

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

THIRTY-SECOND 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 22, 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	Hebert	Murray
Amedee	Heitmeier	Nevers
Broome	Kostelka	Riser
Cheek	Long	Shaw
Crowe	Marionneau	Smith
Donahue	Martiny	Walsworth
Duplessis	Michot	
Gautreaux B	Morrish	
Total - 22		

ABSENT

Adley	Erdey	Mount
Alario	Gautreaux N	Quinn
Cassidy	Gray	Shepherd
Cravins	Jackson	Thompson
Dorsey	LaFleur	
Dupre	McPherson	
Total - 16		

The President of the Senate announced there were 22 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Gene Wellington, 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 May 21, 2008, was adopted.

**Privilege Report of the
Legislative Bureau**

May 22, 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. We advise and suggest the following amendments to the engrossed bills.

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

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

Reported without amendments.

HOUSE BILL NO. 28—
BY REPRESENTATIVE RICHMOND
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 46—
BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:964(Schedule I)(A), (B)(14), (C), (D)(1) and (2), and (E), (Schedule II)(A)(1)(introductory paragraph) and (i) through (q), (B), (C)(introductory paragraph) and (1) and (2), (D)(introductory paragraph) and (2) through (4), and (E), and (Schedule III)(A)(introductory paragraph), (B), (D)(2), and (E), and to enact R.S. 40:964(Schedule II)(A)(1)(r) and (6),(C)(3), (D)(5) and (6), and (F) and (Schedule V)(A)(6), (C), and (D), and to repeal R.S. 40:964(Schedule III)(A)(5), relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedules I, II, III, and V to be consistent with the federal controlled substances designations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 84—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact R.S. 14:75(C)(5), relative to failure to pay child support obligation; to provide for an increase in the penalty provision when the amount of support owed is more than twenty-five thousand dollars; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 93—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:2531, relative to rights of police employees during investigations; to apply the rights of certain law enforcement officers under investigation to police employees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 116—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 118—
BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To amend and reenact R.S. 14:402(D)(5) and to enact R.S. 14:402(D)(9), relative to contraband; to amend the definition of

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"contraband" with respect to alcoholic beverages and certain pieces of communication equipment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 126—
BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To enact R.S. 46:1844(N)(4), relative to crime victims and witnesses; to provide with respect to duties of the Department of Public Safety and Corrections, corrections services; to provide with respect to providing a crime victim with a recent photograph of an inmate prior to his release; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 130—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; and to provide for related matters.

Reported without amendments.

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 137 by Representative Hill

AMENDMENT NO. 1
On page 1, line 13, following "(1)" and before "fraudulent" change "Distribution of" to "Distribute"

AMENDMENT NO. 2
On page 2, line 18, following "means" delete the remainder of the line and insert "to develop, prepare, design, create, or process"

HOUSE BILL NO. 292—
BY REPRESENTATIVES WHITE, BOBBY BADON, BALDONE, HENRY BURNS, GALLOT, GISCLAIR, ELBERT GULLORY, 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.

Reported without amendments.

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

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

adoption; to provide for the effective date of an adult adoption; to provide for birth certificates; to provide for the change of a name; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

HOUSE BILL NO. 528—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2366(C) and (D), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; to provide for the one-call notification system for release notifications; to provide for notification requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 539—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2066(B) and to enact R.S. 30:2066(D), relative to fees paid in severe and extreme ozone nonattainment zones; to provide for fees to be paid with respect to the one-hour ozone national ambient air quality standard; to require the Department of Environmental Quality to adopt rules and regulations in response to certain actions by congress, the Environmental Protection Agency, or a court; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 539 by Representative Lambert

AMENDMENT NO. 1
On page 1, line 14, before ", the" change "Louisiana Constitution" to "Constitution of Louisiana"

HOUSE BILL NO. 567—
BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 40:1149(B), relative to operators of water systems; to provide for the presence of certified operators while certain systems are in operation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 631—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 15:440.5(C), relative to videotapes of protected persons in criminal prosecutions; to provide for the discovery, delivery, custody, and retention of viodeotaped statements of protected persons; to provide for damages for unauthorized disclosures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 632—
BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 634—
BY REPRESENTATIVE PONTI
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 662—
BY REPRESENTATIVE WILLMOTT
AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 662 by Representative Willmott

AMENDMENT NO. 1
On page 2, line 2, following "any" change "real, immovable or movable," to "immovable or movable"

HOUSE BILL NO. 757—
BY REPRESENTATIVES TRAHAN, ELBERT GUILLORY, HOWARD,
NORTON, AND SCHRODER
AN ACT

To amend and reenact R.S. 14:34.3(B) and 38.2(B), relative to crimes against a school teacher; to provide for penalties for the crimes of battery of and assault on a school teacher; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 788—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 48:235 and to repeal R.S. 30:2534, relative to the adopt-a-road program; to transfer the adopt-a-road program to the Department of Transportation and Development; to repeal the adopt-a-road program within the Department of Environmental Quality; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 1120—
BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact Section 2 of Act No. 38 of the First Extraordinary Session of 2006, relative to contracts let by the adjutant general and the Military Department; to extend the termination date of provisions authorizing the utilization of design-build; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1123—
BY REPRESENTATIVES LITTLE AND NORTON
AN ACT

To amend and reenact R.S. 14:103.1(C), relative to the crime of emanation of excessive sound or noise; to provide for increased penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1126—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 14:67.16(A)(1) and to enact R.S. 14:67.16(A)(3), relative to identity theft; to amend the definition of "disabled person"; to provide for the definition of "person"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1136—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and to enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole or probation; to provide that as a condition of parole or probation a person on parole or probation agrees to searches of his person or property by law enforcement officers with or without an arrest or search warrant; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1146—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:2405(C), relative to peace officer training requirements; to exempt certain part-time and reserve officers from peace officer training requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1148—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2531(D) and 2533(D), relative to the investigation of law enforcement officers; to provide for expungement of certain records; to provide for the investigative report; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1196—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2113(D), relative to the Louisiana Nuclear Energy and Radiation Control Law; to provide for prohibitions on transportation of certain radioactive waste; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills were read by title and passed to a third reading.

Introduction of Resolutions, Senate and Concurrent

Senator Marionneaux 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. 85—
BY SENATORS MARIONNEAUX, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Michael Gabel upon his death in Afghanistan.

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

SENATE RESOLUTION NO. 86—
BY SENATORS MARIONNEAUX, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Timothy Cole, Jr., upon his death in combat in Iraq.

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

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION

To commend and congratulate Rosalie Marie "Poddy" Leveque Champeaux upon the occasion her retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Hebert, Mount. Rows include Mr. President, Amedee, Broome, Cassidy, Cheek, Crowe, Donahue, Duplessis, Gautreaux B, Total - 25.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Erdey, Quinn. Rows include Adley, Alario, Cravins, Dorsey, Dupre, Total - 13.

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

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATORS HEBERT AND MARIONNEAUX
A CONCURRENT RESOLUTION

To direct the commissioner of conservation to move expeditiously to promulgate additional drilling safety regulations for wells drilled near Louisiana's interstate highways.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 21, 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. 420—
BY REPRESENTATIVES GALLOT, BOBBY BADON, BARRAS, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, DANAHAY, DOERGE, DOWNS, EL LINGTON, FOIL, GEYMAN, ELBERT GUILLORY, HARDY, ROSALIND JONES, SAM JONES, KLECKLEY, MILLS, MONTOUCET, MORRIS, NORTON, PERRY, GARY SMITH, JANE SMITH, WADDELL, WILLIAMS, AND WOOTON
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) and to enact Article VII, Section 4(D)(4) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 563—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b), relative to the letting of contracts for public works; to provide relative to the more effective and efficient letting of such contracts; to provide relative to the procedures for bidding on such contracts including forms used for such purpose; and to provide for related matters.

HOUSE BILL NO. 759—

BY REPRESENTATIVE HARRISON

AN ACT

To amend and reenact R.S. 9:311(A), relative to child support; to provide for a material change in circumstances; to provide for documentation; to require the Department of Social Services to provide information, rules and forms; to require the clerks of court to make forms available; to require a hearing within a certain period of time; to provide for retroactivity to the date of filing; and to provide for related matters.

HOUSE BILL NO. 923—

BY REPRESENTATIVES GALLOT AND BARRAS

AN ACT

To amend and reenact R.S. 18:1303(B)(6) and (I) and 1307(G) and to enact R.S. 18:1303(K), relative to absentee voting by mail; to provide that certain persons involuntarily confined for mental treatment shall vote only absentee by mail; to provide for evidence of disability to be submitted in order to vote absentee by mail; to provide for indefinite applicability of applications to vote absentee by mail for disabled voters and senior citizen voters, including exceptions and procedures; and to provide for related matters.

HOUSE BILL NO. 937—

BY REPRESENTATIVES ST. GERMAIN AND AUBERT

AN ACT

To amend and reenact R.S. 4:211(5) and R.S. 27:353(4) and to enact R.S. 18:1300.24, relative to conducting live horse racing and pari-mutuel wagering in Iberville Parish; to provide for the calling and conducting of certain referendum elections in Iberville Parish relative to authorizing the conducting of horse racing and pari-mutuel wagering in the parish, authorizing the operation of an offtrack wagering facility in Iberville Parish, and authorizing an eligible horse racing facility in Iberville Parish to conduct slot machine gaming; to provide for the submission of propositions by the governing authority of Iberville Parish; to provide relative to the approval of the propositions by the voters; to provide for applicability; to amend the definition of eligible facility for the purposes of conducting slot machine gaming; to amend the definition of pari-mutuel facility for the purpose of offtrack wagering; and to provide for related matters.

HOUSE BILL NO. 1100—

BY REPRESENTATIVES WADDELL, ABRAMSON, AUBERT, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CARTER, CONNICK, CROMER, DIXON, DOERGE, EDWARDS, GISCLAIR, GREENE, HARDY, HARRISON, HAZEL, HINES, HONEY, HOWARD, HUTTER, GIRODJACKSON, KLECKLEY, LEGER, LORUSSO, MORRELL, MORRIS, NORTON, RICHARD, RICHARDSON, RICHMOND, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TALBOT, AND WOOTON

AN ACT

To amend and reenact R.S. 44:5, relative to records of the office of the governor and of certain agencies in the office of the governor; to provide for the application of the laws relative to public records to the office of the governor and agencies and officials within the office of the governor; to provide with respect to exemptions to the public records laws; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1108—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:4720.151(B)(6), (D), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), and (O)(introductory paragraph), (1), and (4) and R.S. 44:4.1(B)(18),

to enact R.S. 33:4720.151(H)(23) and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; to provide relative to the purposes and objects and powers and duties of the authority; to provide relative to the members of the governing board of the authority; to authorize the authority to initiate an expedited quiet title and foreclosure action; to provide relative to the procedures for any such action; to provide relative to the rights of property owners; to provide relative to due process; and to provide for related matters.

HOUSE BILL NO. 1248—

BY REPRESENTATIVE JOHNSON

AN ACT

To enact R.S. 45:561 and 562, relative to railroad safety; to provide for the Public Service Commission; to implement the Federal Railroad Safety State Participation program; to authorize inspection of railroad facilities; and to provide for related matters.

HOUSE BILL NO. 1256—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 17:53, relative to city, parish, and other local public school board members; to provide that school board members shall receive training and instruction annually; to require that a certain minimum number of hours focus on certain topics for school board members in certain districts; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1328—

BY REPRESENTATIVES MILLS, BOBBY BADON, GISCLAIR, AND HARRISON

AN ACT

To amend and reenact R.S. 30:83(F)(6), 84(A)(1) and (2), and 86(A) and to enact R.S. 30:83(I), relative to the Oilfield Site Restoration Law; to provide for the duties and powers of the Oilfield Site Restoration Commission and the secretary of the Department of Natural Resources; and to provide for related matters.

HOUSE BILL NO. 1367— (Substitute for House Bill No. 451 by Representative Hardy)

BY REPRESENTATIVES HARDY AND GISCLAIR

AN ACT

To enact R.S. 32:77.1, relative to passing in school zones; to prohibit passing in school zones; to provide for penalties for operators of motor vehicles who pass other motor vehicles in school zones; and to provide for related matters.

HOUSE BILL NO. 1369— (Substitute for House Bill No. 948 by Representative St. Germain)

BY REPRESENTATIVES ST. GERMAIN, BALDONE, BARROW, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, DIXON, DOERGE, GISCLAIR, HARRISON, LABRUZZO, LEBAŞ, LEGER, MORRIS, PETERSON, JANE SMITH, TRAHAN, AND WOOTON

AN ACT

To enact R.S. 22:1405(D)(11), R.S. 36:408(D)(6) and 409(C)(7), and R.S. 40:1594, 1594.1, and 1594.2, relative to property insurance; to create the Louisiana Addendum Board within the office of the state fire marshal, code enforcement and building safety, of the Department of Public Safety and Corrections; to charge the board with the responsibility of creating and maintaining the Louisiana Addendum to the Insurance Services Office (ISO) Fire Suppression Rating Schedule; to provide for the responsibilities of the office with regard to the addendum; to require the Property Insurance Association of Louisiana to apply the Louisiana Addendum in assigning a public fire protection classification or grading for a public fire protection area; and to provide for related matters.

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

May 22, 2008

House Bills and Joint Resolutions

Senator Mount asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 420—

BY REPRESENTATIVES GALLOT, BOBBY BADON, BARRAS, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, DANAHAY, DOERGE, DOWNS, ELLINGTON, FOIL, GEYMAN, ELBERT GUILLORY, HARDY, ROSALIND JONES, SAM JONES, KLECKLEY, MILLS, MONToucET, MORRIS, NORTON, PERRY, GARY SMITH, JANE SMITH, WADDELL, WILLIAMS, AND WOOTON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) and to enact Article VII, Section 4(D)(4) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide for an effective date; to provide for submission of the proposed amendment to the electors; 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. 563—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b), relative to the letting of contracts for public works; to provide relative to the more effective and efficient letting of such contracts; to provide relative to the procedures for bidding on such contracts including forms used for such purpose; and to provide for related matters.

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

HOUSE BILL NO. 759—

BY REPRESENTATIVE HARRISON

AN ACT

To amend and reenact R.S. 9:311(A), relative to child support; to provide for a material change in circumstances; to provide for documentation; to require the Department of Social Services to provide information, rules and forms; to require the clerks of court to make forms available; to require a hearing within a certain period of time; to provide for retroactivity to the date of filing; 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. 923—

BY REPRESENTATIVES GALLOT AND BARRAS

AN ACT

To amend and reenact R.S. 18:1303(B)(6) and (I) and 1307(G) and to enact R.S. 18:1303(K), relative to absentee voting by mail; to provide that certain persons involuntarily confined for mental treatment shall vote only absentee by mail; to provide for evidence of disability to be submitted in order to vote absentee by mail; to provide for indefinite applicability of applications to vote absentee by mail for disabled voters and senior citizen voters, including exceptions and procedures; 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. 937—

BY REPRESENTATIVES ST. GERMAIN AND AUBERT

AN ACT

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

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

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

HOUSE BILL NO. 1100—

BY REPRESENTATIVES WADDELL, ABRAMSON, AUBERT, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CARTER, CONNICK, CROMER, DIXON, DOERGE, EDWARDS, GISCLAIR, GREENE, HARDY, HARRISON, HAZEL, HINES, HONEY, HOWARD, HUTTER, GIROD JACKSON, KLECKLEY, LEGER, LORUSSO, MORRELL, MORRIS, NORTON, RICHARD, RICHARDSON, RICHMOND, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TALBOT, AND WOOTON

AN ACT

To amend and reenact R.S. 44:5, relative to records of the office of the governor and of certain agencies in the office of the governor; to provide for the application of the laws relative to public records to the office of the governor and agencies and officials within the office of the governor; to provide with respect to exemptions to the public records laws; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 1108—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:4720.151(B)(6), (D), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), and (O)(introductory paragraph), (1), and (4) and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23) and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; to provide relative to the purposes and objects and powers and duties of the authority; to provide relative to the members of the governing board of the authority; to authorize the authority to initiate an expedited quiet title and foreclosure action; to provide relative to the procedures for any such action; to provide relative to the rights of property owners; to provide relative to due process; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1248—

BY REPRESENTATIVE JOHNSON

AN ACT

To enact R.S. 45:561 and 562, relative to railroad safety; to provide for the Public Service Commission; to implement the Federal Railroad Safety State Participation program; to authorize inspection of railroad facilities; and to provide for related matters.

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

HOUSE BILL NO. 1256—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 17:53, relative to city, parish, and other local public school board members; to provide that school board members shall receive training and instruction annually; to require that a certain minimum number of hours focus on certain topics for school board members in certain districts; 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 Education.

HOUSE BILL NO. 1328— BY REPRESENTATIVES MILLS, BOBBY BADON, GISCLAIR, AND HARRISON

AN ACT

To amend and reenact R.S. 30:83(F)(6), 84(A)(1) and (2), and 86(A) and to enact R.S. 30:83(I), relative to the Oilfield Site Restoration Law; to provide for the duties and powers of the Oilfield Site Restoration Commission and the secretary of the Department of Natural Resources; 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. 1367— (Substitute for House Bill No. 451 by Representative Hardy)

BY REPRESENTATIVES HARDY AND GISCLAIR

AN ACT

To enact R.S. 32:77.1, relative to passing in school zones; to prohibit passing in school zones; to provide for penalties for operators of motor vehicles who pass other motor vehicles in school zones; and to provide for related matters.

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

HOUSE BILL NO. 1369— (Substitute for House Bill No. 948 by Representative St. Germain)

BY REPRESENTATIVES ST. GERMAIN, BALDONE, BARROW, BILLIOT, HENRY BURNS, BURRELL, CHAMPAGNE, DIXON, DOERGE, GISCLAIR, HARRISON, LABRUZZO, LEBAS, LEGER, MORRIS, PETERSON, JANE SMITH, TRAHAN, AND WOOTON

AN ACT

To enact R.S. 22:1405(D)(11), R.S. 36:408(D)(6) and 409(C)(7), and R.S. 40:1594, 1594.1, and 1594.2, relative to property insurance; to create the Louisiana Addendum Board within the office of the state fire marshal, code enforcement and building safety, of the Department of Public Safety and Corrections; to charge the board with the responsibility of creating and maintaining the Louisiana Addendum to the Insurance Services Office (ISO) Fire Suppression Rating Schedule; to provide for the responsibilities of the office with regard to the addendum; to require the Property Insurance Association of Louisiana to apply the Louisiana Addendum in assigning a public fire protection classification or grading for a public fire protection area; and to provide for related matters.

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

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. 438—

BY SENATOR JACKSON

AN ACT

To enact R.S. 24:672 and to repeal R.S. 36:4(B)(8), relative to the Children's Cabinet; to provide with respect to the authority of the Children's Cabinet; and to provide for related matters.

Reported by substitute by the Committee on Senate and Governmental Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO.—(Substitute of Senate Bill No. 438 by Senator Jackson)

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A)(3) through (6), 2605(A) and (B)(3), (5), (28), and (39) and (E), and 2607, to enact R.S. 46:2602(B)(13), and to repeal R.S. 46:2602(D), (E), and (F), 2603(A) (7) through (13), 2605(B)(22), and 2605.1 through 2605.3, relative to the Children's Cabinet; to provide with respect to the powers and duties of the cabinet; to provide with respect to the advisory board; to extend the sunset date for the Cabinet; to repeal the Children's Cabinet Research Council and the Louisiana Juvenile Justice Planning and Coordinating Board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:2601(A)(1), 2603(A)(3) through (6), 2605(A) and (B)(3), (5), (28) and (39) and (E), and 2607 are hereby amended and reenacted and R.S. 46:2602(B)(13) is hereby enacted to read as follows:

§2601. Legislative findings and intent

A.(1) The legislature finds that programs and services to children and their families, including juvenile justice services, are provided by a myriad of state departments, offices, and agencies, as well as many entities at the local level. Funding for such programs is provided from numerous sources, federal, state, and local. There is a serious need to coordinate and focus programs and funding to achieve the most effective and efficient use of monetary, human, and organizational resources.

* * *

§2602. Children's Cabinet; creation; purpose

* * *

B. The cabinet shall be composed of the following members:

* * *

(13) The secretary of the Department of Economic Development.

* * *

§2603. Children's Cabinet; powers and duties

A. In order to carry out the purposes of this Chapter and the purposes for which it is created, the Children's Cabinet shall:

* * *

(3) Develop and recommend a plan by December 31, 2003, for reforming the way in which services, including juvenile justice services, are delivered to children and families. The plan shall be submitted to the Juvenile Justice Reform Act Implementation Commission and to such other legislative committees as the implementation commission may direct and may recommend, at a minimum, the following features for consideration by the commission and legislature:

(a) A system of centralized intake that would allow individuals, as well as public and private service providers, to access common intake forms via the internet and that would initiate eligibility, screening, and case planning processes through local provider networks.

(b) A coordinated system of specially trained and certified case managers who shall, either as teams or as individuals in consultation with other case managers, accept or reject applications for assistance based on clearly defined eligibility standards. The case manager or case management team may develop case management plans that will specify all of the services recommended for the child or family, or both, and how such services may be accessed. The acceptance notice and case management plan should be forwarded to the central intake system, which, in turn, will contact the child and family.

(c) A plan to allow the applicant, upon approval and communication of the plan by the coordinated system of case managers, to use the plan as a voucher for accessing all of the services indicated in the plan in accordance with the plan's terms and conditions.

(d) A plan to provide for the establishment of a system for funding those community-based services meeting the guidelines established by the cabinet. The plan should provide for initial start-up funds for the community-based programs, for local matching requirements, for monitoring and evaluation, and for accessing funding to pay for the vouchers associated with each case management plan. The plan should also investigate the feasibility of providing community-based services through a regional mobile

delivery system providing intake, health, assessment, early identification, informational, and other services.

(e) A plan to provide for the identification and pooling of funds from as many sources as possible, with the exception of federal grant funds that have guidelines disallowing the pooling of certain funds, such as the funding of the Louisiana Commission on Law Enforcement and the Office of Juvenile Justice and Delinquency Prevention Board, and for the use of such funds for any or all purposes lawfully authorized to be used for such purposes.

(f) A plan to require contracts with service providers to include a monitoring and evaluation component based on outcomes and performance and based on the quality of the evaluation and not simply the "lowest bidder" rationale.

(g) A plan to allow for the full reimbursement of the cost of authorized services delivered by private providers having agreements with the state.

(h) A plan to ensure that the new system of funding benefits from the maximum draw of matching federal funds.

(i) A plan to provide for ways to hold parents accountable for assisting their children in obtaining needed treatment.

(4) Propose ways to the legislature to address in a planned manner financial issues affecting foster care including but not limited to the following:

(a) Inadequate payments to residential and private foster care providers.

(b) Below average foster care board payments.

(c) Reduction in funding suitable staff for the office of community services.

(d) Lack of psychiatric hospital beds for foster children.

(e) Lack of funding of after-care and transitional services for foster care children.

(5) Provide for and implement the coordination of service delivery by all state agencies and programs having responsibility for services to children and their families, including juvenile justice services, resolve conflicts among programs and agencies, and develop and implement structures and procedures necessary to accomplish such coordination, which shall include but not be limited to:

(a) Ensuring a regional interagency service coordination process to address individual child and family needs when those needs cross agency lines and coordination is required.

(b) Ensuring the state interagency service coordination team has requested funds to address individual child and family needs which are beyond regional resources.

(6) Develop instruments to ensure that individual programs and the delivery of services by coordinated programs are monitored and evaluated on the basis of appropriate scientific standards.

(7) Undertake studies and develop proposals and recommendations to redirect programs for children and their families from crisis intervention and residential programs toward early intervention and prevention and family preservation when such redirection will be more efficient and effective in terms of human costs and monetary costs.

(8) Ensure that agencies that provide services for children, youth, and their families develop individual transition plans for reintegration into the community and implement to the extent possible.

(9) Adopt and implement provisions for a children's budget, as more specifically provided in R.S. 46:2604.

(10) Require and receive such reports from state agencies and programs having responsibility for children and their families as shall be necessary to carry out its purposes and functions.

(4) Submit an annual report to the governor, Senate Committee on Health and Welfare, the House Committee on Health and Welfare, and any other legislative committee that requests a copy of the annual report, by January thirty-first summarizing the accomplishments of the past year, providing an evaluation of individual programs and the delivery of services, and indicating specific goals and budget priorities for the next fiscal year.

(5) Adopt and promulgate rules and regulations and formulate all necessary policies, procedures, and rules of administration and operation necessary to carry out the purposes of this Chapter, all subject to the Administrative Procedure Act. Legislative oversight of the cabinet, pursuant to the Administrative Procedure Act, shall be the responsibility of the Senate Committee on

Health and Welfare and the House Committee on Health and Welfare.

(6) Do all the things reasonably necessary to accomplish the purposes for which the cabinet is created.

§2605. Children's Cabinet Advisory Board

A. The Children's Cabinet Advisory Board, hereinafter referred to as the "advisory board", is hereby created. The purpose of the advisory board shall be to provide information and recommendations from the perspective of advocacy groups, service providers, and parents.

Primary responsibilities of the Children's Cabinet Advisory Board are:

(1) To ensure information sharing between governmental and non-governmental entities serving Louisiana's children.

(2) To make recommendations to the Children's Cabinet, through the executive director, as requested by the Cabinet.

(3) To make recommendations to the Children's Cabinet, through the executive director, as necessary as determined by the Advisory Board.

(4) To make recommendations to the Children's Cabinet, through the executive director, as the to budget priorities for the coming year by August 31.

(5) To make recommendations to the Children's Cabinet, through the executive director, as to specific budget items to be supported in the Children's Budget by November 30.

(6) To make an annual report to the legislature, Senate Committee on Health and Welfare, the House Committee on Health and Welfare, Select Committee on Women and Children and any other legislative committee requesting a copy of the annual report, by January 31 summarizing the well-being of Louisiana's children, the accomplishments of the past year, and specific goals and priorities for the next fiscal year.

B. The advisory board shall be composed of the following members:

(3) A representative from the Louisiana Council on Child Abuse Prevent Child Abuse Louisiana.

(5) A representative from ChildNet Early Steps.

(28) A member representative of the National Association of Social Workers.

(39) A representative of the Institute for of Infant and Early Childhood Mental Health at Tulane University.

E. The advisory board shall elect as officers a chair, vice chair, and secretary from the membership; and shall meet as needed; and may meet at times other than when the full cabinet is meeting. The advisory board shall create its own by-laws that shall define quorum as at least one-third of those who have been appointed to the advisory board.

§2607. Termination

The existence of the Children's Cabinet shall terminate, all legal authority therefor shall cease, and this Chapter shall be repealed on August 15, ~~2008~~ **2014**.

Section 2. R.S. 46:2602(D), (E), and (F), 2603(A) (7) through (13), 2605(B)(22), and 2605.1 through 2605.3 are hereby repealed.

On motion of Senator Kostelka, the committee substitute bill was adopted and becomes Senate Bill No. 812 by Senator Jackson, substitute for Senate Bill No. 438 by Senator Jackson.

SENATE BILL NO. 812— (Substitute of Senate Bill No. 438 by Senator Jackson)

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A)(3) through (6), 2605(A) and (B)(3), (5), (28), and (39) and (E), and 2607, to enact R.S. 46:2602(B)(13), and to repeal R.S. 46:2602(D), (E), and (F), 2603(A) (7) through (13), 2605(B)(22), and 2605.1 through 2605.3, relative to the Children's Cabinet; to provide with respect to the powers and duties of the cabinet; to provide with respect to the advisory board; to extend the sunset date for

the Cabinet; to repeal the Children's Cabinet Research Council and the Louisiana Juvenile Justice Planning and Coordinating Board; and to provide for related matters.

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

SENATE BILL NO. 587— BY SENATOR BROOME

AN ACT

To enact R.S. 6:1086(D) and (E) and to amend and reenact R.S. 9:3572.11(B)(6), relative to residential mortgage brokers and lenders; relative to loan brokerage statements; to provide with respect to disclosure of foreclosure procedures; and to provide for related matters.

Reported by substitute by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 587 by Senator Broome) BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1084, 1086(A), 1088(C)(1)(introductory paragraph), (D), (E)(1) and (3), and (F)(1), 1089(A), 1090(B)(1), 1091(A), (B)(1) and (C), and 1092(A)(introductory paragraph), and to enact R.S. 6:1083(13) and (14), relative to residential mortgages; to provide for licensure and certification of residential mortgage servicers; to provide for purposes; to provide for prohibitions; to provide for requirements; to provide for application and issuance of licenses; to provide for changes; to provide for recordkeeping; to provide for suspension and revocation of licenses; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:1081, 1082, 1084, 1086(A), 1088(C)(1)(introductory paragraph), (D), (E)(1) and (3), and (F)(1), 1089(A), 1090(B)(1), 1091(A), (B)(1) and (C), and 1092(A)(introductory paragraph) are hereby amended and reenacted and R.S. 6:1083(13) and (14) are hereby enacted to read as follows:

CHAPTER 14. RESIDENTIAL MORTGAGE BROKERS AND LENDERS AND SERVICERS PART I. GENERAL PROVISIONS

§1081. Short title

This Chapter shall be known and may be cited as the "Residential Mortgage Lending and Servicing Act".

§1082. Purpose

The Legislature of Louisiana does hereby declare that it is in the best interest of the citizens of the state to protect consumers in the most important financial investment most will make, the purchase of a home, by requiring the licensing and certification of residential mortgage lenders and servicers. The purpose of this Chapter is to promote the safety and welfare of the people of the state by providing for regulatory oversight and by establishing educational requirements in a professional field in which unqualified individuals may injure or mislead the public.

§1083. Definitions

As used in this Chapter:

(13) "Residential mortgage servicer" or "servicer" means a person who engages in the activity of servicing a residential mortgage as defined in this Section.

(14) "Service," "servicing" or "servicing a residential mortgage loan" means through any medium or mode of communication the collection or remittance of, or the right or obligation to collect or remit for a lender, mortgagee, note owner, noteholder, or for a person's own account, payments, interest, principal, and escrow items such as insurance and taxes for property subject to a residential mortgage loan.

§1084. Prohibition

No person, directly or indirectly, shall engage in a residential mortgage lending or servicing activity in this state without complying with the provisions of this Chapter or the rules or regulations promulgated pursuant to this Chapter.

* * * §1086. Licensure requirement

A.(1) Beginning January 1, 2000, no person shall engage in any residential mortgage lending activity in this state unless such person has first obtained a license in accordance with the provisions of this Chapter. Any person engaged in residential mortgage lending activities in this state on January 1, 1999, may continue to be so engaged and shall by March 1, 2000, have applied for a license and by July 1, 2000, have obtained a license.

(2) Beginning January 1, 2009, no person shall engage in any residential mortgage servicing activity in this state unless such person has first obtained a license in accordance with the provisions of this Chapter. Any person engaged in residential mortgage servicing activities in this state on January 1, 2008, may continue to be so engaged and shall by March 1, 2009, have applied for a license and by July 1, 2009, have obtained a license.

* * * §1088. Application for licensure; issuance of licenses; application and renewal fees

C.(1) Each applicant for licensing as a mortgage lender or a mortgage broker, servicer, or both all three, shall, at the time of application for licensure or any renewal of a license, provide evidence of financial responsibility and solvency in one of the following forms:

D. If the applicant has multiple office locations, all such locations may be covered by a single license by including in the license application the address of each office operated by the applicant and the name and license number of the individual licensees engaging in residential mortgage lending or servicing activities at that location. A copy of the applicant's license certificate shall be prominently displayed at each office at which it does business.

E. The application shall be accompanied by the following nonrefundable fees as determined by and payable to the commissioner:

(1) In the case of an application for a license to act as a mortgage lender, a mortgage broker, a mortgage servicer, or both all three, a license fee in an amount not to exceed four hundred dollars.

(3) An annual license renewal fee for each person licensed as a mortgage broker or mortgage lender, or mortgage servicer in an amount not to exceed three hundred dollars. An annual license renewal application received by the commissioner postmarked after December first shall be accompanied by a late filing fee of two hundred dollars, in addition to the annual license renewal fee.

F.(1) Each person licensed as a mortgage broker or mortgage lender, or mortgage servicer shall file an annual license renewal application on or before November first of each year on a form prescribed by the commissioner.

* * * §1089. Name or location changes and closures; fees

A.(1) No residential mortgage lender, servicer, or originator shall conduct the residential mortgage lending activities provided for in this Chapter under any name other than the one stated on its license or annual registration statement.

(2) A residential mortgage lender or servicer shall notify the commissioner of a change in the location or name of the business or the addition of offices in writing prior to the change. A notice of change of location or name or addition of offices shall be accompanied by a filing fee of one hundred dollars.

(3) A residential mortgage lender or servicer shall notify the commissioner of the closing of any office in writing and within thirty days of such closure.

* * * §1090. Restrictions

B.(1) No person shall acquire or control a license to make broker, or service residential mortgage loans through the acquisition or control of fifty-one percent or more of the ownership interest in a licensee without first having obtained written approval from the

commissioner, pursuant to an application for a change of control in ownership of the licensee, filed in the manner and on a form prescribed by the commissioner and accompanied by a fee of three hundred dollars. Any person who acquires controlling interest in a licensee without first having filed an application for change of control with the commissioner shall be deemed to be operating without proper authority under this Chapter and is subject to the penalties of R.S. 6:1092(C).

* * *
§1091. Recordkeeping and retention; examinations; investigation of complaints

A. Each residential mortgage lender or servicer required to be licensed under this Chapter shall maintain in its offices such books, records, and accounts of its residential mortgage lending and servicing activities as the commissioner may reasonably require in order to determine whether such residential mortgage lender or servicer is complying with the provisions of this Chapter and the rules and regulations promulgated under the provisions of this Chapter. Required records may be maintained in any electronic format consistent with the residential mortgage lender's or servicer's ordinary business practices unless the licensee receives specific written instructions from the commissioner to the contrary. Such books, records, and accounts shall be maintained separate and apart from any other business in which the mortgage lender or mortgage broker, or mortgage servicer is involved and shall be kept at the location in the state at which the residential mortgage lending or servicing activity occurred or at the residential mortgage lender's or servicer's principal office unless otherwise permitted in writing by the commissioner. Records must be made available for review or examination at a nonresidential location approved by the commissioner.

B.(1) The commissioner may examine the books, records, and accounts of any licensed residential mortgage lender or servicer and of any formerly licensed residential mortgage lender or servicer which is engaged in the collection or enforcement of mortgage loans or brokerage agreements. If the records are located outside of the state, the residential mortgage lender or servicer shall make them available to the commissioner at a location within this state convenient to the commissioner or pay the reasonable and necessary expenses for the commissioner or his representative to examine them at the place where they are maintained. The commissioner may designate representatives, including comparable officials of the state in which the records are located, to inspect the records on his behalf.

C.(1) If the commissioner receives a written complaint pertaining to the residential mortgage lending or servicing activities of a person exempt from the provisions of this Part or this Chapter, or exempt from licensure pursuant to the provisions of R.S. 6:1087, the commissioner may refer the complaint to the exempted entity for comment or response. If the complaint is not thereby resolved, the commissioner may refer such complaints to the appropriate federal or state regulatory, licensing, supervisory, or auditing agency or body.

(2) If the commissioner receives a written complaint pertaining to residential mortgage lending or servicing activities of any other exempt person not provided for in Paragraph (1) of this Subsection or if the federal or state regulatory, licensing, supervisory, or auditing agency or body to which the complaint has been referred fails to respond to the complaint within a reasonable period of time, the commissioner may require the residential mortgage lender or servicer to respond in writing to the complaint, may conduct such examinations as he deems necessary in response to such complaint, and may assess such persons an examination fee as provided in this Section.

§1092. Suspension and revocation of licensure; revocation of exemption; disposition of funds; commissioner's interpretations

A. After notice and an opportunity to be heard as provided in the Administrative Procedure Act, the commissioner may suspend or revoke the license of any residential mortgage lender or servicer and, as applicable, of any originator who:

* * *
Section 2. This Act shall become effective on January 1, 2009.

On motion of Senator Duplessis, the committee substitute bill was adopted and becomes Senate Bill No. 813 by Senator Broome, substitute for Senate Bill No. 587 by Senator Broome.

SENATE BILL NO. 813— (Substitute of Senate Bill No. 587 by Senator Broome)

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1084, 1086(A), 1088(C)(1)(introductory paragraph), (D), (E)(1) and (3), and (F)(1), 1089(A), 1090(B)(1), 1091(A), (B)(1) and (C), and 1092(A)(introductory paragraph), and to enact R.S. 6:1083(13) and (14), relative to residential mortgages; to provide for licensure and certification of residential mortgage servicers; to provide for purposes; to provide for prohibitions; to provide for requirements; to provide for application and issuance of licenses; to provide for changes; to provide for recordkeeping; to provide for suspension and revocation of licenses; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 729—

BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 27:93(A)(11), relative to gaming; to authorize the governing authority of East Baton Rouge Parish to levy a fee not to exceed six percent of the monthly net gaming proceeds from each riverboat located within its jurisdiction; and to provide for related matters.

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

SENATE BILL NO. 742—

BY SENATOR CHEEK

AN ACT

To enact R.S. 33:1981(C)(4) and 2201(C)(3), relative to survivor benefits for firefighters and law enforcement officers; to provide relative to financial security of surviving children of such persons; to provide for the designation of trustees for the children of such persons in certain circumstances; to provide for an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 91—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:2(16) and 4 and to enact R.S. 6:2(17), relative to financial institution employment references; to provide that trust companies may release certain information to other financial institutions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 140—

BY REPRESENTATIVES KLECKLEY AND MONICA

AN ACT

To amend and reenact R.S. 22:680(1)(a)(iv) and (4), relative to uninsured motorist coverage; to delete reference to repealed statute; and to provide for related matters.

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

HOUSE BILL NO. 141—

BY REPRESENTATIVES KLECKLEY AND MONICA
AN ACT

To amend and reenact R.S. 22:667.1(A), relative to residential property insurance policies; to correct statutory reference to homeowner's insurance; and to provide for related matters.

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

HOUSE BILL NO. 155—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (C), relative to the facility need review process; to provide for facility need review approval for nursing facilities; to change reference to community and group home beds for the mentally retarded to community and group home beds for the developmentally disabled; and to provide for related matters.

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

HOUSE BILL NO. 156—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 37:3395.1, relative to the Louisiana Real Estate Appraisers Board; to create the Peer Review Committee within the Louisiana Real Estate Appraisers Board; to provide for powers and duties of the committee; to provide for reimbursement of expenses and mileage; to provide for exclusion from liability or damages; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 180—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m), relative to the termination and re-creation of statutory entities; to provide relative to the termination of the Department of Veterans Affairs and statutory entities made a part of the department; and to provide for related matters.

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

HOUSE BILL NO. 192—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 37:1437(C)(2)(a) and (c), (5)(b), and (6)(a), relative to licensing by the Louisiana Real Estate Commission; to provide for changes to the initial licensing requirements of a real estate broker; to provide for changes to post-license educational requirements of real estate brokers and salespersons; to remove free courses offered by the commission; 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 Reengrossed House Bill No. 192 by Representative Arnold

AMENDMENT NO. 1

On page 3, delete lines 12 and 13

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

HOUSE BILL NO. 194—

BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 40:2116.36(E), relative to home health care providers; to provide for the denial, revocation, or nonrenewal of a home health agency license; and to provide for related matters.

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

HOUSE BILL NO. 196—

BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(c), relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 219—

BY REPRESENTATIVE ARNOLD
AN ACT

To repeal R.S. 13:3737, relative to the quality review privilege of accountants.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 222—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1907.1, relative to property residual value insurance policies; to require filing with and approval of such policies or forms by the commissioner of insurance; to provide for fees; 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 Engrossed House Bill No. 222 by Representative Kleckley

AMENDMENT NO. 1

On page 1, line 3, after "filing" delete the remainder of the line and insert in lieu thereof "of such policies or forms with the"

AMENDMENT NO. 2

On page 1, line 19, delete "and approved by"

May 22, 2008

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

HOUSE BILL NO. 223—
BY REPRESENTATIVES KLECKLEY AND MONICA
AN ACT

To amend and reenact R.S. 22:1479, relative to insurers and other entities regulated by the commissioner of insurance; to require life or health and accident insurers, health maintenance organizations, managing general agents, and third-party administrators to maintain written catastrophe response plans; and to provide for related matters.

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

HOUSE BILL NO. 237—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1078(B)(26) and 1807.1, relative to vehicle mechanical breakdown insurance and fees of the Department of Insurance; to provide for commissioner of insurance review and approval of forms; to provide for fees for the review of vehicle mechanical breakdown policies; 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 Engrossed House Bill No. 237 by Representative Kleckley

AMENDMENT NO. 1
On page 1, line 4, delete "and approval"

AMENDMENT NO. 2
On page 2, line 1, delete "and approved by"

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

HOUSE BILL NO. 320—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 56:1948.6(C), relative to the Louisiana Byways Program; to provide relative to the official logo; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 340—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 42:1124.2(A), relative to financial disclosure; to require certain public employees in the Department of Public Safety and Corrections to file financial disclosure reports; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 363—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 37:1479(A) and (B), relative to the licensing of home inspectors; to provide for the expiration of licenses; to provide for the renewal of licenses; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 370—
BY REPRESENTATIVES HENRY, AUSTIN BADON, BOBBY BADON, BARRAS, BARROW, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, EDWARDS, ELLINGTON, FANNIN, GEYMANN, GREENE, GUINN, HARRISON, HAZEL, HINES, HOFFMANN, HOWARD, HUTTER, JOHNSON, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS DONAHUE, MARTINY, MICHOT, MORRISH, NEVERS, AND SCALISE
AN ACT

To enact R.S. 40:1299.36, relative to human cloning; to prohibit the expenditure of public funding for the purpose of human cloning; to provide for exceptions; 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 Reengrossed House Bill No. 370 by Representative Henry

AMENDMENT NO. 1
On page 2, line 2 after "of" and before "federal" insert "state, private or"

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

HOUSE BILL NO. 503—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 25:2(A) and R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), (F), and (G), 1257(E), 1284(A)(introductory paragraph) and (B), and 1318(C) and (I), relative to certain boards and commissions; to change the appointing authority for certain boards and commissions; to provide for terms of service; to provide for appointment of chairmen; to provide for implementation; 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 Engrossed House Bill No. 503 by Representative Gallot

AMENDMENT NO. 1
On page 4, between lines 10 and 11, insert the following:
"Section 3. Any member of the Louisiana Tourism Development Commission appointed by the governor on or before May 21, 2008, shall be allowed to continue to serve as a member of the commission."

AMENDMENT NO. 2

On page 4, line 11, change "Section 3." to "Section 4."

AMENDMENT NO. 3

On page 4, line 20, change "Section 4.(A)" to "Section 5.(A)"

AMENDMENT NO. 4

On page 4, line 22, change "Section 3" to "Section 4"

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

HOUSE BILL NO. 508—

BY REPRESENTATIVE ARNOLD
AN ACT

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

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 606—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 22:1404(E) and (F) and to enact R.S. 22:1404(G), relative to automobile insurance rate reductions; to provide with respect to a rate reduction for automobiles that have technology that aids in the recovery of stolen vehicles; and to provide for related matters.

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

HOUSE BILL NO. 635—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 42:1124.2(A), relative to financial disclosure; to require certain persons to file financial disclosure reports; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 670—

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

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

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

HOUSE BILL NO. 678—

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

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

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

HOUSE BILL NO. 728—

BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 37:146(B), (C), and (D) and to enact R.S. 37:146.1, relative to qualifications for examination of architects; to provide for additional qualifications for examinations for applicants; to provide for the ability for the board to adopt rules; to provide for licensing for architects; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 790—

BY REPRESENTATIVES FOIL, GREENE, AND RICHARDSON
AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the July election date for bond, tax, and other proposition elections; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 854—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 13:312(1)(b) and 312.1(A), relative to court of appeal judges; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purposes of qualification and election; to provide relative to the term of office for such judges; to provide for effective dates; and to provide for related matters.

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

HOUSE BILL NO. 858—
BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 37:2503(C) and (D) and 2504(D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide meeting attendance requirements; to provide for the creation of vacancies; to establish what constitutes a quorum; to authorize the board to maintain the Direct Service Worker Registry; to authorize the board to determine and document direct service worker registration status; and to provide for related matters.

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

HOUSE BILL NO. 861—

BY REPRESENTATIVES HINES, ABRAMSON, BARROW, BURFORD, DOERGE, HILL, KATZ, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE, SIMON, AND WILLMOTT

AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2881 and 2882, relative to the Umbilical Cord Blood Banking Program; to provide for a short title; to establish the program within the Department of Health and Hospitals; to provide for the duties of the department; and to provide for funding; and to provide for related matters.

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

HOUSE BILL NO. 911—

BY REPRESENTATIVES GALLOT, ARNOLD, BOBBY BADON, BALDONE, BILLIOT, BURRELL, DIXON, DOWNS, GISCLAIR, HARDY, HINES, HUTTER, LEGER, NORTON, RICHARD, ST. GERMAIN, TUCKER, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1123(13), relative to the acceptance of certain things of economic value; to provide relative to the acceptance of complimentary admission to certain events by public servants; and to provide for related matters.

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

HOUSE BILL NO. 930—

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

AN ACT

To amend and reenact R.S. 36:258(G) through (L), to enact Chapter 20 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:901 through 906, and Chapter 21 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:911 through 920, and to repeal R.S. 28:382.2 and R.S. 46:2661 through 2666, relative to human services districts; to provide relative to the Capital Area Human Services District, including the powers, duties, and functions of the district, its governing board and nomination procedures, reporting duties, and the transfer of powers, duties, functions, and employees from the Department of Health and Hospitals to the district; to provide for the reversion of the functions of human services districts to the Department of Health and Hospitals in the event of the termination of a contract; to create statewide human

services delivery systems; to establish the jurisdiction of human services districts; to create governing boards and provide for the appointment of board members, their terms, and compensation; to establish requirements for existing and newly created boards; to provide for the powers, duties, and functions of the districts; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the districts; to provide for transfer of employees; to provide relative to the membership, responsibilities, and duties of the Human Services Interagency Council; to establish the duties and responsibilities of the Department of Health and Hospitals; to provide for the event of a conflict with other laws; and to provide for related matters.

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

HOUSE BILL NO. 960—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:1309.2, relative to a program for early voting; to authorize the secretary of state to develop and implement a program for the conduct of early voting in additional locations; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the program; to require the approval of the program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the program to the House and Senate governmental affairs committees; and to provide for related matters.

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

HOUSE BILL NO. 1002—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3), and (4) and 1114.3(A)(1) and (2), to enact R.S. 42:1113(D)(5), and to repeal R.S. 42:1113(E), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide relative to restrictions of such contracts; to provide for disclosure relative to such contracts; to provide for enforcement and penalties; to provide relative to applicability; to provide exceptions; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1017—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:18(A)(8)(b), 51(C), 108(B), 110(B)(2)(b), 115(A)(3), 154(C), 171, 172, 193(E) and (F), 196(D), 425(B)(4), 443.2(7), 503, 532(B)(5), 532.1(B)(2)(b) and (D), 535(B), 563(C)(2), 564(A), 566.2(B) and (G), 571, 1259(A) and (B)(1), (2)(introductory paragraph), and (5), 1275.14(B), 1284(F)(1), 1299.1(A), 1306(B)(2), 1307(C), 1309(B), 1313(D), 1402(A)(introductory paragraph) and (B)(1)(introductory paragraph), and 1903, to enact R.S. 18:2(12), 552(A)(4), 1300.7(C), (D), and (E), 1306(B)(3), 1309(J), and 1332(C), and to repeal R.S. 18:532.1(G) and (H), relative to the Louisiana Election Code; to provide relative to the powers and duties of the secretary of state; to provide relative to the duties of clerks of court; to provide relative to the duties of registrars of voters; to provide relative to the duties of the secretary of the Department of Public Safety and Corrections; to provide

definitions; to provide relative to filling a vacancy in the office of registrar of voters; to provide relative to transfer and cancellation of duplicate registrations; to provide relative to the effectiveness of certain changes in registration; to provide relative to disclosure of voter information; to provide relative to reporting of felony convictions; to provide relative to procedures for challenge and cancellation of registration; to provide relative to reporting of judgments of interdiction; to provide relative to the qualifications of commissioners; to provide relative to the submission of apportionment plans of the state central committees of certain recognized political parties; to provide relative to notice of withdrawal or disqualification of a candidate; to provide relative to notice of location of precincts and polling places; to provide relative to assistance in voting; to provide relative to procedures for voting; to provide relative to the counting and tabulation of provisional ballots for federal office; to provide relative to procedures for counting and tabulating votes; to provide relative to arrangement of the voting machine ballot; to provide relative to selection of nominees in congressional elections; to provide relative to requirements for statements of propositions or questions to be submitted to the voters; to provide relative to recall elections; to provide relative to election paraphernalia accompanying absentee by mail and early voting ballots; to provide relative to the validity of certain applications to vote absentee by mail by certain persons; to provide relative to information required to be posted at an early voting polling place; to provide relative to persons present during the counting and tabulation of absentee and early voting ballots; to provide relative to registration of persons approved for participation in the special program for handicapped voters; to provide relative to parties to an action objecting to candidacy; to provide relative to precincts; to provide for effectiveness; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 1058—

BY REPRESENTATIVES GALLOT, TUCKER, AND WADDELL
AN ACT

To amend and reenact R.S. 6:103(B)(14), (E)(1)(e), and (I), R.S. 9:2798.5(A), R.S. 10:9-526(a)(2) as amended by Act No. 319 of the 2007 Regular Session of the Legislature, R.S. 11:315(A)(introductory paragraph) and (B)(2)(introductory paragraph), 316(A)(introductory paragraph), 542.1(B), 1942.1(A), 2178(D), (E)(5), and (J)(1) and (2), and 2260(A)(9)(b)(iv), R.S. 13:961(B), (C), (D)(2), (E), and (I), R.S. 15:141, 142(F), 143(introductory paragraph), 147(B)(2), 148(A), 149, 160(E), 161(J), 162(C), 165(B)(1)(b), 170(D)(5)(introductory paragraph), 173(A), 181, 182, 185.3(D), 571.11(B), 572.8(G) and (H), and 574.9(A), R.S. 17:416(B)(2) and (3)(d)(iv), (C)(1) and (2)(a)(i), and (E), 525(A)(1) and (C), 1518.1(I)(3) and (J), 1990(B)(1)(c) and (d), 3048.1(A)(1)(a)(iii)(dd)(I) and (V)(3)(a), 3394.1, 3394.2(6) and 3394.3(B)(introductory paragraph) and (1)(b), R.S. 23:101, 107(C) and (D), 111(A), (B)(3)(e), and (F), 897(K) and (M), 1191, 1195(A)(1) and (5)(a), (B)(introductory paragraph), (1)(a), (2)(b), and (3)(a), and (C)(5)(a) and (b)(vi), 1196(A)(2)(c)(i), (3)(b), and (5), 1209(A), (B), and (D), 1211, 1378(A)(6)(b), (B), (C), (D), and (F)(1) through (29) and (30)(a)(iii), 1392(introductory paragraph), (5), and (8)(a), 1532.1(B)(1)(a)

and (b) and (2), (C)(1)(a) and (b), (2), and (3), and (E), 1541, 1552, 1553(A), (B)(3), (4), (5) and (10)(a) and (b), and (D)(4), and 1775(D)(2), R.S. 28:854(B)(1) and (C) and 894(A)(2) and (4), (B)(1), and (C), R.S. 32:784(B), R.S. 38:330.8(B)(4), 334.3, and 2212(C)(1), R.S. 56:320(A)(3) and 327(D) and to repeal R.S. 14:50.1, 54, 85.1, and 91.14, relative to the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain Revised Statutes; to provide for the Louisiana State Law Institute to redesignate certain provisions of Title 40 of the Louisiana Revised Statutes of 1950; to remove certain unconstitutional provisions of Title 14 of the Louisiana Revised Statutes of 1950.

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

HOUSE BILL NO. 1062—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:1058.3(C), relative to methadone maintenance programs; to extend the moratorium on methadone maintenance programs; to provide that the Department of Health and Hospitals may license a new or additional methadone maintenance program if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide for a special effective date; and to provide for related matters.

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

HOUSE BILL NO. 1113—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 22:1021, 1024, and 1027 and to repeal R.S. 22:1023, 1025, and 1026, relative to statutory deposits of insurers; to provide for the amount of the deposit; to provide for delivery of home state certifications; to eliminate surety bonds in lieu of deposits; to eliminate additional deposits of surety insurers; to eliminate conditions of additional deposits; and to provide for related matters.

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

HOUSE BILL NO. 1130— (Substitute for House Bill No. 1095 by Representative Robideaux)

BY REPRESENTATIVES ROBIDEAUX AND CORTEZ

AN ACT

To amend and reenact R.S. 22:1474(B)(5) and (D)(3) and to enact R.S. 22:1474(D)(4), relative to life insurance, disability income, long-term care and annuity policies; to provide relative to exclusive use of certain records and information for individual life insurance, disability income, long-term care and annuity policies; to provide relative to ownership of life insurance, disability income, long-term care and annuity files; to provide relative to the right to retain files upon termination of affiliation between insurance company and producer; to provide relative to all written or electronic records gathered and maintained by the producer; to provide relative to exclusion of real-time policy data and updates maintained on the insurance company computer system or any data protected by the Gramm-Leach-Bliley Act or the security laws; and to provide for related matters.

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

May 22, 2008

HOUSE BILL NO. 1332—
BY REPRESENTATIVE PETERSON
AN ACT

To enact R.S. 22:1135(I), relative to life insurance agent examinations; to require the commissioner of insurance to publish a report regarding life insurance agent examinations; to provide for the commissioner of insurance to publish a report regarding life insurance test forms administered; to provide for the commissioner of insurance to supply testing service providers with demographic information of an insurance producer applicant; and to provide for related matters.

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

HOUSE BILL NO. 1360— (Substitute for House Bill No. 412 by Representative Mills)
BY REPRESENTATIVES MILLS AND ELLINGTON
AN ACT

To enact R.S. 22:170.2, relative to life insurance policies and annuities; to provide with respect to any such policy or annuity issued to fund a pre-need funeral contract; to provide for the relationship of a funeral establishment to such a policy or contract; and to provide for related matters.

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

HOUSE BILL NO. 1361— (Substitute for House Bill No. 1080 by Representative Patricia Smith)
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 40:2120.42(1), relative to adult day health care providers; to change certain operational requirements; and to provide for related matters.

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

Reconsideration

On motion of Senator Kostelka, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 21, 2008, was reconsidered.

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 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.

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

Bagneris Rule

Senator Thompson moved to suspend the rules to temporarily pass over controversial Senate Bills and 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. 196—
BY SENATOR HEBERT AND REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 30:2159, relative to landfill sites; to provide for siting restrictions on certain landfills; to provide for certain terms, conditions and requirements; 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	Morrish
Adley	Gautreaux B	Mount
Alario	Hebert	Murray
Amedee	Heitmeier	Nevers
Broome	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Smith
Crowe	Long	Thompson
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Duplessis	Michot	

Total - 31

NAYS

Total - 0

ABSENT

Cassidy	Gray	Shepherd
Erdey	Marionneaux	
Gautreaux N	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. 749—
BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 15:902.3(A), 905(A), (B), (C), and (D), 921(C), 1097.1(A)(5), and 1106.1(A)(2)(i), R.S. 17:100.1(A)(1) and (C) and 419.2(A), R.S. 24:933(B)(8), R.S. 28:621(A), R.S. 36:401(C)(1)(b)(iii), 405(D)(3) and (6), 407(B), 408(H)(1) and (2)(b), (c), (d), and (f), R.S. 39:1482(F)(1), and R.S. 46:2404(B)(3)(c), 2605(B)(19), 2605.3(A)(4), 2755(B)(3) and 2757(B) and to enact R.S. 15:902.4 and R.S. 46:2755(B)(4) and (C)(6), relative to the Juvenile Justice Reform Act Implementation Commission; to provide for membership, powers, duties, and functions of the Juvenile Justice Reform Act Implementation Commission; to provide for the office of youth development; to provide for the closure of Jetson Youth Center-East Baton Rouge Parish Unit; 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. 749 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 5, following "R.S. 39:1482(F)(1)" insert "(introductory paragraph)"

AMENDMENT NO. 2

On page 5, line 10, before "custody" delete "office of juvenile justice's" and following "custody" insert "of the office of juvenile justice"

AMENDMENT NO. 3

On page 5, line 13, before "mission" delete "office of juvenile justice's" and following "mission" insert "of the office of juvenile justice"

AMENDMENT NO. 4

On page 11, line 8, following "R.S. 39:1482(F)(1)" insert "(introductory paragraph)"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 749 by Senator Cravins

AMENDMENT NO. 1

On page 3, delete lines 8 through 10, and insert the following: "(c) The plan shall permit the funds spent at Jetson Center for Youth-East Baton Rouge Parish Unit to be reallocated or transferred to each regional center in proportion to the youth reassigned from Jetson to such regional centers."

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS: Mr. President, Dupre, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Hebert, Murray, Broome, Heitmeier, Nevers, Cheek, Jackson, Quinn, Cravins, Kostelka, Riser, Crowe, LaFleur, Shaw, Donahue, Long, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Total - 33

NAYS

Total - 0

ABSENT

Table listing names of senators and their counts for ABSENT: Cassidy, Gray, Shepherd, Erdey, Marionneaux, Total - 5

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

SENATE BILL NO. 811— (Substitute of Senate Bill No. 621 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-J of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.151 and 4720.161, relative to local redevelopment, to create certain parish redevelopment authorities; to create the North Lafayette and Downtown Redevelopment Authority to provide for the formation of a program or programs for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings needed to address the influx of displaced persons due to the effects of hurricanes Katrina and Rita; to provide for the governing body of such authorities; to provide for the powers, duties, functions, and liabilities of redevelopment authorities; to authorize public bodies to furnish funds, series, facilities, and property in aid of redevelopment projects; to authorize the authorities to initiate expedited quiet title and foreclosure actions; 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. 811 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 21, following "parishes" and before "has increased" delete "in particular"

AMENDMENT NO. 2

On page 3, line 1, following "of" change "such" to "the"

AMENDMENT NO. 3

On page 3, line 15, following "infrastructure" and before "and utility" insert ":

AMENDMENT NO. 4

On page 6, line 2, following "serve" delete the remainder of the line

AMENDMENT NO. 5

On page 6, line 3, before "for a term" delete "appointing authority"

AMENDMENT NO. 6

On page 7, line 17, following "of" and before "property" change "real" to "immovable"

AMENDMENT NO. 7

On page 8, line 20, following "**property**" and before "**, or any**" change "**real, personal, mixed, tangible, or intangible**" to "**immovable, movable, corporeal, incorporeal, or any combination thereof**"

AMENDMENT NO. 8

On page 9, line 1, following "**including**" and before "**property**" change "**real**" to "**immovable**"

AMENDMENT NO. 9

On page 10, line 1, before "**private**" change "**and/or**" to "**or**"

AMENDMENT NO. 10

On page 12, line 17, at the end of the line delete "**the**"

AMENDMENT NO. 11

On page 12, line 18, before "**the purposes**" change "**carrying out of**" to "**implement**"

AMENDMENT NO. 12

On page 16, line 5, following "**Chapter 14 of**" delete "**Title**"

AMENDMENT NO. 13

On page 16, line 6, before "**of the Louisiana**" change "**39 of Subtitle III**" to "**Subtitle III of Title 39**"

AMENDMENT NO. 14

On page 16, line 7, following "**14-A of**" and before "**Title 39**" insert "**Subtitle III of**"

AMENDMENT NO. 15

On page 16, line 16, following "**13:5121**" and before ")," insert "**et seq.**"

AMENDMENT NO. 16

On page 17, line 17, following "**(2)**" and before "**purchases**" change "**Such**" to "**The**"

AMENDMENT NO. 17

On page 17, line 21, following "**authority.**" and before "**purchases**" change "**Such**" to "**The**"

AMENDMENT NO. 18

On page 18, line 1, following "**Louisiana**" and before "**the**" insert " ;"

AMENDMENT NO. 19

On page 19, line 7, following "**transfer**" change "**real**" to "**immovable**"

AMENDMENT NO. 20

On page 19, line 13, following "**such**" and before "**property**" change "**real**" to "**immovable**"

AMENDMENT NO. 21

On page 19, line 15, following "**on such**" delete the remainder of the line and insert "**immovable property. Such immovable**"

AMENDMENT NO. 22

On page 19, line 23, following "**transfer the**" change "**real**" to "**immovable**"

AMENDMENT NO. 23

On page 20, line 25, following "**transfer**" and before "**property**" change "**real**" to "**immovable**"

AMENDMENT NO. 24

On page 21, line 6, following "**lease**" change "**real**" to "**immovable**"

AMENDMENT NO. 25

On page 21, line 11, following "**Any**" and before "**property**" change "**real**" to "**immovable**"

AMENDMENT NO. 26

On page 21, line 13, following "**Part**" and before "**property**" change "**Real**" to "**Immovable**"

AMENDMENT NO. 27

On page 25, line 25, before "change "**Real**" to "**Immovable**"

AMENDMENT NO. 28

On page 25, line 27, following "and" delete the remainder of the line and insert "**any other real right**"

AMENDMENT NO. 29

On page 25, line 28, following "**including**" and before "**liens**" delete "**terms for years and**"

AMENDMENT NO. 30

On page 26, line 9, following "**title to**" and before "**property**" change "**real**" to "**immovable**"

AMENDMENT NO. 31

On page 28, line 2, following "**Subsection**" delete " ;"

AMENDMENT NO. 32

On page 28, line 27, following "**Paragraph**" and before "**of this**" change "**(4)**" to "**(2)**"

AMENDMENT NO. 33

On page 29, line 18, before "**under**" change "**hearing**" to "**action initiated**"

AMENDMENT NO. 34

On page 31, line 10, before "**of this**" change "**(5)**" to "**(6)**"

AMENDMENT NO. 35

On page 31, line 11, following "**Paragraph**" and before "**of this**" change "**(6)**" to "**(7)**"

AMENDMENT NO. 36

On page 32, line 8, following "**recorded**" and before "**or**" change "**easement or right of way**" to "**servitude**"

AMENDMENT NO. 37

On page 32, line 13, following "**for**" change "**visits to**" to "**posting on**"

AMENDMENT NO. 38

On page 32, line 18, following "**Subsection**" delete " ;"

AMENDMENT NO. 39

On page 33, line 8, following "**Subsection**" delete " ;"

AMENDMENT NO. 40

On page 33, line 10, following "**Paragraph**" and before "**of this**" change "**(12)**" to "**(11)**"

AMENDMENT NO. 41

On page 34, line 17, following "of the" and before "of the" change "**constitution of this state and the constitution**" to "**Constitution of Louisiana and the Constitution**"

AMENDMENT NO. 42

On page 34, line 18, following "**States**" insert "**of America**"

AMENDMENT NO. 43

On page 34, line 21, following "**Paragraph**" and before "**of this**" change "**(12)**" to "**(11)**"

AMENDMENT NO. 44

On page 35, line 1, following "**this**" and before "**. An**" change "**Paragraph**" to "**Subsection**"

AMENDMENT NO. 45

On page 35, line 3, following "**Paragraph**" and before "**of this**" change "**(12)**" to "**(11)**"

AMENDMENT NO. 46

On page 35, line 5, following "Paragraph" and before "of this" change "(12)" to "(11)"

AMENDMENT NO. 47

On page 35, line 26, following "United States" and before "." insert "of America"

AMENDMENT NO. 48

On page 36, line 1, following "United States" and before "but that" insert "of America"

AMENDMENT NO. 49

On page 36, line 3, following "United States" and before "." insert "of America"

AMENDMENT NO. 50

On page 36, line 8, following "United States" and before "are" insert "of America"

AMENDMENT NO. 51

On page 40, line 13, following "industry" and before "and" insert ","

AMENDMENT NO. 52

On page 42, line 20, following "of" and before "property" change "real" to "immovable."

AMENDMENT NO. 53

On page 42, line 21, following "or" and before "property" change "personal" to "movable"

AMENDMENT NO. 54

On page 43, line 23, following "property" and before "mixed" change "real, personal" to "immovable, movable"

AMENDMENT NO. 55

On page 44, line 4, following "including" and before "property" change "real" to "immovable"

AMENDMENT NO. 56

On page 44, line 18, change "conveyance" to "conveyances"

AMENDMENT NO. 57

On page 48, line 27, following "of" and before "authority" insert "an"

AMENDMENT NO. 58

On page 50, line 6, following "described" and before "or" change "above" to "in this Paragraph"

AMENDMENT NO. 59

On page 54, line 11, following "transfer" and before "property" change "real" to "immovable"

AMENDMENT NO. 60

On page 54, line 17, following "such" and before "property" change "real" to "immovable"

AMENDMENT NO. 61

On page 54, line 19, following "such" change "real" to "immovable"

AMENDMENT NO. 62

On page 54, line 27, following "the" and before "property" change "real" to "immovable"

AMENDMENT NO. 63

On page 55, line 1, change "Real" to "Immovable"

AMENDMENT NO. 64

On page 55, line 8, change "real" to "immovable"

AMENDMENT NO. 65

On page 55, line 25, change "real" to "immovable"

AMENDMENT NO. 66

On page 55, line 28, change "real" to "immovable"

AMENDMENT NO. 67

On page 56, line 9, change "real" to "immovable"

AMENDMENT NO. 68

On page 56, line 14, change "real" to "immovable"

AMENDMENT NO. 69

On page 56, line 16, change "Real" to "Immovable"

AMENDMENT NO. 70

On page 58, line 25, following "Bonds" and before "any" change "means" to "shall mean"

AMENDMENT NO. 71

On page 58, line 27, following "City" and before "the" change "means" to "shall mean"

AMENDMENT NO. 72

On page 58, line 28, following "government" and before "any" change "means" to "shall mean"

AMENDMENT NO. 73

On page 59, line 1, following "body" and before "the" change "means" to "shall mean"

AMENDMENT NO. 74

On page 59, line 4, change "Real" to "Immovable" and change "means" to "shall mean"

AMENDMENT NO. 75

On page 59, line 17, following "to" and before "property" change "real" to "immovable"

AMENDMENT NO. 76

On page 62, line 6, following "Paragraph" change "(4)" to "(5)"

AMENDMENT NO. 77

On page 62, line 22, following "Paragraph" and before "of" change "(1)" to "(4)"

AMENDMENT NO. 78

On page 63, line 5, following "any" and before "interest" change "owner ship" to "ownership"

AMENDMENT NO. 79

On page 63, line 27, following "Subsection" change "K" to "R"

AMENDMENT NO. 80

On page 64, line 9, following "take" and before "steps" change "reason able" to "reasonable"

AMENDMENT NO. 81

On page 65, line 28, change "Subparagraph" to "Paragraph"

AMENDMENT NO. 82

On page 65, line 29, change "Subparagraph" to "Paragraph"

AMENDMENT NO. 83

On page 66, line 2, change "Subparagraph" to "Paragraph"

On motion of Senator Marionneaux, the amendments were adopted.

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

May 22, 2008

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey Quinn
Gray Shepherd
Total - 4

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 50— BY REPRESENTATIVE ELLINGTON AN ACT

To enact R.S. 33:2711.24, relative to municipal sales and use taxes; to authorize the governing authority of the city of Winnsboro to levy and collect an additional sales and use tax; to provide for voter approval; to provide for the use of the proceeds of such tax; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Mount
Amedee Hebert Murray
Broome Heitmeier Nevers
Cassidy Jackson Riser
Cheek Kostelka Shaw
Cravins LaFleur Smith
Crowe Long Thompson

Donahue
Dorsey
Duplessis
Total - 34

Marionneaux
Martiny
McPherson

Walsworth

NAYS

Total - 0

ABSENT

Erdey Quinn
Gray Shepherd
Total - 4

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

HOUSE BILL NO. 51— BY REPRESENTATIVE ELLINGTON AN ACT

To enact R.S. 33:2740.18.3, relative to the city of Winnsboro; to authorize the governing authority of the city to levy and collect a hotel occupancy tax subject to voter approval; to provide for the use of such tax; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey Quinn
Gray Shepherd
Total - 4

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

HOUSE BILL NO. 54— BY REPRESENTATIVE MICKY GUILLORY AN ACT

To amend and reenact R.S. 40:539(C)(1), relative to local housing authorities; to provide relative to the executive director of a local housing authority; to require a local housing authority to enter into an employment contract with the executive director; to provide relative to the term of the contract; to provide relative to the compensation of the executive director and other terms of employment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Total - 35.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Erdey, Quinn, Shepherd, Total - 3.

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

HOUSE BILL NO. 170— BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact Section 3 of Act No. 222 of the 2005 Regular Session of the Legislature, as amended by Act No. 21 of the 2007 Regular Session of the Legislature, relative to the transfer of certain state property in Jefferson Parish; to extend the termination date of the Act; 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

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Total - 35.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Erdey, Quinn, Shepherd, Total - 3.

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

HOUSE BILL NO. 171— BY REPRESENTATIVE HUTTER AN ACT

To amend and reenact R.S. 56:421(D), relative to the Louisiana Oyster Task Force; to authorize reimbursement of expenses associated with serving on the task force; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Total - 35.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Erdey, Quinn, Shepherd, Total - 3.

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

HOUSE BILL NO. 184— BY REPRESENTATIVE KATZ AN ACT

To amend and reenact R.S. 17:170(D), relative to immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time; to provide for the electronic transmission of immunization compliance reports; to provide for the promulgation of rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Total - 35.

May 22, 2008

Duplessis
Dupre
Total - 34

Martiny
McPherson

NAYS

Total - 0

ABSENT

Cassidy
Erdey
Total - 4

Quinn
Shepherd

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

HOUSE BILL NO. 203—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To repeal R.S. 25:1225, relative to the Atchafalaya Trace Commission; to repeal the sunset of the Atchafalaya Trace Commission.

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
Adley
Alario
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Total - 35

Dupre
Gautreaux B
Gautreaux N
Gray
Hebert
Heitmeier
Jackson
Kostelka
LaFleur
Long
Marionneaux
Martiny

McPherson
Michot
Morrish
Mount
Murray
Nevers
Riser
Shaw
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Erdey
Total - 3

Quinn
Shepherd

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

HOUSE BILL NO. 227—
BY REPRESENTATIVES ROBIDEAUX, ARNOLD, DOERGE,
MONTUCET, PEARSON, AND POPE AND SENATORS CASSIDY, B.
GAUTREAUX, AND HEBERT
AN ACT

To amend and reenact R.S. 11:2258(C), relative to the Firefighters' Retirement System; to provide for survivor's benefits; to provide for continuation of benefits for a surviving spouse of a disability retiree; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Alario
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Total - 35

Dupre
Gautreaux B
Gautreaux N
Gray
Hebert
Heitmeier
Jackson
Kostelka
LaFleur
Long
Marionneaux
Martiny

McPherson
Michot
Morrish
Mount
Murray
Nevers
Riser
Shaw
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Erdey
Total - 3

Quinn
Shepherd

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

HOUSE BILL NO. 228—
BY REPRESENTATIVES ROBIDEAUX AND DOERGE AND SENATOR B.
GAUTREAUX AND REPRESENTATIVES ARNOLD, MONTUCET,
PEARSON, AND POPE AND SENATOR HEBERT
AN ACT

To amend and reenact R.S. 11:2260(A)(5) and (6), relative to the Firefighters' Retirement System; to provide with respect to the quorum and voting requirements of the board of trustees; to provide relative to the oath taken by trustees; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Alario
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Total - 35

Dupre
Gautreaux B
Gautreaux N
Gray
Hebert
Heitmeier
Jackson
Kostelka
LaFleur
Long
Marionneaux
Martiny

McPherson
Michot
Morrish
Mount
Murray
Nevers
Riser
Shaw
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Erdey
Total - 3

Quinn
Shepherd

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

HOUSE BILL NO. 231—
 BY REPRESENTATIVES DOERGE, ARNOLD, MONTOUCET, PEARSON,
 AND POPE AND SENATORS B. GAUTREAU AND HEBERT
 AN ACT

To amend and reenact R.S. 11:314(A)(introductory paragraph), 315(A)(introductory paragraph), and 2261(A), relative to the Firefighters' Retirement System; to provide with respect to the management of system funds; to exempt the system from the requirement of constructively engaging certain companies with facilities or employees or both in prohibited nations; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 305—
 BY REPRESENTATIVE AUSTIN BADON
 AN ACT

To amend and reenact R.S. 17:95, relative to requirements that the superintendent of a city, parish, or other local public school board serve as the treasurer of certain school funds and perform specified duties; to remove the exception applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 306—
 BY REPRESENTATIVE AUSTIN BADON
 AN ACT

To amend and reenact R.S. 17:91, relative to certain supervisory duties and responsibilities of the superintendent of a city, parish, or other local public school system, including but not limited to duties pertaining to the office of the secretary of the school board; to remove certain exceptions, prohibitions, and requirements applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 309—
 BY REPRESENTATIVE POPE AND SENATOR NEVERS
 AN ACT

To amend and reenact R.S. 11:1302(B), relative to the State Police Pension and Retirement System; to provide for the length of terms of elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

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

May 22, 2008

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, Martiny, Adley, Gautreaux B, McPherson, Alario, Gautreaux N, Michot, Amedee, Gray, Morrish, Cassidy, Hebert, Mount, Cheek, Heitmeier, Murray, Cravins, Jackson, Nevers, Crowe, Kostelka, Riser, Donahue, LaFleur, Shaw, Dorsey, Long, Thompson, Duplessis, Marionneaux, Walsworth. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Broome, Quinn, Smith, Erdey, Shepherd. Total - 5

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

HOUSE BILL NO. 354—

BY REPRESENTATIVE PERRY

AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessors' employees; 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 of names: Mr. President, Dupre, McPherson, Adley, Gautreaux B, Michot, Alario, Gautreaux N, Morrish, Amedee, Gray, Mount, Broome, Hebert, Murray, Cassidy, Heitmeier, Nevers, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneaux, Walsworth, Duplessis, Martiny. Total - 35

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Erdey, Quinn, Shepherd. Total - 3

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

HOUSE BILL NO. 355—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 11:1162(A)(6), relative to the Louisiana School Employees' Retirement System; to provide with respect to districts from which certain members of the board of trustees are elected by system members; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, McPherson, Adley, Gautreaux B, Michot, Alario, Gautreaux N, Morrish, Amedee, Gray, Mount, Broome, Hebert, Murray, Cassidy, Heitmeier, Nevers, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneaux, Walsworth, Duplessis, Martiny. Total - 35

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Erdey, Quinn, Shepherd. Total - 3

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

HOUSE BILL NO. 360—

BY REPRESENTATIVES MONTUCET, BOBBY BADON, BALDONE, BARROW, BILLIOT, CHAMPAGNE, CORTEZ, CROMER, FRANKLIN, GALLOT, GISCLAIR, HARDY, HENDERSON, SAM JONES, LAMBERT, LEBAS, PERRY, POPE, RICHARD, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, AND WILLIAMS

AN ACT

To amend and reenact R.S. 36:610(I) and R.S. 56:266(A), (B), (C), (D)(1), (E)(3), and (F) and 279(B)(2) and (3), (C)(1), (D)(3), and (E) and to enact R.S. 36:610(L) and R.S. 56:278, relative to alligators; to remove alligators from the jurisdiction of the Fur and Alligator Council; to create the Louisiana Alligator Advisory Council; to provide the council's membership, functions, duties, and responsibilities; to provide relative to funding for the council; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 360 by Representative Montoucet

AMENDMENT NO. 1

On page 1, delete line 3 and insert ", 279(B)(2) and(3), (C)(1), (D)(3) and (E), and 578.2(A) and (C), and to enact R.S. 36:610(L) and R.S."

AMENDMENT NO. 2

On page 1, delete line 7 and insert "funding for the council; to provide relative to certain appointments to the Louisiana Seafood Promotion and Marketing Board for the alligator industry; and to provide for related matters."

AMENDMENT NO. 3

On page 2, line 6, after "(E)" and before "are" insert "and 578.2(A) and (C)"

AMENDMENT NO. 4

On page 8, after line 17, insert
 " * * *

§578.2. Louisiana Seafood Promotion and Marketing Board; creation and organization

A. (1) There is hereby created in the office of the secretary of the Department of Wildlife and Fisheries the Louisiana Seafood Promotion and Marketing Board. The agency shall have its domicile in Baton Rouge and shall be governed by a board of trustees composed of ~~fifteen~~ ~~sixteen~~ members, ~~fourteen~~ ~~fifteen~~ members to be appointed by the governor from persons engaged in the commercial seafood and alligator industry in Louisiana to serve terms concurrent with the governor, and the ~~fifteenth~~ ~~sixteenth~~ member to be the secretary of the Department of Wildlife and Fisheries or his designated representative, who shall serve as an ex officio member.

(2) The appointed members shall be chosen as follows:

(a) One shall be appointed from a list of three names submitted by the American Shrimp Processors Association and the Louisiana Shrimp Association.

(b) One shall be appointed from a list of three names submitted by the Louisiana Oyster Dealers and Growers Association.

(c) One shall be appointed from a list of three names submitted by the Louisiana crawfish industry.

(d) One shall be appointed from a list of three names submitted by the Louisiana Restaurant Association.

(e) Two shall represent the harvesting sector of the shrimp industry, one or more of which shall be appointed from a list of names submitted by shrimp organizations or associations currently active throughout the state.

(3) Of the remaining ~~eight~~ ~~nine~~ members to be appointed:

(a) One member shall be a seafood retailer or wholesaler.

(b) One member shall represent the commercial saltwater finfish industry.

(c) One member shall represent the commercial freshwater finfish industry.

(d) One member shall be a seafood processor.

(e) One member shall represent the crab industry.

(f) One member shall be a home economist.

(g) One member shall represent the wild catfish industry.

(h) One member shall be a marketing specialist.

(i) One member shall represent the alligator industry.

(4) The names of each of the ~~fourteen~~ ~~fifteen~~ members appointed by the governor shall be submitted to the Senate for confirmation.
 * * *

C. The presence of ~~eight~~ ~~nine~~ members of the board shall constitute a quorum for the transaction of all business and the carrying out of duties of the board. Each member shall take and subscribe to the oath of office prescribed for state officers. No member shall receive any salary, but each member shall receive the sum of twenty dollars per day for each day spent in actual attendance at meetings of the board or at meetings of duly appointed committees or subcommittees thereof and such allowance for traveling expenses in attending the meetings as is allowed for other state employees for traveling expenses."

On motion of Senator N. Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
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Total - 3

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

HOUSE BILL NO. 373—

BY REPRESENTATIVES HAZEL, ARMES, BILLIOT, HENRY BURNS, DIXON, DOERGE, FRANKLIN, GISCLAIR, GUINN, HILL, HOWARD, HUTTER, LITTLE, LORUSSO, MONTOUCET, NORTON, POPE, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 47:490.19(A), (B), and (D) and to enact R.S. 47:490.19(E) and (F), 490.20, and 490.21, relative to military honor license plates; to provide for the U.S. Army Airborne license plate; to provide for the establishment of a military honor license plate for recipients of the Iraq Campaign Medal; to provide for the establishment of a military honor license plate for the recipients of the Afghanistan Campaign Medal; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
-------	-------	----------

Total - 3

May 22, 2008

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

HOUSE BILL NO. 433—

BY REPRESENTATIVE WILLIAMS AN ACT

To amend and reenact R.S. 11:1942.1(C), relative to the Parochial Employees' Retirement System; to provide relative to court reporters employed by Caddo Parish who are paid separately for transcriptions; to provide for computation of benefits for such reporters; to provide for contributions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Crowe, Dorsey, Erdey, Quinn, Shepherd

Total - 5

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

HOUSE BILL NO. 439—

BY REPRESENTATIVE DOVE AN ACT

To amend and reenact R.S. 30:905(B)(2) and (14), 905.1, 905.3(A) and (D), and 905.4(A)(1)(a) and (c) and (2), (B), (C), (D), (E)(2), (F), (G), (H), and (J)(2) and to repeal R.S. 30:905.2 and 905.4(K), relative to abandoned mine reclamation; to provide for the authority to participate and to promulgate rules and regulations; to provide for funding sources and appropriation for reclamation of mining operations; to provide for an implementation plan; to provide for notice; to provide for exemptions and exclusions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Gautreaux B, Gautreaux N, Gray, Hebert, Michot, Morrish, Mount, Murray

Broome, Cassidy, Cheek, Cravins, Donahue, Dorsey, Duplessis, Dupre, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Nevers, Riser, Shaw, Smith, Thompson, Walsworth

Total - 34

NAYS

Total - 0

ABSENT

Crowe, Erdey, Quinn, Shepherd

Total - 4

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

HOUSE BILL NO. 488—

BY REPRESENTATIVE GISCLAIR AN ACT

To enact R.S. 56:579.1(C)(4), relative to mariculture; to require review by or cooperation with certain marine biologists for mariculture projects located offshore in state waters; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Crowe, Erdey, Quinn, Shepherd

Total - 4

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

HOUSE BILL NO. 521—

BY REPRESENTATIVE MONTOUCEZ AN ACT

To amend and reenact R.S. 11:208 and 2223(B)(4), relative to the Municipal Police Employees' Retirement System; to provide with respect to disability retirement; to provide for non-service disability retirement eligibility; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Quinn
Erdey	Shepherd
Total - 4	

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

HOUSE BILL NO. 544—
BY REPRESENTATIVES HUTTER AND DOWNS
AN ACT

To amend and reenact R.S. 48:250.2, relative to design-build contracts; to expand the authority of the Department of Transportation and Development for design-build contracts; to authorize the secretary to select projects or combine a program of projects utilizing the design-build method; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 557—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:215(A), to enact R.S. 30:123.1, and to repeal R.S. 30:125(B), relative to mineral lease applications; to provide for information required to be submitted to the State Mineral Board; to provide for liquidated damages; to provide for the determination of the fee for seismic, geophysical, or geological surveying; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 576—
BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(d), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers

May 22, 2008

Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 581—
BY REPRESENTATIVE TRAHAN
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 590—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 34:1708(A), relative to the St. Bernard Port, Harbor, and Terminal District; to provide relative to the authority of the board of commissioners to acquire certain property; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 620—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 36:802.22(E)(1)(d), relative to New Orleans City Park and the New Orleans City Park Improvement Association and its board of commissioners; to provide relative to audits of the park, the association, and its board and for the responsibility of the park, the association, and its board, and of the Department of Culture, Recreation and Tourism relative to such audits; and to provide 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

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 656—
BY REPRESENTATIVE SIMON AND SENATOR NEVERS
AN ACT

To amend and reenact R.S. 48:1805(A), relative to the Zachary Taylor Parkway Commission; to provide relative to the appointment of commission members; to provide that members shall be appointed by the presidents of their respective parishes; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey	Quinn
Shepherd	
Total - 4	

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

HOUSE BILL NO. 668—
BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 33:5161(A)(2) and (B)(3) and to enact R.S. 33:5161(B)(2)(c) and 5162, relative to post-employment benefits funds established by political subdivisions; to provide relative to the management and investment of such funds; to provide for authorized and prohibited investments; to provide relative to asset allocation; to authorize the retention of investment managers or advisors; to provide for penalties; 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	Gautreaux B	McPherson
Adley	Gautreaux N	Michot
Alario	Gray	Morrish
Amedee	Hebert	Mount
Broome	Heitmeier	Murray

Cheek	Jackson	Nevers
Cravins	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Cassidy	Erdey	Shepherd
Duplessis	Quinn	
Total - 5		

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

HOUSE BILL NO. 672—
BY REPRESENTATIVE TRAHAN
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cassidy	Quinn
Erdey	Shepherd
Total - 4	

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

HOUSE BILL NO. 719—
BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:437.1, relative to training for certain public school employees; to provide for in-service training for teachers, school counselors, principals, and certain other school administrators in suicide prevention; to provide for the responsibilities of the State Board of Elementary and Secondary Education; and to provide for related matters.

May 22, 2008

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 34

NAYS

Total - 0

ABSENT

Cassidy, Erdey, Total - 4; Quinn, Shepherd

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

HOUSE BILL NO. 784— BY REPRESENTATIVE HUTTER AN ACT

To amend and reenact R.S. 32:408(A)(8)(introductory paragraph) and (b)(introductory paragraph), (B)(2)(e), and (3)(introductory paragraph) and (d) and to repeal R.S. 32:408(B)(4)(c), relative to the requirements of applicants for certain classes of commercial driver's licenses; to provide for exemptions from the requirements; to provide for the issuance of endorsements; to provide for restrictions to the classes of commercial driver's licenses; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 34

Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrish, Mount, Murray, Nevers, Riser, Shaw, Smith, Thompson, Walsworth

NAYS

Total - 0

ABSENT

Cassidy, Erdey, Total - 4; Quinn, Shepherd

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

HOUSE BILL NO. 785— BY REPRESENTATIVE HUTTER AN ACT

To amend and reenact R.S. 32:427(A)(4) and (5), relative to the operation of commercial motor vehicles; to provide for willful violations of the operation of commercial motor vehicles; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Broome, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 34

NAYS

Total - 0

ABSENT

Cassidy, Erdey, Total - 4; Quinn, Shepherd

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

HOUSE BILL NO. 797— BY REPRESENTATIVE POPE AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks' of Court Retirement and Relief Fund; to provide for the length of terms of elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cassidy	Quinn	Walsworth
Erdey	Shepherd	
Total - 5		

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

HOUSE BILL NO. 839—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 32:361.2(D) and 361.3(C), relative to the tinting of motor vehicle windows; to prohibit holders of security and medical exemptions from tinting the area below the top six inches of the windshield; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey	Quinn
Gautreaux N	Shepherd
Total - 4	

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

HOUSE BILL NO. 848—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 56:433(B) and to reenact R.S. 56:433(G), relative to taking oysters from public seed grounds; to provide for a period of time for harvest of seed oysters; to provide for a period of time for the harvest of oysters generally from the seed grounds; to provide for a sacking only area east of the Mississippi River in Plaquemines Parish; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1014—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 11:1461, 1761(B), and 2225(A)(7)(c), relative to the Assessors' Retirement Fund, Municipal Employees' Retirement System, and Municipal Police Employees' Retirement System; to provide for a cost-of-living adjustment; to provide legislative exemption for the purpose thereof; to provide for recipients of the cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw

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Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1026—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:153, relative to mineral leases; to provide for administration of certain leases by the State Mineral Board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1032—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 33:9091.12, relative to Orleans Parish; to create the Mid-City Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1047—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To authorize the secretary of the Department of Public Safety and Corrections to exchange certain properties in Iberville Parish with First Louisiana Resource, L.L.C.; to provide for property descriptions; to provide for the reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed House Bill No. 1047 by Representative St. Germain

AMENDMENT NO. 1
On page 1, line 11, change "fifty" to "fifty-five"

AMENDMENT NO. 2
On page 1, delete lines 13 through 20 and insert "That certain tract of land containing 177.46 acres shown as Parcel "E" (Hunt North) and that certain tract of land containing 177.90 acres shown as Parcel "F" (Hunt South) on the plat of survey prepared by David L. Patterson, land surveyor, dated April 15, 2008."

AMENDMENT NO. 3
Delete pages 2 through 7

AMENDMENT NO. 4
On page 8, delete lines 1 through 8

AMENDMENT NO. 5
On page 9, at the end of line 11, insert "The transfer of the property described in this Section shall be without warranty as to title or condition of the property. The contents of all residences located on the property, and all the machinery, equipment, tack and livestock shall be excluded from the transfer. The property shall be subject to the rights if any, of adjoining landowners and third parties, all restrictions, servitudes, rights of ways and other matters affecting or

burdening the property, whether or not of record, including without limitation, any mineral servitudes, as well as any servitude that may be imposed upon riparian landowners by any law or ordinance. For a period of ten years following the date of the exchange of the property described in this Section may only be used for pasturage, forestry or agricultural purposes or other related purposes, and this restriction shall constitute a covenant running with the land and shall be binding upon the parties hereto, their heirs, successors and assigns, but this restriction shall expire and become null and void ten years after the date of the exchange."

AMENDMENT NO. 6

On page 9, at the end of line 17, insert "The mineral reservation to the state shall be subject; however, to the stipulation that there shall be no operations conducted upon the surface of the property without the surface owner's express written consent. All minerals and mineral rights associated with the property described in Section 2 of this Act shall be reserved to First Louisiana Resource, L.L.C., and such reservation shall be imprescriptible to the maximum extent authorized under the provisions of R.S. 31:149, provided, however, that in any drilling or other surface operations, except seismic operations, First Louisiana Resource, L.L.C., its lessees or assigns, shall be limited to one drill site of four and one-half acres with access thereto from the River Road, which drill site may be selected by First Louisiana Resource, L.L.C., its lessees or assigns. First Louisiana Resource, L.L.C., its lessees or assigns may conduct seismic operations on all or any portion of the property described in Section 1 of this Act provided, however, that any permit shall provide for the payment of surface damages to the then owner of the surface of the property. The reservation to First Louisiana Resource, L.L.C., shall be subject to the stipulation that if a well or wells are drilled off of the property described in Section 1 of this Act but in a unit or units that include any portion of the said property, however small, then and in that event operations on any such unit shall constitute a user of the entire mineral servitude herein reserved."

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1081—

BY REPRESENTATIVES SCHRODER AND PEARSON AND SENATOR DONAHUE

AN ACT

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

Floor Amendments Sent Up

Senator Alario sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Engrossed House Bill No. 1081 by Representative Schroder

AMENDMENT NO. 1

On page 1, line 11 after "state" insert ":" and delete the remainder of the line and delete line 12

On motion of Senator Alario, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

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

HOUSE BILL NO. 1110—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 11:2262(D)(1) and (2), relative to the Firefighters' Retirement System; to provide with respect to the pension accumulation fund, employer contributions, and the interest rate applicable to collection of delinquent employee and employer contributions; to provide for an effective date; and to provide for related matters.

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

May 22, 2008

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Dupre, McPherson, Adley, Gautreaux B, Michot, Alario, Gautreaux N, Morrish, Amedee, Gray, Mount, Broome, Hebert, Murray, Cassidy, Heitmeier, Nevers, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneaux, Walsworth, Duplessis, Martiny. Total - 35

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Erdey, Quinn, Shepherd. Total - 3

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

HOUSE BILL NO. 1119— BY REPRESENTATIVE CHANEY AN ACT

To amend and reenact R.S. 40:1843, relative to the Liquefied Petroleum Gas Commission; to increase the per diem for members of the commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Gautreaux B, McPherson, Adley, Gray, Michot, Alario, Hebert, Morrish, Amedee, Heitmeier, Mount, Broome, Jackson, Murray, Cheek, Kostelka, Riser, Cravins, LaFleur, Shaw, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Dupre, Martiny, Walsworth. Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Cassidy, Erdey, Quinn, Crowe, Gautreaux N, Shepherd, Duplessis, Nevers. Total - 8

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

HOUSE BILL NO. 1128— BY REPRESENTATIVE HENRY BURNS AN ACT

To amend and reenact R.S. 30:10(A)(2)(b)(i), relative to drilling units; to provide for a landowner's election to participate in a drilling unit; to provide for the risk charge for a nonparticipant or an owner who fails to participate as elected; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Adley, Dupre, McPherson, Alario, Gautreaux B, Michot, Amedee, Gray, Morrish, Broome, Hebert, Mount, Cassidy, Heitmeier, Murray, Cheek, Jackson, Nevers, Cravins, Kostelka, Riser, Crowe, LaFleur, Shaw, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Gautreaux N, Shepherd, Erdey, Quinn. Total - 5

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

HOUSE BILL NO. 1138— BY REPRESENTATIVE GISCLAIR AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Gautreaux B, Michot, Adley, Gautreaux N, Morrish, Alario, Gray, Mount, Amedee, Hebert, Murray, Broome, Heitmeier, Nevers, Cheek, Jackson, Riser, Cravins, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Dupre, McPherson. Total - 31

NAYS

Total - 0

ABSENT

Cassidy	Kostelka	Walsworth
Duplessis	Quinn	
Erdey	Shepherd	
Total - 7		

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

HOUSE BILL NO. 1165—

BY REPRESENTATIVES HONEY, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BURFORD, HENRY BURNS, BURRELL, CHANEY, DIXON, DOWNS, EDWARDS, GALLOT, GISCLAIR, GREENE, HARRISON, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, MONToucET, MORRELL, MORRIS, NORTON, PERRY, PUGH, RICHARD, RICHARDSON, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, AND WILLIAMS AND SENATOR SCALISE
AN ACT

To amend and reenact R.S. 23:1474(I), 1592(E), and 1595(A) and to enact R.S. 23:1536(E)(4), relative to unemployment compensation weekly benefit amounts; to provide with respect to the unemployment trust fund balance; to provide for an increase in the weekly benefit amount paid; to provide for the duration of benefits; to provide for a reduction in contributions; and to provide 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

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

NAYS

Total - 0

ABSENT

Cassidy	Long	Quinn
Erdey	McPherson	Shepherd
Total - 6		

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

Notice Regarding Vote

Senator Long stated he appeared as absent on the vote on House Bill No. 1165. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed House Bill No. 1220 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:209(4)(e)" insert "and (f)"

AMENDMENT NO. 2

On page 1, line 4, after "storage;" insert "to provide for certain exceptions;"

AMENDMENT NO. 3

On page 1, line 6, delete "is" and insert "and (f) are"

AMENDMENT NO. 4

On page 2, between lines 11 and 12, insert

"(f) The provisions of Subparagraph (e) shall not apply to operating agreements for new or existing caverns in the Jefferson Island salt dome."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cassidy	Quinn
Erdey	Shepherd
Total - 4	

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

Rules Suspended

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

May 22, 2008

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator LaFleur asked that House Bill No. 481 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 481— BY REPRESENTATIVE ABRAMSON AN ACT

To amend and reenact R.S. 22:1379(3)(f), relative to the Louisiana Insurance Guaranty Association; to provide for the definition of "covered claim"; to provide relative to the net worth exclusion applicable to insureds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing members under YEAS: Mr. President, Dupre, Martiny, Adley, Gautreaux B, McPherson, Alario, Gautreaux N, Michot, Amedee, Gray, Morrish, Broome, Hebert, Mount, Cheek, Heitmeier, Murray, Cravins, Jackson, Nevers, Crowe, Kostelka, Riser, Donahue, LaFleur, Shaw, Dorsey, Long, Smith, Duplessis, Marionneaux, Thompson. Total - 33.

NAYS

Total - 0

ABSENT

Table listing members under ABSENT: Cassidy, Quinn, Walsworth, Erdey, Shepherd. Total - 5.

The Chair declared the bill was passed and returned to the House. Senator LaFleur 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 order of

House Concurrent Resolutions on Third Reading and Final Passage

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

HOUSE CONCURRENT RESOLUTION NO. 2— BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAUX A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing members under YEAS: Mr. President, Gautreaux B, Michot, Adley, Gautreaux N, Morrish, Alario, Gray, Mount, Amedee, Hebert, Murray, Broome, Heitmeier, Nevers, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Marionneaux, Walsworth, Duplessis, Martiny, Dupre, McPherson. Total - 34.

NAYS

Total - 0

ABSENT

Table listing members under ABSENT: Cassidy, Quinn, Erdey, Shepherd. Total - 4.

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

Rules Suspended

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

Motion to Recommit

Senator Michot asked for and obtained a suspension of the rules and recommitted House Bill No. 1312 from the Committee on Transportation, Highways and Public Works to the Committee on Insurance.

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 22, 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. 79—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend St. Louis High School Girls Track and Field Team for winning the Class 3-A Track and Field State Championship.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
 Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 21, 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. 12—

BY REPRESENTATIVES HILL AND PERRY

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority and the United States Army Corps of Engineers to give proportionate attention to Louisiana's Chenier Plain in the development and implementation of the state's coastal protection and restoration efforts.

HOUSE CONCURRENT RESOLUTION NO. 135—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Legislature to proclaim May 17 through 23, 2008, as Safe Boating Week in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVES WHITE AND MCVEA AND SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Lonny A. Myles upon being named Zachary Citizen of the Year.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON

A CONCURRENT RESOLUTION

To commend and welcome the staffers from the Virginia Division of Legislative Services who are participating in the first Southern Legislative Conference legislative staff exchange program.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To commend the citizens of Lake Charles, Louisiana, and Cobh in County Cork, Ireland, as they become twin communities and to welcome the visitors from Cobh to the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVES MICHAEL JACKSON, GALLOT, AND WILLIAMS

A CONCURRENT RESOLUTION

To commend the members of Kappa Alpha Psi Fraternity, Inc., for their achievements upon their legislative day at the Louisiana State Capitol on Tuesday, May 20, 2008.

HOUSE CONCURRENT RESOLUTION NO. 148—

BY REPRESENTATIVE LAFONTA AND SENATORS ADLEY, BROOME, CASSIDY, CHAISSON, CRAVINS, DORSEY, DUPLESSIS, DUPRE, B. GAUTREAU, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MOUNT, MURRAY, SHAW, SHEPHERD, SMITH, AND THOMPSON

A CONCURRENT RESOLUTION

To commend Karen Bass upon being sworn in as the first female African American speaker of the California Assembly.

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE FOIL AND SENATORS AMEDEE AND N. GAUTREAU

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study Bayou Manchac for possible inclusion in the Louisiana Historic and Scenic Rivers system.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to prohibit the importation of nuclear waste generated outside of the United States of America.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to appropriate to the United States Army Corps of Engineers the total amount of funds collected from the Harbor Maintenance Tax so that those funds can be used for dredging navigation channels and, where possible, the beneficial use of dredged material to protect, restore, and conserve wetlands.

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVES AUSTIN BADON, BARROW, CHAMPAGNE, DOERGE, HILL, HUTTER, ROSALIND JONES, KATZ, MARCHAND, PETERSON, NORTON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS CHEEK, BROOME, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

A CONCURRENT RESOLUTION

To recognize Tuesday, May 20, 2008, as Girl Scouts of the USA Day at the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE ARNOLD AND SENATORS ALARIO AND MARTINY

A CONCURRENT RESOLUTION

To commend the Fore!Kids Foundation for fifty years of service to children in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 136—

BY REPRESENTATIVES RICHMOND, ABRAMSON, ARNOLD, AUSTIN BADON, HENDERSON, HENRY, HINES, LAFONTA, LEGER, LORUSSO, MARCHAND, MORRELL, PETERSON, AND TUCKER AND SENATORS CROWE, DUPLESSIS, GRAY, HEITMEIER, MURRAY, QUINN, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Elaina Boutte, Jasmine Kudji, and Lori Villavaso

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVES JANE SMITH AND HENRY BURNS AND SENATOR ADLEY

A CONCURRENT RESOLUTION

To commend Kaitlin Flattman on her exceptional achievements in cross-country and track during her freshman year at Benton High School.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION

To designate the week of May 18 through May 24, 2008, as Emergency Medical Services Week at the Louisiana Legislature.

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.

May 22, 2008

Message from the House
SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 21, 2008

To the Honorable President and Members of the Senate:

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

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

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

HOUSE BILL NO. 45— BY REPRESENTATIVES LEGER, ABRAMSON, ARNOLD, BALDONE, BILLIOT, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HARRISON, HAZEL, HENRY, HINES, HONEY, HOWARD, GIROD JACKSON, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PETERSON, PONTI, RICHARD, RICHARDSON, RICHMOND, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, AND WILLIAMS AN ACT

To amend and reenact R.S. 14:129.1, relative to intimidating, impeding, or injuring witnesses or officers of the court; to prohibit the intimidation, impeding, or injuring of an immediate family member of a witness or officer of the court; to provide for definitions; to amend the criminal penalties for such offense; and to provide for related matters.

HOUSE BILL NO. 71— BY REPRESENTATIVE KLECKLEY AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(j), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 96— BY REPRESENTATIVES WHITE, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOVE, ELLINGTON, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WADDELL, WILLMOTT, AND WOOTON AND SENATORS BROOME AND ERDEY AN ACT

To enact R.S. 14:62.8, relative to home invasion; to create the crime of home invasion; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 121— BY REPRESENTATIVES BALDONE AND WOOTON AN ACT

To amend and reenact R.S. 15:571.3(B)(3), relative to diminution of sentence for good behavior; to provide with respect to the maximum number of days an inmate may receive as "good time"; and to provide for related matters.

HOUSE BILL NO. 148— BY REPRESENTATIVES HAZEL, LORUSSO, LEGER, AND LIGI AND SENATORS AMEDEE AND DORSEY AN ACT

To enact R.S. 14:93(A)(3), relative to cruelty to juveniles; to add intentionally or criminally negligently allowing any child under the age of seventeen years by any person over the age of

seventeen years to be present during the manufacturing, distribution, or purchasing or attempted manufacturing, distribution, or purchasing of a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Law as an element of the crime of cruelty to juveniles; and to provide for related matters.

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.

HOUSE BILL NO. 175— BY REPRESENTATIVE MILLS AND SENATOR HEBERT AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Martin Parish from the division of administration to the adjacent landowners, and to provide for related matters.

HOUSE BILL NO. 185— BY REPRESENTATIVE BALDONE AN ACT

To amend and reenact R.S. 14:31(B) and 32(C), relative to homicide; to provide with respect to the criminal penalties for manslaughter and negligent homicide; to amend the criminal penalty provisions applicable when the victim is under the age of ten years; and to provide for related matters.

HOUSE BILL NO. 214— BY REPRESENTATIVE KLECKLEY AN ACT

To enact R.S. 22:990.1, relative to foreign and alien insurers; to provide for the notification of the appointment of officers or directors; to provide for the definition of senior officer; to provide for additional information for directors and officers; and to provide for related matters.

HOUSE BILL NO. 268— BY REPRESENTATIVES ELBERT GUILLORY, ARMES, AUBERT, BOBBY BADON, BARROW, BURRELL, DIXON, FANNIN, FRANKLIN, HARDY, HONEY, HOWARD, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, MARCHAND, NORTON, PETERSON, RICHARD, RICHMOND, PATRICIA SMITH, ST. GERMAIN, WILLIAMS, AND WOOTON AND SENATOR BROOME AN ACT

To amend and reenact R.S. 15:711(G) and 1111(I), relative to work release programs; to provide for the eligibility of inmates convicted of certain offenses involving controlled dangerous substances to participate in work release programs; and to provide for related matters.

HOUSE BILL NO. 286— BY REPRESENTATIVES MORRELL, ABRAMSON, ARNOLD, AUBERT, BALDONE, BILLIOT, HENRY BURNS, CHANDLER, CONNICK, DIXON, FANNIN, GISCLAIR, HARDY, HARRISON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, LEGER, LIGI, LOPINTO, LORUSSO, PETERSON, POPE, RICHARDSON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND TEMPLET AN ACT

To amend and reenact R.S. 14:102.5(C) and (D) and to repeal R.S. 14:102.5(E), relative to dogfighting; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 343— BY REPRESENTATIVES PERRY AND ST. GERMAIN AND SENATOR DUPRE AN ACT

To amend and reenact R.S. 56:499.4, relative to night shrimping; to make corrections to the night shrimping line; and to provide for related matters.

HOUSE BILL NO. 476— BY REPRESENTATIVES FANNIN AND DIXON AN ACT

To authorize and provide for the transfer or lease of certain state property in Bienville Parish to the Department of Transportation

and Development from the Department of Culture, Recreation and Tourism; and to provide for related matters.

HOUSE BILL NO. 477—
BY REPRESENTATIVE DIXON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 615—
BY REPRESENTATIVE DIXON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 642—
BY REPRESENTATIVES SCHRODER AND NORTON

AN ACT

To amend and reenact R.S. 14:43.1(C)(2), 43.2(C)(2), 43.3(C)(2), 78.1(D)(2), 81.1(E)(2), and 81.2(E)(1), relative to criminal penalties for certain sex offenses; to amend the criminal penalties for certain sex offenses when the victim is under the age of thirteen years; and to provide for related matters.

HOUSE BILL NO. 694—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:116(D), relative to special hunting seasons; to provide for a special open deer hunting season; to provide for eligibility; and to provide for related matters.

HOUSE BILL NO. 695—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To repeal R.S. 34:851.15(A)(2)(c), relative to personal watercraft; to remove the exemption for personal watercraft from provisions applicable to motorboats towing waterskis or similar contrivance.

HOUSE BILL NO. 697—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for definitions; to provide for operation of certain vessels; and to provide for related matters.

HOUSE BILL NO. 698—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:143(A), relative to hunting; to provide for the wearing of "hunter orange" during deer season; and to provide for related matters.

HOUSE BILL NO. 701—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:8(26), (42), (57), (58), (66), (91), (110), and (112), 320(A), 325(C), 326.1, 327(A)(1)(introductory paragraph) and (2), 332(M), 411, 412, and 413, to enact R.S. 56:8(109.1), and to repeal R.S. 56:327(A)(1)(a), (b), and (c), relative to game fish; to define what fish species are game fish; to define "commercial fishing"; to define "recreational fishing"; to define "aquaculture"; to define "domesticated fish"; to delineate what restrictions apply to game fish, to aquaculturally raised fish, to commercial fishing, and to recreational fishing; to provide relative to transportation of game fish fingerlings; and to provide for related matters.

HOUSE BILL NO. 702—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:322.1(A) and (H) and 322.2(B) and (D) and to repeal R.S. 56:322.1(D), relative to commercial taking of shad and skipjack; to remove provisions for a closed season; to provide relative to the prohibition for nighttime taking of commercial shad; to authorize the keeping of other commercial species of fish; and to provide for related matters.

HOUSE BILL NO. 770—
BY REPRESENTATIVE GREENE

AN ACT

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

HOUSE BILL NO. 1025—
BY REPRESENTATIVE ST. GERMAIN

AN ACT

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

HOUSE BILL NO. 1046—
BY REPRESENTATIVE ST. GERMAIN

AN ACT

To authorize and provide for the transfer or lease of certain state properties located in Iberville Parish, from the state of Louisiana, division of administration, office of state lands, to the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 274—
BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 276—
BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(i), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 333—
BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 22:1243(A) and 1244(A) and to enact R.S. 22:1242(1)(h) and (i), relative to insurance fraud; to define fraudulent insurance acts; to provide for penalties and restitution; and to provide for related matters.

HOUSE BILL NO. 691—
BY REPRESENTATIVE TALBOT AND 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

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for nonfederally defined individuals; to establish benefits; to provide with respect to the board of directors; to provide for exemptions; and to provide for related matters.

HOUSE BILL NO. 985—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:1032 and 1034 and to enact R.S. 6:1038.1 and 1054, relative to the sale of checks and money transmission; to provide for definitions; to provide for exclusions and exemptions; to provide for temporary licenses; to provide for change of control; and to provide for related matters.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Dupre	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Total - 35		

ABSENT

Erdey	Quinn	Shepherd
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

Erdey	1 Day	Shepherd	1 Day
Quinn	½ Day		

Adjournment

Senator Broome moved that the Senate adjourn until Tuesday, May 27, 2008, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Tuesday, May 27, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk