

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

SIXTEENTH 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

Thursday, April 24, 2008

The Senate was called to order at 9:40 o'clock A.M., by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Dorsey	Michot
Adley	Duplessis	Morrish
Alario	Dupre	Mount
Amedee	Erdey	Nevers
Broome	Gautreaux B	Riser
Cassidy	Gray	Shaw
Cheek	Kostelka	Thompson
Crowe	Long	Walsworth
Donahue	Marionneaux	
Total - 26		

ABSENT

Cravins	LaFleur	Scalise
Gautreaux N	Martiny	Shepherd
Hebert	McPherson	Smith
Heitmeier	Murray	
Jackson	Quinn	
Total - 13		

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

The prayer was offered by Pastor James Drumgole, 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 Marionneaux, the reading of the Journal was dispensed with and the Journal of April 23, 2008, was adopted.

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

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. 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.

Reported without amendments.

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

**Introduction of
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR GRAY
A CONCURRENT RESOLUTION**

To commend the Orleans Parish Juvenile Court on its 100th anniversary.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

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 Bills and Joint Resolutions:

**HOUSE BILL NO. 460—
BY REPRESENTATIVE TUCKER
AN ACT**

To amend and reenact R.S. 46:2751(B)(1)(introductory paragraph) and (a) and to enact R.S. 46:2751(B)(1)(f), relative to the Juvenile Justice Reform Act Implementation Commission; to provide for the membership of the commission; and to provide for related matters.

**HOUSE BILL NO. 653—
BY REPRESENTATIVES LABRUZZO, ABRAMSON, AUSTIN BADON,
BARROW, BILLIOT, BURFORD, TIM BURNS, BURRELL, CHANEY,
CROMER, DOERGE, GISCLAIR, HARRISON, HAZEL, HINES, JOHNSON,
KATZ, LEBAS, LIGI, LORUSSO, MILLS, NOWLIN, PETERSON, POPE,
RICHARD, SIMON, TALBOT, TUCKER, WHITE, WILLIAMS, AND
WILLMOTT
AN ACT**

To amend and reenact R.S. 28:53(B)(1), (F), (G)(2), and (J)(1) and (3) and to enact R.S. 28:53(B)(4), relative to mental health admissions by emergency certificate; to allow for the actual examination of a patient conducted by a health care provider, parish coroner, or authorized physician to be conducted by

telemedicine utilizing video conferencing technology; to make certain requirements for telemedicine examinations; to provide for procedures related to the issuance of a certificate; to require an in-person independent examination by the coroner in certain cases; and to provide for related matters.

HOUSE BILL NO. 634—

BY REPRESENTATIVE PONTI

AN ACT

To enact R.S. 46:1846, relative to crime victims; to prohibit communication between an offender or an immediate family member of an offender and a victim of a crime of violence or his immediate family member; to provide for exceptions; to provide for a definition; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 670—

BY REPRESENTATIVES WILLIAMS, BARROW, DOERGE, HINES, SIMON, AND WILLMOTT

AN ACT

To amend and reenact R.S. 46:1301(A)(introductory paragraph) and (1) and (B), relative to autism services provided by the Department of Health and Hospitals; to transfer the center of excellence for autism to the office of citizens with developmental disabilities; to rename the center; to provide for formal agreements with the center; to establish the location of the center and any facilities; and to provide for related matters.

HOUSE BILL NO. 738—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 23:162, relative to the employment of minors; to provide for the employment, under certain conditions, of minors twelve and thirteen years of age; and to provide for related matters.

HOUSE BILL NO. 748—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 15:824(B)(1)(c)(introductory paragraph) and 831(A) and to enact R.S. 15:705(E), relative to the health care of inmates; to provide that a parish governing authority or the Department of Public Safety and Corrections shall reimburse health care providers for costs of extraordinary medical expenses of inmates at the published Medicare or Medicaid rate; and to provide for related matters.

HOUSE BILL NO. 799—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 39:1659 and Part LXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.281, relative to prosthetic and orthotic services; to require that prostheses, orthoses, prosthetic services, and orthotic services which are purchased by a state agency be provided by an accredited facility; to require that purchases of prostheses, orthoses, prosthetic services, and orthotic services which are authorized for Medicaid reimbursement be provided by an accredited facility; to provide for definitions; to provide for regulations promulgated by the commissioner of administration; to provide for a special effective date; to provide for penalties; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 801—

BY REPRESENTATIVE ANDERS

AN ACT

To enact R.S. 3:3414(C), relative to contracts for the sale of grain; to provide for oral contracts or agreements as written evidence; to provide for confirmation notification of a sale; and to provide for related matters.

HOUSE BILL NO. 930—

BY REPRESENTATIVES MILLS, ABRAMSON, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CHAMPAGNE, CORTEZ, DANAHAY, DOERGE, ELLINGTON, GALLOT, GISCLAIR, MICKY GUILLORY, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, MICHAEL JACKSON, JOHNSON, SAM JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, MCVEA, MORRELL, NORTON, NOWLIN, PETERSON, POPE, RICHARD, RICHARDSON, SCHRODER, SIMON, JANE SMITH, PATRICIA SMITH, TEMPLET, TRAHAN, WHITE, AND WILLIAMS

AN ACT

To amend and reenact R.S. 36:258(G) through (L), to enact Chapter 20 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:901 through 906, and Chapter 21 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:911 through 920, and to repeal R.S. 28:382.2 and R.S. 46:2661 through 2666, relative to human services districts; to provide relative to the Capital Area Human Services District, including the powers, duties, and functions of the district, its governing board and nomination procedures, reporting duties, and the transfer of powers, duties, functions, and employees from the Department of Health and Hospitals to the district; to provide for the reversion of the functions of human services districts to the Department of Health and Hospitals in the event of the termination of a contract; to create statewide human services delivery systems; to establish the jurisdiction of human services districts; to create governing boards and provide for the appointment of board members, their terms, and compensation; to establish requirements for existing and newly created boards; to provide for the powers, duties, and functions of the districts; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the districts; to provide for transfer of employees; to provide relative to the membership, responsibilities, and duties of the Human Services Interagency Council; to establish the duties and responsibilities of the Department of Health and Hospitals; to provide for the event of a conflict with other laws; and to provide for related matters.

HOUSE BILL NO. 1025—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:104(A)(2), (4), and (7) and 302.1(B)(1) and (C)(2)(a), to enact R.S. 56:104(E), and to repeal R.S. 56:104(A)(6), relative to nonresident hunting and fishing licenses; to provide for one-day costs for each nonresident hunting or fishing license; and to provide for related matters.

HOUSE BILL NO. 672—

BY REPRESENTATIVE TRAHAN

AN ACT

To amend and reenact R.S. 17:416.18, relative to the rights of teachers; to rename the list of provisions providing for the rights of teachers; to provide for the immunity and legal defense of teachers; to provide for the rights of beginning teachers; to provide for the distribution of such list of rights to schools and to parents and legal guardians; and to provide for related matters.

HOUSE BILL NO. 721—

BY REPRESENTATIVE SMILEY

AN ACT

To enact R.S. 17:3951(B)(21), relative to the High School Redesign Commission; to add a member to the commission; and to provide for related matters.

HOUSE BILL NO. 754—

BY REPRESENTATIVE DIXON

AN ACT

To enact R.S. 17:416.20, relative to student conduct standards; to require public elementary and secondary school governing authorities to take certain actions relative to student awareness and understanding of applicable discipline rules and code of conduct requirements; to provide guidelines; to provide effectiveness; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 678—
 BY REPRESENTATIVES GREENE, ABRAMSON, FOIL, ROSALIND JONES, AND LEGER

AN ACT

To amend and reenact R.S. 42:1125(B) and (C), relative to gubernatorial transition and inauguration; to provide for reporting of contributions and expenditures; to provide relative to applicability and effectiveness; and to provide for related matters.

HOUSE BILL NO. 138—
 BY REPRESENTATIVE GEYMAN

AN ACT

To enact R.S. 13:2586(F), relative to constables of justice of the peace courts; to authorize constables of such courts to effectuate service of process parishwide; and to provide for related matters.

HOUSE BILL NO. 252—
 BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 33:423.19, relative to the city of Ponchatoula; to provide with respect to the powers of the chief of police; to authorize the chief of police to take certain personnel actions; and to provide for related matters.

HOUSE BILL NO. 879—
 BY REPRESENTATIVE SCHRODER

AN ACT

To enact R.S. 13:2620, relative to justices of the peace; to provide for one justice of the peace in Ward 3 of St. Tammany Parish; to provide for one justice of the peace court; to abolish one office of justice of the peace; to continue the two offices of constable; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
 ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Cheek 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. 138—
 BY REPRESENTATIVE GEYMAN

AN ACT

To enact R.S. 13:2586(F), relative to constables of justice of the peace courts; to authorize constables of such courts to effectuate service of process parishwide; 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. 252—
 BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 33:423.19, relative to the city of Ponchatoula; to provide with respect to the powers of the chief of police; to authorize the chief of police to take certain personnel actions; 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. 460—
 BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 46:2751(B)(1)(introductory paragraph) and (a) and to enact R.S. 46:2751(B)(1)(f), relative to the

Juvenile Justice Reform Act Implementation Commission; to provide for the membership of the commission; and to provide for related matters.

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

HOUSE BILL NO. 634—
 BY REPRESENTATIVE PONTI

AN ACT

To enact R.S. 46:1846, relative to crime victims; to prohibit communication between an offender or an immediate family member of an offender and a victim of a crime of violence or his immediate family member; to provide for exceptions; to provide for a definition; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 653—

BY REPRESENTATIVES LABRUZZO, ABRAMSON, AUSTIN BADON, BARROW, BILLIOT, BURFORD, TIM BURNS, BURRELL, CHANEY, CROMER, DOERGE, GISCLAIR, HARRISON, HAZEL, HINES, JOHNSON, KATZ, LEBAS, LIGI, LORUSSO, MILLS, NOWLIN, PETERSON, POPE, RICHARD, SIMON, TALBOT, TUCKER, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 28:53(B)(1), (F), (G)(2), and (J)(1) and (3) and to enact R.S. 28:53(B)(4), relative to mental health admissions by emergency certificate; to allow for the actual examination of a patient conducted by a health care provider, parish coroner, or authorized physician to be conducted by telemedicine utilizing video conferencing technology; to make certain requirements for telemedicine examinations; to provide for procedures related to the issuance of a certificate; to require an in-person independent examination by the coroner in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 670—

BY REPRESENTATIVES WILLIAMS, BARROW, DOERGE, HINES, SIMON, AND WILLMOTT

AN ACT

To amend and reenact R.S. 46:1301(A)(introductory paragraph) and (1) and (B), relative to autism services provided by the Department of Health and Hospitals; to transfer the center of excellence for autism to the office of citizens with developmental disabilities; to rename the center; to provide for formal agreements with the center; to establish the location of the center and any facilities; and to provide for related matters.

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

HOUSE BILL NO. 672—
 BY REPRESENTATIVE TRAHAN

AN ACT

To amend and reenact R.S. 17:416.18, relative to the rights of teachers; to rename the list of provisions providing for the rights of teachers; to provide for the immunity and legal defense of teachers; to provide for the rights of beginning teachers; to provide for the distribution of such list of rights to schools and to parents and legal guardians; and to provide for related matters.

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

HOUSE BILL NO. 678—

BY REPRESENTATIVES GREENE, ABRAMSON, FOIL, ROSALIND JONES, AND LEGER

AN ACT

To amend and reenact R.S. 42:1125(B) and (C), relative to gubernatorial transition and inauguration; to provide for

reporting of contributions and expenditures; to provide relative to applicability and effectiveness; 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. 721—
BY REPRESENTATIVE SMILEY
AN ACT

To enact R.S. 17:3951(B)(21), relative to the High School Redesign Commission; to add a member to the commission; and to provide for related matters.

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

HOUSE BILL NO. 738—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 23:162, relative to the employment of minors; to provide for the employment, under certain conditions, of minors twelve and thirteen years of age; and to provide for related matters.

