—

BY REPRESENTATIVES ELBERT GUILLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LÉGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, AND MURRAY
AN ACT

To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce development; to enact the Inmate Rehabilitation and Workforce Development Act; to provide for the development and administration of the inmate rehabilitation and workforce development program; to provide for definitions; to provide for legislative findings; to create the inmate rehabilitation and workforce development

advisory council; to provide for the membership of the council; to provide for the powers and duties of the council; to authorize the receipt of per diem by certain members of the council; to provide for the purposes of the program; to provide for applicability; to provide for inmate eligibility for participation in the program; to provide for selection of eligible inmates; to provide for the duration of the program; to provide criteria for removal from the program; to provide for rulemaking; to provide for annual reporting; to provide for the powers, duties, and responsibilities of the Department of Public Safety and Corrections regarding the implementation and administration of the program; to authorize and provide for workforce development work release programs; to provide for the collection and distribution of inmate wages; to provide for substance abuse counseling and treatment; to provide for mandatory and random drug testing of inmates; 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. 375—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 3:4383(C), R.S. 30:6.1(C), 77, 90(A), 101.10(A), 142(E)(3), 144(B), 1355(C)(4), 1356, 1402(A), 2004(9), 2011(D)(16) and (21)(e), 2050.7(E)(3), 2058(1), 2060(N)(10), 2106(B)(3), 2117(D) and (G), 2162(A)(2), 2179(C), 2191.1, 2195(B) and (E), 2195.9(A)(6), 2226(B)(introductory paragraph) and (E), 2377 (introductory paragraph), 2378(B), 2413(A)(8) and (9)(b), 2418(H)(introductory paragraph) and (3) and (J), 2457(C)(1), 2458(A)(1)(c), 2525(C)(18), and 2551(H), R.S. 31:149(A), R.S. 38:245(B)(3), 3097.3(C)(10), and 3097.6(A), R.S. 41:16(B), 134(D), 140(B), (C), and (F), 151(B), (C), (G), and (H), 1702(D)(2)(d), and 1733(D), R.S. 49:213.4(A)(3), 213.6(D)(1), 214.7(C), 214.9(C), 214.12(A)(1)(o), 214.37, 953(F)(3)(h), and 968(B)(11), (13), and (22), and R.S. 56:109.2(B), 266(F), 279(E), 360.3(A)(5), 409.1(C), 431.1(A)(2)(c), 575, 699.21(B)(12), 700.2(A)(3), 700.3(C), and 700.14(C), relative to the House Committee on Natural Resources and Environment; to provide for the oversight of rules and regulations, the receipt of certain reports, and the approval of certain actions by the House Committee on Natural Resources and Environment; to provide for instructions to the Louisiana State Law Institute; 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. 418—
BY REPRESENTATIVE MICKEY GUILLORY

AN ACT

To amend and reenact R.S. 14:134.3(C), relative to the crime of abuse of office; to provide for an exception in the case of an elected official responding to his constituency; 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. 508—
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 37:77(H), 83(A), (B), and (C), and 86(C) and to enact R.S. 37:73(18), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for changes to the acceptance of peer reviews by the board; to provide that peer reviews are privileged; to provide for changes to unlawful acts by certified public accountants; 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. 545—
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 51:912.21(6) and (8), 912.22(5), (6), and (9), 912.23(1)(e), 912.24, 912.25(3), and 912.27(C) and to enact R.S. 51:912.21(10), relative to minimum standards for installation of manufactured homes; to provide for definitions; to provide for minimum standards for installation of manufactured homes; to provide for the design of foundations and piers; to provide for installation standards for anchors and tie-downs; to provide for installation standards for used manufactured homes in hurricane zones; to provide for installation permit stickers; 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. 791—
BY REPRESENTATIVE HUTTER

AN ACT

To repeal R.S. 48:221(C), relative to expropriation, to repeal provisions requiring the Department of Transportation and Development to offer to sell excess expropriated property.

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

HOUSE BILL NO. 831—
BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 39:461.3(A) and (B), relative to the Interim Emergency Board; to delete certain references; 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. 916—
BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 47:9029(B), relative to the Compulsive and Problem Gaming Fund; to provide that the treasurer shall annually transfer five hundred thousand dollars from the Louisiana Lottery Proceeds Fund to the Compulsive and Problem Gaming 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. 1004—
BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 13:3667.3(B) and (C), R.S. 49:956.1, Code of Civil Procedure Article 1469(5), and Code of Criminal Procedure Article 740 and to enact R.S. 13:3667.3(D) and (E), relative to the attendance and testimony of legislators and legislative personnel in certain court and administrative proceedings; to provide for a definition of "legislative employee"; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; to authorize the taking of supervisory writs; 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. 1069—
BY REPRESENTATIVE WILLIAMS

AN ACT

To enact R.S. 17:1970.24(E)(1)(o), relative to the New Orleans Center for the Creative Arts/Riverfront; to require its board of directors to develop a plan with respect to providing educational services to students in public school systems throughout the state; to require the board to report to the House Committee on

Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session of the Legislature; and to provide for related matters.

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

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. 73—
BY REPRESENTATIVES LORUSSO AND HENRY BURNS
A CONCURRENT RESOLUTION

To commend and congratulate the United States Army Reserve for reaching its one hundredth year of committed service to America.

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

House Concurrent Resolutions

Senator Broome 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. 73—
BY REPRESENTATIVES LORUSSO AND HENRY BURNS
A CONCURRENT RESOLUTION

To commend and congratulate the United States Army Reserve for reaching its one hundredth year of committed service to America.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Kostelka	Riser
Cravins	LaFleur	Scalise
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis Jackson Shepherd
Total - 3

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON HEALTH AND WELFARE

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 23, 2008

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 36—
BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 40:1300.143(7)(a)(ii), relative to the definition of rural hospital; to provide for the definition of "rural hospital"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 119—
BY SENATOR BROOME
AN ACT

To amend and reenact R.S. 37:1742.1(G), relative to the definition of "lifestyle modifications"; to provide for the definition of "lifestyle modifications"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 182—
BY SENATOR GRAY
AN ACT

To amend and reenact R.S. 28:53.2(B), the introductory of (C), (D), (E), (F), and (G), and to enact R.S. 28:53.2(H) and Part III-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:67 through 76, relative to involuntary outpatient treatment for behavioral health services; to provide for criteria for involuntary outpatient treatment; to provide for judicial procedure; to provide for an order of custody; to provide for a written treatment plan; to provide for an appeal; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 235—
BY SENATOR NEVERS
AN ACT

To amend and reenact the introductory paragraph of R.S. 40:2009.4(A)(6) and (A)(6)(d), the introductory paragraph of 2109(B)(1)(c), and the introductory paragraph of 2180.2(10), relative to rules, regulations, and minimum standards of certain facilities; authorizes the Department of Health and Hospitals authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Reported with amendments.

April 23, 2008

SENATE BILL NO. 282—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 40:2116(K), relative to nursing homes; to provide for certain nursing home beds, which were placed in alternative healthcare use, to be re-licensed as nursing home beds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 323—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 40:1299.40(A)(1), relative to consent to medical treatment; to provide for the definition of "consent"; to provide that consent to medical treatment may be given by other than written means; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 340—
BY SENATOR THOMPSON

AN ACT

To enact Part XXII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.40.1, relative to electronic health care transactions; to provide for electronic health care transactions; to provide for definitions; to provide for electronic authentication and identification; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 423—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 24-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2530.1 through 2530.5, relative to missing senior citizen and missing person with developmental disabilities alert program; to provide for the creation and operation of the program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE L. MOUNT
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. 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 by the Committee on Judiciary C. On motion of Senator Amedee, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 11—
BY SENATORS N. GAUTREUX, LONG, NEVERS, RISER, SMITH AND THOMPSON

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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 11 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 4, after "findings;" insert "to provide for definitions;" and after "farm;" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "presumption;" and after "ordinances;" insert "to provide relative to nuisance actions;"

AMENDMENT NO. 3

On page 2, line 17, after "forestry" change "activity" to "activities"

AMENDMENT NO. 4

On page 2, line 20, after "operation" and before "as of" delete "established"

AMENDMENT NO. 5

On page 2, delete line 21 in its entirety and insert "operation. The commencement of the expanded operation shall not divest the"

AMENDMENT NO. 6

On page 2, line 22, after "operation of" and before "previously" insert "the"

AMENDMENT NO. 7

On page 3, line 4, after "processing," change "including" to "and"

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

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

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

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 179 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 5, after "effects" delete the comma and insert "; to provide for notice,"

AMENDMENT NO. 2

On page 1, delete lines 15 through 17 and insert "a spouse may reserve them as his separate property by a declaration made in an authentic act or in an act under private signature duly acknowledged. **A copy of the declaration shall be provided to the other spouse prior to filing of the declaration.**

As to the fruits and revenues of immovables, the declaration is effective when filed for registry in the conveyance records of the parish in which the immovable property is located. As to fruits of movables, the declaration is effective when filed for registry in the conveyance records of the parish in which the declarant is domiciled."

AMENDMENT NO. 3

On page 2, delete lines 1 through 8

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

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 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 260 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete "child support" and insert in lieu thereof "paternity"

AMENDMENT NO. 2

On page 1, line 4, after "acknowledgment" delete the remainder of the line and on line 5 delete "dismissed on the basis of non-paternity;"

AMENDMENT NO. 3

On page 1, delete lines 7 through 9 and insert "nullification of a judgment of paternity; and to provide for related matters."

AMENDMENT NO. 4

On page 2, line 6, after "**provided**" and before the period "." insert "**by the department**"

AMENDMENT NO. 5

On page 2, delete lines 14 through 17 and insert "**(2) Within a two-year period commencing with the execution of an authentic act of acknowledgment of paternity, if paternity was established by an authentic act of acknowledgment. Nothing in this Paragraph shall bar any rights in accordance with R.S. 9:406.**"

AMENDMENT NO. 6

On page 3, line 1, after "**provided**" delete the remainder of the line and insert in lieu thereof "**by the department.**" and on line 2, change "(2)" to "(3)"

AMENDMENT NO. 7

On page 3, delete lines 11 through 19 and insert "cause, revoke it before the earlier of: **within sixty days of the execution of the authentic act of acknowledgment:**

(1) Upon the submission of a sworn statement refuting the named father. The state registrar, office of vital records, shall develop and make available a form and may impose a fee for the filing of revocation of the authentic act of acknowledgment. This form shall be filed in a central repository of the office of vital records of the Department of Health and Hospitals within sixty days of the date of the execution of the authentic act of acknowledgment. The registrar shall send a copy of the revoked acknowledgment to the other party in the original authentic act of

AMENDMENT NO. 8

On page 3, line 20, after "**revocation of the**" delete "**notarial**" and insert "**authentic**"

AMENDMENT NO. 9

On page 3, line 24, delete "**R.S. 46:236.1.1 et seq.**" and insert in lieu thereof "**R.S. 46:236.1.2**"

AMENDMENT NO. 10

On page 3, line 25, after "(2)" change "Sixty days of the signing of the authentic act of acknowledgment in" to "**Sixty days of the signing of the authentic act of acknowledgment in In**"

AMENDMENT NO. 11

On page 3, line 27, after "declaration" change the period "." to " ; **or**"

AMENDMENT NO. 12

On page 3, line 28, after "(3)" change "A" to "**A In a**"

AMENDMENT NO. 13

On page 4, delete lines 2 through 6 and insert "**If at any time during the hearing, the court has reasonable cause to believe that a party to the authentic act of acknowledgment is or was unable to understand the effects of executing that act, the court shall orally explain to the individual the effects of the execution and the right to revoke the authentic act of acknowledgment in accordance with**"

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AMENDMENT NO. 14

On page 4, at the beginning of line 11, delete "rescinded" and insert in lieu thereof "revoked"

AMENDMENT NO. 15

On page 4, line 13, after "the court to" change "rescind" to "rescind revoke"

AMENDMENT NO. 16

On page 4, line 20, after "Services" delete ", and if" and insert in lieu thereof ". If"

AMENDMENT NO. 17

On page 5, line 9, after "to revoke the" delete "notarial" and insert "authentic"

AMENDMENT NO. 18

On page 5, line 17, after "revocation of any" delete "notarial" and insert "authentic"

AMENDMENT NO. 19

On page 5, line 20, after "revocation of the" delete "notarial" and insert "authentic"

AMENDMENT NO. 20

On page 5, line 25, after "based upon" insert "genetic"

AMENDMENT NO. 21

On page 5, delete lines 28 and 29 and insert "E. (1) The original form revoking the authentic act of acknowledgment shall be sent by the person revoking it to the state registrar at the office of vital records of the Department of Health and Hospitals in accordance with the provisions of this Section. If the revocation is as a result of a judicial hearing, a certified copy of any judgment revoking an authentic act of acknowledgment shall be sent by the clerk of court to the state registrar at the office of vital records of the Department of Health and Hospitals."

AMENDMENT NO. 22

On page 6, delete lines 1 through 3

AMENDMENT NO. 23

On page 6, line 4, after "revoking the" delete "notarial" and insert "authentic"

AMENDMENT NO. 24

On page 6, line 7, change "rescinded" to "revoked"

AMENDMENT NO. 25

On page 6, line 8, after "following the" delete "completion" and insert "execution"

AMENDMENT NO. 26

On page 6, line 10, after "judgment that the" delete "notarial" and insert "authentic"

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 265 by Senator Quinn

AMENDMENT NO. 1

On page 8, delete lines 23 through 25 and insert the following: "A minor sixteen years of age or older may be judicially emancipated and relieved of the disabilities which attach to minority as provided in Articles 3991 through 3994 of the Louisiana Code of Civil Procedure."

AMENDMENT NO. 2

On page 9, delete lines 34 through 36 and insert the following: "The petition of a minor for judicial emancipation shall be filed in the district court in the parish of his domicile, and shall set forth the reasons why he desires to be emancipated and the value of his property, if any."

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 301 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 4, change "healthcare" to "health care"

AMENDMENT NO. 2

On page 1, line 13, change "healthcare" to "health care"

AMENDMENT NO. 3

On page 2, between lines 4 and 5, insert the following: "C. As used in this Section, "disaster medicine" means the art and science of patient care under circumstances of stress when the number of patients exceeds the normal medical capacities, in which a sudden concentration of casualties overwhelms existing medical facilities and personnel."

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 427 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 4, before "an effective" insert "certain terms, conditions, and procedures; to provide for"

AMENDMENT NO. 2

On page 1, at the end of line 14, insert "**These requirements shall not apply to individual cemetery spaces within dedicated cemetery property. The provisions of this Subsection shall apply only to a cemetery established after August 15, 2008.**"

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

SENATE BILL NO. 500—BY SENATORS CROWE AND DORSEY
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 interactive computer 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 500 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 8, delete "Internet" and insert "interactive computer"

AMENDMENT NO. 2

On page 2, line 18, after "means" delete the rest of the line and delete lines 19 through 22 in their entirety and insert the following: "**any information service, system, or access software provider that offers users the capability for generating, acquiring, storing, transformation, processing, retrieving, utilizing, or making available information, including a service or system that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.**"

AMENDMENT NO. 3

On page 6, line 15, after "**Duty of**" delete the rest of the line and insert "**interactive computer service**"

AMENDMENT NO. 4

On page 6, delete lines 16 through 29 and on page 7, delete lines 1 through 18 in their entirety

AMENDMENT NO. 5

On page 7, line 19, change "**E**" to "**A**"

AMENDMENT NO. 6

On page 7, line 19 after "**the**" delete the rest of the line and insert "**interactive computer**"

AMENDMENT NO. 7

On page 7, line 20 delete "**Internet**"

AMENDMENT NO. 8

On page 7, line 22 delete "**Internet**" and insert "**interactive computer**"

AMENDMENT NO. 9

On page 7, line 23, change "**possible**" to "**reasonably practical**"

AMENDMENT NO. 10

On page 7, delete line 29 in its entirety and insert the following: "**(3) Paragraphs (1) and (2) of this Subsection shall be interpreted in a manner consistent with the requirements of federal law that apply to providers of Internet service provided for in Chapter 121 of Title 18 of the United States Code and 42 U.S.C. 13032.**"

AMENDMENT NO. 11

On page 8, line 1, change "**A**" to "**B**"

AMENDMENT NO. 12

On page 8, line 3, delete "**within fifteen business days**" and insert the following: "**as soon as reasonably practical, considering other outstanding law enforcement and legal requests.**"

AMENDMENT NO. 13

On page 8, line 4 change "**;**" (semicolon) to "**.**" (period)

AMENDMENT NO. 14

On page 8, delete lines 5 through 8 in their entirety

AMENDMENT NO. 15

On page 8, line 13 change "**B**" to "**C**" and delete the rest of the line and delete lines 14 through 20 in their entirety and insert the following: "**An interactive computer service doing business in this state that obtains knowledge of facts or circumstances from which a violation of any law in this state prohibiting possession, distribution or creation of images containing child pornography or prohibiting sexual activity involving a child is apparent, shall make a report, as soon as reasonably possible, of such facts or circumstances to the Cyber Tip Line at the National Center for Missing and Exploited children consistent with the requirements of 42 U.S.C. 1302.**"

AMENDMENT NO. 16

On page 9, delete lines 1 through 2 and insert the following: "**H. The state shall make the electronic mail address or addresses and instant message names or names collected for the sex offender registry available to any commercial or non-profit entity who makes a request and which promote child safety, including any of the following:**
(1) Child safety organizations who attempt to deter the sexual exploitation of children.
(2) Educational institutions.
(3) Interactive computer services.
I. No provider of interactive computer services shall be liable under this Subchapter or any other provision of law for any of the following:

(1) Identifying, removing, disabling, blocking or otherwise affecting a user on a good faith belief that such user's electronic mail address, Username, or other similar Internet identifier appeared in the National Sex Offender Registry or any analogous state registry.

(2) For failing to identify, block or otherwise prevent a person from registering for its service, or for failing to remove, disable or otherwise affect a registered user, whose electronic mail address, instant message address, or other similar Internet identifier appears in the National Sex Offender Registry or any analogous registry."

AMENDMENT NO. 17

On page 9, line 10 after "supervision" insert a "."(period) and delete the rest of the line and delete line 11 in its entirety.

AMENDMENT NO. 18

On page 10, delete lines 18 and 19 and insert the following: "facilities-based provider or other entity that provides consumers with the ability to access the Internet in exchange for consideration such as through a paid subscription or through an agreement to view specific ads or content in exchange for Internet access, provided, however, this term does not include an entity that provides access to the Internet using commercial mobile services as such term is defined in 47 U.S.C. 332(d).Systems operated or services offered by libraries or educational institutions are excluded from this definition."

AMENDMENT NO. 19

On page 11, delete lines 2 through 7

AMENDMENT NO. 20

On page 11, line 8, change "C" to "B"

AMENDMENT NO. 21

On page 11, line 10, change "disapproved" to "deemed inappropriate"

AMENDMENT NO. 22

On page 11, line 11, after "Section" insert a "."(period) and delete the rest of the line and delete line 12 in its entirety

AMENDMENT NO. 23

On page 11, line 14, change "disapproved" to "deemed inappropriate" and after "Section" insert a "."(period) and delete the rest of the line and delete line 15 in its entirety.

AMENDMENT NO. 24

On page 11, line 16, delete "or sex offenders"

AMENDMENT NO. 25

On page 11, line 18, delete "or the sex offender"

AMENDMENT NO. 26

On page 11, line 21, change "(D)" to "C."

AMENDMENT NO. 27

On page 11, delete lines 25 through 28 in their entirety

AMENDMENT NO. 28

On page 11, line 29, change "(E)" to "D."

AMENDMENT NO. 29

On page 12, line 7, after "vendor" insert ", and may charge for the product or service"

AMENDMENT NO. 30

On page 11, line 8, change "(F)" to "E."

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 579 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:841.3" delete the comma and insert "and 983(L)."

AMENDMENT NO. 2

On page 1, line 5, after "Court;" insert "to provide relative to the fixing and collection of certain costs and charges;"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert "Section 2. R.S. 13:983(L) is hereby amended and reenacted to read as follows:
§983. Court reporters for the Forty-First Judicial District Court

* * *

L. The clerk of court shall collect from every person filing any civil suit or proceeding, and who is not otherwise exempted by law from the payment of court costs, a sum to be determined by the judges of the district, sitting en banc, which sum shall not exceed fifteen dollars, subject, however, to the provisions of Code of Civil Procedure Article 5181 et seq. The clerk of court shall collect from every person filing any civil suit or proceeding, and who is not otherwise exempted by law from the payment of court costs, a sum to be determined by the judges of the district, sitting en banc. The judges sitting en banc shall have the power to fix costs and charges to be paid for official services, and due publication of such costs and charges when fixed shall be given."

AMENDMENT NO. 4

On page 1, line 14, change "Section 2." to "Section 3."

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, delete lines 14 through 16 and insert "Section 5. Sections 2 and 4 of this Act shall become effective on January 1, 2009.
Section 6. Sections 1, 3 and this Section shall become effective on August 15, 2008."

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

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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 627 by Senator Thompson

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert "require the commissioner of agriculture to adopt rules and regulations regarding the demonstration portion of the retail florist examination; and to"

AMENDMENT NO. 2

On page 1, line 14, after "Forestry," insert the following: "In addition to the written questions, the retail florists examination shall include a demonstration of actual floral design work by the applicant. The commissioner shall adopt rules and regulations regarding the demonstration portion of the retail florist examination."

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

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

Senate Bills and Joint Resolutions on Second Reading

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

SENATE BILL NO. 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.

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

Motion to Recommit

Senator Amedee asked for and obtained a suspension of the rules and recommitted Senate Bill No. 634 from the Committee on Health and Welfare to the Committee on Judiciary C.

Senate Concurrent Resolutions on Third Reading and Final Passage

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

SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR B. GAUTREUX AND REPRESENTATIVE ROBIDEAUX
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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	Jackson	Shepherd
Gautreaux N	LaFleur	
Total - 5		

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

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:

Rules Suspended

Senator Shaw asked for and obtained a suspension of the rules for the purpose of taking Senate Bill No. 87 out of Regular Order.

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.

Motion

On motion of Senator Shaw, Senate Bill No. 87 was made Special Order of the Day No. 1 on Tuesday, April 29, 2008, immediately following the Morning Hour.

SENATE BILL NO. 12—
BY SENATOR N. GAUTREUX 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

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one at-large member on the White Lake Property Advisory Board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Lists members like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Name. Lists Duplessis, Shepherd, LaFleur, Walsworth.

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

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Name. Lists Duplessis, Shepherd, LaFleur, Walsworth.

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.

SENATE BILL NO. 99—

BY SENATOR B. GAUTREAUX 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists Mr. President, Dupre, McPherson, etc.

NAYS

Total - 0

ABSENT

LaFleur Shepherd Walsworth
Total - 3

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

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 jammer device or similar mechanism while operating a motor vehicle upon public highways; and to provide for related matters.

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

SENATE BILL NO. 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.

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. 159 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 3, following "means" change "using" to "to use"

AMENDMENT NO. 2

On page 2, line 15, following "his" and before "personal" delete "or her"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 159 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 22, after "Section" delete the remainder of the line and delete line 23 and insert "shall be a secondary offense and a driver may be cited only if stopped for a moving violation."

Senator Erdey moved adoption of the amendments.

Senator Quinn objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Alario	Erdey	Morrish
Amedee	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cassidy	Gray	Nevers
Cheek	Hebert	Riser
Cravins	Heitmeier	Scalise
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Total - 33		

NAYS

Marionneaux Quinn
Total - 2

ABSENT

Jackson Shepherd
LaFleur Walsworth
Total - 4

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Crowe sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 159 by Senator Cravins

AMENDMENT NO. 1

On page 3, between lines 7 and 8, insert the following:

"(3) Notwithstanding any other provisions of law to the contrary, the use of a cell phone by a motor vehicle operator inside the boundaries of an active school zone is prohibited."

Senator Crowe moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Jackson	Smith
Crowe	Marionneaux	Thompson
Erdey	Quinn	
Gautreaux B	Riser	
Total - 10		

NAYS

Mr. President	Duplessis	Martiny
Adley	Dupre	McPherson
Alario	Gautreaux N	Morrish
Broome	Gray	Mount
Cassidy	Hebert	Murray
Cheek	Heitmeier	Nevers
Cravins	Kostelka	Shaw
Donahue	LaFleur	Walsworth
Dorsey	Long	
Total - 26		

ABSENT

Michot Scalise Shepherd
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 159 by Senator Cravins

AMENDMENT NO. 1

On page 3, between lines 7 and 8, insert

(3) Notwithstanding any other provisions of law to the contrary, the use of hands free telecommunication devices by an automobile operator shall not be a violation of the provisions of this Section.

On motion of Senator Duplessis, 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 Gautreaux B Morrish
Adley Gray Mount
Alario Hebert Murray
Amedee Heitmeier Nevers
Broome Jackson Quinn
Cassidy Kostelka Riser
Cheek LaFleur Scalise
Cravins Long Shaw
Dorsey Marionneau Smith
Duplessis Martiny Thompson
Dupre McPherson Walsworth
Erdey Michot
Total - 35

NAYS

Donahue Gautreaux N
Total - 2

ABSENT

Crowe Shepherd
Total - 2

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. 165—

BY SENATORS THOMPSON AND ERDEY AND REPRESENTATIVES AUSTIN BADON, SCHRODER AND WADDELL
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.

Floor Amendments Sent Up

Senator Marionneau sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneau on behalf of the Legislative Bureau to Engrossed Senate Bill No. 165 by Senator Thompson

AMENDMENT NO. 1

On page 2, between lines 6 and 7, insert "****" and between lines 7 and 8 insert "****"

On motion of Senator Marionneau, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 165 by Senator Thompson

AMENDMENT NO. 1

On page 4, line 15, delete "a special deer hunting season" and insert "a special deer hunting seasons"

AMENDMENT NO. 2

On page 4, delete lines 18 through 20, and insert "only and crossbow. The commission may establish the following special deer hunting seasons: (1) a bow and arrow only season, and (2) a bow and arrow and crossbow season. The length of such special seasons and the area for hunting shall be determined by the commission, and it shall allow the taking of buck and doe with bow and arrow, or crossbow as provided in R.S. 56:104.1."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario Erdey Morrish
Amedee Gautreaux B Mount
Broome Gray Murray
Cassidy Hebert Nevers
Cheek Heitmeier Riser
Cravins Jackson Scalise
Donahue LaFleur Shaw
Dorsey Long Smith
Duplessis Martiny Thompson
Dupre Michot Walsworth
Total - 30

NAYS

Adley Marionneau
Total - 2

ABSENT

Mr. President	Kostelka	Shepherd
Crowe	McPherson	
Gautreaux N	Quinn	
Total - 7		

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

SENATE BILL NO. 223—
BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 24:31.4(A) and (C) and 31.5(A)(1), (2) and (4), relative to the legislature; to provide relative to legislator's office allowances; 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.

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

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.

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

SENATE BILL NO. 243—

BY SENATORS MCPHERSON, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MORRISH, MOUNT, MURRAY, NEVERS, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

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 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.

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. 243 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 13, following "private" and before "traversed" insert "crossing"

On motion of Senator Marionneaux, the amendments were adopted.

Senator Mount in the Chair

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 243 by Senator McPherson

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "respective" and insert "Louisiana Public Service Commission"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "governing authority"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, delete "A." and inset "A.(1)"

AMENDMENT NO. 4

On page 1, line 10, delete "thirty" and insert "one hundred eighty"

AMENDMENT NO. 5

On page 1, line 12, delete "local governing authority in which such private crossing is located" and insert "Louisiana Public Service Commission"

AMENDMENT NO. 6

On page 1, between lines 15 and 16, insert:

"(2) The Louisiana Public Service Commission shall publish the written request from such railroad company in the commission's official bulletin for no less than twenty-five days."

AMENDMENT NO. 7

On page 1, line 17, delete "such governing authority" and insert "the Louisiana Public Service Commission"

AMENDMENT NO. 8

On page 2, line 2, after "parish" insert "and the commission's official bulletin"

AMENDMENT NO. 9

On page 2, at the end of line 6, delete "governing" and insert "commission"

AMENDMENT NO. 10

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

AMENDMENT NO. 11

On page 2, line 10, delete "thirty" and insert "sixty"

AMENDMENT NO. 12

On page 2, line 12, delete "local governing authority" and insert "commission"

AMENDMENT NO. 13

On page 2, line 14, delete "local governing authority" and insert "commission"

AMENDMENT NO. 14

On page 2, line 14, delete "adopt an" and insert "publish in the official journal of the parish where such crossing is located and in the commission's official bulletin a notice"

AMENDMENT NO. 15

On page 2, line 15, delete "ordinance"

On motion of Senator McPherson, the amendments were adopted.

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

April 23, 2008

ROLL CALL

The roll was called with the following result:

YEAS

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	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, 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.

Mr. President in the Chair

SENATE BILL NO. 287—

BY SENATORS MOUNT, ALARIO, BROOME, CASSIDY, CHEEK, DONAHUE, ERDEY, N. GAUTREAU, 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.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed Senate Bill No. 287 by Senator Mount

AMENDMENT NO. 1

On page 2, line 15, after "**for**" and before "**meaningful**" delete "**consumer's**" and insert "**consumers**" in lieu thereof

AMENDMENT NO. 2

On page 3, line 2, after "**Louisiana,**" insert the following: "**Such data shall exclude premium data and information related to the development of premiums.**"

AMENDMENT NO. 3

On page 3, line 7, after "**release**" delete "**internet**" and insert "**Internet**" in lieu thereof

AMENDMENT NO. 4

On page 6, between lines 22 and 23, insert the following:

"(11) Implement the initial phase of the Internet website created pursuant to this Part on or before April 30, 2009."

AMENDMENT NO. 5

On page 6, line 23, after "G:" and before "In" change "**(11)**" to "**(12)**"

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrish
Adley	Erdey	Mount
Alario	Gautreaux B	Murray
Amedee	Gautreaux N	Nevers
Broome	Gray	Riser
Cassidy	Heitmeier	Scalise
Cheek	Jackson	Shaw
Cravins	Kostelka	Smith
Crowe	LaFleur	Thompson
Donahue	Long	Walsworth
Dorsey	Martiny	
Duplessis	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Hebert	McPherson	Shepherd
Marionneaux	Quinn	
Total - 5		

The Chair declared the amended bill was passed, ordered reengrossed, 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 Quinn stated she appeared as absent on the vote on Senate Bill No. 287. She had intended to vote yea on the bill. She asked that the Official Journal so state.

SENATE BILL NO. 352—

BY SENATOR N. GAUTREAU 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

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

AN ACT

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 matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Quinn
Total - 2
Shepherd

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

Notice Regarding Vote

Senator Quinn stated she appeared as absent on the vote on Senate Bill No. 407. She had intended to vote yea on the bill. She asked that the Official Journal so state.

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.

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. 471 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 5, before "the Louisiana" insert " to provide relative to"

AMENDMENT NO. 2

On page 2, line 9, following "to" and before " educate" delete ";

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Quinn
Total - 2
Shepherd

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

April 23, 2008

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey and their corresponding counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Cassidy and Shepherd.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre and their corresponding counts.

NAYS

Total - 0

ABSENT

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

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

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.

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. 542 by Senator Smith

AMENDMENT NO. 1

On page 1, following line 17, insert " * * *

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre and their corresponding counts.

NAYS

Total - 0

ABSENT

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

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

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 and post closing costs 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; to provide for a penalty for the violation of the reporting requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Heitmeier	Riser
Cheek	Jackson	Scalise
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Mount Shepherd
Total - 2

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

SENATE BILL NO. 657—

BY SENATORS MCPHERSON, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:(1) and (10), 125(B), 141(C), 296(A), 471(1) and (2), and 473.1(A) 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 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 provide relative to the procedure upon approaching an authorized emergency vehicle; to provide relative to roadway hazard cleanup; 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.

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. 657 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "125(B)" change "R.S. 32:(1) and (10)," to "R.S. 32:1(1) and (10),"

AMENDMENT NO. 2

On page 1, line 2, following "296(A)" and before "," insert "(introductory paragraph)"

AMENDMENT NO. 3

On page 1, line 16, following "Section 1." and before "125 (B)" change "R.S. 32:(1) and (10)," to "R.S. 32:1(1) and (10),"

AMENDMENT NO. 4

On page 1, line 16, following "296(A)" and before "," insert "(introductory paragraph)"

AMENDMENT NO. 5

On page 4, line 8, following "ensure" and before "long" insert "that"

AMENDMENT NO. 6

On page 4, line 26, following "Management" and before "Law" change "Systems" to "System"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 657 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, delete "32:(1) and" and insert "32:1"

AMENDMENT NO. 2

On page 1, line 16, delete "32:(1) and" insert "32:1"

AMENDMENT NO. 3

On page 2, delete lines 8 through 23

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Gautreaux B, etc.

NAYS

Total - 0

ABSENT

Shepherd Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, 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.

Rules Suspended

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

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

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

Called from the Calendar

Senator Scalise asked that Senate Concurrent Resolution No. 21 be called from the Calendar at this time.

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.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 21 by Senator Scalise

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 and insert the following:
 "To direct the Louisiana Recovery Authority to develop a plan for the review and approval of the Joint Legislative Committee on the Budget relative to the recoupment of Road Home monies from any source."

AMENDMENT NO. 2

On page 1, delete line 18 and insert the following: "hereby direct the Louisiana Recovery Authority to develop a plan for the review and approval of the Joint Legislative Committee on the Budget relative to the recoupment of Road Home monies from any source."

BE IT FURTHER RESOLVED that the Louisiana Recovery Authority is directed to take all means necessary to ensure that the Road Home contractor, ICF International, does not proceed with any activities relative to recouping overpayments from Road Home applicants, including the hiring of a collection agency, until such plan is presented and approved.

BE IT FURTHER RESOLVED that the Louisiana Recovery Authority shall report monthly to the Joint Legislative Committee on the Budget on the number and dollar value of underpayments and overpayments made to Road Home applicants."

AMENDMENT NO. 3

On page 2, delete lines 1 through 3

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Nevers
 Total - 2
 Shepherd

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

Rules Suspended

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

Messages from the House

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

Message from the House

**CONCURRING IN
 SENATE CONCURRENT RESOLUTIONS**

April 23, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 37—
 BY SENATOR MOUNT

A CONCURRENT RESOLUTION
 To designate May 21, 2008, as Louisiana Housing Council Day.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

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

**Introduction of Resolutions,
 Senate and Concurrent**

Senator Dupre 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. 26—
 BY SENATOR BROOME

A RESOLUTION
 To commend Jeremy Herbert for being selected as a Baton Rouge Young Hero.

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

SENATE RESOLUTION NO. 27—
 BY SENATOR BROOME

A RESOLUTION
 To designate April 2008, as Youth Financial Literacy Month.

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

SENATE RESOLUTION NO. 28—
 BY SENATOR CHEEK

A RESOLUTION
 To commend United States Air Force Master Sergeant Jerry M. Welch upon his retirement.

April 23, 2008

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

SENATE RESOLUTION NO. 29— BY SENATOR GRAY

A RESOLUTION

To commend the efforts of the Louisiana Assembly on School-Based Health Care youth advocacy program and to recognize April 23, 2008, as "Louisiana Assembly on School-Based Health Care Youth Advocacy Day" at the Louisiana Senate.

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

SENATE CONCURRENT RESOLUTION NO. 43— BY SENATOR SHAW AND REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION

To commend Shreve Island Elementary School for being selected as a recipient of the International Reading Association's 2007-2008 Exemplary Reading Program Award.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: 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, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Shepherd Total - 1

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 CONCURRENT RESOLUTIONS

April 23, 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. 2— BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAUX A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to three percent for LASERS retirees, survivors, and beneficiaries, effective July 1, 2008.

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

House Concurrent Resolutions

Senator Broome 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. 2— BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAUX A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to three percent for LASERS retirees, survivors, and beneficiaries, effective July 1, 2008.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON INSURANCE

Senator Donald R. Cravins Jr., Chairman on behalf of the Committee on Insurance, submitted the following report:

April 23, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 154— BY SENATOR CRAVINS AN ACT

To enact Part XII-C of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2037.1 through 2037.11, relative to discount medical plans; to provide for definitions; to provide for regulation by the commissioner of insurance, including the requirement for registration by discount medical plan organizations; to provide for application for registration; to provide for expiration and renewal of registration; to provide for denial, nonrenewal, suspension, or revocation of registration; to provide for penalties; to provide for marketers; to provide for the powers of the commissioner of insurance, including the authority to adopt reasonable regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 155— BY SENATOR CRAVINS AN ACT

To amend and reenact R.S. 22:3071(1), (6) and (8), 3073(B)(2) and (3), the introductory paragraph of R.S. 22:3075(A), 3076(B), 3077(E), 3079, 3081, the introductory paragraph of R.S. 22:3082(A), 3082(B), and 3083(A),(B),(E),(F), and (H) and to repeal R.S. 22:3080, relative to medical necessity review organizations; to provide for definitions, to provide for

applications; to provide for notifications; to provide for review of experimental or investigational determinations; to provide for procedures for reviews; to provide for levels of review; to provide for external review; to provide for expedited appeals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 160—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:635.3(D) and (E) and 636.2(E) and (F) relative to homeowner's insurance; to provide for changes in homeowners insurance policy deductibles for named storms or hurricanes; to provide for premium quotes involving homeowner's policies and policy deductibles; to provide for application of deductibles in the event of a loss; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 299—
BY SENATOR ERDEY

AN ACT

To enact R.S. 42:808(E), relative to group insurance; to provide for eligibility of certain developmentally disabled persons; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 460—
BY SENATOR B. GAUTREUX

AN ACT

To amend and reenact R.S. 22:1430.12(D), relative to Louisiana Citizens Property Insurance Corporation; to provide for imposition of the ten percent surcharge on policies issued by the Corporation; to exclude certain areas from imposition of the surcharge; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS JR.
Chairman

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS**

Senator Ann D. Duplessis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 23, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 424—
BY SENATOR WALSWORTH

AN ACT

To enact R.S. 8:206, relative to cemeteries; to require a cemetery authority to provide a written contract for burial rights and cemetery related merchandise and services to customers; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 23, 2008

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 6—
BY SENATOR CHAISSON

A RESOLUTION

To amend and re-adopt Senate Rule No 9.1 of the Rules of Order of the Senate, relative to the prefiling of instruments; to require that a request for legislation that is to be prefiled be received by Senate Legislative Services staff not later than forty-eight hours prior to the prefiling deadline.

Reported favorably.

SENATE BILL NO. 134—
BY SENATOR MCPHERSON

A JOINT RESOLUTION

Proposing to amend Article X, Sections 9(A), 20, and 47(A) of the Constitution of Louisiana, relative to political activities of certain employees in the classified civil service; to allow certain such employees, subject to certain conditions, to publicly express certain political positions or endorsements; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 204—
BY SENATORS WALSWORTH AND JACKSON

AN ACT

To amend and reenact R.S. 43:81, 85, 86, 87(A), 89, 143, 147(A) and (B), and 171(A)(1), and to enact R.S. 43:147(E), relative to publication of public notices and other official publications of state and local governmental bodies; to provide for making such public notices and other publications available via the internet; to base for a period of five years the rates for printing of all public notices and other official publications on the Consumer Price Index; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 210—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 24:14(G) and to enact R.S. 24:14(K), relative to Senate confirmations; to require that appointees to boards and commissions, who are subject to Senate confirmation, be reconfirmed at the beginning of each legislative term; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 376—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1111(E), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to prohibit certain former public

servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to provide for exceptions; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 388—
BY SENATOR DONAHUE

AN ACT

To enact R.S. 42:1111(A)(5), relative to ethics; to provide for compensation paid to public school teachers and administrators for assisting non-profit testing organizations in the administration of standardized tests for student evaluation or for college admissions; to provide that such compensation shall not violate the Code of Governmental Ethics regarding nonpublic payments to public employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 429—
BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:477(24) and 621.24, relative to judges; to provide relative to certain election procedures; to provide relative to certain elections and judicial vacancies in the Twenty-Fourth Judicial District Court; to provide certain terms, conditions, procedures and requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 434—
BY SENATOR ERDEY

AN ACT

To enact R.S. 49:155.7, relative to state symbols; to designate the official state Cajun Christmas story to be "The Legend of Papa Noel, a Cajun Christmas Story" written by Terri Hoover Dunham and illustrated by Laura Knorr; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 572—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 36:4(B)(1)(dd) and (H), 408(D), and 478(G), R.S. 23:2042, R.S. 46:2521, R.S. 49:220.4(A)(1), and R.S. 51:911.26(A)(1), to enact R.S. 36:309(B)(3), 409(J), and 803.1, and to repeal R.S. 36:4(B)(14) and (F) and 4.1(D)(16), R.S. 23:2056, and Sections 5 and 6(B) of Act No. 5 of the 2006 First Extraordinary Session of Legislature; relative to the organization of the executive branch of state government; to transfer certain agencies in the office of the governor into the division of administration in the office of the governor and to transfer certain agencies from the office of the governor to certain executive branch departments; to provide relative to the exercise of the powers, duties, functions, and responsibilities of such agencies; to provide relative to the continued existence of certain agencies placed in the division of administration; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 671—
BY SENATOR SMITH AND REPRESENTATIVES ARMES, DANAHAY,
GEYMAN AND HILL

AN ACT

To enact R.S. 33:4712.12, relative to naming public buildings; to authorize governing authority of certain parishes to name certain buildings after a living person; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVES GALLOT AND TUCKER
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature the provisions of R.S. 18:1483(14)(c) and 1501.2 as enacted by Act No. 26 of the 2008 First Extraordinary Session of the Legislature relative to campaign finance.

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

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

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

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVES GALLOT AND TUCKER
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature the provisions of R.S. 18:1483(14)(c) and 1501.2 as enacted by Act No. 26 of the 2008 First Extraordinary Session of the Legislature relative to campaign finance.

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

**Privilege Report of the
Legislative Bureau**

April 23, 2008

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following concurrent resolution is approved as to construction and duplication.

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVES GALLOT AND TUCKER
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature the provisions of R.S. 18:1483(14)(c) and 1501.2 as enacted by Act No. 26 of the 2008 First Extraordinary Session of the Legislature relative to campaign finance.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Concurrent Resolution was read by title and passed to a third reading.

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	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 39		

ABSENT

Shepherd
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Shepherd 1 Day

Adjournment

Senator Broome moved that the Senate adjourn until Thursday, April 24, 2008, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, April 24, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

