

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

**TWENTIETH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Thursday, May 1, 2008

The Senate was called to order at 9:35 o'clock A.M., by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Erdey	Quinn
Adley	Jackson	Riser
Alario	Kostelka	Scalise
Amedee	Long	Shaw
Broome	Marionneau	Smith
Cassidy	Martiny	Thompson
Cheek	Morrish	Walsworth
Cravins	Murray	
Donahue	Nevers	
Total - 25		

**ABSENT**

Crowe	Gautreaux N	McPherson
Dorsey	Gray	Michot
Duplessis	Hebert	Mount
Dupre	Heitmeier	Shepherd
Gautreaux B	LaFleur	
Total - 14		

The President of the Senate announced there were 25 Senators present and a quorum.

**Prayer**

The prayer was offered by Alexis Corsentino, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Smith, the reading of the Journal was dispensed with and the Journal of April 30, 2008, was adopted.

**Privilege Report of the  
Legislative Bureau**

May 1, 2008

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

**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 without amendments.

**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 without amendments.

Respectfully submitted,  
ROB MARIONNEAUX  
Chairman

**Adoption of Legislative Bureau Report**

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

**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. 392—**  
BY REPRESENTATIVES GALLOT, AUBERT, BILLIOT, BURRELL, CARMODY, DIXON, GISCLAIR, GREENE, HARRISON, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, KATZ, LEGER, LORUSSO, MORRELL, PETERSON, PONTI, RICHARD, RICHMOND, ROY, JANE SMITH, WILLIAMS, AND WILLMOTT  
AN ACT

To amend and reenact R.S. 42:7(A)(1)(b)(i) and (ii), relative to public meetings; to provide relative to a provision authorizing a public body to consider matters not on the agenda of a meeting under certain circumstances; to provide for certain actions and requirements relative to such matters; and to provide for related matters.

**HOUSE BILL NO. 446—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 43:19, 19.1, 24, and 81(introductory paragraph) and to repeal R.S. 43:81(5) and 87, relative to Acts of the legislature; to remove certain requirements relative to the publication of Acts of the legislature; to provide relative to the publication of certain documents on the official Internet web site or portal of the legislature; to provide relative to the duties of the secretary of state; to provide for certain notice concerning Acts of the legislature; to provide relative to the duties of the state printer of the official journal of the state; to provide relative to the duties of clerks of court; and to provide for related matters.

**HOUSE BILL NO. 624—**

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:303(E)(2) and to enact R.S. 32:300.5, relative to off-road vehicle violations; to provide relative to the penalty for failure to pay sales taxes on purchases of off-road vehicles; to authorize law enforcement officers to issue citations under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 867—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:81.3(A) and (C) 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 defenses; to provide that a person convicted of computer-aided solicitation of a minor shall be ineligible for diminution of sentence for good behavior; and to provide for related matters.

**HOUSE BILL NO. 1051—**

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 40:2120.33(3), relative to adult brain injury facilities; to remove restrictions against related patients within the same adult brain injury facility; and to provide for related matters.

**HOUSE BILL NO. 1054—**

BY REPRESENTATIVE PETERSON AND SENATOR GRAY

AN ACT

To enact R.S. 17:100.10, relative to authorizing city, parish, and other local public school boards to create public benefit corporations and enter into contracts with such public benefit corporations for the planning, renovation, construction, leasing, subleasing, management, and improvement of school properties; to exempt such school boards from certain limitations relative to property dispositions under certain circumstances; to authorize such school boards to enter into financing arrangements with their public benefit corporations and certain other private parties to construct new schools and to renovate existing school properties; and to provide for related matters.

**HOUSE BILL NO. 1091—**

BY REPRESENTATIVES PETERSON, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, DANAHAY, DIXON, EDWARDS, GALLOT, HARDY, HARRISON, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, KATZ, LAFONTA, LEBAS, MARCHAND, PEARSON, RICHMOND, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TRAHAN, TUCKER, WADDELL, AND WILLIAMS AND SENATOR GRAY

AN ACT

To amend and reenact R.S. 17:221(E) and to enact R.S. 17:221.4, relative to withdrawal from school; to authorize certain students to withdraw from school under certain circumstances; to provide for guidelines and procedures with respect to withdrawal from school; to create a dropout prevention and recovery program; to provide for the collection and reporting of related data; and to provide for related matters.

**HOUSE BILL NO. 1117—**

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 30:22, 23, 148.1, 148.2, 148.3, 148.4, 148.5, 148.6, 148.8, and 148.9(A) and (B)(introductory paragraph) and to repeal R.S. 30:148.9(B)(1), (2), and (3), relative to mineral leases; to provide for leases for storage; to provide for application, advertising, bids, public hearings, and selection for certain leases; to provide for the authority of the State Mineral Board and the commissioner of conservation; and to provide for related matters.

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

**House Bills and Joint Resolutions**

Senator Heitmeier 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. 392—**

BY REPRESENTATIVES GALLOT, AUBERT, BILLIOT, BURRELL, CARMODY, DIXON, GISCLAIR, GREENE, HARRISON, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, KATZ, LEGER, LORUSSO, MORRELL, PETERSON, PONTI, RICHARD, RICHMOND, ROY, JANE SMITH, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 42:7(A)(1)(b)(i) and (ii), relative to public meetings; to provide relative to a provision authorizing a public body to consider matters not on the agenda of a meeting under certain circumstances; to provide for certain actions and requirements relative to such matters; 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. 446—**

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 43:19, 19.1, 24, and 81(introductory paragraph) and to repeal R.S. 43:81(5) and 87, relative to Acts of the legislature; to remove certain requirements relative to the publication of Acts of the legislature; to provide relative to the publication of certain documents on the official Internet web site or portal of the legislature; to provide relative to the duties of the secretary of state; to provide for certain notice concerning Acts of the legislature; to provide relative to the duties of the state printer of the official journal of the state; to provide relative to the duties of clerks of court; 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. 624—**

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:303(E)(2) and to enact R.S. 32:300.5, relative to off-road vehicle violations; to provide relative to the penalty for failure to pay sales taxes on purchases of off-road vehicles; to authorize law enforcement officers to issue citations under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 867—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:81.3(A) and (C) 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 defenses; to provide that a person convicted of computer-aided solicitation of a minor shall be ineligible 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. 1051—**

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 40:2120.33(3), relative to adult brain injury facilities; to remove restrictions against related patients within the same adult brain injury facility; and to provide for related matters.

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

HOUSE BILL NO. 1054—
BY REPRESENTATIVE PETERSON AND SENATOR GRAY
AN ACT

To enact R.S. 17:100.10, relative to authorizing city, parish, and other local public school boards to create public benefit corporations and enter into contracts with such public benefit corporations for the planning, renovation, construction, leasing, subleasing, management, and improvement of school properties; to exempt such school boards from certain limitations relative to property dispositions under certain circumstances; to authorize such school boards to enter into financing arrangements with their public benefit corporations and certain other private parties to construct new schools and to renovate existing school properties; 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. 1091—
BY REPRESENTATIVES PETERSON, ARNOLD, AUBERT, AUSTIN, BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, DANAHAY, DIXON, EDWARDS, GALLOT, HARDY, HARRISON, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, KATZ, LAFONTA, LEBAS, MARCHAND, PEARSON, RICHMOND, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TRAHAN, TUCKER, WADDELL, AND WILLIAMS AND SENATOR GRAY
AN ACT

To amend and reenact R.S. 17:221(E) and to enact R.S. 17:221.4, relative to withdrawal from school; to authorize certain students to withdraw from school under certain circumstances; to provide for guidelines and procedures with respect to withdrawal from school; to create a dropout prevention and recovery program; to provide for the collection and reporting of related data; 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. 1117—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 30:22, 23, 148.1, 148.2, 148.3, 148.4, 148.5, 148.6, 148.8, and 148.9(A) and (B)(introductory paragraph) and to repeal R.S. 30:148.9(B)(1), (2), and (3), relative to mineral leases; to provide for leases for storage; to provide for application, advertising, bids, public hearings, and selection for certain leases; to provide for the authority of the State Mineral Board and the commissioner of conservation; and to provide for related matters.

The bill 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 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 passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To commend Thibodaux Fire Company No. 1 of the Thibodaux Volunteer Fire Department upon the celebration of its one hundred fiftieth anniversary.

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

Senator Cassidy in the Chair

House Concurrent Resolutions

Senator Chaisson 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. 106—
BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To commend Thibodaux Fire Company No. 1 of the Thibodaux Volunteer Fire Department upon the celebration of its one hundred fiftieth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent, Present. Lists names like Duplessis, Gautreaux B, McPherson, etc.

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

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. 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

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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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 33 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 3, after "46:446.6(B)(7)" and before "," insert "and (C)"

AMENDMENT NO. 2

On page 1, line 10, after "46:446.6(B)(7)" and before "hereby" delete "is" and insert "and (C) are"

AMENDMENT NO. 3

On page 1, line 16, after "within" and before "days" delete "forty-five" and insert "ninety" in lieu thereof

AMENDMENT NO. 4

On page 2, line 8, after "R.S. 22:250.34" and before the comma ";" change "(e)" to "(C)"

AMENDMENT NO. 5

On page 2, line 15, after "within" and before "days" delete "forty-five" and insert "ninety" in lieu thereof

AMENDMENT NO. 6

On page 2, after line 23, insert the following:
"C. The Department of Health and Hospitals shall provide notice to health care providers of their claim for payment for any health care item or service. Notice to the health care provider shall be provided by sending a copy of the claim submitted to the insurance company."

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 58 by Senator Kostelka

AMENDMENT NO. 1

On page 5, delete lines 20 through 26

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 64—

BY SENATORS KOSTELKA, DONAHUE AND WALSWORTH 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 64 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 3, after "shorten" delete "by two hours"

AMENDMENT NO. 2

On page 1, line 17, change "7:00" to "8:00"

AMENDMENT NO. 3

On page 2, line 5, change "7:00" to "8:00"

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 112 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 15, after "adaptation" and before "and" insert "sale."

AMENDMENT NO. 2

On page 1, line 15, after "their" and before "," delete "phases" and insert "forms"

AMENDMENT NO. 3

On page 2, line 3, at the end of the line insert "provision of samples."

AMENDMENT NO. 4

On page 2, line 4, after ";" and before "prescription" delete "and" and insert "and the"

AMENDMENT NO. 5

On page 2, line 4, after "prescription" and before "of" delete ", and dispensing"

AMENDMENT NO. 6

On page 2, line 5 after "agents." insert the following: "With respect to frames and lenses, including those containing diagnostic and therapeutic pharmaceutical agents, an optometrist may provide samples or dispense such products to his own patients, provided however that such dispensing activities shall conform to rules relative to packaging, labeling, and record keeping promulgated by the board."

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

**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 by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 232 by Senator Mount

AMENDMENT NO. 1

On page 2, delete lines 14 through 19 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the commission. The provisions of this subparagraph shall not apply to any person elected to the commission prior to the enactment of this subparagraph unless and until that person is re-elected to the commission following the expiration of his current term."

AMENDMENT NO. 2

On page 3, delete lines 1 through 6 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the board. The provisions of this subparagraph shall not apply to any person elected or appointed to the board prior to the enactment of this subparagraph unless and until that person is re-elected or re-appointed to the board following the expiration of his current term."

AMENDMENT NO. 3

On page 3, delete lines 16 through 21 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the board. The provisions of this subparagraph shall not apply to any person appointed to the board prior to the enactment of this subparagraph unless and until that person is re-appointed to the board following the expiration of his current term."

AMENDMENT NO. 4

On page 4, delete lines 1 through 6 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the board. The provisions of this subparagraph shall not apply to any person appointed to the board prior to the enactment of this subparagraph unless and until that person is re-appointed to the board following the expiration of his current term."

AMENDMENT NO. 5

On page 4, delete lines 17 through 22 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the board. The provisions of this subparagraph shall not apply to any person appointed to the board prior to the enactment of this subparagraph unless and until that person is re-appointed to the board following the expiration of his current term."

AMENDMENT NO. 6

On page 5, delete lines 7 through 12 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the board. The provisions of this subparagraph shall not apply to any person appointed to the board prior to the enactment of this subparagraph unless and until that person is re-appointed to the board following the expiration of his current term."

AMENDMENT NO. 7

On page 5, delete lines 25 through 29 insert the following:

"(2) No person may serve more than three complete consecutive terms on the commission. The provisions of this subparagraph shall not apply to any person appointed to the commission prior to the enactment of this subparagraph unless and until that person is re-appointed to the commission following the expiration of his current term."

AMENDMENT NO. 8

On page 6, delete line 1.

AMENDMENT NO. 9

On page 6, delete lines 10 through 15 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the commission. The provisions of this subparagraph shall not apply to any person appointed to the commission prior to the enactment of this subparagraph unless and until that person is re-appointed to the commission following the expiration of his current term."

AMENDMENT NO. 10

On page 6, delete lines 25 through 29 and insert the following:

"(2) No person may serve more than three complete consecutive terms on the commission. The provisions of this subparagraph shall not apply to any person appointed to the commission prior to the enactment of this subparagraph unless and until that person is re-appointed to the commission following the expiration of his current term."

AMENDMENT NO. 11

On page 7, delete line 1

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

**SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 233 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "1851(C)," insert "the introductory paragraph of"

AMENDMENT NO. 2

On page 4, line 9, after "successor is appointed," delete the remainder of the line, delete lines 10 through 13, and insert the following:

"C. The provisions of this Section shall not apply to any person who is appointed or elected to a board or commission within the executive branch of state government prior to the effective date of this Section unless and until that person is re-appointed or re-elected to the board or commission following the expiration of his current term."

AMENDMENT NO. 3

On page 4, line 14, change "C." to "D."

AMENDMENT NO. 4

On page 4, line 28, after "No." delete "\_\_\_\_\_" and insert "232"

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

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

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 269 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 and insert: "R.S. 36:259(E)(22) and (23), R.S. 37:1005(B) and 1007(A), (B) (introductory paragraph), (4) and (C)(introductory paragraph), to enact Part IV-B of Chapter 9 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 17:2048.51, and R.S. 36:651(AA), and to repeal R.S. 23:1871, relative to boards"

AMENDMENT NO. 2

On page 1, line 5, after "commissions;" delete the remainder of the line and insert "to create within the Board of Regents the Louisiana Health Works"

AMENDMENT NO. 3

On page 1, line 7, delete "repeal" and insert "create"

AMENDMENT NO. 4

On page 1, line 8, delete "Commission" and insert "Council"

AMENDMENT NO. 5

On page 1, delete lines 10 through 17

AMENDMENT NO. 6

Delete pages 2 through 9, and insert:

"Section 1. Part IV-B of Chapter 9 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2048.51, is hereby enacted to read as follows:

**PART IV-B. LOUISIANA HEALTH WORKS COMMISSION**

§1871 ~~2048.51~~ Louisiana Health Works Commission; creation; membership; compensation; staff and facilities; powers and duties; data collection and reporting

**R.S. 17:2048.51 is being redesignated from R.S. 23:1871**

A. There is hereby created in the Louisiana Workforce Commission Board of Regents the Louisiana Health Works Commission, hereafter referred to as the "commission."

B. The purpose of the commission is to serve as a collaborative working group to integrate and coordinate resources relative to health care workforce development within various state departments and key organizations.

C. The following shall serve as members of the Louisiana Health Works Commission:

- (1) The secretary of the Department of Labor or his designee.
- (2) The secretary of the Department of Health and Hospitals or his designee.
- ~~(3) The secretary of the Department of Economic Development or his designee.~~
- ~~(4) The secretary of the Department of Social Services or his designee.~~
- ~~(5) The president of the Louisiana State Nurses Association or his designee.~~
- ~~(6) The president of the Louisiana State Medical Society or his designee.~~
- ~~(7) (3) The president of the Louisiana Hospital Association or his designee.~~
- ~~(8) (4) The president of the Louisiana Nursing Home Association or his designee.~~

~~(9) (5) The chairman of the Senate Committee on Health and Welfare or his designee and the chairman of the Senate Labor and Industrial Relations Committee or his designee.~~

~~(10) (6) The chairman of the House Committee on Health and Welfare or his designee and the chairman of the House Committee on Labor and Industrial Relations or his designee.~~

~~(11) (7) A representative of the governor's office selected by the governor.~~

~~(12) (8) The commissioner of higher education or his designee.~~

~~(13) (9) The chairman of the Nursing Supply and Demand Commission Council or his designee.~~

~~(14) (10) The chairman of the Allied Health Workforce Council dean of the School of Allied Health Professions at Louisiana State University Health Sciences Center at Shreveport or his designee.~~

~~(15) The chairman of the Louisiana State Board of Medical Examiners or his designee.~~

~~(16) (11) The chairman of the Louisiana Board of Nursing or his designee.~~

~~(17) A designee of the Louisiana Council of Administrators of Nursing Education (LACANE).~~

~~(18) The president of the Louisiana Organization of Nurse Executives or his designee.~~

~~(19) Two academic administrators to be designated by the Board of Regents, one to represent the two-year institutions, one to represent the four-year institutions, and one academic administrator from the disciplines of nursing or allied health to represent the Southern University School of Nursing who shall be designated by the president of the university.~~

~~(20) The chairman of the Louisiana Workforce Commission or his designee.~~

~~(21) The superintendent of education or his designee.~~

~~(22) (12) The president of the Louisiana Community and Technical College System or his designee.~~

~~(23) Two academicians designated by the president of the Louisiana State University and Agricultural and Mechanical College.~~

~~(24) (13) The president of the Louisiana Association of Independent Colleges and Universities or his designee.~~

~~(25) A representative of the AFL-CIO.~~

~~(26) A representative of the Employee Assistance Professionals Association.~~

~~(27) A representative of Louisiana State University Hospitals.~~

~~(28) A representative of the Louisiana Ambulance Association.~~

~~(29) (14) The chairman of the Medical Education Commission or his designee, provided that the commission member provided for herein shall also be a member of the Louisiana State Medical Society.~~

~~(15) The chairman of the Occupational Forecasting Conference or his designee.~~

~~(16) The presiding officer of the Interagency Task Force on the Future of Family Medicine or his designee.~~

~~(17) The chairman of the Louisiana State Board of Practical Nurse Examiners or his designee.~~

~~D. Members shall serve without compensation.~~

~~E. The Louisiana Workforce Commission Board of Regents shall provide the staff and facilities needed by the commission to accomplish its tasks.~~

~~F. Nominating bodies shall submit their nominees to the Louisiana Workforce Commission Board of Regents not later than June 30, 2002 July 1, 2008. Members shall serve at the pleasure of nominating groups, organizations, or agencies.~~

~~G. There shall be an executive committee composed of the following:~~

~~(1) The commissioner of higher education or his designee for the commission.~~

~~(2) The chairman of the Nursing Supply and Demand Commission Council or his designee for the commission council.~~

~~(3) The commission member representing the chairman of the Medical Education Commission presiding officer of the Interagency Task Force on the Future of Family Medicine or his designee for the commission.~~

~~(4) The chairman of the Allied Health Workforce Council or his designee for the commission dean of the School of Allied Health Professions at Louisiana State University Health Sciences Center at Shreveport or his designee for the commission.~~

~~(5) The president of the Louisiana Hospital Association or his designee for the commission.~~

~~(6) The executive director of the Louisiana Nursing Home Association or his designee.~~

H. The executive committee shall:

(1) Elect the chairperson of the commission.

(2) Establish rules of procedure to be adopted in accordance with the Administrative Procedure Act.

(3) Perform other tasks as the commission directs or the adopted rules of procedure require.

I. The commission shall meet at least once each calendar quarter unless the executive committee determines that there is no necessity for such a meeting.

J. The commission shall address the workforce issues in the health care industry in Louisiana, support the education of future health care workers, and work to improve the image of health care professions in Louisiana. The commission shall periodically report to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare, ~~the Senate Committee on Labor and Industrial Relations, and the House Committee on Labor and Industrial Relations~~ all accomplishments and recommendations of the commission including an annual report to both committees. The commission shall submit its initial annual report to such committees by February 1, ~~2003~~ 2009.

K. The commission shall study and make recommendations on at least the following workforce issues:

(1) Programs to recruit and retain health care professionals in the Louisiana workforce.

(2) Models for predicting the supply and demand for health care workers in the state ~~through 2005 and beyond.~~

(3) Incentives for health care workers to practice in Louisiana's medically underserved areas.

L. The commission shall study and make recommendations on at least the following education issues:

(1) Increasing the capacity of existing education programs to maintain or increase the supply of health care professionals in Louisiana.

(2) Incentive programs for faculty retention.

(3) Strategies to increase access of individuals to appropriate entry-level educational programs.

(4) Recruitment and retention models for students in the health care field.

M. The commission shall study and make recommendations on at least the following image issues:

(1) Promotional activities for health careers throughout the Louisiana K-12 school systems.

(2) Creative marketing strategies to improve the image of health care careers.

~~N. Within the commission there shall be an Allied Health Workforce Council, which shall be comprised of a member of each of the following groups, organizations or agencies, who shall serve at the pleasure of the appointing group, organization or agency:~~

~~(1) Louisiana State Board of Physical Therapy Examiners;~~

~~(2) Louisiana State Board of Medical Examiners;~~

~~(3) Louisiana Radiologic Technology Board of Examiners;~~

~~(4) Louisiana Physical Therapy Association;~~

~~(5) Louisiana State Board of Pharmacy;~~

~~(6) The Board of Regents;~~

~~(7) Louisiana State University Health Sciences Center;~~

~~(8) Louisiana Hospital Association;~~

~~(9) Louisiana Nursing Home Association;~~

~~(10) Louisiana Medical Association;~~

~~(11) Louisiana Pharmacists Association;~~

~~(12) Louisiana Association of Independent Colleges and Universities;~~

~~(13) Louisiana Dental Association;~~

~~(14) Louisiana Occupational Therapy Association;~~

~~(15) Louisiana Primary Care Association;~~

~~(16) Louisiana Speech-Language Hearing Association;~~

~~(17) Louisiana Osteopathic Association;~~

~~(18) Chiropractic Association of Louisiana;~~

~~(19) Louisiana State Board of Chiropractic Examiners;~~

~~(20) Louisiana Ambulance Association;~~

~~(21) Louisiana Counseling Association;~~

~~O. (1) The commission shall solicit, accept and consider any recommendations forwarded by the Nursing Supply and Demand Commission (R.S. 37:1007), and the Medical Education Commission (R.S. 17:1519.8), and the Allied Health Workforce Council. These~~

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commissions and the council shall recommend specific and targeted strategies to the Louisiana Health Works Commission for purposes of coordination among various state departments by the Louisiana Health Works Commission.

(2) The Nursing Supply and Demand Commission, the Medical Education Commission, and the Allied Health Workforce Council shall each make initial reports to the commission no later than September 1, 2002.

P. N. Nothing herein shall dilute the powers of the Nursing Supply and Demand Commission as established by the legislature in R.S. 37:1007 or the Medical Education Commission as established by the legislature in R.S. 17:1519.8. Nothing herein shall allow the Louisiana Health Works Commission the authority to negate recommendations by the Nursing Supply and Demand Commission, the Medical Education Commission or the Allied Health Workforce Council unless approved jointly by the Senate and House health and welfare committees.

Q. O. (1) The governor's Office of the Workforce Commission Board of Regents, the Health Works Commission, the division of administration, or any contractor working on behalf of these entities shall be authorized to request and receive licensing data, education data, and employment data, including unemployment wage records and other related health workforce data produced by state agencies, including the Departments of Labor, Economic Development, Education, and Health and Hospitals, obtained pursuant to the administration of this Chapter for any of the expressly stated following purposes:

(a) Compiling statistics which will be used to measure and track the supply of health care professionals from health care training providers, both public and private, including secondary programs, post-secondary programs conducted at community and technical colleges, four-year institutions, graduate schools, proprietary schools, hospital-based programs, and other state-approved training providers.

(b) Compiling employment statistics, which will be used to measure and track the supply and demand of health care professionals actually employed in the state of Louisiana as produced by the Louisiana Department of Labor.

(c) Compiling statistics which will be used to measure and track the supply of licensed health care professionals as evidenced by licenses and renewed licenses granted by the health care professional boards of the state of Louisiana. Those boards affected shall include but not be limited to:

- (i) Louisiana State Board of Chiropractic Examiners.
- (ii) Louisiana State Board of Dentistry.
- (iii) Louisiana State Board of Examiners of Dietitians/Nutritionists.
- (iv) Louisiana State Board of Hearing Aid Dealers.
- (v) Louisiana State Board of Examiners for Licensed Professional Counselors.
- (vi) Louisiana State Board of Medical Examiners and related health professions under its jurisdiction.
- (vii) Louisiana State Board of Nursing.
- (viii) Louisiana State Board of Examiners of Nursing Facility Administrators.
- (ix) Louisiana State Board of Optometry Examiners.
- (x) Louisiana State Board of Pharmacy.
- (xi) Louisiana State Board of Physical Therapy Examiners.
- (xii) Louisiana State Board of Practical Nurse Examiners.
- (xiii) Louisiana State Board of Examiners of Psychologists.
- (xiv) Louisiana State Board of Examiners of Radiologic Technologists.
- (xv) Louisiana State Board of Certified Social Work Examiners.
- (xvi) Louisiana State Board of Examiners of Speech Pathology and Audiology.
- (xvii) Louisiana State Board of Professional Vocational Rehabilitation Counselors.
- (xviii) Louisiana State Board of Wholesale Drug Distributors.
- (xix) Louisiana Department of Health and Hospitals and the health professions under its jurisdiction.

(2) All data shall be submitted in a standardized format agreed upon by the governor's Office of the Workforce Commission Board of Regents, the Health Works Commission, and representatives of the affected state boards and agencies. The standardized format shall be developed by October 31, 2002.

(b) Data shall be submitted to the governor's Office of the Workforce Commission on an annual basis with reporting dates and schedule to be determined by the Office of the Workforce Commission in collaboration with entities described in Subparagraph (2)(a).

(3) For the purpose of measuring, tracking, and projecting job growth, supply, and demand of health care professionals, the governor's Office of the Workforce Commission, working with the Health Works Commission, shall provide an annual health workforce report to related state agencies, education programs and state professional licensing boards outlined in this Subsection, health industry stakeholders, the Senate and House Committees on Education, Labor and Industrial Relations, and Health and Welfare, and the office of the governor.

(4) Any individual data provided pursuant to this Subsection shall be confidential. No public employee, commission member, or contractor acting on behalf of a state agency or employee of such a contractor may:

(a) Use any data provided pursuant to this Subsection for any purpose other than the statistical, forecasting, and program purposes for which the data is furnished.

(b) Make public any of the data provided pursuant to this Subsection which would allow the identity of any individual to be inferred by either direct or indirect means.

(c) Retain any personal data as provided in this Subsection that is received by the governor's Office of the Workforce Commission Board of Regents and the Health Works Commission or any contractor acting on behalf of the commission. Any personal data must be destroyed within thirty days of completion of its intended purpose as described in this Subsection."

AMENDMENT NO. 7

On page 10, at the beginning of line 4, delete "Section 3." and insert "Section 2."

AMENDMENT NO. 8

On page 10, at the end of line 4, after "reenacted" insert "and 651(AA) is hereby enacted"

AMENDMENT NO. 9

On page 10, between lines 16 and 17, insert: "§651. Transfer of boards, commission, departments, and agencies to the Department of Education; boards, commissions, and agencies within the Department of Education \* \* \*

AA. Louisiana Health Works Commission, (R.S. 17:2048.51) and its board of commissioners and the Nursing Supply and Demand Council (R.S. 37:1007) and its board, a council of the Louisiana Health Works Commission."

AMENDMENT NO. 10

On page 10, at the beginning of line 17, delete "Section 4." and insert "Section 3."

AMENDMENT NO. 11

On page 10, line 17 delete "is" and insert "and 1007(A) and (B)(introductory paragraph), (4), and (C)(introductory paragraph) are"

AMENDMENT NO. 12

On page 10, line 19, delete "cooperation with the Nursing Supply and" and insert "cooperation with the Nursing Supply and"

AMENDMENT NO. 13

On page 10, at the beginning of line 20, delete "Demand Commission" and insert "Demand Commission Council"

AMENDMENT NO. 14

On page 10, at the end of line 25, delete "the Nursing" and insert "the Nursing"

AMENDMENT NO. 15

On page 10, at the beginning of line 26, delete "Supply and Demand Commission" and insert "Supply and Demand Commission Council"



AMENDMENT NO. 16

On page 11, delete line 1, and insert:

"§1007. Nursing Supply and Demand ~~Commission Council~~; creation; membership; vacancies; compensation; staff and facilities; powers and duties

A.(1) There is hereby created in the Department of ~~Health and Hospitals of Education, Board of Regents~~ the Nursing Supply and Demand ~~Commission Council as a council of the Louisiana Health Works Commission as provided in R.S. 17:2048.51~~, hereafter referred to as the "~~commission~~" "council".

(2)(a) The following groups, organizations, and agencies shall each appoint one member of the ~~commission council~~ who shall serve at the pleasure of the appointing group, organization, or agency:

- (i) The Louisiana State Board of Practical Nurses Examiners.
- (ii) The Louisiana State Board of Nursing.
- (iii) The Louisiana Nursing Home Association.
- (iv) The Louisiana Nurses Association.
- (v) The Louisiana Hospital Association.
- (vi) The Board of Regents.
- (vii) The office of public health.
- (viii) The Louisiana Association of Independent Colleges and Universities.

(ix) The Louisiana Black Nurses Organization New Orleans, Louisiana.

(x) The Louisiana Council of Administrators of Nursing Education.

- (xi) The Louisiana Alliance of Nursing Organizations.
- (xii) The Louisiana Association of Nurse Anesthetists.
- (xiii) The Louisiana Organization of Nurse Executives.
- (xiv) The Louisiana Practical Nurses Association.
- (xv) The Louisiana Association of Nurse Practitioners.
- (xvi) Association of periOperative Registered Nurses.
- (xvii) The Louisiana School Nurses Organization.

(b) Additional members of the ~~commission council~~ may be added at any time upon a majority vote of the members named in Subparagraph (a).

(3) Vacancies on the ~~commission council~~ shall be filled by the group, organization, or agency whose appointee created the vacancy.

(4) Members shall serve without compensation.

(5) The ~~commission council~~ shall adopt rules of procedure and shall elect its own chairperson who shall organize the ~~commission council~~ and its work, call meetings, represent the ~~commission council~~ and do such other tasks as the ~~commission council~~ directs or its rules require.

(6) The Department of Education, Board of Regents shall provide whatever staff and facility the ~~commission council~~ needs to accomplish its tasks.

B. The ~~commission council~~ shall: \* \* \*

(4) Work closely with the Board of Regents, State Board of Elementary and Secondary Education and the vocational institutes under its jurisdiction, institutions of higher education, and the boards of nursing examiners to alleviate any shortage of opportunities to undertake nursing training.

C. The ~~commission council~~ may: \* \* \*

Section 4. R.S. 23:1871 is hereby repealed."

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

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

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 312 by Senator Mount

AMENDMENT NO. 1

On page 2, line 13, after "for" and before "six" delete "up to" and insert "at least" in lieu thereof

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

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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 337 by Senator Michot

AMENDMENT NO. 1

On page 1, line 16, after "that" and before "hospitals" insert "all state and non-state"

AMENDMENT NO. 2

On page 1, at the end of the line 16 after "hospitals" insert ", excluding rural hospitals of sixty beds or less and their provider based rural health clinics,"

AMENDMENT NO. 3

On page 2, line 8, after "legislature." delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete lines 9 through 13 in their entirety

AMENDMENT NO. 5

On page 2, line 14, delete "the legislature."

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 401 by Senator Cassidy

AMENDMENT NO. 1

On page 2, delete lines 1 through 3 in their entirety and insert the following in lieu thereof:

**"B. The provisions of Subsection A of this Section shall not apply to the following:**

**(1) An organ transplant center offering organ transplantation for which no other organ transplant center exists within a one hundred fifty mile radius within the state.**

**(2) An organ transplant center which adds the service of transplanting other organs."**

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 402 by Senator Cassidy

AMENDMENT NO. 1

On page 1, line 13, after "year" and before ";" delete "2008-2009" and insert "2009-2010" in lieu thereof

AMENDMENT NO. 2

On page 2, line 18, after "1," and before ";" delete "2008" and insert "2009"

AMENDMENT NO. 3

On page 2, line 19, after "the" delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete line 20 in its entirety

AMENDMENT NO. 5

On page 2, line 21, at the beginning of the line delete "Louisiana Hospital Association," and insert "Louisiana State University Health Care Services Division"

AMENDMENT NO. 6

On page 2, line 26, after "statewide," insert "Not later than February 1, 2009, the Department of Health and Hospitals, in conjunction with the Louisiana State University Health Care Services Division, shall present a status report on the development of the methodology to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare, meeting jointly. Beginning in the year 2010 and every year thereafter, the Department of Health and Hospitals, in conjunction with Louisiana State University Health Care Services Division, shall submit the methodology to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare, meeting jointly, for review and approval."

AMENDMENT NO. 7

On page 3, line 10, after "year" and before ";" delete "2009-2010" and insert "2010-2011" in lieu thereof

AMENDMENT NO. 8

On page 3, line 18, after "uninsured" and before ";" delete "statewide" and insert "residing in the regions subject to this methodology"

AMENDMENT NO. 9

On page 3, line 19, after "year" and before ";" delete "2009-2010" and insert "2010-2011" in lieu thereof

AMENDMENT NO. 10

On page 4, delete lines 11 through 28 and insert the following in lieu thereof:

**"(5) Uncompensated care payments to non-state, non-rural community hospitals for qualifying uninsured costs pursuant to the methodology specified in the General Appropriation Act.**

**(6) Uncompensated care payments to the state hospitals that are a part of the Louisiana State University Health Sciences Center at Shreveport pursuant to R.S. 17:1517 and 1518, and the corresponding uninsured populations in regions 6, 7, and 8 as defined in this Section.**

**E. The regions for the purposes of this Section are the following:**

**(1) Region 1 consisting of Jefferson, Orleans, Plaquemines and St. Bernard parishes.**

**(2) Region 2 consisting of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge and West Feliciana parishes.**

**(3) Region 3 consisting of Assumption, Lafourche, St. Charles, St. James, St. John the Baptist, St. Mary and Terrebonne parishes.**

**(4) Region 4 consisting of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin and Vermillion parishes.**

**(5) Region 5 consisting of Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis parishes.**

**(6) Region 6 consisting of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Vernon and Winn parishes.**

**(7) Region 7 consisting of Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine and Webster parishes.**

**(8) Region 8 consisting of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union and West Carroll parishes.**

**(9) Region 9 consisting of Livingston, St. Helena, St. Tammany, Tangipahoa and Washington parishes."**

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

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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 502 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2, change "(B)" to "(A)(2)" and to enact R.S. 22:226(A)(3)"

AMENDMENT NO. 2

On page 1, line 8, change "(B)" to "(A)(2)" and after "reenacted" insert "and R.S. 22:226(A)(3) is hereby enacted"

AMENDMENT NO. 3

On page 1 delete lines 9 and 10 and, between lines 10 and 11 insert the following:

"§226. Employer-provided health plan; limitation to specific pharmacies prohibited; penalty

A. No employer who provides pharmacy services including prescription drugs to any employee or retiree of such employer, as part of any health insurance or health maintenance program, shall knowingly:

\* \* \*

(2) **Impose Except as provided in Paragraph (3) of this Subsection, impose** upon an employee or retiree who does not utilize a designated mail order pharmacy a copayment fee or other condition not imposed upon employees or retirees who utilize the designated mail order pharmacy.

(3) **Nothing in this Section shall prohibit the office of group benefits from having the authority to charge fewer than three copayments for a ninety day supply of maintenance medication which is filled by a mail order pharmacy where there is a monetary savings to the employee, retiree, the state and the office of group benefits plan members as a whole.**"

AMENDMENT NO. 4

On page 1, delete lines 12 through 17

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

**SENATE BILL NO. 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 by the Committee on Commerce, Consumer Protection, and International Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 519 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 10, change ""**contractor license**"" to ""**private investigator contractor license**""

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

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

**SENATE BILL NO. 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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 540 by Senator Mount

AMENDMENT NO. 1

On page 2, at the beginning of line 16 delete "**or branches**"

AMENDMENT NO. 2

On page 2, line 18, after "**again**" and before "**each year**" delete "**each July 1st through June 30th of**"

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

**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 by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 596 by Senator Scalise

AMENDMENT NO. 1

On page 1, lines 3 and 12, change "(J) and (M)" to "(M) and (N)"

AMENDMENT NO. 2

On page 2, lines 4, after "state" insert a "." and delete the remainder of the line, and delete line 5

AMENDMENT NO. 3

On page 3, line 7, delete "**or entities receiving state funding,**"

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AMENDMENT NO. 4

On page 3, line 19, after "state law" delete ", which" and insert the following: "as necessary and in furtherance of the authority, duties, powers, and functions set forth herein. These powers and privileges shall not include arrest powers but"

AMENDMENT NO. 5

On page 3, lines 23, after "Information." delete the remainder of the line, and delete lines 24 through 26

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 629 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 14, after "governor;" insert "the office of the inspector general;"

AMENDMENT NO. 2

On page 2, line 3, delete "and any person with" and insert ", or his director of policy and any employee of"

AMENDMENT NO. 3

On page 2, line 6, after "governor" insert "except for persons within the agencies referenced in" and delete "by"

AMENDMENT NO. 4

On page 2, delete line 19

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

SENATE BILL NO. 638—

BY SENATOR B. GAUTREAU

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 667 by Senator Adley

AMENDMENT NO. 1

On page 3, line 26, change "chief deputy" to "first assistant"

AMENDMENT NO. 2

On page 6, line 15, change "chief deputy" to "first assistant"

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

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 701 by Senator Mount

AMENDMENT NO. 1

On page 1, at the beginning of line 11, delete "E:" and insert "E."

AMENDMENT NO. 2

On page 2, at the end of line 4, between "the" and "Department" insert "deputy secretary for youth services of the"

AMENDMENT NO. 3

On page 2, line 7, after "of" and before "children" delete "disadvantaged"

AMENDMENT NO. 4

On page 2, line 8, after "E." and before "shall" delete "These leaders" and insert "This state leadership group"

AMENDMENT NO. 5

On page 2, delete lines 24 through 28 and insert in lieu thereof the following:

"(b) Screening, eligibility and redeterminations for temporary assistance programs, Medicaid and food stamps."

AMENDMENT NO. 6

On page 3, line 28, after "**the**" and before "**shall**" delete "**Department of Social Services**" and insert "**state leadership group as identified in R.S. 46:52.1(E)**"

AMENDMENT NO. 7

On page 3, line 28, after "**a**" delete the remainder of the line

AMENDMENT NO. 8

On page 3, line 29, after "**Place**" and before "**service**" insert "**implementing the**"

AMENDMENT NO. 9

On page 4, delete lines 4 through 6 in their entirety and insert "**model to additional sites in multiple regional service areas.**" in lieu thereof

AMENDMENT NO. 10

On page 4, line 8, after "**each**" and before "**shall**" delete "**pilot site**" and insert "**Neighborhood Place**"

AMENDMENT NO. 11

On page 4, at the end of line 8, delete "**Department**"

AMENDMENT NO. 12

On page 4, at the beginning of line 9, delete "**of Social Services**" and insert "**state leadership group**"

AMENDMENT NO. 13

On page 4, line 10, after "**Each**" and before "**shall**" delete "**pilot site**" and insert "**Neighborhood Place**"

AMENDMENT NO. 14

On page 4, line 21, after "**Each**" and before "**shall**" delete "**pilot site**" and insert "**Neighborhood Place**"

AMENDMENT NO. 15

On page 5, between lines 6 and 7, insert the following:  
"Section 2. The provisions of this Act shall be construed as providing supplementary statutory authority with respect to service delivery integration for the covered state entities."

AMENDMENT NO. 16

On page 5, line 7, after "Section" and before "." change "2" to "3"

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

**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 by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 709 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, change "(A)(2)(b)" to "(A)(2)"

AMENDMENT NO. 2

On page 1, line 7, change "(A)(2)(b)" to "(A)(2)"

AMENDMENT NO. 3

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

\* \* \*

(2)(a) If the immovable is situated within the parish of Orleans, the notary shall file the instrument in the office of the custodian of notarial records for the parish of Orleans and record the instrument with the register of conveyances or recorder of mortgages or both. ~~in accordance with the provisions of R.S. 35:323(B).~~

AMENDMENT NO. 4

On page 2, between lines 7 and 8, insert

**"(c) The original of every authentic act, except chattel mortgages and acts relating to real property outside of Orleans Parish, passed before a notary public in Orleans Parish, and also every act, contract, and instrument except money judgments and chattel mortgages filed for record in the offices of either the recorder of mortgages or the registrar of conveyances for the parish of Orleans, shall be first filed in the notarial archives of the parish of Orleans."**

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

**SENATE BILL NO. 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 by the Committee on Commerce, Consumer Protection, and International Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 764 by Senator Dorsey

AMENDMENT NO. 1

On page 2, at the end of line 4, add the following:

**"For the purposes of this Section, the phrase "due to insufficient credit or funds" means a check or electronic payment returned unpaid for any reason."**

AMENDMENT NO. 2

On page 3, at the end of line 3, add the following:

**"For the purposes of this Section, the phrase "due to insufficient credit or funds" means a check or electronic payment returned unpaid for any reason."**

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

**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.

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Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 788 by Senator Walsworth

AMENDMENT NO. 1

On page 6, line 21, and on page 7, line 26, change "marshall" to "marshal"

AMENDMENT NO. 2

On page 6, between lines 21 and 22, insert "(10) A representative of the Louisiana Ambulance Alliance."

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

Senate 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. 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 by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: LaFleur, Mount, Morrish, Shepherd.

Total - 4

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

Senate Concurrent Resolutions on Third Reading and Final Passage

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

SENATE CONCURRENT RESOLUTION NO. 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.

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

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, Murray, Alario, Gautreaux N, Nevers, Amedee, Gray, Quinn, Broome, Hebert, Riser, Cassidy, Heitmeier, Scalise, Cheek, Jackson, Shaw, Cravins, Kostelka, Shepherd, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson, Dupre, Michot.

Total - 37

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: LaFleur, Mount.

Total - 2

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

Mr. President in the Chair

Bagneris Rule

Senator Dupre moved to suspend the rules to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

**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. 434—**  
BY SENATOR ERDEY

AN ACT

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

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

NAYS

Total - 0

ABSENT

LaFleur Mount  
Total - 2

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. 460—**  
BY SENATOR B. GAUTREAUX

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur Marionneaux Mount  
Total - 3

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

**SENATE BILL NO. 572—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 36:4(B)(1)(dd) and (H), 408(D), and 478(G), R.S. 23:2042, R.S. 46:2521, R.S. 49:220.4(A)(1), 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; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 572 by Senator Michot

AMENDMENT NO. 1

On page 3, line 29, following "**36:3**," change "**are**" to "**is**"

On motion of Senator Marionneaux, the amendments were adopted.

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

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**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

LaFleur	Marionneaux	Mount
Total - 3		

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

**SENATE BILL NO. 671—**

BY SENATOR SMITH AND REPRESENTATIVES ARMES, DANAHAY, GEYMANN AND HILL

**AN ACT**

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

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

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

LaFleur	Marionneaux	Mount
Total - 3		

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

**SENATE BILL NO. 18—**  
BY SENATOR ALARIO

**AN ACT**

To enact R.S. 47:324.1, relative to the disposition of certain sales and use tax collections; to provide for the dedication of a portion of the avails of certain state sales and use taxes; to provide for the deposit of such collections into the Louisiana Wildlife and Fisheries Conservation Fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Alario 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	Murray
Amedee	Gautreaux N	Nevers
Broome	Gray	Quinn
Cassidy	Hebert	Riser
Cheek	Heitmeier	Scalise
Cravins	Kostelka	Shaw
Crowe	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

**NAYS**

Jackson	Shepherd
Total - 2	

**ABSENT**

Donahue	Marionneaux
LaFleur	Mount
Total - 4	

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

**SENATE BILL NO. 26—**  
BY SENATOR ALARIO

**AN ACT**

To amend and reenact R.S. 33:2002(A)(1) and (4)(a), 2218.2(A)(1) and (2)(a), 2218.8(B) and (G) and 2218.10, relative to supplemental pay for certain law enforcement officers and firefighters; to increase the amount of supplemental pay; and to provide for related matters.

**Senator Smith 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. 26 by Senator Alario

AMENDMENT NO. 1

On page 1, line 12, delete "Indian"

AMENDMENT NO. 2

On page 2, line 25, delete "Indian"



On motion of Senator Alario, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' including Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, Long, Martiny, McPherson, Michot, Morrish, Murray, Nevers, Quinn, Riser, Scalise, Shepherd, Smith, Thompson, and Walsworth.

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: LaFleur, Mount, Marionneaux, Shaw. Total - 4.

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

SENATE BILL NO. 54— BY SENATOR MURRAY

A JOINT RESOLUTION

Proposing to add Article I, Section 4(H)(5) of the Constitution of Louisiana, relative to property; to provide relative to the right to property; to provide relative to the taking of property; to provide relative to the taking of property in certain areas for certain purposes; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 54 by Senator Murray

AMENDMENT NO. 1

On page 1, line 16, following "of this" and before "shall not" change "Subsection" to "Paragraph"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Dorsey sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Broome and Dorsey to Engrossed Senate Bill No. 54 by Senator Murray

AMENDMENT NO. 1

On page 2, line 1, between "of" and "Lafayette" insert "East Baton Rouge."

AMENDMENT NO. 2

On page 2, line 13, between "of" and "Lafayette" insert "East Baton Rouge."

On motion of Senator Dorsey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' including Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny, McPherson, Michot, Morrish, Murray, Nevers, Quinn, Riser, Scalise, Shaw, Shepherd, Smith, Thompson, and Walsworth. Total - 37.

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: LaFleur, Mount. Total - 2.

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

SENATE BILL NO. 72— BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 38:2318.1(B) and to enact R.S. 38:2225.2.2, relative to public contracts; to authorize the city of Slidell to utilize design-build contracts in certain circumstances; 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. 72 by Senator Crowe

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AMENDMENT NO. 1

On page 1, line 7, following "and" and before "R.S." delete "to"

AMENDMENT NO. 2

On page 1, line 8, following "enacted" insert "to"

AMENDMENT NO. 3

On page 6, line 7, following "rules established" and before "this" change "pursuant to" to "in"

AMENDMENT NO. 4

On page 6, line 9, following "as defined" and before "the rules" change "in" to "by"

AMENDMENT NO. 5

On page 6, line 9, following "rules established" and before "the Subsection" change "pursuant to" to "in"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Gray, LaFleur, Mount

Total - 3

The Chair declared the amended bill was passed, ordered reengrossed, 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. 98— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 25:799(C)(4) and (10) and (G)(4), relative to the French Quarter-Marigny Historic Area Management District; to provide for the number of meetings members of the governing board may miss before they are disqualified and removed; to remove the requirement that board minutes be published in the official journal; to provide revitalization and nurturing of cultural tourism as objectives of the district; and to provided for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: LaFleur, Mount

Total - 2

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

SENATE BILL NO. 102— BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 2:903(B), relative to the General Aviation and Reliever Airport Maintenance Grant Program; to increase the limit of Transportation Trust Fund monies made available to the program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Broome, Long, LaFleur, Mount

Total - 4

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

**SENATE BILL NO. 126—**  
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:170(A)(1), relative to education; to provide relative to immunization records requirements; to provide for review of student immunization records; 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. 126 by Senator Nevers

AMENDMENT NO. 1  
On page 1, line 10, delete "\*\*\*"

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	Dupre	Michot
Adley	Erdey	Murray
Alario	Gautreaux B	Nevers
Amedee	Gautreaux N	Quinn
Broome	Gray	Riser
Cassidy	Hebert	Scalise
Cheek	Heitmeier	Shaw
Cravins	Jackson	Shepherd
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 35		

**NAYS**

Morrish  
Total - 1

**ABSENT**

LaFleur  
Total - 3

Marionneaux      Mount

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.

**Rules Suspended**

Senator B. Gautreaux 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 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. 50—**  
BY SENATOR MURRAY  
A RESOLUTION

To recognize May 1, 2008 as the thirtieth anniversary of Ernest N. "Dutch" Morial becoming the first Black Mayor of the City of New Orleans and to further recognize May 1, 2008 as "Dutch Morial Day."

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

**SENATE RESOLUTION NO. 51—**  
BY SENATOR GRAY  
A RESOLUTION

To commend Dr. Charles J. Southall, III on his nineteenth anniversary as a pastor of First Emanuel Baptist Church.

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

**SENATE CONCURRENT RESOLUTION NO. 52—**  
BY SENATOR SHEPHERD  
A CONCURRENT RESOLUTION

To direct and authorize the Louisiana Recovery Authority and the office of community development of the division of administration to require that ICF International refrain from pursuing the collection of The Road Home grant overpayments and to forgive all obligations and debts owed by aid recipients of The Road Home grants.

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

**Petitions, Memorials and  
Communications**

The following petitions, memorials and communications were received and read:

**STATE OF LOUISIANA  
OFFICE OF THE GOVERNOR**

April 17, 2008

The Honorable Joel T. Chaisson  
President of the Senate  
Post Office Box 94183  
Baton Rouge, Louisiana 70804

Mr. President,

Please be advise that the following individuals have been commissioned as Notaries Public for the parishes indicated from June 29, 2007, to April 6, 2008.

In compliance with Revised Statute 35:1, I hereby present them for the advice and consent of the Senate.

Appreciatively,  
BOBBY JINDAL  
Governor

May 1, 2008

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May 1, 2008

**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:

May 1, 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. 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.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

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

**ATTENDANCE ROLL CALL**

**PRESENT**

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

**ABSENT**

LaFleur	Mount
Total - 2	

**Leaves of Absence**

The following leaves of absence were asked for and granted:

LaFleur	1 Day	Mount	1 Day
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**Adjournment**

Senator Broome moved that the Senate adjourn until Monday, May 5, 2008, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Monday, May 5, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk