

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

TWENTY-FOURTH 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 8, 2008

The Senate was called to order at 9:10 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	Gautreaux B	Mount
Alario	Gray	Murray
Amedee	Hebert	Nevers
Cravins	Jackson	Quinn
Donahue	Kostelka	Riser
Duplessis	Martiny	Shaw
Dupre	Morrish	Thompson
Total - 21		

ABSENT

Adley	Erdey	McPherson
Broome	Gautreaux N	Michot
Cassidy	Heitmeier	Shepherd
Cheek	LaFleur	Smith
Crowe	Long	Walsworth
Dorsey	Marionneau	
Total - 17		

The President of the Senate announced there were 21 Senators present and a quorum.

Prayer

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

Reading of the Journal

On motion of Senator Thompson, the reading of the Journal was dispensed with and the Journal of May 7, 2008, was adopted.

Messages from the House

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

**Message from the House
PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 7, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 114—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:152(C) and to enact R.S. 15:147(E), relative to the Louisiana Public Defender Act; to amend provisions of the Louisiana Public Defender Act; to provide with respect to the salary of the state public defender; to provide for the employment status of certain employees; and to provide for related matters.

Reported with amendments.

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

**Privilege Report of the
Legislative Bureau**

May 8, 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. 163—
BY REPRESENTATIVES LIGI AND LEGER
AN ACT

To enact R.S. 14:56.4 and to repeal R.S. 14:59(A)(10), relative to damage to property; to create the crime of criminal damage to property by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 801—
BY REPRESENTATIVE ANDERS
AN ACT

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

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.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR MARTINY AND REPRESENTATIVES LIGI AND WILLMOTT

A CONCURRENT RESOLUTION

To commend Vivian Jane Gautreaux Breaux on her receipt of the Regina Matrum Award from the Archdiocese of New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Murray
Alario	Gray	Nevers
Amedee	Hebert	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Donahue	Martiny	Smith
Duplessis	Morrish	Thompson
Dupre	Mount	

Total - 23

NAYS

Total - 0

ABSENT

Adley	Erdey	Marionneaux
Broome	Gautreaux N	McPherson
Cassidy	Heitmeier	Michot
Crowe	LaFleur	Shepherd
Dorsey	Long	Walsworth

Total - 15

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

Senate Bills and Joint Resolutions
on Second Reading

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

SENATE BILL NO. 808— (Substitute of Senate Bill No. 527 by Senator Marionneaux)

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 39:101(A)(1), (B)(1)(a), (c), (d) and (2) and (F)(1), 103(A)(1) and (B)(1), 111, 112, 113, and 115, to enact R.S. 39:101(F)(3) and 103(B)(3), and to repeal R.S. 39:105, relative to capital outlay; to provide with respect to capital outlay budget development and enactment; to provide relative to the submission of capital outlay budget requests; to provide relative to the standards for capital projects and evaluation of such projects; to provide relative to inclusion of certain non-state projects in the capital outlay budget; to provide for inclusion of certain revenue bond projects in the capital outlay budget; to provide for an effective date; and to provide for related matters.

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

On motion of Senator Hebert Senate Bill No. 808, which was just advanced to a Third Reading and Final Passage, was made Special Order of the Day No. 3 on Monday, May 12, 2008, immediately following the Morning Hour.

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

May 7, 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. 137—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 14:70.7, relative to misappropriation without violence; to create the crime of the unlawful production, manufacturing, distribution, or possession of fraudulent documents for identification purposes; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 292—

BY REPRESENTATIVES WHITE, BOBBY BADON, BALDONE, HENRYBURNS, GALLOT, GISCLAIR, ELBERT GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HINES, LAFONTA, MARCHAND, NORTON, NOWLIN, PETERSON, RICHARDSON, RICHMOND, ROY, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, TUCKER, WADDELL, AND WILLIAMS
AN ACT

To enact Code of Criminal Procedure Article 893(E)(3), relative to the drug court division probation program; to provide for the dismissal of prosecutions upon successful completion; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 762—
BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 42:1120, relative to ethics; to provide relative to recusal of elected officials under certain circumstances; to allow for certain participation under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 781—
BY REPRESENTATIVE WADDELL
AN ACT

To enact Chapter 9 of Title 35 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 35:601 through 604, relative to notaries public; to provide relative to the unlawful exercise of notarial powers; to provide for certain prohibitions; to provide for penalties; to provide for the filing of complaints; to provide for notice; to provide relative to evidence; to provide for the development of forms; to provide for applicability to attorneys licensed to practice law in this state; and to provide for related matters.

HOUSE BILL NO. 842—
BY REPRESENTATIVES GALLOT AND TUCKER
AN ACT

To amend and reenact R.S. 18:1495.7(A), R.S. 42:1124(A)(1), (C)(8), and (D)(2), 1124.2(A) and (C)(5)(b), (c), and (d) and (8), 1124.3(A), and 1124.4(D)(1)(a), and Section 6 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature and to enact R.S. 42:1124.3(D)(3) and Section 7 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature, relative to financial disclosure; to provide relative to certain disclosures by certain public servants; to provide relative to certain disclosures by candidates for certain offices; to provide relative to deadlines for filing certain such disclosures; to provide relative to the content of such disclosures; to provide for certain actions by the

Board of Ethics relative to such disclosures; to provide for definitions; to provide for penalties; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1072—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 33:9038.43, relative to the authority of certain port districts to finance projects by use of tax increments; to provide for the issuance and repayment of revenue bonds; to provide for the dedication of state and local taxes; and to provide for related matters.

HOUSE BILL NO. 1104—

BY REPRESENTATIVES TUCKER, HONEY, PONTI, TRAHAN, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMANN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONTTOUCET, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, POPE, PUGH, RICHARDSON, RICHMOND, RITCHE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
AN ACT

To amend and reenact R.S. 23:1 through 12, 14(A), 15, 16, 71, 72(1) and (3), 73(A)(1)(introductory paragraph) and (2), (B), (C), (D), and (E)(2), 74, 75(D), 76(C), 1472(1), 2042 through 2046, 2047(A), 2048 through 2056, 2061 through 2063, 2065 through 2067, 2069(A), 2070, 2091(A)(introductory paragraph) and (1), (B)(introductory paragraph) and (8), and (C), 2092, 2100, 2151(A), (B), and (E), 2152, 2153, 2191, and 2192, R.S. 36:3(2), (3), (4), (6), and (7), 4(A)(6), 8(E)(1), 301 through 307, 308(A) and (D), 309(B), (C)(introductory paragraph) and (4), (D), (E), and (F), 310, and 313, and R.S. 49:191(3)(g) and 968(B)(5) and (21)(b), to enact R.S. 23:17 through 20, 33, 34, 72(4) and (5), 73(A)(1)(d), 75(E), 77, 78, and 2193 through 2212 and R.S. 36:8(E)(2)(j), and to repeal R.S. 23:2064, 2068, and 2093 through 2099 and R.S. 36:4(B)(14), 311, and 312, relative to the Department of Labor; to change the name of the Department of Labor to the Louisiana Workforce Commission; to provide for the creation of the commission; to provide for the executive director of the commission; to establish the purpose of the commission; to establish the powers and duties of the commission; to provide for employee performance evaluations; to require the integration of certain workforce development programs; to provide for client accessibility; to authorize the executive director to delegate certain functions; to require the design and implementation of a plan for workforce training and services; to provide for the administration of funding; to provide relative to block grants for local workforce development areas; to establish legislative intent; to provide for definitions; to require the maintenance of a comprehensive labor market information system; to require entities to cooperate with the commission; to provide for the availability of consumer information; to provide with respect to data exchange; to provide for the Occupational Forecasting Conference and its duties; to provide for the development and management of workforce system information resources; to change the name of the Louisiana Workforce Commission to the Louisiana Workforce Investment Council and to establish its purposes; to provide for the membership of the council; to provide procedures to select the chairman and vice chairman; to provide for the terms of the membership; to authorize the removal of members under certain circumstances; to provide for designees of the council members; to establish the goals of the council; to require the adoption of a strategic plan; to establish the duties and functions of the council; to establish the organizational structure of the council; to provide for workforce investment boards; to authorize the governor to designate workforce development areas; to authorize the creation of local workforce development boards; to provide for the training for local

workforce development board members; to authorize the commission to charter boards; to authorize the governor to certify boards; to provide the membership of boards; to provide for the removal of workforce investment board members; to provide for the responsibilities of the board; to establish the board's duties; to provide for the components of the local workforce development system; to require the adoption of local and regional workforce development plans; to require the adoption of a budget; to require the submission of a report; to require approval of the board's fiscal agent; to provide for contracting service delivery; to provide relative to conflicts of interests; to provide for the eligibility of incentives and waivers; to allow the application for nonprofit status; to authorize the employment of staff; to include the Louisiana Workforce Commission as a department within the executive branch of government; to provide for its officers, duties, and offices; to provide for the termination of the Louisiana Workforce Commission; to require the commission to submit certain reports; to require the Louisiana Workforce Investment Council to submit certain reports; and to provide for related matters.

HOUSE BILL NO. 1134—

BY REPRESENTATIVES GISCLAIR, BALDONE, BURRELL, ELBERT GUILLORY, MICKEY GUILLORY, NORTON, AND TEMPLET
AN ACT

To amend and reenact Code of Criminal Procedure Article 895(H)(1) and to enact R.S. 15:574.4(S)(3), relative to sex offenders; to provide with respect to conditions of probation and parole; to authorize the use of polygraph examinations; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1220—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 30:209(4)(e), relative to the State Mineral Board; to provide for the authority of the State Mineral Board; to provide for operating agreements for certain underground storage; and to provide for related matters.

HOUSE BILL NO. 1245—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 40:2018.1(G), relative to the Louisiana Commission on HIV, AIDS, and Hepatitis C; to provide for a termination date; and to provide for related matters.

HOUSE BILL NO. 1356— (Substitute for House Bill No. 986 by Representative Abramson)

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5685, relative to the prescription of liens, privileges, and judgments; to provide for a ten-year prescriptive period for all liens, privileges, and judgments, including the effect of recordation, in favor of the state, its agencies, and all political subdivisions thereof; to provide for reinscription; to provide for definitions; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator B. Gautreaux 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. 137—

BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 14:70.7, relative to misappropriation without violence; to create the crime of the unlawful production, manufacturing,

distribution, or possession of fraudulent documents for identification purposes; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 292—

BY REPRESENTATIVES WHITE, BOBBY BADON, BALDONE, HENRY BURNS, GALLOT, GISCLAIR, ELBERT GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HINES, LAFONTA, MARCHAND, NORTON, NOWLIN, PETERSON, RICHARDSON, RICHMOND, ROY, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, TUCKER, WADDELL, AND WILLIAMS

AN ACT

To enact Code of Criminal Procedure Article 893(E)(3), relative to the drug court division probation program; to provide for the dismissal of prosecutions upon successful completion; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 762—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 42:1120, relative to ethics; to provide relative to recusal of elected officials under certain circumstances; to allow for certain participation under certain circumstances; 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. 781—

BY REPRESENTATIVE WADDELL

AN ACT

To enact Chapter 9 of Title 35 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 35:601 through 604, relative to notaries public; to provide relative to the unlawful exercise of notarial powers; to provide for certain prohibitions; to provide for penalties; to provide for the filing of complaints; to provide for notice; to provide relative to evidence; to provide for the development of forms; to provide for applicability to attorneys licensed to practice law in this state; and to provide for related matters.

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

HOUSE BILL NO. 842—

BY REPRESENTATIVES GALLOT AND TUCKER

AN ACT

To amend and reenact R.S. 18:1495.7(A), R.S. 42:1124(A)(1), (C)(8), and (D)(2), 1124.2(A) and (C)(5)(b), (c), and (d) and (8), 1124.3(A), and 1124.4(D)(1)(a), and Section 6 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature and to enact R.S. 42:1124.3(D)(3) and Section 7 of Act No. 1 of the 2008 First Extraordinary Session of the Legislature, relative to financial disclosure; to provide relative to certain disclosures by certain public servants; to provide relative to certain disclosures by candidates for certain offices; to provide relative to deadlines for filing certain such disclosures; to provide relative to the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to provide for definitions; to provide for penalties; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1072—

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 33:9038.43, relative to the authority of certain port districts to finance projects by use of tax increments; to provide

for the issuance and repayment of revenue bonds; to provide for the dedication of state and local taxes; 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. 1104—

BY REPRESENTATIVES TUCKER, HONEY, PONTI, TRAHAN, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONTOUCET, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, POPE, PUGH, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

To amend and reenact R.S. 23:1 through 12, 14(A), 15, 16, 71, 72(1) and (3), 73(A)(1)(introductory paragraph) and (2), (B), (C), (D), and (E)(2), 74, 75(D), 76(C), 1472(1), 2042 through 2046, 2047(A), 2048 through 2056, 2061 through 2063, 2065 through 2067, 2069(A), 2070, 2091(A)(introductory paragraph) and (1), (B)(introductory paragraph) and (8), and (C), 2092, 2100, 2151(A), (B), and (E), 2152, 2153, 2191, and 2192, R.S. 36:3(2), (3), (4), (6), and (7), 4(A)(6), 8(E)(1), 301 through 307, 308(A) and (D), 309(B), (C)(introductory paragraph) and (4), (D), (E), and (F), 310, and 313, and R.S. 49:191(3)(g) and 968(B)(5) and (21)(b), to enact R.S. 23:17 through 20, 33, 34, 72(4) and (5), 73(A)(1)(d), 75(E), 77, 78, and 2193 through 2212 and R.S. 36:8(E)(2)(j), and to repeal R.S. 23:2064, 2068, and 2093 through 2099 and R.S. 36:4(B)(14), 311, and 312, relative to the Department of Labor; to change the name of the Department of Labor to the Louisiana Workforce Commission; to provide for the creation of the commission; to provide for the executive director of the commission; to establish the purpose of the commission; to establish the powers and duties of the commission; to provide for employee performance evaluations; to require the integration of certain workforce development programs; to provide for client accessibility; to authorize the executive director to delegate certain functions; to require the design and implementation of a plan for workforce training and services; to provide for the administration of funding; to provide relative to block grants for local workforce development areas; to establish legislative intent; to provide for definitions; to require the maintenance of a comprehensive labor market information system; to require entities to cooperate with the commission; to provide for the availability of consumer information; to provide with respect to data exchange; to provide for the Occupational Forecasting Conference and its duties; to provide for the development and management of workforce system information resources; to change the name of the Louisiana Workforce Commission to the Louisiana Workforce Investment Council and to establish its purposes; to provide for the membership of the council; to provide procedures to select the chairman and vice chairman; to provide for the terms of the membership; to authorize the removal of members under certain circumstances; to provide for designees of the council members; to establish the goals of the council; to require the adoption of a strategic plan; to establish the duties and functions of the council; to establish the organizational structure of the council; to provide for workforce investment boards; to authorize the governor to designate workforce development areas; to authorize the creation of local workforce development boards; to provide for the training for local workforce development board members; to authorize the commission to charter boards; to authorize the governor to certify boards; to provide the membership of boards; to provide for the removal of workforce investment board members; to provide for the responsibilities of the board; to establish the board's duties; to provide for the components of the local workforce development system; to require the adoption of local

and regional workforce development plans; to require the adoption of a budget; to require the submission of a report; to require approval of the board's fiscal agent; to provide for contracting service delivery; to provide relative to conflicts of interests; to provide for the eligibility of incentives and waivers; to allow the application for nonprofit status; to authorize the employment of staff; to include the Louisiana Workforce Commission as a department within the executive branch of government; to provide for its officers, duties, and offices; to provide for the termination of the Louisiana Workforce Commission; to require the commission to submit certain reports; to require the Louisiana Workforce Investment Council to submit certain reports; and to provide for related matters.

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

HOUSE BILL NO. 1134—

BY REPRESENTATIVES GISCLAIR, BALDONE, BURRELL, ELBERT
GUILLORY, MICKEY GUILLORY, NORTON, AND TEMPLET
AN ACT

To amend and reenact Code of Criminal Procedure Article 895(H)(1) and to enact R.S. 15:574.4(S)(3), relative to sex offenders; to provide with respect to conditions of probation and parole; to authorize the use of polygraph examinations; to provide for definitions; 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. 1220—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 30:209(4)(e), relative to the State Mineral Board; to provide for the authority of the State Mineral Board; to provide for operating agreements for certain underground storage; and to provide for related matters.

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

HOUSE BILL NO. 1245—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 40:2018.1(G), relative to the Louisiana Commission on HIV, AIDS, and Hepatitis C; to provide for a termination date; 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. 1356— (Substitute for House Bill No. 986 by Representative Abramson)

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:5685, relative to the prescription of liens, privileges, and judgments; to provide for a ten-year prescriptive period for all liens, privileges, and judgments, including the effect of recordation, in favor of the state, its agencies, and all political subdivisions thereof; to provide for reinscription; to provide for definitions; and to provide for related matters.

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

**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. 17—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1430.11(A) and (D), relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to eligibility and application for coverage by the corporation; to provide for verification that an applicant has been denied property insurance coverage; 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. 17 by Senator Cravins

AMENDMENT NO. 1

On page 1, delete lines 4 and 5 in their entirety and insert in lieu thereof the following: "coverage by the corporation; and to provide for related matters."

AMENDMENT NO. 2

On page 2, line 1, after "**the applicant**," delete the remainder of the line in its entirety and delete lines 2 through 4 in their entirety.

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. 43—
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:2199.1, relative to health care facilities; to provide for alternative remedies against health care facilities for violations; to provide for rules and regulations; to provide for enforcement; 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. 43 by Senator Mount

AMENDMENT NO. 1

On page 1, line 14, after "**provided**" and before "**by**" insert "**services**"

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

SENATE BILL NO. 221—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 18:541 and 542, relative to the hours of voting; to provide for the time for opening and closing of the polls; to provide for termination of voting; 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. 221 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 10, delete "**7:00**" and insert "8:00"

May 8, 2008

AMENDMENT NO. 2

On page 1, line 15, delete "7:00" and insert "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. 229— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b), (B)(3), and (F)(2), R.S. 40:2199(B)(2)(b) and (B)(3), and (F)(1) and (2), and to enact R.S. 40:2199(F)(3) and (4), relative to health care facilities violations and penalties; to provide for violations; to provide for penalties; to provide for the Health Care Facility Fund and for its uses; 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. 229 by Senator Mount

AMENDMENT NO. 1

On page 3, line 2, after "homes" and before "subject" insert ";

AMENDMENT NO. 2

On page 3, line 3, after "Services" and before "." insert ", and programs designed to improve the quality of care in health care facilities"

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

SENATE BILL NO. 252— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:1088.1(B), relative to licensure of certain persons engaged in residential mortgage lending; to provide relative to certain fees for such persons to utilize the licensing system; 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. 252 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 6:1088.1" and before "(B)" insert "(A)(5) and "

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 6:1088.1" and before "(B)" insert "(A)(5) and "

AMENDMENT NO. 3

On page 1, line 6, change "is" to "are"

AMENDMENT NO. 4

On page 1, delete lines 7 through 15, and insert the following: "§1088.1. Licensing system; authorization; fees; required use

A. Consistent with both the public interest and the purposes of this Chapter, the commissioner shall have the authority to take all action regarding the licensing system, in his discretion as he deems necessary and appropriate, including but not limited to all of the following:

* * *

(5) Requiring persons engaged in activities that require licensure by the commissioner to utilize the licensing system and to pay through the licensing system all applicable, in addition to those fees provided for in this Section for utilizing the licensing system, all other fees provided for by this Chapter.

* * *

B.(1) Persons Except as provided in Paragraph (B)(2) of this Subsection, persons engaged in activities that require licensure pursuant to this Chapter shall be required to pay all applicable fees to utilize the licensing system.

(2) For persons licensed or locations established as of June 30, 2008, payment of only the following fees to utilize the licensing system pursuant to this Section shall be required:

(a) For each residential mortgage lender, an annual licensing system renewal fee not to exceed the lesser of the amount charged by the licensing system or one hundred dollars per year.

(b) For each loan originator, an annual licensing system renewal fee not to exceed the lesser of the amount charged by the licensing system or thirty dollars per year.

(c) For each loan originator, a notification of change in employer fee not to exceed the lesser of the amount charged by the licensing system or thirty dollars per change of employment.

(d) For each branch location, annual licensing system renewal fees not to exceed the lesser of the amount charged by the licensing system or twenty dollars; provided, however, payment of all applicable fees to utilize the licensing system shall be required for branch locations established on or after July 1, 2008."

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. 253— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:1091(B)(1), relative to licensed residential mortgage lenders; to provide for examination of books, records and accounts; 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. 253 by Senator Michot

AMENDMENT NO. 1

On page 1, line 10, after "by him shall" delete "visit and"

AMENDMENT NO. 2

On page 1, line 16, after "examinations" and before the comma " " insert "beginning with examinations conducted after January 1, 2008"

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. 297— BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 6:1088(D) and to enact R.S. 6:1088.1(A)(8), relative to residential mortgage licensing; to provide for disclosure of information to certain regulatory 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. 309—
BY SENATOR GRAY

AN ACT

To enact Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2861 through 2863, relative to the Hospital Care Incentive Program; to establish the Hospital Care Incentive Program; to establish the Hospital Care Incentive Fund as a special fund in the state treasury; to provide for deposit, use and investment of monies in the fund; to provide for grants to qualifying hospitals; to provide for administration of the 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. 309 by Senator Gray

AMENDMENT NO. 1

On page 2, delete lines 4 and 5 and insert "affected by hurricanes Katrina or Rita."

AMENDMENT NO. 2

On page 2, line 8, after "licensed" and before "private hospitals," insert "non-state public and"

AMENDMENT NO. 3

On page 2, delete line 9 in its entirety and insert "affected by hurricanes Katrina or Rita."

AMENDMENT NO. 4

On page 2, line 10, delete "latest federal decennial census."

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

SENATE BILL NO. 332—
BY SENATOR THOMPSON

AN ACT

To enact R.S. 40:1299.96.1, relative to health care information; to provide for the creation of the Health Care Information Technology and Infrastructure Advisory Committee; to provide for membership; to provide for powers, duties, and function; 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. 332 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 3, change "Committee" to "Collaborative"

AMENDMENT NO. 2

On page 1, line 9, change "Committee" to "Collaborative"

AMENDMENT NO. 3

On page 1, line 10, after "A." and before "The" insert "(1)"

AMENDMENT NO. 4

On page 2, delete lines 4 through 29 in their entirety and insert the following:

"(2) Pursuant to Senate Concurrent Resolution 35 of the 2007 Regular Session, the Department of Health and Hospitals facilitated the establishment of the Louisiana Health Care Quality Forum as a non-profit corporation, which was incorporated on July 6, 2007, and whose purpose is to plan, promote and conduct quality improvement initiatives within the state. The Louisiana Health Care Quality Forum has identified

the promotion of health information technology as a major focus in its strategic work plan.

(3) In Act 203 of the 2007 Regular Session, the legislature provided a line item appropriation within the Department of Health and Hospitals budget for the establishment of a network among Louisiana State University Health Sciences Center at Shreveport and the Rural Hospital Coalition, now known as the Louisiana Rural Health Information Exchange, hereinafter referred to in this Section as "LARHIX."

B. The legislature hereby establishes the Health Care Information Technology and Infrastructure Collaborative to be composed of LARHIX, the Health Information Technology Committee of the Louisiana Health Care Quality Forum and any other current or future regional health information exchange, hereinafter referred to in this Section as "collaborative." The collaborative shall advise the secretary of the Department of Health and Hospitals on strategies for the advancement of the use of electronic health information technology through the identification of state laws and regulations that impede such advancement, including but not limited to those laws and regulations that concern the form of consent to medical treatment and authorization for other health care transactions, and matters related to facilitation of telemedicine consultations.

C. The collaborative shall provide the secretary of the Department of Health and Hospitals with its annual report on such matters no later than January 30th of each year. The collaborative shall submit its annual report to the House and Senate committees on health and welfare for approval by January 30th of each year."

AMENDMENT NO. 5

On page 3, delete lines 1 through 5 in their entirety.

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

SENATE BILL NO. 333—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 18:503, relative to the Louisiana Election Code; to provide relative to withdrawal of candidates; to provide for notice of withdrawal; to require posting of notice of such withdrawal; to provide for an effective date; 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. 333 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 3, and after both occurrences of "withdrawal" and on lines 4 and 8, after "withdrawal" insert "and disqualification"

AMENDMENT NO. 2

On page 1, line 9, before "If" insert "(1)"

AMENDMENT NO. 3

On page 1, line 11, after "be" change "made" to "posted"

AMENDMENT NO. 4

On page 1, line 15, after "to" change "provide" to "post"

AMENDMENT NO. 5

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

"(2) If the election ballot was printed with the name of a candidate who has been disqualified by a final judgment of a court, the clerk of court of any parish where such ballot will be used, to the extent possible, cause notice to be posted of the disqualification of such candidate at any polling place where the

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candidate's name appears on the ballot. Such notice shall be posted or placed adjacent to the precinct register so that it is clearly visible. The notice shall be capitalized and in bold typed print of not less than fourteen-point font. Failure to post such notice of disqualification shall not void the election.

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. 354—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 22:215.23(A) and to enact R.S. 22:215.26, relative to health insurance benefits; to require coverage for treatment of infertility by certain health insurance policies, contracts, and plans; 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. 354 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 3, line 10, after "**B.(1)**" change "**Any**" to "**Except as provided in Subsection C of this Section, any**"

AMENDMENT NO. 2

On page 3, line 13, change "**shall**" to "**may**"

AMENDMENT NO. 3

On page 3, between lines 21 and 22, insert the following:

"C. Upon completion of a cost-benefit analysis by the insurer concerning the use of prescription fertility medications as opposed to a surgical procedure, coverage for approved prescription fertility medications may be covered under a health insurance policy if the analysis determines that the cost of involving the use of prescription fertility medications is the same or less than the costs to the insurer of the surgical procedure."

AMENDMENT NO. 4

On page 3, line 22, change "**C.**" to "**D.**"

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

SENATE BILL NO. 414—

BY SENATOR MURRAY

AN ACT

To enact R.S. 40:1149(D), relative to certified operators; to provide for exceptions for municipal and public works contractors; 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. 414 by Senator Murray

AMENDMENT NO. 1

On page 1, line 11, before "**water**" change "**perform**" to "**construct**"

AMENDMENT NO. 2

On page 1, line 14, after "**or**" and before "**water**" change "**performing**" to "**constructing**"

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

SENATE BILL NO. 432—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:619, relative to insurance policies; to provide for certain statements by an applicant for life or health and accident insurance; to provide for the effect of certain falsities or misrepresentations; 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. 479—

BY SENATOR CASSIDY

AN ACT

To enact R.S. 42:1124(I), relative to financial disclosure; to permit exploratory efforts by prospective candidates for office without requiring disclosure reports; 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. 535—

BY SENATORS CASSIDY AND NEVERS

AN ACT

To amend and reenact R.S. 22:215.5 and to redesignate R.S. 22:669 as R.S. 22:215.26, relative to health insurance; to provide for health insurance coverage for mental illness; to require coverage for treatment for drugs and alcoholism under the same coverages and terms as those which are provided for the treatment of other illnesses upon the enactment of an income tax credit equal to the cost of premiums related to providing such coverage; to provide for an independent actuarial analysis of the effect of mandated coverage of mental health and substance abuse services; to exempt certain individual and limited benefit policies from mandated coverage; 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. 535 by Senator Cassidy

AMENDMENT NO. 1

On page 2, line 11, after "**or coverage.**" delete the remainder of the line and delete lines 12 through 14 in their entirety and in lieu thereof insert the following: "**In order for a policyholder or covered dependent to be eligible for in-network benefits and for a healthcare provider to be reimbursed directly by a health insurance issuer, such healthcare provider shall meet a health insurance issuer's contracting and credentialing requirements. Coverage shall be provided when treatment is provided by any of the following healthcare providers duly licensed in the state:**"

AMENDMENT NO. 2

On page 2, between lines 18 and 19 insert the following: "**(e) A marriage and family therapist.**"

AMENDMENT NO. 3

On page 2, line 19, change "**(e)**" to "**(f)**"

AMENDMENT NO. 4

On page 2, line 24, after "**include**" delete the remainder of the line, delete lines 25 through 27 in their entirety and insert in lieu thereof the following: "**the following:**
(a) For employees and dependents enrolled in federally qualified high-deductible health plans, the same benefits provided for medical and surgical services."

(b) For all other employees and dependents, the same benefits provided to state employees and their dependents by the office of group benefits, which currently consist of the following combined benefits for the treatment of mental illness, alcoholism and drug abuse:"

AMENDMENT NO. 5

On page 3, line 15, after "**B.(1)**" delete the remainder of the line, delete lines 16 through 18 in their entirety and in lieu thereof insert the following: "**The provisions of Paragraph A(2) of this Section shall become effective only upon enactment of an income tax credit equal to the additional premium to be charged for the required benefits;**"

AMENDMENT NO. 6

On page 4, delete lines 4 through 9 in their entirety and in lieu thereof insert the following:

"(4) If, for any health benefit plan renewal period, the premium associated with the benefits described in Paragraph A(2) of this Section is determined by the health insurance issuer to exceed one and one-half percent of the total premium, an employer may choose not to provide the required benefits."

AMENDMENT NO. 7

On page 4, between lines 27 and 28 insert the following:

"(n) The Louisiana Association of Marriage and Family Therapy."

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. 660—
BY SENATOR NEVERS

AN ACT

To enact R.S. 36:478(K) and Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2801 and 2802, relative to preventing child poverty; to create the Child Poverty Prevention Council for Louisiana within the Department of Social Services; to provide for the membership of the council; to provide for the duties and responsibilities of the council; to create the Child Poverty Prevention Fund as a special fund in the state treasury; to provide for the deposit into and use of monies in the fund; to provide for an effective date; 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. 660 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 36:801 and to"

AMENDMENT NO. 2

On page 1, line 6, after "council;" and before "to" insert "to provide for reporting;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1." and before "R.S." insert "R.S. 36:801 is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, line 14, after "**for Louisiana**" and before "**is transferred**" insert "**(R.S. 46:2801-2802)**"

AMENDMENT NO. 5

On page 2, between lines 1 and 2, insert the following:

* * *

§801. Transfer; retention of functions

The agencies transferred by the provisions of R.S. 36:4.1(B), R.S. 36:53(A), R.S. 36:409(B), R.S. 36:459(D), **R.S. 36:478(K)**, R.S. 36:509(K), R.S. 36:610(K), and R.S. 36:651(C) shall continue to be composed and selected as provided by law; each agency shall continue to exercise all powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, and functions provided by law; each agency shall continue to administer and implement all programs provided or authorized for each by law which relate to rulemaking, licensing, regulation, enforcement, and adjudication; each agency shall continue to be governed by the Administrative Procedure Act, in its entirety, including provisions relative to adjudication proceedings, unless otherwise specifically provided by law; the executive head of each such agency shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of such powers, duties, functions, and responsibilities and for the administration and implementation of such programs, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the department to which the agency is transferred, and subject to budgetary control and applicable laws; except as specifically provided in Paragraphs (1), (2), and (3) below. The agencies transferred as provided in this Section shall exercise the powers, duties, functions, and responsibilities and shall administer and implement the programs authorized in this Section independently of the secretary, the undersecretary, and any assistant secretary, except that:

(1) The secretary of the department to which each is transferred shall exercise all functions necessary for the administration and implementation of the policies and rules of the agency which do not relate to rulemaking, licensing, regulation, enforcement, and adjudication, including personnel management, except as provided in Paragraph (2) below.

(2) The undersecretary of the department to which each is transferred shall, under the supervision and control of the secretary, perform and administer all functions of each agency which are in the nature of accounting and budget control, management and program analysis, and grants management.

(3) The secretary of the department shall exercise all functions of the transferred agencies which relate to payroll, personnel management, procurement, and contract management, which functions are hereby transferred to the secretary; provided, however, that this Paragraph (3) shall not apply to any retirement systems or retirement board."

AMENDMENT NO. 6

On page 2, delete line 11 in its entirety and insert in lieu thereof the following:

"B. The council shall be composed of the following members:"

AMENDMENT NO. 7

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

"(7) The secretary of the Department of Health and Hospitals, or his designee.

(8) The chairman of the Senate Committee on Health and Welfare, or his designee.

(9) The chairman of the House of Representatives Committee on Health and Welfare, or his designee.

(10) One member representing and appointed by the Louisiana Association of Nonprofit Organizations.

(11) One member representing and appointed by the United Way of Louisiana.

(12) One member representing and appointed by the Louisiana Association of Business and Industry.

(13) One member representing and appointed by the Louisiana AFL-CIO.

(14) One member representing and appointed by the Louisiana State University Poverty Center."

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AMENDMENT NO. 8

On page 2, line 23, after "used" and before "public" delete "to match" and insert "with" in lieu thereof

AMENDMENT NO. 9

On page 2, line 28, after "Louisiana" insert ";" and delete the remainder of the line in its entirety

AMENDMENT NO. 10

On page 2, delete line 29 in its entirety

AMENDMENT NO. 11

On page 3, delete lines 1 and 2 in their entirety

AMENDMENT NO. 12

On page 3, between lines 16 and 17 insert the following:

H. By December 31, 2008, the council shall present a status report on the development of the implementation plan to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare, meeting jointly. Prior to March 1, 2009, the council shall submit the final plan for approval by the Senate Committee on Health and Welfare and the House Committee on Health and Welfare, meeting jointly.

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

SENATE BILL NO. 695—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:1324(A)(1) and 1451(G), relative to filing of certain financial reports by insurers; to provide with respect to the commissioner's determinations of compliance that would constitute a financial hardship on the insurer; to provide with respect to the requirement of electronic filings with the National Association of Insurance Commissioners; 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. 695 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 11, change "may" to "shall"

AMENDMENT NO. 2

On page 1, line 14, delete "or" and insert "the commissioner determines that compliance with this Part would constitute a financial or organizational hardship on the insurer; or"

AMENDMENT NO. 3

On page 2, between lines 6 and 7, insert the following:

"(c) Notwithstanding any provision to the contrary, any domestic insurer that is licensed to write business only in the state of Louisiana may make written application to the commissioner for a waiver from the requirements of this Subsection."

AMENDMENT NO. 4

On page 2, after line 17, insert:

"(4) Holding Company Registration."

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. 725—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:943(A)(9), (10), (11), (12) and (13), relative to the Small Business Entrepreneurship Commission; to provide for voting membership; 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. 756—

BY SENATOR B. GAUTREAUX

AN ACT

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

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. 762—

BY SENATOR CROWE

AN ACT

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

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

SENATE BILL NO. 765—

BY SENATOR MICHOT

AN ACT

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

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. 765 by Senator Michot

AMENDMENT NO. 1

On page 1, line 14, after "of" and before "percent" delete "twenty-five ~~thirty-five~~" and insert "twenty-five" in lieu thereof

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

SENATE BILL NO. 777—
BY SENATOR MICHOT

AN ACT

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

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.

Reconsideration

On motion of Senator B. Gautreaux, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 7, 2008, was reconsidered.

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

AN ACT

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

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

Senate and Concurrent Resolutions
on Second Reading
Reported by Committees

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

SENATE RESOLUTION NO. 30—
BY SENATOR DONAHUE

A RESOLUTION

To urge and request the President of the Louisiana Senate to create and establish a special Senate committee to conduct a comprehensive study of the TIMED Program.

Reported favorably by the Committee on Senate and Governmental Affairs. The resolution was read by title. On motion of Senator Donahue the Senate Resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To establish a special study committee to study and make recommendations with respect to creating special designations on EMS vehicles.

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 Concurrent Resolution No. 35 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 29, after "and" and before "Ambulance" delete "Human Resources" and insert "Hospitals"

AMENDMENT NO. 2

On page 3, between lines 19 and 20, insert the following:
"(18) The president of the Louisiana Ambulance Alliance or his designee."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Donahue	McPherson	Walsworth
Dupre	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Dorsey	Heitmeier	Martiny
Duplessis	Marionneaux	Shepherd
Total - 6		

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

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

A CONCURRENT RESOLUTION

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

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 Concurrent Resolution No. 40 by Senator Cassidy

AMENDMENT NO. 1

On page 1, line 3, after "University" and before "to" delete "Health Sciences Center" and insert "System" in lieu thereof

AMENDMENT NO. 2

On page 1, line 6, change "Health Sciences Center" to "System"

AMENDMENT NO. 3

On page 1, line 11, change "Health Sciences Center" to "System"

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AMENDMENT NO. 4

On page 1, line 16, after "University" and before "to" delete "Health Sciences Center" and insert "System" in lieu thereof

AMENDMENT NO. 5

On page 1, line 18, after "University" and before "." delete "Health Sciences Center" and insert "System" in lieu thereof

AMENDMENT NO. 6

On page 2, line 2, after "University" and before "report" delete "Health Sciences Center" and insert "System" in lieu thereof

AMENDMENT NO. 7

On page 2, line 7, after "University" delete "Health Sciences" and insert "System" in lieu thereof

AMENDMENT NO. 8

On page 2, line 8, delete "Center systems"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Adley	Gautreaux N	Murray
Alario	Gray	Nevers
Amedee	Hebert	Quinn
Cassidy	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Erdey	Morrish	
Total - 31		

NAYS

Total - 0

ABSENT

Broome	Heitmeier	Shepherd
Cheek	Marionneaux	
Dorsey	Martiny	
Total - 7		

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

Bagneris Rule

Senator Dupre moved to suspend the rules to temporarily pass over controversial House 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. 220— BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:374(E), relative to divorce; to provide relative to possession and use of the family residence or community movables or immovables; to provide terms, conditions, procedures, and requirements, and to provide for related matters.

The bill was read by title. Senator Quinn 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	Jackson	Shaw
Cravins	Kostelka	Smith
Crowe	LaFleur	Thompson
Donahue	Long	Walsworth
Duplessis	McPherson	
Total - 32		

NAYS

Total - 0

ABSENT

Dorsey	Marionneaux	Mount
Heitmeier	Martiny	Shepherd
Total - 6		

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

SENATE BILL NO. 288— BY SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 47:1835(D)(1) and (4), 1989.1(B), and 1998.1, relative to the Louisiana Tax Commission; to limit amounts received by the tax commission from certain audits and to limit the method of employing private counsel; and to provide for related matters.

The bill was read by title. Senator Kostelka 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	Riser
Cassidy	Hebert	Shaw
Cheek	Jackson	Smith
Cravins	Kostelka	Thompson
Crowe	LaFleur	Walsworth
Donahue	Long	
Duplessis	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Dorsey	Martiny	Shepherd
Heitmeier	Mount	
Marionneaux	Quinn	
Total - 7		

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

SENATE BILL NO. 308—
BY SENATOR DONAHUE

AN ACT

To amend and reenact Code of Civil Procedure Article 1425(C) and to enact Code of Civil Procedure Article 1425(F), relative to discovery and experts; to extend the deadline for filing expert witness disclosures; to provide for a pre-trial hearing regarding the qualifications and admissibility of testimony of an expert witness; to provide procedures for conducting the hearing and appealing the decision of the judge; and to provide for related matters.

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

SENATE BILL NO. 383—
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:2159, relative to landfill sites in certain parishes; to provide for certain restrictions; and to provide for related matters.

The bill was read by title. Senator Hebert 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	Riser
Cassidy	Hebert	Shaw
Cheek	Jackson	Smith
Cravins	Kostelka	Thompson
Crowe	LaFleur	Walsworth
Donahue	Long	
Duplessis	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Dorsey	Martiny	Shepherd
Heitmeier	Mount	
Marionneaux	Quinn	
Total - 7		

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

SENATE BILL NO. 384—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2054(B)(2)(b)(ix), relative to the powers and duties of the secretary of the Department of Environmental Quality; to provide for record keeping requirements for certain persons who discharge toxic air pollutants into the atmosphere of Louisiana; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Morrish
Alario	Erdey	Murray
Amedee	Gautreaux B	Nevers
Broome	Gray	Riser
Cassidy	Hebert	Shaw
Cheek	Jackson	Smith
Cravins	LaFleur	Thompson
Crowe	Long	Walsworth
Donahue	McPherson	
Total - 29		

NAYS

Total - 0

ABSENT

Dorsey	Kostelka	Mount
Gautreaux N	Marionneaux	Quinn
Heitmeier	Martiny	Shepherd
Total - 9		

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

SENATE BILL NO. 410—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 14:329.6(A)(6), relative to the powers of public officials during times of emergency or disaster; to provide that those powers do not authorize the seizure or confiscation of a firearm or weapon from any person if the firearm or weapon is being possessed or used lawfully; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Smith
Crowe	LaFleur	Thompson
Duplessis	Long	Walsworth
Total - 30		

May 8, 2008

NAYS

Total - 0

ABSENT

Donahue	Marionneaux	Quinn
Dorsey	Martiny	Shepherd
Heitmeier	Mount	
Total - 8		

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

SENATE BILL NO. 445— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 47:303.1(B)(1)(c), (C) and (D), and to enact R.S. 47:303.1 (B)(3), relative to the Industrial Assistance Program; to provide for the issuance of a Direct Payment Number to taxpayers entering into tax exemption contracts with the Department of Economic Development; to provide that such taxpayers are not responsible for payment of use taxes on purchases when such purchases are exempt pursuant to the annual tax exemption contract cap; to lower the annual purchase threshold for taxpayers to qualify for the issuance of a Direct Payment Number; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dorsey	Marionneaux	Shepherd
Heitmeier	Martiny	
Total - 5		

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. 682— BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 15:556(2) and to repeal Chapter 3-C of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:555 and 556, to provide for the Louisiana Sexual Assault Task Force; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Broome	Gray	Murray
Cassidy	Hebert	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Walsworth
Duplessis	Martiny	
Total - 32		

NAYS

Total - 0

ABSENT

Dorsey	Marionneaux	Shepherd
Heitmeier	Quinn	Thompson
Total - 6		

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

SENATE BILL NO. 707— BY SENATOR ERDEY

AN ACT

To enact R.S. 15:1093.1, relative to regional juvenile justice commissions; to provide for immunity from liability; to provide terms and conditions; 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	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Donahue	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Dorsey	Marionneaux
Heitmeier	Shepherd
Total - 4	

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. 752—
BY SENATOR WALSWORTH

AN ACT

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

The bill was read by title. Senator Walsworth 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	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Donahue	Heitmeier	Martiny
Dorsey	Marionneaux	Shepherd
Total - 6		

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

SENATE BILL NO. 754—
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:4(K) and 4.1(K), and R.S. 38:3097.3(E), relative to uses of ground water; to provide for the powers and duties of the assistant secretary and the commissioner of conservation; to prohibit certain uses of ground water; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Broome	Gray	Nevers
Cassidy	Hebert	Riser
Cheek	Jackson	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Duplessis	McPherson	Walsworth
Total - 30		

NAYS

Total - 0

ABSENT

Donahue	Kostelka	Quinn
Dorsey	Marionneaux	Shepherd
Heitmeier	Martiny	
Total - 8		

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

SENATE BILL NO. 781—
BY SENATOR JACKSON

AN ACT

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

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. 781 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 10, following "**defined**" and before "**, together**" change "**herein**" to "**in Article 552**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Donahue	Heitmeier	Martiny
Dorsey	Marionneaux	Shepherd
Total - 6		

May 8, 2008

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

Senator Broome in the Chair

SENATE BILL NO. 783—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 3:2364(D)(8), (9), and (10), relative to the Louisiana Animal Welfare Commission; to provide relative to powers of the commission; to permit the commission to obtain records and inspect facilities; 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 Morrish
Adley Erdey Mount
Alario Gautreaux B Murray
Amedee Gautreaux N Nevers
Broome Gray Quinn
Cassidy Hebert Riser
Cheek Jackson Shaw
Cravins Kostelka Smith
Crowe Long Thompson
Donahue McPherson Walsworth
Duplessis Michot
Total - 32

NAYS

Total - 0

ABSENT

Dorsey LaFleur Martiny
Heitmeier Marionneaux Shepherd
Total - 6

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. 784—

BY SENATOR N. GAUTREAUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux B Morrish
Adley Gautreaux N Mount
Alario Gray Murray
Amedee Hebert Nevers
Cheek Jackson Quinn
Cravins Kostelka Riser
Donahue LaFleur Shaw

Duplessis Long Smith
Dupre McPherson Thompson
Erdey Michot Walsworth
Total - 30

NAYS

Total - 0

ABSENT

Broome Dorsey Martiny
Cassidy Heitmeier Shepherd
Crowe Marionneaux
Total - 8

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

SENATE BILL NO. 791—

BY SENATOR N. GAUTREAUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome Heitmeier Shepherd
Crowe Marionneaux
Dorsey Martiny
Total - 7

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 59—

BY SENATOR BROOME

A RESOLUTION

To designate Thursday, May, 15, 2008, as "Louisiana Legislators Go Red for Women Day."

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 7, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review EnergySolutions' license application to the United States Nuclear Regulatory Commission to import and export foreign nuclear waste through the Port of New Orleans and to monitor such activity, if such license is granted, to ensure compliance with all rules and regulations and necessary permitting and to take all legal action to stop such activity in the absence of compliance.

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To commend the states of Arkansas, Mississippi, and Tennessee for their partnership and participation on the Lower Mississippi River Sub-Basin Committee on Hypoxia and to thank them for their ongoing efforts to reduce hypoxia in the Gulf of Mexico off the coast of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVES JANE SMITH, HUTTER, AND KATZ AND SENATORS CHEEK, QUINN, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend the Louisiana Federation of Republican Women and to welcome its members to the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To commend Special Agent in Charge William J. Renton, Jr., upon his retirement from the United States Drug Enforcement Administration.

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

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

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

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 8, 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 Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR B. GAUTREAU AND REPRESENTATIVE ROBIDEAU AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, ERDEY, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GISCLAIR, MICKY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KLECKLEY, LAFONTA, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MONTOUCEY, MORRELL, MORRIS, NORTON, PEARSON, PERRY, PETERSON, POPE, RICHARD, RICHARDSON, RICHMOND, RITCHIE, SCHRODER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT AND WOOTON

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Teachers' Retirement System of Louisiana to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To proclaim May 13, 2008, as "New Orleans Day at the Legislature."

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To recognize May 12, 2008, as "Fibromyalgia Awareness Day" in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATORS CROWE AND DONAHUE AND REPRESENTATIVES CROMER AND PEARSON

A CONCURRENT RESOLUTION

To commend a lifetime of contributions made on behalf of public education by the late Robert C. Brooks, Jr., M. Ed., the first African-American principal at St. Tammany High School.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Jackson, Kostelka, LaFleur, Long, Michot, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith.

May 8, 2008

Donahue
Duplessis
Dupre
Total - 35Marionneaux
Martiny
McPhersonThompson
Walsworth

ABSENT

Dorsey
Total - 3

Heitmeier

Shepherd

Leaves of Absence

The following leaves of absence were asked for and granted:

Dorsey 1 Day Heitmeier 1 Day
Shepherd 1 Day**Adjournment**

Senator McPherson moved that the Senate adjourn until Monday, May 12, 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 12, 2008.

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