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

HOUSE BILL NO. 748—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:824(B)(1)(c)(introductory paragraph) and 831(A) and to enact R.S. 15:705(E), relative to the health care of inmates; to provide that a parish governing authority or the Department of Public Safety and Corrections shall reimburse health care providers for costs of extraordinary medical expenses of inmates at the published Medicare or Medicaid rate; 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. 754—
BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 17:416.20, relative to student conduct standards; to require public elementary and secondary school governing authorities to take certain actions relative to student awareness and understanding of applicable discipline rules and code of conduct requirements; to provide guidelines; to provide effectiveness; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 799—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 39:1659 and Part LXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.281, relative to prosthetic and orthotic services; to require that prostheses, orthoses, prosthetic services, and orthotic services which are purchased by a state agency be provided by an accredited facility; to require that purchases of prostheses, orthoses, prosthetic services, and orthotic services which are authorized for Medicaid reimbursement be provided by an accredited facility; to provide for definitions; to provide for regulations promulgated by the commissioner of administration; to provide for a special effective date; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 801—
BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 3:3414(C), relative to contracts for the sale of grain; to provide for oral contracts or agreements as written evidence; to provide for confirmation notification of a sale; and to provide for related matters.

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

HOUSE BILL NO. 879—
BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 13:2620, relative to justices of the peace; to provide for one justice of the peace in Ward 3 of St. Tammany Parish; to provide for one justice of the peace court; to abolish one office of justice of the peace; to continue the two offices of constable; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 930—
BY REPRESENTATIVES MILLS, ABRAMSON, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CHAMPAGNE, CORTEZ, DANAHAY, DOERGE, ELLINGTON, GALLOT, GISCLAIR, MICKY GUILLORY, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, MICHAEL JACKSON, JOHNSON, SAM JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, MCVEA, MORRELL, NORTON, NOWLIN, PETERSON, POPE, RICHARD, RICHARDSON, SCHRODER, SIMON, JANE SMITH, PATRICIA SMITH, TEMPLET, TRAHAN, WHITE, AND WILLIAMS
AN ACT

To amend and reenact R.S. 36:258(G) through (L), to enact Chapter 20 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:901 through 906, and Chapter 21 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:911 through 920, and to repeal R.S. 28:382.2 and R.S. 46:2661 through 2666, relative to human services districts; to provide relative to the Capital Area Human Services District, including the powers, duties, and functions of the district, its governing board and nomination procedures, reporting duties, and the transfer of powers, duties, functions, and employees from the Department of Health and Hospitals to the district; to provide for the reversion of the functions of human services districts to the Department of Health and Hospitals in the event of the termination of a contract; to create statewide human services delivery systems; to establish the jurisdiction of human services districts; to create governing boards and provide for the appointment of board members, their terms, and compensation; to establish requirements for existing and newly created boards; to provide for the powers, duties, and functions of the districts; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the districts; to provide for transfer of employees; to provide relative to the membership, responsibilities, and duties of the Human Services Interagency Council; to establish the duties and responsibilities of the Department of Health and Hospitals; to provide for the event of a conflict with other laws; and to provide for related matters.

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

HOUSE BILL NO. 1025—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:104(A)(2), (4), and (7) and 302.1(B)(1) and (C)(2)(a), to enact R.S. 56:104(E), and to repeal R.S. 56:104(A)(6), relative to nonresident hunting and fishing licenses; to provide for one-day costs for each nonresident hunting or fishing license; and to provide for related matters.

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

**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. 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 by the Committee on Health and Welfare. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Health and Welfare. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 154 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 9, after "organization" insert "licensed"

AMENDMENT NO. 2

On page 2, delete lines 11 through 13 in their entirety.

AMENDMENT NO. 3

On page 2, line 14, change "(3)" to "(2)"

AMENDMENT NO. 4

On page 2, line 15, change "(4)" to "(3)"

AMENDMENT NO. 5

On page 2, line 15, after "Discount" insert "medical plan"

AMENDMENT NO. 6

On page 2, line 18, change "(5)" to "(4)"

AMENDMENT NO. 7

On page 2, line 19, after "other" insert "valuable"

AMENDMENT NO. 8

On page 2, delete lines 22 through 26 in their entirety and insert in lieu thereof: "discount. This term shall not include any plan that does not charge a membership or other fee to use the plan's discount care or any product of a health insurance issuer or health maintenance organization in the state of Louisiana or discount medical plan provided by an insurer or health maintenance organization where the discount plan is provided at no cost to the insured or member and is offered due to coverage with the insurer or health maintenance organization. This term shall not include any agreements related to medical services which are provided to injured workers under the requirements of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950 or ambulance service agreements."

AMENDMENT NO. 9

On page 2, line 27, change "(6)" to "(5)"

AMENDMENT NO. 10

On page 2, line 28, delete "shall also be" and insert "is"

AMENDMENT NO. 11

On page 3, line 1, after "to medical" delete "or ancillary"

AMENDMENT NO. 12

On page 3, at the end of line 2, insert the following: "Entities that are licensed pursuant to this Title shall not be subject to the provisions of R.S. 22:2037.3, 2037.4 and 2037.8."

AMENDMENT NO. 13

On page 3, between lines 2 and 3, insert the following:

"(6) "Discount medical plan provider" shall mean any person that has contracted directly or indirectly with a discount medical plan organization to provide medical services."

AMENDMENT NO. 14

On page 3, line 10, after "person" insert "licensed, certified, or"

AMENDMENT NO. 15

On page 3, at the end of line 13, after "directly" insert "or indirectly"

AMENDMENT NO. 16

On page 3, line 14, delete "physicians and hospitals" and insert "a health care provider"

AMENDMENT NO. 17

On page 3, line 16, after "members of" delete "the" and insert "a"

AMENDMENT NO. 18

On page 3, line 17, delete "organization"

AMENDMENT NO. 19

On page 3, at the beginning of line 22, after "plan" insert a period "." and delete the remainder of the line.

AMENDMENT NO. 20

On page 3, line 26, after "dental services," insert "audiology services."

AMENDMENT NO. 21

On page 3, at the end of line 28, delete "The" and delete line 29 in its entirety.

AMENDMENT NO. 22

On page 4, delete lines 1 through 3 in their entirety and insert in lieu thereof:

"(14) "Member" shall mean any individual for whom valuable consideration is paid for the right of the individual to receive the purported benefits of a discount medical plan."

AMENDMENT NO. 23

On page 4, at the end of line 13, delete "but" and at the beginning of line 14, delete "not be limited to"

AMENDMENT NO. 24

On page 4, line 29, after "description of" insert "the"

AMENDMENT NO. 25

On page 5, delete line 15 in its entirety.

AMENDMENT NO. 26

On page 6, between lines 24 and 25, insert the following:

"I. Any decision pursuant to this Part shall be subject to the provisions of Part XXIX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 27

On page 7, line 3, after "processing fee" insert "that exceeds thirty dollars"

AMENDMENT NO. 28

On page 7, at the end of line 27 after "materials" delete the comma "," and insert "and"

AMENDMENT NO. 29

On page 7, at the beginning of line 28, after "brochures" insert a period "." and delete the remainder of the line in its entirety.

AMENDMENT NO. 30

On page 8, delete lines 4 through 8 in their entirety.

AMENDMENT NO. 31

On page 8, at the beginning of line 9, change "(4)" to "(3)"

AMENDMENT NO. 32

On page 9, delete lines 9 through 11 in their entirety and insert in lieu thereof:

"(6) Have restrictions on access to health care providers who have contracted with a discount medical plan, except for hospital services."

AMENDMENT NO. 33

On page 9, line 18, delete "or ancillary"

AMENDMENT NO. 34

On page 9, at the end of line 19, delete "or" and at the beginning of line 20 delete "ancillary"

AMENDMENT NO. 35

On page 9, at the end of line 21, delete "or ancillary"

AMENDMENT NO. 36

On page 10, line 22, delete "or ancillary"

AMENDMENT NO. 37

On page 11, at the end of line 21, after "another" insert "person's"

AMENDMENT NO. 38

On page 12, at the beginning of line 13, delete "Act" and insert "Part"

AMENDMENT NO. 39

On page 12, line 18, change "Act" to "Part"

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

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 155 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:3071(1)," delete the remainder of the line and delete lines 3 and 4 in their entirety and at the beginning of line 5 delete "repeal R.S. 22:3080" and insert "(6), (8) and (17) through (32) and to enact R.S. 22:3071(33) and (34) and 3093"

AMENDMENT NO. 2

On page 1, line 7, after "determinations;" delete the remainder of the line and lines 8 and 9 and insert "and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 11, after "R.S. 22:3071(1)," delete the remainder of the line and lines 12 and 13 and insert "(6), (8) and (17) through (32) are hereby"

AMENDMENT NO. 4

On page 1, line 14, after "reenacted" insert "and R.S. 22:3071(33) and (34) and 3093 are hereby enacted"

AMENDMENT NO. 5

On page 1, delete line 17 and on page 2, delete lines 1 through 8 in their entirety and insert the following:

"(1) "Adverse determination" means a determination that an admission, availability of care, continued stay, or other health care service that is a covered benefit has been reviewed and denied, reduced or terminated by a reviewer based on medical necessity, appropriateness, health care setting, level of care, or effectiveness, **or because an item or health care service for which benefits are otherwise provided is determined to be experimental or investigational.**"

AMENDMENT NO. 6

On page 2, delete lines 11 through 14 in their entirety and insert "reviewer regarding coverage of an admission, continued stay, or other health care service **for the purpose of determining which, based on the information provided, satisfies the clinical review criteria requirements for** medical"

AMENDMENT NO. 7

On page 2, line 21, after "of" delete "a procedure" and insert "an item or health care service"

AMENDMENT NO. 8

On page 2, between lines 23 and 24, insert the following:

~~(17)~~ **"Evidence-based standard" means the conscientious, explicit and judicious use of the current best evidence based on the overall systematic review of the research in making decisions about the care of individual patients.**

~~(17)~~ **(18)** "External review organization" means an entity that conducts independent external reviews of adverse determinations and final adverse determinations and whose accreditation or certification has been reviewed and approved by the Department of Insurance.

~~(18)~~ **(19)** "Facility" means an institution providing health care services or a health care setting, including but not limited to hospitals and other licensed inpatient centers, ambulatory surgical or treatment centers, skilled nursing facilities, inpatient hospice facilities, residential treatment centers, diagnostic, laboratory, and imaging centers, and rehabilitation and other therapeutic health settings.

~~(19)~~ **(20)** "Final adverse determination" means an adverse determination that has been upheld by a reviewer at the completion of the medical necessity review organization's internal review process as set forth in this Chapter.

~~(20)~~ **(21)** "Health benefit plan" means group and individual health insurance coverage, coverage provided under a group health plan, or coverage provided by a nonfederal governmental plan, as those terms are defined in R.S. 22:250.1. "Health benefit plan" shall not include a plan providing coverage for excepted benefits as defined in R.S. 22:250.1(3).

~~(21)~~ **(22)** "Health care professional" means a physician or other health care practitioner licensed, certified, or registered to perform specified health services consistent with state law.

~~(22)~~ **(23)** "Health care provider" or "provider" means a health care professional or a facility.

~~(23)~~ **(24)** "Health care services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.

~~(24)~~ **(25)** "Health information" means information or data, whether oral or recorded in any form or medium, and personal facts or information about events or relationships that relate to any of the following:

(a) The past, present, or future physical, mental, or behavioral health or condition of a covered person or a member of the covered person's family.

(b) The provision of health care services to a covered person.

(c) Payment for the provision of health care services to a covered person.

~~(25)~~ **(26)** "Health insurance coverage" means benefits consisting of medical care provided or arranged for directly, through insurance or reimbursement, or otherwise and including items and services paid for as medical care under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization agreement, or health maintenance organization contract offered by a health insurance issuer.

~~(26)~~ **(27)** "Health insurance issuer" means an insurance company, including a health maintenance organization as defined and licensed pursuant to Part XII of Chapter 2 of this Title, unless preempted as an employee benefit plan under the Employee Retirement Income Security Act of 1974.

~~(27)~~ **(28)** "Medical Necessity Review Organization" or "MNRO" means a health insurance issuer or other entity licensed or authorized pursuant to this Chapter to make medical necessity determinations for purposes other than the diagnosis and treatment of a medical condition.

(29) "Medical or scientific evidence" means evidence found in the following sources:

(a) Peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff.

(b) Peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia and other medical literature that meet the criteria of the National Institutes

of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE).

(c) Medical journals recognized by the secretary of Health and Human Services under Section 1861(t)(2) of the federal Social Security Act.

(d) The following standard reference compendia:

(i) The American Hospital Formulary Service-Drug Information.

(ii) Drug Facts and Comparisons.

(iii) The American Dental Association Accepted Dental Therapeutics.

(iv) The United States Pharmacopoeia-Drug Information.

(e) Findings, studies or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including the following:

(i) The federal Agency for Healthcare Research and Quality.

(ii) The National Institutes of Health.

(iii) The National Cancer Institute.

(iv) The National Academy of Sciences.

(v) The Centers for Medicare & Medicaid Services.

(vi) The federal Food and Drug Administration.

(vii) Any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health care services.

(viii) Any other medical or scientific evidence that is comparable to the sources listed in Items (i) through (vii) of this Subparagraph.

~~(28)~~ **(30)** "Prospective review" means a review conducted prior to an admission or a course of treatment.

~~(29)~~ **(31)** "Protected health information" means health information that either identifies a covered person who is the subject of the information or with respect to which there is a reasonable basis to believe that the information could be used to identify a covered person.

~~(30)~~ **(32)** "Retrospective review" means a review of medical necessity conducted after services have been provided to a patient, but shall not include the review of a claim that is limited to an evaluation of reimbursement levels, veracity of documentation, accuracy of coding, or adjudication for payment.

~~(31)~~ **(33)** "Second opinion" means an opportunity or requirement to obtain a clinical evaluation by a provider other than the one originally making a recommendation for a proposed health service to assess the clinical necessity and appropriateness of the initial proposed health service.

~~(32)~~ **(34)** "Working day" means Monday through Friday, excluding holidays and days upon which an emergency has been declared by state or local government authorities, on which days an MNRO is not able to conduct business in a normal manner.

* * *

§3093. Appeal and external review of experimental or investigational determinations

A. All appeals pursuant to this Section shall be subject to the provisions of R.S. 22:3071, et seq., and shall be conducted by a medical necessity review organization licensed or authorized pursuant to this Chapter or a certified independent review organization.

B. In order to be eligible for the second level internal appeal or external review process described in this Chapter, an item or health care service deemed to be experimental or investigational in an adverse determination shall meet all of the following criteria:

(1) The allowable charge designated by the health insurance issuer shall be greater than five hundred dollars.

(2)(a) An item or health care service shall be approved by the federal Food and Drug Administration (FDA), if subject to FDA approval; however, absence of FDA approval for off label use shall not preclude eligibility.

(b) If not subject to approval by the federal Food and Drug Administration (FDA), support of use of the item or health care service by medical or scientific evidence.

C. At any time during the appeal process, an MNRO may, at its option, send the item or proposed health care service to the standard external review process described in R.S. 22:3082.

D. During its review of a proposed health product, device or service, a medical necessity review organization or an independent review organization shall make its decision or recommendation as follows:

(1) It shall ensure that the criteria described in Subsection B of this Section are met.

(2)(a) Except for an opinion provided pursuant to R.S. 22:3084, each clinical reviewer's opinion shall be in writing and include the following information:

(i) A description of the covered person's medical condition.

(ii) A description of the indicators relevant to determining whether there is sufficient evidence to demonstrate that the recommended or requested item or health care service or treatment is more likely than not to be beneficial to the covered person than any available standard item or health care services or treatments and the adverse risks of the recommended or requested item or health care service or treatment would not be substantially increased over those of available standard items or health care services or treatments.

(iii) A description and analysis of any medical or scientific evidence considered in reaching the opinion.

(iv) A description and analysis of any evidence-based standard.

(v) Information on whether the reviewer's rationale for the opinion is based on Subparagraph (E)(5)(a) or (b) of this Section.

(b)(i) For an expedited external review, each clinical reviewer shall provide an opinion orally or in writing to the covered person, the medical necessity review organization and the covered person's health care provider as expeditiously as the covered person's medical condition or circumstances requires, but in no event more than five calendar days.

(ii) If the opinion provided pursuant to Subparagraph (a) of this Paragraph was not in writing, within forty-eight hours following the date the opinion was provided, the clinical reviewer shall provide written confirmation of the opinion to the assigned independent review organization and include the information required under Paragraph (2) of this Subsection.

E. In addition to the documents and information provided pursuant to Paragraph D(2) of this Section, to the extent the information or documents are available and the reviewer considers appropriate, the reviewer shall consider the following in reaching an opinion pursuant to Subsection D of this Section:

(1) The covered person's pertinent medical records.

(2) The attending physician or health care professional's recommendation.

(3) Consulting reports from appropriate health care professionals and other documents submitted by the health carrier, covered person, the covered person's authorized representative, or the covered person's treating physician or health care professional.

(4) The terms of coverage under the covered person's health benefit plan with the health carrier to ensure that, but for the determination by the health insurance issuer that the item or health care service is experimental or investigational, such item or health care service would be a covered service under the covered person's health benefit plan.

(5) Whether one of the following items has occurred:

(a) The recommended or requested item or health care service or treatment has been approved by the federal Food and Drug Administration, if applicable, for the condition.

(b) Medical or scientific evidence or evidence-based standards demonstrate that the expected benefits of the recommended or requested item or health care service or treatment is more likely than not to be beneficial to the covered person than any available standard item or health care service or treatment and the adverse risks of the recommended or requested item or health care service or treatment would not be substantially increased over those of available standard items or health care services or treatments.

F. An MNRO may establish a procedure that requires that a health care provider pay the cost of an appeal of a determination that an item or health care service is experimental or investigational when all of the following occur:

(1) The health care provider has made the appeal on behalf of a covered person.

(2) The result of the appeal is that the MNRO's previous adverse determination is upheld.

(3) The MNRO's records indicate a consistent practice by the health care provider of requesting appeals in an extremely high percentage of cases that were not warranted by available medical information.

(4) The commissioner approves the MNRO's action to require payment by the health care provider."

AMENDMENT NO. 9

On page 2, delete lines 24 through 29 in their entirety.

AMENDMENT NO. 10

Delete pages 3 through 9 in their entirety.

AMENDMENT NO. 11

On page 10, delete lines 1 through 23 in their entirety.

AMENDMENT NO. 12

On page 10, line 24, change "Section 3." to "Section 2."

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

SENATE BILL NO. 160—

BY SENATORS CRAVINS, LAFLEUR, LONG, MORRISH AND QUINN
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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 160 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 14, after "may" delete "file" and insert "make a filing" and after "commissioner" delete "a written petition" and insert "pursuant to R.S. 22:1407"

AMENDMENT NO. 2

On page 1, line 16, delete "increasing" and insert "changing"

AMENDMENT NO. 3

On page 1, line 16, between "deductible" and "for named" insert the following: "to a total deductible of not more than five percent of the value of the property being insured"

AMENDMENT NO. 4

On page 2, at the end of line 2, delete "written petition" and insert "filing"

AMENDMENT NO. 5

On page 2, delete lines 7 through 10 in their entirety and insert in lieu thereof:

"E. No homeowner's policy of insurance shall contain any provision that would apply more than one deductible to a loss resulting from any single incident"

AMENDMENT NO. 6

On page 2, line 19, after "may" delete "file" and insert "make a filing" and after "commissioner" delete "a written petition" and insert "pursuant to R.S. 22:1407"

AMENDMENT NO. 7

On page 2, line 21, delete "increasing" and insert "changing"

AMENDMENT NO. 8

On page 2, line 21, between "**deductible**" and "**for named**" insert the following: "**to a total deductible of not more than five percent of the value of the property being insured**"

AMENDMENT NO. 9

On page 2, line 23, after "**regulations**" insert "**pursuant to the Administrative Procedure Act**"

AMENDMENT NO. 10

On page 2, line 24, delete "**written petition**" and insert "**filing**"

AMENDMENT NO. 11

On page 2, delete line 29 and on page 3, delete lines 1 through 3 in their entirety and insert in lieu thereof:

"F. No homeowner's policy of insurance shall contain any provision that would apply more than one deductible to a loss resulting from any single"

AMENDMENT NO. 12

On page 3, at the beginning of line 4, change "**peril**" to "**incident**"

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

SENATE BILL NO. 182—

BY SENATORS GRAY, CASSIDY, ERDEY, HEITMEIER, MOUNT AND NEVERS

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 182 by Senator Gray

AMENDMENT NO. 1

On page 2, line 1, after "**doctor,**" and before "**psychologist**" insert "**psychiatric mental health nurse practitioner,**"

AMENDMENT NO. 2

On page 5, line 6, after "**factor**" delete "**in necessitating**" and insert "**resulting in an emergency certificate for**"

AMENDMENT NO. 3

On page 5, line 13, after "**months**" and before ";" insert "**as a result of mental illness**"

AMENDMENT NO. 4

On page 6, line 20, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 5

On page 6, line 23, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 6

On page 6, line 28, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 7

On page 7, line 1, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 8

On page 7, line 3, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 9

On page 7, line 8, after "**five**" and before "**days**" delete "**calendar**" and insert "**business**" in lieu thereof

AMENDMENT NO. 10

On page 7, line 9, after "**thereof**" and before "**the**" delete "**to be given to**" and insert "**and a copy of the petition to be served upon**" in lieu thereof

AMENDMENT NO. 11

On page 7, line 26, after "**hearing,**" and before "**and**" insert "**there has been service of process on the subject of the petition**"

AMENDMENT NO. 12

On page 8, line 3, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 13

On page 8, line 6, after "**physician**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 14

On page 8, line 8, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 15

On page 8, line 14, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 16

On page 8, line 17, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 17

On page 8, line 18, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner's**"

AMENDMENT NO. 18

On page 8, line 21, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 19

On page 8, line 22, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 20

On page 8, line 23, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 21

On page 8, line 26, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 22

On page 9, line 3, after "**physician's**" and before "**psychologist's**" delete "**or**" and insert "; **psychiatric mental health nurse practitioner's or medical**"

AMENDMENT NO. 23

On page 9, line 13, after "**physician**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 24

On page 9, line 18, after "**psychiatrist**" and before "**or**" insert "; **psychiatric mental health nurse practitioner**"

AMENDMENT NO. 25

On page 9, line 19, after "**manager**" and before ";" insert "**as well as the subject of the petition if he is willing to engage in the planning process, and, upon the subject's request, an individual significant**"

to him which may include any relative, close friend or individual otherwise concerned with his welfare"

AMENDMENT NO. 26

On page 9, line 20, after "appropriate" and before "services" delete "intensive"

AMENDMENT NO. 27

On page 9, line 21, after "services" and before "include" change "may" to "shall" and after "include" and before "case" delete "intensive"

AMENDMENT NO. 28

On page 10, line 2, after "physician's" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 29

On page 10, delete lines 9 through 17 in their entirety

AMENDMENT NO. 30

On page 10, line 18, change "D." to "C."

AMENDMENT NO. 31

On page 10, line 20, change "E." to "D."

AMENDMENT NO. 32

On page 10, line 21, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 33

On page 10, line 28, delete "F." and insert "E.(1)" and after "Services" and before "include" change "may" to "shall"

AMENDMENT NO. 34

On page 10, line 29, change "(1)" to "(a)"

AMENDMENT NO. 35

On page 11, delete line 1 and insert the following in lieu thereof:
"(b) Case management which is defined as the assignment of the administration of care for an outpatient individual with a serious mental illness to a single person or team, including all necessary medical and mental health care along with associated supportive services."

AMENDMENT NO. 36

On page 11, between lines 1 and 2, insert "(2) Services may include, but are not limited to, the following:"

AMENDMENT NO. 37

On page 11, line 2, change "(3)" to "(a)"

AMENDMENT NO. 38

On page 11, line 3, change "(4)" to "(b)"

AMENDMENT NO. 39

On page 11, line 5, change "(5)" to "(c)"

AMENDMENT NO. 40

On page 11, line 6, change "(6)" to "(d)"

AMENDMENT NO. 41

On page 11, line 7, change "(7)" to "(e)"

AMENDMENT NO. 42

On page 11, line 8, change "(8)" to "(f)"

AMENDMENT NO. 43

On page 11, line 9, change "(9)" to "(g)"

AMENDMENT NO. 44

On page 11, line 10, change "(10)" to "(h)"

AMENDMENT NO. 45

On page 11, line 24, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 46

On page 13, line 14, after "treatment." insert the following:
"Either party may move for a hearing on the application. If no motion is filed within five business days after the date the application is filed, the court shall grant the application."

AMENDMENT NO. 47

On page 13, between lines 14 and 15, insert the following:
"G. Failure to comply with an order of assisted outpatient treatment shall not be grounds, in and of itself, for involuntary civil commitment or a finding of contempt of court."

AMENDMENT NO. 48

On page 13, line 18, after "shall" and before "prior" delete "apply" and insert "file a petition for outpatient treatment" in lieu thereof

AMENDMENT NO. 49

On page 13, line 20, after "court" delete the remainder of the line and insert the following:
". The order of outpatient treatment shall expire at the end of the period ordered unless a petition has been filed for an extension. If a person has been ordered to receive outpatient treatment for four consecutive one hundred and eighty day periods, the period of any subsequent order may exceed one hundred eighty days but shall not exceed one year."

AMENDMENT NO. 50

On page 13, delete line 21 in its entirety

AMENDMENT NO. 51

On page 13, line 23, after "be" and before "provided" delete "in accordance with the provisions of R.S. 28:72(F)" and insert "the same as the procedures and standards for obtaining the original order" in lieu thereof

AMENDMENT NO. 52

On page 13, line 27, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 53

On page 13, line 28, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 54

On page 13, line 29, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 55

On page 14, line 12, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 56

On page 14, line 14, after "physician's" and before "or" insert "psychiatric mental health nurse practitioner's"

AMENDMENT NO. 57

On page 14, line 17, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 58

On page 14, line 24, after "physician" and before "or" insert "psychiatric mental health nurse practitioner"

AMENDMENT NO. 59

On page 14, line 27, delete "hospitalization" and insert "inpatient treatment" in lieu thereof

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 204 by Senator Walsworth

AMENDMENT NO. 1

On page 5, line 5, between "**Index**" and the comma "," insert **for All Urban Consumers (CPI-U)**" and at the end of the line add "**Labor, Bureau of**"

AMENDMENT NO. 2

On page 5, after line 17, add the following:

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

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 210 by Senator Marionneaux

AMENDMENT NO. 1

On page 2 delete line 8 and insert "**last legislative day of the second regularly scheduled legislative session.**"

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 235 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "40:2009.4(A)(6)" and before "," delete "and (A)(6)(d)"

AMENDMENT NO. 2

On page 1, line 4, after "2180.2(10)" and before "," insert "and to enact R.S. 40:2009.4(A)(6)(e)"

AMENDMENT NO. 3

On page 1, line 6, after "flooding;" and before "and" insert "to provide for a determination of substantial damage in accordance with the Louisiana State Uniform Construction Code by certain persons;"

AMENDMENT NO. 4

On page 1, line 9, after "40:2009(A)(6)" and before "," delete "and (A)(6)(d)"

AMENDMENT NO. 5

On page 1, line 11, after "reenacted" and before "to" insert "and R.S. 40:2009.4(A)(6)(e) is hereby enacted"

AMENDMENT NO. 6

On page 1, line 16, after "establishment;" and before "**or**" insert "**of new or replacement facilities**"

AMENDMENT NO. 7

On page 1, line 17, after "**have**" delete "**been rendered uninhabitable because of**" and insert "**sustained**"

AMENDMENT NO. 8

On page 2, line 1, after "**damage**" and before "**from**" delete "**resulting**"

AMENDMENT NO. 9

On page 2, line 1, after "**from**" and before "**and**" delete "**hurricanes**" and insert "**a hurricane or substantial structural damage from flooding**"

AMENDMENT NO. 10

On page 2, line 2, after "flooding." and before "The" insert the following: "**An architect or civil engineer registered in the state shall determine whether a facility has sustained substantial structural damage from a hurricane or substantial structural damage from flooding in accordance with the Louisiana State Uniform Construction Code.**"

AMENDMENT NO. 11

On page 2, delete lines 5 and 6 in their entirety

AMENDMENT NO. 12

On page 2, line 7, change "**(d)**" to "**(e)**"

AMENDMENT NO. 13

On page 2, line 19, after "establishment;" and before "**or**" insert "**of new or replacement facilities**"

AMENDMENT NO. 14

On page 2, line 20, after "**have**" delete "**been rendered uninhabitable because of**" and insert "**sustained**"

AMENDMENT NO. 15

On page 2, line 21, after "damage" insert "from a hurricane or substantial structural damage from flooding and"

AMENDMENT NO. 16

On page 2, between lines 21 and 22 insert the following: "An architect or civil engineer registered in the state shall determine whether a facility has sustained substantial structural damage from a hurricane or substantial structural damage from flooding in accordance with the Louisiana State Uniform Construction Code."

AMENDMENT NO. 17

On page 2, line 29, after "establishment;" and before "or" insert "of new or replacement facilities"

AMENDMENT NO. 18

On page 3, line 1, after "have" delete "been rendered uninhabitable because if" and insert "sustained"

AMENDMENT NO. 19

On page 3, line 2, after "damage" and before "located" insert "from a hurricane or substantial structural damage from flooding and"

AMENDMENT NO. 20

On page 3, line 2, after "flooding." and before "The" insert the following: "An architect or civil engineer registered in the state shall determine whether a facility has sustained substantial structural damage from a hurricane or substantial structural damage from flooding in accordance with the Louisiana State Uniform Construction Code."

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 282 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 3, after "in" and before "healthcare" change "alternative" to "alternate"

AMENDMENT NO. 2

On page 1, line 13, after "percent" and before "based" insert "and an adjoining service area exceeds ninety-three percent"

AMENDMENT NO. 3

On page 2, line 3, before "use" change "alternative" to "alternate" and after "in" and before "health" change "alternative" to "alternate"

AMENDMENT NO. 4

On page 2, line 4, after "of" and before "use" change "alternative" to "alternate"

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

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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 299 by Senator Erdey

AMENDMENT NO. 1

On page 1, delete lines 9 through 13 and insert the following: "E. Notwithstanding any provision of law to the contrary, any developmentally disabled person who became disabled prior to attaining the age of twenty-one, with one parent whose coverage of such person was terminated as a result of lost employment of the parent and one parent who is an employee, as defined in R.S. 42:808(A)(3), participating in life, health, or other programs sponsored by the office of group benefits, shall be covered as a dependent of such parent participating in life, health, or other programs sponsored by the office of group benefits, regardless of the age of the developmentally disabled person."

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

SENATE BILL NO. 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 by the Committee on Health and Welfare. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Health and Welfare. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 388 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 13, after "**administrator**" insert the following: "**including kindergarten through the twelfth grade and higher education teachers and administrators.**"

AMENDMENT NO. 2

On page 1, line 14, delete "**or otherwise**" and insert "**and**"

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

SENATE BILL NO. 423—

BY SENATORS CRAVINS, CASSIDY, CHEEK, ERDEY, GRAY, MOUNT AND NEVERS

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 by the Committee on Health and Welfare. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Commerce, Consumer Protection, and International Affairs. On motion of Senator Duplessis, the bill was read by title, ordered engrossed, and passed to a third reading.

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 429 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 14, after "**sections**" delete the remainder of the line and insert a period.

AMENDMENT NO. 2

On page 1, delete lines 15 through 17 and insert "**Election section one shall consist of Divisions G and O. Election section two shall consist of Divisions A, D, F, and N. Election section three shall consist of Divisions K and L. Election section four shall consist of Divisions H and I. Election section five shall be a minority section and shall consist of Divisions C and P. Election section 6 shall consist of Divisions J and M. Election section seven shall consist of Divisions B and E.**"

AMENDMENT NO. 3

On page 2, lines 4 and 5, change "**the effective date of this Subsection**" to "**August 15, 2008**"

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

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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 460—

BY SENATOR B. GAUTREAUX

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

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 by the Committee on Senate and Governmental Affairs.

April 24, 2008

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 572 by Senator Michot

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 49:220.4(A)(1)," delete the remainder of the line and insert "R.S. 51:911.26(A)(1), and Sections 5 and 6(B) of Act No. 5 of the 2006 First Extraordinary Session of the Legislature, to enact R.S. 36:309(B)(3),"

AMENDMENT NO. 2

On page 1, line 4, after "(D)(16)," and before "R.S." insert "and"

AMENDMENT NO. 3

On page 1, line 5, after "2056," delete the remainder of the line and on line 6, delete "Session of Legislature;"

AMENDMENT NO. 4

On page 1, line 11, delete "continued"

AMENDMENT NO. 5

On page 3, line 28, change "agencies" to "agency"

AMENDMENT NO. 6

On page 4, line 3, delete "(1)"

AMENDMENT NO. 7

On page 4, delete line 4

AMENDMENT NO. 8

On page 5, delete lines 19 through 24 and insert the following: "Section 6. Sections 5 and 6(B) of Act No. 5 of the 2006 First Extraordinary Session of the Legislature are hereby amended and reenacted to read as follows:

Section 5. All statutory authority for the Louisiana Recovery Authority shall cease as of July 1, 2010, unless recreated by the Louisiana Legislature.

Section 6.

* * *

B. Section 4 of this Act shall become effective on ~~June 30, 2016~~ July 1, 2010.

Section 7. R.S. 36:4(B)(14) and (F) and 4.1(D)(16) and R.S. 23:2056 are hereby repealed in their entirety."

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

SENATE BILL NO. 671—

BY SENATOR SMITH AND REPRESENTATIVES ARMES, DANAHAY, GEYMANN 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

Senate Resolutions on Second Reading Reported by Committees

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

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 by the Committee on Senate and Governmental Affairs.

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

Rules Suspended

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

Senate Concurrent Resolution, Just Advanced to a Second Reading

The following Senate Concurrent Resolution, just advanced to a second reading, was read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 44— BY SENATOR GRAY

A CONCURRENT RESOLUTION

To commend the Orleans Parish Juvenile Court on its 100th anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dupre, Morrish, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent, Present. Lists names like Hebert, LaFleur, Martiny, etc.

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

SUPPLEMENTAL 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 24, 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 supplemental report:

SENATE BILL NO. 131—
BY SENATORS LAFLEUR, DUPLESSIS AND MICHOT
AN ACT

To amend and reenact R.S. 37:831(38) and 861 and to enact R.S. 37:831(71) through (81) and R.S. 37:862 through 867, relative to preneed funeral contracts; to provide for definitions; to provide for preneed funeral contracts; to provide for preneed funeral planners; to provide for penalties; to provide for applicability; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 422—
BY SENATOR DUPLESSIS
AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1356 through 1370, relative to cable services and video services; to create the "Consumer Choice for Television Act"; to provide guidelines for cable services and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable services or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regards to cable services or video services; to provide for public, educational, and governmental access programming streams and support; to provide for local franchise agreements; to provide for a prohibition of in-kind contributions or grants; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

Senator Smith in the Chair

Rules Suspended

Senator Murray asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Concurrent Resolutions on Third Reading and Final Passage

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cassidy	Kostelka
Adley	Dupre	Murray
Broome	Gray	Smith
Total - 9		

NAYS

Alario	Gautreaux N	Nevers
Amedee	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Long	Scalise
Donahue	Marionneaux	Shaw
Dorsey	McPherson	Shepherd
Duplessis	Michot	Thompson
Erdey	Morrish	Walsworth
Gautreaux B	Mount	
Total - 26		

ABSENT

Crowe	LaFleur
Hebert	Martiny
Total - 4	

The Chair declared the resolution failed to pass.

Notice of Reconsideration

Senator Murray, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the resolution failed to pass.

Mr. President in the Chair

Message from the House

SIGNED 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 Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the law regarding successions and the inconsistencies which exist due to the phase out of inheritance taxes, and to report its findings to the House of Representatives prior to the convening of the 2009 Regular Session.

April 24, 2008

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE SCHRODER
A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to support the efforts of Discover Films, Inc., and the various drug court programs throughout the state and efforts to secure funding for the production of a series of weekly programs for Louisiana Public Broadcasting which will feature highly qualified guests who discuss addiction, treatment, and recovery issues, as well as available mental health services.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVES LAFONTA, AUSTIN BADON, BARROW, GALLOT, MARCHAND, AND PATRICIA SMITH AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend and welcome Trent Johnson as the new head coach of the Louisiana State University men's basketball team.

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

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

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Hebert	LaFleur	Martiny
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

Hebert	1 Day	LaFleur	1 Day
Martiny	1 Day		

Adjournment

Senator Broome moved that the Senate adjourn until Monday, April 28, 2008, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Monday, April 28, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk