

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

**NINETEENTH 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 30, 2008

The Senate was called to order at 2:15 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	Dupre	Mount
Adley	Gray	Murray
Alario	Hebert	Nevers
Amedee	Heitmeier	Riser
Broome	Jackson	Shaw
Cassidy	Kostelka	Shepherd
Cravins	Long	Smith
Crowe	Marionneau	Thompson
Donahue	Michot	Walsworth
Dorsey	Morrish	
Total - 29		

**ABSENT**

Cheek	Gautreaux N	Quinn
Duplessis	LaFleur	Scalise
Erdey	Martiny	
Gautreaux B	McPherson	
Total - 10		

The President of the Senate announced there were 29 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Dan Davis, 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 Thompson, the reading of the Journal was dispensed with and the Journal of April 29, 2008, was adopted.

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 41—**  
BY SENATOR QUINN

**A RESOLUTION**

To commend Leah Rebecca Muller upon her selection as a 2008 Goldwater Scholar.

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

**SENATE RESOLUTION NO. 42—**

BY 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, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

**A RESOLUTION**

To commend and congratulate the Louisiana State University football team and Coach Les Miles upon winning the 2007 Tostitos BCS National Championship.

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

**SENATE RESOLUTION NO. 43—**

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

**A RESOLUTION**

To recognize and commend the Louisiana State University Lady Tigers basketball team on an outstanding and historic season and for advancing to its fifth consecutive National Collegiate Athletic Association (NCAA) Final Four Women's Basketball Tournament.

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

**SENATE RESOLUTION NO. 44—**

BY 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, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

**A RESOLUTION**

To commend and congratulate F. Malcolm Hood, Jr., for his distinguished career as a lobbyist and for his thirty-eight years as an invaluable asset to the legislative process in the state of Louisiana.

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

**SENATE RESOLUTION NO. 45—**

BY SENATOR CRAVINS

**A RESOLUTION**

To commend William Glover and Debra Shah for their lifesaving assistance and heroic actions towards an elderly Alzheimer patient.

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

**SENATE RESOLUTION NO. 46—**

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

**A RESOLUTION**

To commend and congratulate the 2008 Louisiana State University Women's Gymnastics team on an outstanding season and for a fifth place finish in the National Collegiate Athletic Association Super Six Finals.

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

April 30, 2008

SENATE RESOLUTION NO. 47—

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

A RESOLUTION

To commend and congratulate Louisiana State University gymnast, Susan Jackson, as the 2008 National Collegiate Athletic Association (NCAA) vault title holder and to recognize her outstanding accomplishments and contributions to the Lady Tigers' gymnastics program.

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

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 29, 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. 391—

BY REPRESENTATIVE WOOTON AN ACT

To amend and reenact R.S. 15:542(D) and 542.1.4(A)(1) and to enact R.S. 15:542.1.4(A)(3), relative to sex offender registration; to provide with respect to the annual registration fee; to provide that the crime of failure to register as a sex offender shall include the failure to pay the registration fee; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 662—

BY REPRESENTATIVE WILLMOTT AN ACT

To enact R.S. 14:202.1, relative to crimes; to create the crime of home improvement fraud; to define the crime; to provide for penalties; to provide for defenses; and to provide for related matters.

HOUSE BILL NO. 935—

BY REPRESENTATIVE FANNIN 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), 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), 409(J), and 803.1, and to repeal R.S. 36:4(B)(14) and (F) and 4.1(D)(16) and R.S. 23:2056, 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 existence of certain agencies placed in the division of administration; and to provide for related matters.

HOUSE BILL NO. 997—

BY REPRESENTATIVE MORRELL AN ACT

To enact R.S. 42:1121.2, relative to certain prohibited contractual arrangements; to prohibit certain former public servants from entering into contracts with certain persons; to prohibit certain former public servants from being employed by certain persons; to provide definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1007—

BY REPRESENTATIVES CROMER, HAZEL, NORTON, PEARSON, AND POPE AN ACT

To amend and reenact R.S. 15:587.1(A)(1)(a) and (b) and (2), (B), (C)(introductory paragraph), and (H), R.S. 17:15(B), (C), and (E), and R.S. 46:51.2(A) and (E)(1)(introductory paragraph), relative to criminal history information; to provide with respect to criminal history records of persons with supervisory authority over children; to provide with respect to the criminal information that must be provided to persons who employ or are responsible for persons with authority over children; to provide for the crimes which must be reported; to provide with respect to the employment of persons with convictions; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Mount 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. 391—

BY REPRESENTATIVE WOOTON AN ACT

To amend and reenact R.S. 15:542(D) and 542.1.4(A)(1) and to enact R.S. 15:542.1.4(A)(3), relative to sex offender registration; to provide with respect to the annual registration fee; to provide that the crime of failure to register as a sex offender shall include the failure to pay the registration fee; to provide for criminal penalties; 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. 662—

BY REPRESENTATIVE WILLMOTT AN ACT

To enact R.S. 14:202.1, relative to crimes; to create the crime of home improvement fraud; to define the crime; to provide for penalties; to provide for defenses; 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. 935—

BY REPRESENTATIVE FANNIN 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), 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), 409(J), and 803.1, and to repeal R.S. 36:4(B)(14) and (F) and 4.1(D)(16) and R.S. 23:2056, 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 existence of certain agencies placed in the division of administration; 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. 997—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To enact R.S. 42:1121.2, relative to certain prohibited contractual arrangements; to prohibit certain former public servants from entering into contracts with certain persons; to prohibit certain former public servants from being employed by certain persons; to provide definitions; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1007—**  
BY REPRESENTATIVES CROMER, HAZEL, NORTON, PEARSON, AND POPE  
AN ACT

To amend and reenact R.S. 15:587.1(A)(1)(a) and (b) and (2), (B), (C)(introductory paragraph), and (H), R.S. 17:15(B), (C), and (E), and R.S. 46:51.2(A) and (E)(1)(introductory paragraph), relative to criminal history information; to provide with respect to criminal history records of persons with supervisory authority over children; to provide with respect to the criminal information that must be provided to persons who employ or are responsible for persons with authority over children; to provide for the crimes which must be reported; to provide with respect to the employment of persons with convictions; and to provide for related matters.

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

**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 29, 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. 102—**  
BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON AND REPRESENTATIVES FANNIN, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, 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 congratulate Franklin Malcolm Hood, Jr., for his extraordinary service to the state of Louisiana as the energy industry's most respected, trusted and effective spokesman of his generation before the Louisiana Legislature and to declare "F. Malcolm Hood Day" in the Louisiana Legislature.

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

**House Concurrent Resolutions**

Senator Adley 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. 102—**

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON AND REPRESENTATIVES FANNIN, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, 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 congratulate Franklin Malcolm Hood, Jr., for his extraordinary service to the state of Louisiana as the energy industry's most respected, trusted and effective spokesman of his generation before the Louisiana Legislature and to declare "F. Malcolm Hood Day" in the Louisiana Legislature.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

April 30, 2008

NAYS

Total - 0

ABSENT

Erdey LaFleur McPherson
Gautreaux N Martiny
Total - 5

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 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 30, 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. 519— BY SENATOR AMEDEE AN ACT

To enact R.S. 37:3507.2(A)(4), relative to private investigators; to provide with respect to the types of licenses issued by the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 523— BY SENATOR MURRAY AN ACT

To enact R.S. 9:3571.3, relative to personal credit information; to provide for reporting of positive payment history to credit reporting agencies; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 764— BY SENATORS DORSEY AND DUPLESSIS AN ACT

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

Reported with amendments.

Respectfully submitted, ANN D. DUPLESSIS Chairman

REPORT OF COMMITTEE ON

INSURANCE

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

April 30, 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. 241— BY SENATOR CRAVINS AN ACT

To amend and reenact R.S. 22:230.1(A), relative to coverage for rehabilitative physical therapy, occupational therapy, and speech and language pathology therapy; to provide for the inclusion of standard benefits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 284— BY SENATOR CRAVINS AN ACT

To amend and reenact R.S. 42:808(A)(2), relative to eligibility in group programs; to provide with respect to the definition of employee; to provide for participation by certain retired firefighters or police in life, health, or other insurance programs sponsored by the office of group benefits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 300— BY SENATOR ERDEY AN ACT

To amend and reenact R.S. 22:231(E), 232(2), 234(A)(2), 236(7)(a), 237(B)(1) and (C), 239.1(C)(2) and (3), 240(A) and (F)(3), and 242(B), relative to the Louisiana Health Plan; to provide for definitions; to define eligibility; to establish definitions of rates for non-federally defined individuals; to establish benefits; to provide with respect to the board of directors; and to provide for exemptions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 502— BY SENATOR CROWE AN ACT

To amend and reenact R.S. 22:226(B), relative to employer-provided health plans; to provide for an exception for the Office of Group Benefits programs to the requirement that employers not impose a co-payment fee or other condition on individuals who do not utilize a designated mail order pharmacy; and to provide for related matters.

Reported with amendments.

Respectfully submitted, DONALD R. CRAVINS JR. 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 30, 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 CONCURRENT RESOLUTION NO. 17—**

BY SENATOR GRAY

## A CONCURRENT RESOLUTION

To urge and request the secretary of state to study the impact of voting machine malfunctions on voting and to study the feasibility of using backup paper ballots at polls on election day.

Reported favorably.

**SENATE BILL NO. 58—**

BY SENATOR KOSTELKA

## AN ACT

To amend and reenact R.S. 18:192(A) and (B), and 193(A), (B), and (E), relative to the annual canvass of the registrants in all precincts in a parish; to require the provision by the Department of State of corrected addresses to registrars; to provide for the funding of the provision of new voter identification cards; to provide regarding challenges to voter registrations; to provide relative to the inactive voter list; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 63—**

BY SENATOR KOSTELKA

## AN ACT

To enact R.S. 18:154(G), relative to voter registration records; to prohibit disclosure of any voter registration data received from another state pursuant to a cooperative agreement and any geographical coding of addresses of registered voters; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 64—**

BY SENATOR KOSTELKA

## AN ACT

To amend and reenact R.S. 18:134(E), 541, and 542, relative to election day hours of operation; to shorten by two hours the time that polls are open on election day; to change the hours that each registrar of voter's office is required to be open on election day; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 232—**

BY SENATOR MOUNT

## A JOINT RESOLUTION

Proposing to amend Article IV, Section 21(A), Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X, Sections 3(B) and 43(B) of the Constitution of Louisiana, relative to term limits for positions on certain boards and commissions; to provide a three-consecutive-term limit for positions on the Public Service Commission, the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, the Louisiana Forestry Commission, the State Civil Service Commission, and the State Police Commission; to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 233—**

BY SENATOR MOUNT

## AN ACT

To amend and reenact R.S. 17:2(C), 1453(A), 1851(C), 1871(A)(1)(a), and 3121(C), R.S. 42:2, and R.S. 45:1161.1(B), and to enact R.S. 3:4272(D) and R.S. 42:3.2, relative to term limits for members of certain boards and commissions; to prohibit any person appointed or elected to a board or commission within the executive branch of state government to

serve in such position for more than three consecutive terms; to prohibit the term of any person serving at the pleasure of an appointing authority to extend beyond twelve consecutive years; to provide for continuation of service for certain members exceeding the three terms or twelve year limits; to exclude persons serving on boards and commissions by virtue of their position or office held; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 596—**

BY SENATOR SCALISE

## AN ACT

To amend and reenact R.S. 49:220.21(A), 220.24(B), (C)(6), (F)(3), (J), (K), and (L), and 220.25, and to enact R.S. 49:220.24(J) and (M), relative to the office of the state inspector general; to provide for powers, duties, and functions of the inspector general; to provide for designation of the office of the inspector general as a law enforcement agency; to provide for reports by the inspector general; to provide for attorneys of the office of the inspector general to hold certain dual offices under certain circumstances; to provide for the confidentiality of information obtained by the office of the inspector general; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 629—**

BY SENATOR WALSWORTH

## AN ACT

To amend and reenact R.S. 44:5 and to enact R.S. 44:5.1, relative to public records; to provide for the application of the laws relative to public records to the office of the governor; to provide for definitions; to provide for the application of the laws relative to public records to the legislature; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 638—**

BY SENATOR B. GAUTREAUX

## AN ACT

To enact R.S. 49:149.29, relative to the names of state buildings; to provide for the name of the Louisiana Real Estate Commission Building in Baton Rouge; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 667—**

BY SENATOR ADLEY

## AN ACT

To amend and reenact R.S. 42:1113(D) and 1114.3(A)(1) and (2), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to require certain disclosures by certain elected officials; to provide for the content of such disclosures; to provide for enforcement and penalties; to provide exceptions and waivers; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 709—**

BY SENATOR DUPLESSIS

## AN ACT

To amend and reenact R.S. 35:199(A)(2)(b) and to repeal R.S. 44:184.2, relative to notaries; to provide for the registration of certain immovable property in Orleans Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 788—  
BY SENATOR WALSWORTH

AN ACT

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

Reported with amendments.

SENATE BILL NO. 802—  
BY SENATOR GRAY

AN ACT

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

Reported favorably.

Respectfully submitted,  
ROBERT W. KOSTELKA  
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. 80—  
BY SENATOR MARTINY

AN ACT

To amend and reenact the Code of Criminal Procedure Article 893(A) and to enact Code of Criminal Procedure Article 894(A)(6), relative to suspension and deferral of sentence with respect to certain felonies and misdemeanors; to provide for the procedure, and effect of the suspension of imposition of sentence; to require that certain criteria be satisfied; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 80 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact the Code of Criminal Procedure Article 893(A) and to"

AMENDMENT NO. 2

On page 1, line 3, change "894(A)(6)" to "881.1(A)(3)"

AMENDMENT NO. 3

On page 1, line 8, change "893(A)" to "881.1(A)(3)" and change "amended and reenacted" to "enacted"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and insert the following:

"Art. 881.1. Motion to reconsider sentence  
A. \* \* \*

(3) In the event a defendant alleges mutual mistake in the sentence imposed upon conviction pursuant to Code of Criminal Procedure Article 893 was in error and the prosecuting authority, the court, and the defendant intended that the imposition of sentence was to be deferred pursuant to Code of Criminal Procedure Article 893(E), such defendant may file a motion to reconsider the sentence for the sole purpose of considering that issue. Such motion shall be filed within two years of the date of successful completion of the probation imposed by the court. If the court finds that a mutual mistake exists and that the defendant was in all other respects eligible for the benefits of Code of Criminal Procedure Article 893(E), the defendant shall be entitled to the benefits thereof, in accordance with law."

AMENDMENT NO. 5

Delete page 2 in its entirety

AMENDMENT NO. 6

On page 3, delete lines 1 through 11 and on line 12, change "Section 3" to "Section 2"

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

SENATE BILL NO. 142—  
BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 40:1379.3(A)(2), relative to public records; to provide for concealed handgun permit applications; to provide for confidentiality of certain information; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 142 by Senator Scalise

AMENDMENT NO. 1

On page 1, line 15, delete "Any information in any" and delete lines 16 and 17 and insert the following: "Any information in any application for a concealed handgun permit or any information provided in connection with the application submitted to the deputy secretary of public safety services of the Department of Public Safety and Corrections under the provisions of this Section shall be held confidential and shall not be subject to any public information request nor shall the information be considered as a public record pursuant to R.S. 44:1 et seq. The Department of Public Safety and Corrections shall not release any list of persons who applied for or received a permit for a concealed handgun pursuant to this Section."

AMENDMENT NO. 2

On page 2, delete line 1 in its entirety

AMENDMENT NO. 3

On page 2, line 2, delete "R.S. 44:1 et seq."

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

SENATE BILL NO. 187—  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 4:211(5) and R.S. 27:353(4) and to enact R.S. 18:1300.24, relative to conducting live horse racing and pari-mutuel wagering in Iberville Parish; to provide for the calling and conducting of certain referendum elections in Iberville Parish, relative to authorizing the conducting of horse racing and pari-mutuel wagering in the parish, authorizing the operation of an offtrack wagering facility in Iberville Parish, and

authorizing an eligible horse racing facility in Iberville Parish to conduct slot machine gaming; to provide for the submission of propositions by the governing authority of Iberville Parish; to provide relative to the approval of the propositions by the voters; to provide for applicability; to amend the definition of eligible facility for the purposes of conducting slot machine gaming; to amend the definition of pari-mutuel facility for the purpose of offtrack wagering; and to provide for related matters.

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

**SENATE BILL NO. 330—**  
BY SENATOR CHAISSON

AN ACT

To enact R.S. 37:1731.1, relative to limitation of liability; to provide relative to medical services performed during a declared state of emergency; to provide certain limitations of liability; to provide definitions, terms, and conditions; 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. 330 by Senator Chaisson

**AMENDMENT NO. 1**

On page 1, line 11, change "healthcare" to "health care"

**AMENDMENT NO. 2**

On page 1, line 12, after "emergency" insert "when such state of emergency affects the rendering of such medical care"

**AMENDMENT NO. 3**

On page 2, line 2, after "declaration" insert a period "." and delete the remainder of the line and delete line 3 in its entirety

**AMENDMENT NO. 4**

On page 2, line 5, change "Healthcare" to "Health care"

**AMENDMENT NO. 5**

On page 2, at the end of line 6, change "healthcare" to "health care"

**AMENDMENT NO. 6**

On page 2, line 9, change "those persons" to "a person"

**AMENDMENT NO. 7**

On page 2, between lines 11 and 12, insert the following:  
"**(5) "During a declared state of emergency" means the time period as set forth in the declaration of the emergency and shall be retroactive to the precipitating event requiring the declaration.**"

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. 381—**  
BY SENATOR MARTINY

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 381 by Senator Martiny

**AMENDMENT NO. 1**

On page 1, line 2, after "To" delete the remainder of the line and insert the following: "enact R.S. 27:306(I), relative to"

**AMENDMENT NO. 2**

On page 1, line 3, after "Law;" delete the remainder of the line and insert the following: "to provide for a license to operate video draw poker devices in a qualified truck stop facility; to provide for duties of the Louisiana Gaming Control Board; and to"

**AMENDMENT NO. 3**

On page 1, delete lines 4 through 8

**AMENDMENT NO. 4**

On page 1, line 11, after "Section 1." delete the remainder of the line and insert the following: "R.S. 27:306(I) is hereby enacted to read as follows:"

**AMENDMENT NO. 5**

On page 1, delete lines 12 through 17 and delete page 2 and insert the following:

"§306. State license qualifications; limitations; right to hearing

\* \* \*

**I. (1) After investigation by the division, and a determination that a truck stop facility meets all the amenity provisions required by this Chapter, and upon a further finding that the applicant for license to operate video draw poker devices is suitable, the applicant shall be issued a license to operate video draw poker devices at that qualified truck stop facility.**

**(2) The provisions of this Subsection shall not be construed to preclude the Louisiana Gaming Control Board from conducting any hearings deemed necessary to determine the suitability of an applicant for a license to operate video draw poker devices should the Louisiana Gaming Control Board or division become aware of facts or information which may result in the licensee or qualified truck stop facility being found unsuitable or disqualified.**

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

**SENATE BILL NO. 382—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 895(B); R.S. 14:30.1(A)(2), 32.1(A)(Introductory Paragraph), 32.8(A)(2)(Introductory Paragraph) and (c), 40.1(B), and 98(F)(2) and to enact Code of Criminal Procedure Article 894(A)(6); R.S. 14:32.8(A)(2)(d), (e), and (f), and 40.1(C), relative to the continuous revision of the Criminal Code and the Code of Criminal Procedure; to provide for probation in felony and misdemeanor cases assigned to the drug division probations program; to provide for second degree murder; to provide for vehicular homicide; to provide for third degree feticide; to provide for terrorizing; to provide for operating a vehicle while intoxicated; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 382 by Senator Martiny

**AMENDMENT NO. 1**

On page 3, line 29, change "operator" to "offender"

**AMENDMENT NO. 2**

On page 4, line 1, change "operator" to "offender"

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AMENDMENT NO. 3

On page 4, line 8, change "operator" to "offender"

AMENDMENT NO. 4

On page 4, line 10, change "operator's" to "offender's"

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

SENATE BILL NO. 398—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:391(A) and to enact R.S. 27:391(D) and 392(B)(3)(e), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing facilities; to provide for the distribution of proceeds derived from the taxes levied by the local governing authority of Iberville Parish on taxable net slot machine proceeds operated in Iberville Parish; to create the Iberville Parish Excellence Fund and require certain deposits to the fund; to provide for the operation of the fund; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 398 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, delete lines 9 and 10 in their entirety and insert in lieu thereof the following:

"(3) Iberville Parish School Board - two and one-half percent."

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

SENATE BILL NO. 593—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 16:516, relative to district attorneys; to provide relative to the payment of health insurance premiums out the district attorney's general fund; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 593 by Senator Riser

AMENDMENT NO. 1

On page 1, line 9, delete "Sixth,"

AMENDMENT NO. 2

On page 1, line 15, between "the" and "Sixth," insert "Second,

AMENDMENT NO. 3

On page 2, below line 2, add the following:

"C. As used in this Section, "years of full-time service" shall mean the number of years of creditable service that the retiree had in the Louisiana District Attorney's Retirement System."

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

SENATE BILL NO. 613—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:621.41(B)(1), (D), (E), (F)(1), (H)(1) and (3), 621.43, 621.45(B), 1136, 1137, 1140(A) introductory paragraph, (B) and (C), 1335, and 1336, relative to the district courts in the parish of Orleans; to provide for the civil district court in the parish of Orleans; to provide for the judges in the civil district court in the parish of Orleans; to provide for the criminal district court in the parish of Orleans; to provide for the judges in the criminal district court in the parish of Orleans; to provide for the Forty-First Judicial District Court; to provide for the judges in the Forty-First Judicial District Court; to provide for the jurisdiction, elections, term of office, and powers of such courts; 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. 613 by Senator Murray

AMENDMENT NO. 1

On page 1, line 4, after "1336," and before "relative" insert "and to enact R.S. 13:621.49,"

AMENDMENT NO. 2

On page 1, delete line 9 and insert "judges and magistrates in the Forty-First Judicial District Court; to provide for reversion to certain offices under certain circumstances; to provide for the jurisdiction,"

AMENDMENT NO. 3

On page 1, line 15, after "reenacted" insert "and R.S. 13:621.49 is hereby enacted"

AMENDMENT NO. 4

On page 4, between lines 10 and 11, insert

"§621.49. Forty-First Judicial District; reversion by certain magistrates to civil and criminal district courts for the parish of Orleans

Notwithstanding any provision of law to the contrary, a magistrate elected or appointed to the Forty-First Judicial District Court, who was sitting as an elected or appointed magistrate of the civil and criminal district courts for Orleans Parish at the time of qualifying for the new judicial term commencing on January 1, 2009, shall automatically revert back to the section or division in which he was assigned in the civil and criminal district courts of Orleans Parish for the duration of his term or as otherwise provided by law, if Act 621 of the 2006 Regular Session of the Louisiana Legislature which creates the Forty-First Judicial District is held unconstitutional.

\* \* \*

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. 625—

BY SENATOR MURRAY

AN ACT

To amend and reenact Subsections B, C, and D, all of Section 7, Subsection A(1) of Section 8, Subsection D(1) of Section 10, Section 12, Section 17, Subsection A of Section 19, Subsections A and B of Section 20, Subsection C of Section 21, and Section 22, all of Act No. 621 of the 2006 Regular Session of the Legislature, relative to the civil and criminal district courts and clerk of the civil and criminal district courts in and for Orleans Parish; to provide for consolidation; 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. 625 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete lines 3 and 4

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "all" and insert "Section 22"

AMENDMENT NO. 4

On page 1, line 6, after "and criminal district courts" delete "and clerk of the civil and criminal district courts"

AMENDMENT NO. 5

On page 1, line 10, after "Section 1." delete the remainder of the line

AMENDMENT NO. 6

On page 1, delete lines 11 and 12

AMENDMENT NO. 7

On page 1, at the beginning of line 13, insert "Section 22 of Act" and after "Legislative" change "are" to "is"

AMENDMENT NO. 8

On page 1, delete lines 15 through 17

AMENDMENT NO. 9

On page 2, delete page 2 in its entirety

AMENDMENT NO. 10

On page 3, delete page 3 in its entirety

AMENDMENT NO. 11

On page 4, delete lines 1 through 17

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. 636—**

BY SENATOR MURRAY

## AN ACT

To enact R.S.40:600.66(A)(7) through (10), relative to the Road Home Corporation; to provide relative to appeal from certain decisions; to provide relative to the right of a property owner to appeal an adverse decision of the Office of Community Development on Road Home claims; 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. 636 by Senator Murray

AMENDMENT NO. 1

On page 2, line 1, after "**owner**" delete the comma and after "**decision**" delete the comma

AMENDMENT NO. 2

On page 2, line 2, after "**Development**" delete the comma

AMENDMENT NO. 3

On page 2, line 3, after "**located**" delete the comma

AMENDMENT NO. 4

On page 2, line 8, delete "**prior**" and insert "**program and actions and decisions taken under the program**"

AMENDMENT NO. 5

On page 2, delete line 9 and insert "**and also for the remedial purpose of addressing any issue, action or decision that has resulted in inconsistent**"

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. 644—**

BY SENATORS ADLEY, CRAVINS, ERDEY, B. GAUTREAUX, HEITMEIER, LAFLEUR, MARIONNEAUX AND MARTINY  
AN ACT

To amend and reenact R.S. 29:11(G), relative to military and veterans' affairs; to provide for a Louisiana Veterans' Commemorative Coin Program; to provide that the adjutant general shall manage the program; to provide for an advisory committee to assist the adjutant general in operating the program; to provide for a fund to operate the program; to provide for eligibility of awards; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 644 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact" to "enact" and change "29:11(G)" to "36:784(A)(8)" and delete "military and"

AMENDMENT NO. 2

On page 1, line 3, change "Commemorative Coin" to "Honor Medal"

AMENDMENT NO. 3

On page 1, at the end of line 3 and beginning of line 4, delete "adjutant general" and insert "secretary of veterans affairs"

AMENDMENT NO. 4

On page 1, line 5, change "adjutant general" to "secretary of veterans affairs"

AMENDMENT NO. 5

On page 1, at the end of line 5 and beginning of line 6, after "program;" delete "to provide for a fund to operate the program;"

AMENDMENT NO. 6

On page 1, line 8, after "R.S." change "29:11(G)" to "36:784(A)(8)" and change "amended and reenacted" to "enacted"

AMENDMENT NO. 7

On page 1, delete lines 9 through 17 and insert the following:

"§784. Powers and duties of the secretary

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

\* \* \*

**(8)(a) Establish and manage a Veterans' Honor Medal Program in order to recognize and honor all Louisiana veterans. The secretary shall design or cause to be designed a medal. A gold star shall be affixed and awarded to the next of kin of armed forces personnel killed in action. A silver star shall be affixed and awarded to armed forces personnel wounded in action.**

**(b) The secretary may form an advisory committee of interested persons, including, but not limited to, the governor or his designee, the speaker of the Louisiana House of Representatives or his designee, the president of the Louisiana Senate or his designee, the adjutant general or his designee, the Louisiana secretary of veterans affairs or his designee, and**

various veterans. This committee shall assist the secretary in the design of the medals provided for in Subparagraph (8)(a) and accompanying certificates.

(c) Eligibility for award of an Honor Medal provided for in this Section shall be determined by military records such as DD-214 discharge paper or a DD-201 record service."

AMENDMENT NO. 8

Delete page 2 in its entirety

AMENDMENT NO. 9

On page 3, delete lines 1 through 9

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

SENATE BILL NO. 679—

BY SENATOR KOSTELKA

AN ACT

To enact R.S. 23:303(E), relative to civil suits regarding employment discrimination; to provide with respect to prescription in such cases; 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. 689—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:391(A) and to enact R.S. 27:391(D), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing facilities; to provide for the distribution of proceeds derived from the taxes levied by the local governing authority of Orleans Parish on taxable net slot machine proceeds operating in Orleans Parish; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 689 by Senator Murray

AMENDMENT NO. 1

On page 2, line 11, change "Department" to "and Justice Foundation"

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

SENATE BILL NO. 786—

BY SENATOR GRAY

AN ACT

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

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.

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 280—

BY REPRESENTATIVE WOOTON

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 280 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, change "4:724(J), (K)," to "4:724(J) and (K)" and delete "and (L)"

AMENDMENT NO. 2

On page 1, line 9, change "4:724(J), (K)," to "4:724(J) and (K)"

AMENDMENT NO. 3

On page 1, line 10, delete "and (L)"

AMENDMENT NO. 4

On page 2, line 20, after "machine" delete the remainder of the line

AMENDMENT NO. 5

On page 2, line 21, delete "manufacturer"

AMENDMENT NO. 6

On page 2, delete lines 24 through 29

AMENDMENT NO. 7

On page 3, delete lines 1 through 7

On motion of Senator Martiny, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PERRY

AN ACT

To enact R.S. 14:118(D), (E), and (F), relative to forfeiture proceedings; to provide with respect to the forfeiture of property given, offered, or accepted during the commission of the crime of public bribery; to provide for a forfeiture procedure; to provide for the disposition of the property; to provide for the return of the property to the owner if the case is dismissed or the accused is acquitted; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 332 by Representative Perry

AMENDMENT NO. 1

On page 2, line 13, change "Fifteen" to "Twenty-five"

AMENDMENT NO. 2

On page 2, line 14, change "Fifteen" to "Five"

On motion of Senator Martiny, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Senator Walsworth in the Chair**

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

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

**SENATE CONCURRENT RESOLUTION NO. 9—  
BY SENATORS MORRISH AND MOUNT  
A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to designate that portion of Louisiana Highway 82 located in Cameron Parish as the "Rodney Guilbeaux Memorial Highway" and to erect proper signage along the route reflecting this designation.

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Gautreaux N	LaFleur	McPherson
Total - 3		

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

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

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

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

**SENATE CONCURRENT RESOLUTION NO. 36—  
BY SENATOR MORRISH  
A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to oppose the authorization of offshore aquaculture in the Gulf of Mexico.

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Gautreaux N	McPherson	Thompson
LaFleur	Shepherd	
Total - 5		

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

**SENATE CONCURRENT RESOLUTION NO. 38—  
BY SENATOR DUPRE  
A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 38 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 3, delete "nine geographical miles" and insert "three marine leagues"

AMENDMENT NO. 2

On page 1, line 8, delete "nine geographical" and insert "three marine leagues"

AMENDMENT NO. 3

On page 1, line 9, delete "miles"

AMENDMENT NO. 4

On page 2, line 13, delete "nine geographical miles" and insert "three marine leagues"

AMENDMENT NO. 5

On page 2, line 17, delete "nine geographical miles" and insert "three marine leagues"

AMENDMENT NO. 6

On page 2, line 21, delete "nine geographical miles" and insert "three marine leagues"

April 30, 2008

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N LaFleur McPherson
Total - 3

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

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

Senator Smith 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. 48— BY SENATOR SMITH

A RESOLUTION

To commend and congratulate Bessie Anna Arnonidin on the occasion of her ninetieth birthday and to celebrate her many achievements in her life.

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

SENATE CONCURRENT RESOLUTION NO. 48— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. George Middleton, Jr.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N LaFleur McPherson
Total - 3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent 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 30, 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. 33— BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:446.6(B)(3), the introductory paragraph of (4), (5), and (6), and to enact R.S. 46:446.6(B)(7), relative to medical assistance payments; to provide for the period of time within which a health care provider must submit payment to the Department of Health and Hospitals; to provide for reimbursements of monies paid erroneously under the Louisiana Medical Assistance Program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 112— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1041(C)(5), relative to optometry; to provide for the definition of "optometry"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 261— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:2803(D), relative to the Interagency Task Force on the Future of Family Medicine; to provide for the effective termination date for all statutory authority for the existence of the Interagency Task Force on the Future of Family Medicine; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 312—**

BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY AND NEVERS  
AN ACT

To amend and reenact R.S. 40:5.11(B), relative to the water fluoridation program; to provide for funding; to provide for reporting; to provide for exemptions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 337—**

BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 46:2761(A), relative to uncompensated care payments; to provide for the type of data to be reported; to provide for reporting; to provide for legislative audits; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 401—**

BY SENATOR CASSIDY  
AN ACT

To enact Part LII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.135, relative to Medicaid enrollment guidelines for organ transplant centers; to provide for enrollment guidelines; to provide for rules and regulations; to provide for exceptions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 402—**

BY SENATOR CASSIDY  
AN ACT

To amend and reenact R.S. 46:2761 and to enact R.S. 46:2762, relative to uncompensated care payments; to provide for a methodology for allocation of uncompensated care payments; to provide for implementation; to provide for regions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 540—**

BY SENATOR MOUNT  
AN ACT

To amend and reenact R.S. 40:2183(E), relative to hospices; to provide for the moratorium on the issuance of hospice licenses; to provide for an application process for the issuance of new hospice licenses; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 686—**

BY SENATOR DUPRE  
AN ACT

To amend and reenact R.S. 46:123(A)(1) and (C), relative to the Louisiana Military Family Assistance Board; to change the jurisdiction of the board from the Department of Social Services to the Department of Veterans Affairs; to permit the board to enter into a cooperative agreement with a third party administrator; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 701—**

BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY, GRAY, HEITMEIER AND NEVERS  
AN ACT

To amend and reenact R.S. 46:52.1(E), and to enact R.S. 46:52.1(F) and (G) and 52.2, relative to an integrated case management and service delivery model; to provide for integrated case

management; to provide for a service integration delivery model pilot program; to provide goals for the pilot program; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
WILLIE L. MOUNT  
Chairman

**Mr. President in the Chair**

**Regular Order of the Day, Resumed**

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

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

**SENATE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Crowe	Gray	Scalise
Gautreaux N	LaFleur	
Total - 5		

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

**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.

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

April 30, 2008

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.

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

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Murray
Amedee	Gray	Shepherd
Cheek	Heitmeier	
Dorsey	Marionneaux	
Total - 13		

NAYS

Alario	Jackson	Quinn
Cassidy	Kostelka	Riser
Crowe	Long	Scalise
Donahue	Martiny	Shaw
Duplessis	Michot	Smith
Dupre	Morrish	Thompson
Gautreaux N	Mount	Walsworth
Hebert	Nevers	
Total - 23		

ABSENT

Broome	Cravins	LaFleur
Total - 3		

The Chair declared the bill failed to pass. Senator Mount moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

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.

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

SENATE BILL NO. 155—  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:3071(1), (6), (8) and (17) through (32) and to enact R.S. 22:3071(33) and (34) and 3093, 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; 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. 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.

Senator N. Gautreaux in the Chair

Floor Amendments Sent Up

Senator Alario sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Engrossed Senate Bill No. 160 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 17, change "five" to "two"

AMENDMENT NO. 2

On page 2, line 22, change "five" to "two"

Senator Alario moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Murray
Alario	Gray	Nevers
Amedee	Hebert	Thompson
Dupre	Heitmeier	
Gautreaux B	Marionneaux	
Total - 13		

NAYS

Adley	Duplessis	Mount
Broome	Erdey	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Scalise
Cravins	Long	Shaw
Crowe	Martiny	Shepherd
Donahue	Michot	Smith
Dorsey	Morrish	Walsworth
Total - 24		

ABSENT

LaFleur	McPherson
Total - 2	

The Chair declared the amendments were rejected.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 160 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 17, change "five" to "four"

AMENDMENT NO. 2

On page 2, line 22, change "five" to "four"

On motion of Senator Nevers, the amendments were adopted.

Senator N. Gautreaux in the Chair

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. 160 by Senator Cravins

AMENDMENT NO. 1

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

"F. Any company which makes a filing pursuant to Subsection D of this Section shall reduce the premiums paid by the homeowner by no less than two percent for each one percent that the deductible is raised."

AMENDMENT NO. 2

On page 3, between lines 5 and 6, insert the following:

"G. Any company which makes a filing pursuant to Subsection E of this Section shall reduce the premiums paid by the homeowner by no less than two percent for each one percent that the deductible is raised"

Senator Crowe moved adoption of the amendments.

Senator Cravins objected.

YEAS

Mr. President Gautreaux B Heitmeier
Alario Gautreaux N Murray
Crowe Gray Nevers
Dupre Hebert
Total - 11

NAYS

Adley Erdey Mount
Amedee Jackson Quinn
Broome Kostelka Riser
Cassidy Long Shaw
Cheek Marionneaux Shepherd
Cravins Martiny Thompson
Donahue McPherson Walsworth
Dorsey Michot
Duplessis Morrish
Total - 25

ABSENT

LaFleur Scalise Smith
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 160 by Senator Cravins

AMENDMENT NO. 1

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

"F. Any company which makes a filing pursuant to Subsection D of this Section shall reduce the rates paid by the individual homeowner by the amount determined to be actuarially justified by the commissioner."

AMENDMENT NO. 2

On page 3, between lines 5 and 6, insert the following:

"G. Any company which makes a filing pursuant to Subsection E of this Section shall reduce the rates paid by the individual homeowner by the amount determined to be actuarially justified by the commissioner."

Motion

Senator McPherson moved the previous question on the entire subject matter.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cassidy Erdey Morrish
Cravins Heitmeier Mount
Crowe Jackson Nevers
Donahue Kostelka Quinn
Dorsey McPherson Riser
Duplessis Michot Shepherd
Total - 18

NAYS

Adley Gautreaux B Martiny
Alario Gray Murray
Amedee Hebert Shaw
Broome Long Thompson
Dupre Marionneaux
Total - 14

ABSENT

Mr. President LaFleur Walsworth
Cheek Scalise
Gautreaux N Smith
Total - 7

The Chair declared the previous question was called on the entire subject matter.

Motion

Senator McPherson moved to reconsider the vote by which the previous question was called on the entire subject matter.

Without objection, so ordered.

Motion

Senator McPherson moved to withdraw his motion to call the question on the entire subject matter.

Without objection, so ordered.

Senator Quinn moved adoption of the amendments.

Senator Marionneaux objected.

April 30, 2008

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Long	Shaw
Donahue	Martiny	Shepherd
Dorsey	McPherson	Smith
Duplessis	Michot	Thompson
Erdey	Morrish	Walsworth
Gautreaux N	Mount	
Total - 29		

**NAYS**

Adley	Gautreaux B
Dupre	Marionneaux
Total - 4	

**ABSENT**

Mr. President	Cheek	LaFleur
Amedee	Kostelka	Scalise
Total - 6		

The Chair declared the amendments were adopted.

**Mr. President in the Chair**

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**

Adley	Kostelka	Quinn
Broome	LaFleur	Riser
Cassidy	Long	Shaw
Cheek	Martiny	Shepherd
Cravins	McPherson	Smith
Dorsey	Michot	Thompson
Duplessis	Morrish	Walsworth
Erdey	Mount	
Jackson	Nevers	
Total - 25		

**NAYS**

Mr. President	Dupre	Heitmeier
Alario	Gautreaux B	Marionneaux
Amedee	Gautreaux N	Murray
Crowe	Gray	
Donahue	Hebert	
Total - 13		

**ABSENT**

Scalise  
Total - 1

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. 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.

**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. 182 by Senator Gray

AMENDMENT NO. 1

On page 1, line 2, following "introductory" and before "of (C)" insert "paragraph"

AMENDMENT NO. 2

On page 2, line 1, before "psychiatric" change "a doctor," to "a physician,"

AMENDMENT NO. 3

On page 2, line 2, following "Part III-A of" and before "Title 28" insert "Chapter 1 of"

AMENDMENT NO. 4

On page 2, line 4, following "Part III-A of" and before "Title 28" insert "Chapter 1 of"

AMENDMENT NO. 5

On page 3, line 23, following "twenty" and before "four" insert "-"

AMENDMENT NO. 6

On page 4, line 22, before "1395dd" change "USC" to "U.S.C."

AMENDMENT NO. 7

On page 6, line 19, following "out in" and before ", that" change "R.S. 28:68" to "R.S. 28:67"

AMENDMENT NO. 8

On page 9, line 10, following "Subsection" and before "of this" change "B" to "C"

AMENDMENT NO. 9

On page 9, line 28, following "director" and before "or regional" insert "of the human service district"

AMENDMENT NO. 10

On page 13, line 13, following "order," and before "that" change "providing" to "provided"

AMENDMENT NO. 11

On page 13, line 21, following "of this" and before ", a material change" change "subdivision" to "Subsection"

AMENDMENT NO. 12

On page 14, line 13, following "hundred" and before "eighty" delete "and"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Gray 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	Shaw
Cravins	Kostelka	Shepherd
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

**NAYS**

Total - 0

**ABSENT**

Quinn	Scalise
Total - 2	

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

**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.

**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. 204 by Senator Walsworth

AMENDMENT NO. 1

On page 4, between lines 7 and 8, insert "As soon as practicable after any such default in or cancellation of the contract of the state printer, as hereinabove described, the ~~Division of Administration, Office of the Governor,~~ **division of administration, office of the governor,** shall negotiate with any other qualified newspaper published in the city of Baton Rouge, other than one under the same principal ownership of the newspaper which is in default, or if there be no other such qualified newspaper published in the city of Baton Rouge then to negotiate with one published in the city of New Orleans for the publication under the best possible terms of all printing required to be published in the official journal of the state until such time as a new contract can be let for the unexpired portion of said two year term.

Should any of the matter required to be printed under R.S. 43:81 have been published in the official journal of the state prior to the

state printer's default under any contract under which it or he was designated as such state printer, the publishing of the same matter by the newspaper employed as state printer until such time as a new contract can be let for the unexpired portion of said two year term, as provided in this Section, for the remaining number of times prescribed by law shall serve as a complete publication, without the necessity of re-publishing such matter for the number of times theretofore published by the state printer who has defaulted under any such contract. Should any of the matter required to be printed under R.S. 43:81 have been published in the newspaper employed as state printer until such time as a new contract can be let for the unexpired portion of said two year term, as provided in this Section, the publishing of the same matter by the newspaper awarded the contract for the unexpired portion of said two year term for the remaining number of times prescribed by law shall serve as a complete publication, without the necessity of republishing such matter for the number of times theretofore published by the newspaper employed as state printer, as aforesaid."

On motion of Senator Marionneaux, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Walsworth sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 204 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 3, after "43:147(E)", delete the comma and insert "and 205(G)."

AMENDMENT NO. 2

On page 1, line 10, after "43:147(E)", delete "is" and insert "and 205(G) are"

AMENDMENT NO. 3

On page 5, after line 17, insert  
"§205. Costs of legal advertisements; penalty for accepting rebate  
\* \* \*

**G. Notwithstanding any law to the contrary in this Section, effective July 1, 2009, and each year thereafter until June 1, 2014, the maximum cost of advertisements charged to a state agency when said publication is required by law provided for in this Section shall be increased or decreased by an amount based on and in direct relation to the annual percentage change in the Consumer Price Index (CPI-U), as published by the United States Department of Labor Statistics, for the preceding calendar year.**

On motion of Senator Walsworth, the amendments were adopted.

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

**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.

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

April 30, 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
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

**NAYS**

Total - 0

**ABSENT**

Cassidy	LaFleur	Scalise
Total - 3		

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. 235—**  
BY SENATOR NEVERS

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 40:2009.4(A)(6), the introductory paragraph of 2109(B)(1)(c), and the introductory paragraph of 2180.2(10) and to enact R.S. 40:2009.4(A)(6)(e), 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; to provide for a determination of substantial damage in accordance with the Louisiana State Uniform Construction Code by certain persons; 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. 235 by Senator Nevers

**AMENDMENT NO. 1**

On page 1, line 5, following "Hospitals" and before "to" delete "authority"

**AMENDMENT NO. 2**

On page 2, line 3, following "**flooding**" change "**and**" to "**which are**"

**AMENDMENT NO. 3**

On page 2, line 14, following "**referred to in**" and before "." change "**R.S. 40:2009.4(A)(6)**" to "**Paragraph (6) of this Subsection**"

**AMENDMENT NO. 4**

On page 2, line 25, following "**flooding**" change "**and**" to "**which are**"

**AMENDMENT NO. 5**

On page 3, line 12, following "**flooding**" and before "**located in**" change "**and**" to "**which are**"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Nevers 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	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

**NAYS**

Total - 0

**ABSENT**

Scalise  
Total - 1

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

**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 alternate healthcare use, to be re-licensed as nursing home beds; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

ABSENT

Kostelka                      Martiny                      Scalise  
Total - 3

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

**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.

The bill was read by title. Senator Erdey 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	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Scalise  
Total - 1

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

**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.

The bill was read by title. Senator Thompson 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	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Scalise  
Total - 1

The Chair declared the bill was passed 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. 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.

The bill was read by title. Senator Thompson 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	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Scalise  
Total - 1

The Chair declared the bill was passed 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. 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

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provide for exceptions; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 376 by Senator Adley

AMENDMENT NO. 1

On page 2, line 12, between "transaction" and the period "." insert "or in an adjudication by an agency as those terms are defined and provided for in the Administrative Procedure Act"

AMENDMENT NO. 2

On page 3, line 4, between "transaction" and "and" insert "or in an adjudication by an agency as those terms are defined and provided for in the Administrative Procedure Act"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: 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, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Scalise

Total - 1

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

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

Table listing names of senators voting YEAS: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Hebert, Nevers, Broome, Heitmeier, Quinn, Cassidy, Jackson, Riser, Cheek, Kostelka, Shaw, Cravins, LaFleur, Shepherd, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson, Dupre, Michot.

Total - 37

NAYS

Total - 0

ABSENT

Gray

Total - 2

Scalise

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.

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Hebert, Nevers, Broome, Heitmeier, Quinn, Cassidy, Jackson, Riser, Cheek, Kostelka, Shaw, Cravins, LaFleur, Shepherd, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth.

Duplessis  
Dupre  
Total - 37

McPherson  
Michot

NAYS

Total - 0

ABSENT

Gray  
Total - 2

Scalise

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

**Rules Suspended**

Senator Shepherd 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 30, 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. 48—  
BY SENATOR MOUNT**

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. George Middleton, Jr.

Reported without amendments.

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

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Murray 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. 49—  
BY SENATOR MURRAY**

**A RESOLUTION**

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Mary Gussie Garcet Shelton.

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

**SENATE CONCURRENT RESOLUTION NO. 49—  
BY SENATOR NEVERS**

**A CONCURRENT RESOLUTION**

To commend the Apprenticeship Division of the Louisiana Department of Labor and the Louisiana State Apprenticeship Council in recognition of the 70<sup>th</sup> Anniversary of the enactment of the Louisiana Apprenticeship Act of 1938.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Gray

Scalise

Total - 2

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

**SENATE CONCURRENT RESOLUTION NO. 50—  
BY SENATOR MCPHERSON**

**A CONCURRENT RESOLUTION**

To approve the consideration of those portions of Bayou Kisatchie within the Louisiana Natural and Scenic Rivers System for inclusion in the National Wild and Scenic Rivers System.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Gray

Scalise

Total - 2

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

**SENATE CONCURRENT RESOLUTION NO. 51—  
BY SENATOR CROWE**

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to establish grant programs to assist the seafood industry in St. Tammany, St. Bernard, Orleans, and Plaquemines parishes in the State of

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Louisiana to mitigate the damages caused by the opening of the Bonnet Carre Spillway.

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

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 30, 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. 778— BY REPRESENTATIVE RICHMOND AN ACT

To amend and reenact Code of Criminal Procedure Article 926.1(A)(1) and (H)(3), relative to post-conviction relief DNA testing; to extend the time period in which to file an application for post-conviction DNA testing; to extend the time period for preservation of biological material which can be subject to DNA testing once application for DNA testing has been served; and to provide for related matters.

HOUSE BILL NO. 829— BY REPRESENTATIVE DANAHAY AN ACT

To amend and reenact R.S. 42:1123(36), relative to governmental ethics; to provide relative to the time period during which public employees may accept certain donations and contributions from specified not-for-profit organizations or funds within the organizations; to provide for the deadline by which the organizations must report such donations and contributions to the Board of Ethics; to provide relative to the effectiveness of such provisions; and to provide for related matters.

HOUSE BILL NO. 922— BY REPRESENTATIVE HENDERSON AN ACT

To amend and reenact R.S. 42:1123(18)(a) and to enact R.S. 42:1123(18)(b), relative to ethics; to allow a physician on the board of commissioners of certain hospital service districts to engage in certain transactions with or to be employed by certain entities that engage in certain transactions; to allow participation in certain transactions before the board; to provide for subsequent repeal of such provisions; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1138— BY REPRESENTATIVE GISCLAIR AN ACT

To amend and reenact R.S. 56:495.1(A)(1)(b), relative to trawling vessels; to provide relative to the legal size of trawl doors; and to provide for related matters.

HOUSE BILL NO. 1352— (Substitute for House Bill No. 44 by Representative Mickey Guillory) BY REPRESENTATIVE MICKEY GUILLORY AN ACT

To amend and reenact R.S. 14:56(A) and to enact R.S. 14:56(B)(4), relative to criminal damage to property; to provide that the crime of simple criminal damage to property shall include the intentional damaging to rental property; to authorize the court to order restitution in cases of simple criminal damage to property; and to provide for related matters.

HOUSE BILL NO. 770— BY REPRESENTATIVE GREENE AN ACT

To amend and reenact R.S. 14:81.3(A) and (F) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to where the offense occurred; to provide that persons convicted of computer-aided solicitation of a minor shall not be eligible for diminution of sentence for good behavior; and to provide for related matters.

HOUSE BILL NO. 643— BY REPRESENTATIVES SCHRODER AND NORTON AN ACT

To amend and reenact R.S. 14:98(F)(2), relative to operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to provide with respect to the ten-year cleansing period for purposes of determining when a person has a prior offense; and to provide for related matters.

HOUSE BILL NO. 1081— BY REPRESENTATIVES SCHRODER AND PEARSON AND SENATOR DONAHUE AN ACT

To enact R.S. 48:942, relative to state bridges; to authorize the sale of state bridges under certain circumstances; to provide for exceptions; to provide for the approval of the legislature; and to provide for related matters.

HOUSE BILL NO. 581— BY REPRESENTATIVE TRAHAN AN ACT

To amend and reenact R.S. 17:170(A)(1) and (D) and to enact R.S. 17:170(A)(4), relative to immunizations; to provide for the enforcement of immunization requirements for students; and to provide for related matters.

HOUSE BILL NO. 23— BY REPRESENTATIVES GREENE AND NORTON AN ACT

To amend and reenact Code of Criminal Procedure Article 271(A)(1), relative to bail in extradition cases; to provide for the court's authority to admit a person arrested for extradition to another state; and to provide for related matters.

HOUSE BILL NO. 33— BY REPRESENTATIVES GREENE AND NORTON AN ACT

To enact R.S. 14:108.1(D)(5) and (6), relative to aggravated flight from an officer; to provide with respect to circumstances where human life is endangered; and to provide for related matters.

HOUSE BILL NO. 283— BY REPRESENTATIVE GREENE AN ACT

To amend and reenact Children's Code Articles 631(A) and 652, relative to child in need of care proceedings; to provide relative to filing petitions; to provide relative to discovery; and to provide for related matters.

HOUSE BILL NO. 888— BY REPRESENTATIVE HENRY AN ACT

To amend and reenact R.S. 39:33.1(B)(1) and to enact R.S. 39:33.1(B)(4), 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.

HOUSE BILL NO. 828— BY REPRESENTATIVE HENRY AN ACT

To amend and reenact Code of Civil Procedure Article 258(A) and (C), relative to electronic filing of certain instruments; to require compliance with the Louisiana Uniform Electronic Transactions

Act; to authorize any person to file certain electronic instruments; to repeal the requirement of the subsequent filing of a written instrument; and to provide for related matters.

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

### House Bills and Joint Resolutions

Senator Thompson 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. 23—**  
BY REPRESENTATIVES GREENE AND NORTON  
AN ACT

To amend and reenact Code of Criminal Procedure Article 271(A)(1), relative to bail in extradition cases; to provide for the court's authority to admit a person arrested for extradition to another state; 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. 33—**  
BY REPRESENTATIVES GREENE AND NORTON  
AN ACT

To enact R.S. 14:108.1(D)(5) and (6), relative to aggravated flight from an officer; to provide with respect to circumstances where human life is endangered; 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. 283—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact Children's Code Articles 631(A) and 652, relative to child in need of care proceedings; to provide relative to filing petitions; to provide relative to discovery; 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. 581—**  
BY REPRESENTATIVE TRAHAN  
AN ACT

To amend and reenact R.S. 17:170(A)(1) and (D) and to enact R.S. 17:170(A)(4), relative to immunizations; to provide for the enforcement of immunization requirements for students; 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. 643—**  
BY REPRESENTATIVES SCHRODER AND NORTON  
AN ACT

To amend and reenact R.S. 14:98(F)(2), relative to operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to provide with respect to the ten-year cleansing period for purposes of determining when a person has a prior offense; 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. 770—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 14:81.3(A) and (F) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to where the offense occurred; to provide that persons convicted of computer-aided solicitation of a minor shall not be eligible for diminution of sentence for good behavior; 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. 778—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact Code of Criminal Procedure Article 926.1(A)(1) and (H)(3), relative to post-conviction relief DNA testing; to extend the time period in which to file an application for post-conviction DNA testing; to extend the time period for preservation of biological material which can be subject to DNA testing once application for DNA testing has been served; 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. 828—**  
BY REPRESENTATIVE HENRY  
AN ACT

To amend and reenact Code of Civil Procedure Article 258(A) and (C), relative to electronic filing of certain instruments; to require compliance with the Louisiana Uniform Electronic Transactions Act; to authorize any person to file certain electronic instruments; to repeal the requirement of the subsequent filing of a written instrument; 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. 829—**  
BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 42:1123(36), relative to governmental ethics; to provide relative to the time period during which public employees may accept certain donations and contributions from specified not-for-profit organizations or funds within the organizations; to provide for the deadline by which the organizations must report such donations and contributions to the Board of Ethics; to provide relative to the effectiveness of such provisions; 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. 888—**  
BY REPRESENTATIVE HENRY  
AN ACT

To amend and reenact R.S. 39:33.1(B)(1) and to enact R.S. 39:33.1(B)(4), 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 and referred by the President to the Committee on Finance.

**HOUSE BILL NO. 922—**  
BY REPRESENTATIVE HENDERSON  
AN ACT

To amend and reenact R.S. 42:1123(18)(a) and to enact R.S. 42:1123(18)(b), relative to ethics; to allow a physician on the board of commissioners of certain hospital service districts to engage in certain transactions with or to be employed by certain entities that engage in certain transactions; to allow participation

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in certain transactions before the board; to provide for subsequent repeal of such provisions; to provide for 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. 1081— BY REPRESENTATIVES SCHRODER AND PEARSON AND SENATOR DONAHUE

AN ACT

To enact R.S. 48:942, relative to state bridges; to authorize the sale of state bridges under certain circumstances; to provide for exceptions; to provide for the approval of the legislature; and to provide for related matters.

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

HOUSE BILL NO. 1138— BY REPRESENTATIVE GISCLAIR

AN ACT

To amend and reenact R.S. 56:495.1(A)(1)(b), relative to trawling vessels; to provide relative to the legal size of trawl doors; and to provide for related matters.

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

HOUSE BILL NO. 1352— (Substitute for House Bill No. 44 by Representative Mickey Guillory)

BY REPRESENTATIVE MICKEY GUILLORY AN ACT

To amend and reenact R.S. 14:56(A) and to enact R.S. 14:56(B)(4), relative to criminal damage to property; to provide that the crime of simple criminal damage to property shall include the intentional damaging to rental property; to authorize the court to order restitution in cases of simple criminal damage to property; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

SUPPLEMENTAL

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 30, 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. 269— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:2047(B), 2048(C), R.S. 23:1871(A), (C), (E), (F), (G), (J), (K)(2), (N), and (O), R.S. 36:259(E)(22) and (23), and R.S. 37:1005(B) and to repeal R.S. 23:1871(P) and (Q), R.S. 36:259(E)(24) and R.S. 37:1007, relative to boards and commissions; to provide with respect to the Louisiana Health Works Commission; to provide for the membership of the commission; to provide for the date of submission of the

commission's initial annual report; to repeal the Nursing Supply and Demand Commission; and to provide for related matters.

Reported with amendments.

Respectfully submitted, WILLIE L. MOUNT Chairman

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 30, 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:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 45— BY SENATOR SHAW

A CONCURRENT RESOLUTION

To commend Dr. Carlos G. Spaht II, upon being named the U.S. Professor of the Year.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

April 29, 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 Bills and Joint Resolutions:

HOUSE BILL NO. 1116— BY REPRESENTATIVES ELLINGTON AND MORRIS AND SENATORS NEVERS, THOMPSON, AND WALSWORTH 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.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.



**ATTENDANCE ROLL CALL****PRESENT**

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

**ABSENT**

Total - 0

**Leaves of Absence**

The following leaves of absence were asked for and granted:

LaFleur            ½ Day

**Adjournment**

Senator Long moved that the Senate adjourn until Thursday, May 1, 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, May 1, 2008.

GLENN A. KOEPP  
Secretary of the SenateLYNDA E. WHEELER  
Journal Clerk

