

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

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**FORTY-THIRD 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, June 12, 2008

The Senate was called to order at 10:45 o'clock A.M., by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Gautreaux N	Nevers
Alario	Gray	Quinn
Broome	Jackson	Riser
Cheek	Kostelka	Shepherd
Cravins	Marionneaux	Smith
Crowe	Michot	Walsworth
Donahue	Morrish	
Duplessis	Murray	
Total - 22		

**ABSENT**

Adley	Gautreaux B	McPherson
Amedee	Hebert	Mount
Cassidy	Heitmeier	Shaw
Dorsey	LaFleur	Thompson
Dupre	Long	
Erdey	Martiny	
Total - 16		

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

**Prayer**

The prayer was offered by Pastor Robert Wells, 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 Shepherd, the reading of the Journal was dispensed with and the Journal of June 11, 2008, was adopted.

**Petitions, Memorials and  
Communications**

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

**STATE OF LOUISIANA  
Department of Natural Resources**

June 11, 2008

The Honorable Joel T. Chaisson II, President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804-9183

Dear Senator Chaisson:

In accordance with Louisiana Revised Statute 36:355, I have appointed Ms. Lori LeBlanc as Deputy Secretary of the Department of Natural Resources.

In that regard, I hereby acknowledge the following appointment to the Department of Natural Resources and submit to you the name for consideration of Senate confirmation as required by law.

**DEPUTY SECRETARY**  
(Effective April 28, 2008)  
Ms. Lori E. LeBlanc  
P. O. Box 94396  
Baton Rouge, LA 70804

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Sincerely,  
SCOTT ANGELLE  
Secretary

**JUDICIAL COMPENSATION COMMISSION**

June 11, 2008

Hon. Joel T. Chaisson II  
President of the Senate  
State of Louisiana  
Post Office Box 94183  
Baton Rouge, LA 70804

Re: Appointment to the Judicial Compensation Commission by Louisiana State Bar Association

Dear Senate President Chaisson:

Pursuant to R.S. 13:42(A), the Louisiana State Bar Association appoints one member to the Judicial Compensation Commission. Please be advised that S. Guy deLaup, President, Louisiana State Bar Association, appoints Larry Feldman, Jr., Esq. to the Judicial Compensation Commission to a four year term. Mr. Feldman's contact information is as follows:

Larry Feldman, Jr., Esq.  
McGlinchey, Stafford, PLLC  
643 Magazine Street  
New Orleans, LA 70130

If you have any questions or concerns, please contact me at (504) 310-2550.

Sincerely,  
TIMOTHY J. PALMATIER  
Chief Deputy Judicial Administrator

**Rules Suspended**

Senator Smith asked for and obtained a suspension of the rules for the purpose of allowing the Committee on Transportation, Highways and Public Works to continue to meet while the Senate is in Session.

**Privilege Report of the  
Legislative Bureau**

June 12, 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. 10—**  
BY REPRESENTATIVE RICHARDSON  
AN ACT

To enact R.S. 33:452, relative to mayors' courts; to establish a mayor's court in the city of Central, East Baton Rouge Parish; to provide for the territorial jurisdiction of the court; to provide for the powers and authority of the mayor as magistrate of the court and other officers of the court; to provide relative to subject matter jurisdiction of the court; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 12—**  
BY REPRESENTATIVE RICHARDSON  
AN ACT

To enact R.S. 33:441.31, relative to municipal courts; to provide that the mayor of the city of Central may appoint a court magistrate to preside over the mayor's court; to provide for the magistrate's duties and salary; to provide an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 69—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 13:61(A) and (B), relative to duties of the Judicial Council; to require the council to adopt determinate standards and guidelines to be applied in determining the necessity of splitting or merging a court; to require the council to provide information to the appropriate standing committees of the House of Representatives or of the Senate as to its recommendations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 79—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To enact Code of Civil Procedure Article 192.2 and Code of Criminal Procedure Article 25.1, relative to powers of the court; to provide for appointment of a competent interpreter for a non-English-speaking person who is a principal party in interest or a witness in a proceeding before the court; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 100—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 13:4341, relative to public sales; to provide for the location of sales by auction; to provide for sales at courthouse annexes in certain circumstances; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 115—**  
BY REPRESENTATIVES LAMBERT, HAZEL, AND NORTON  
AN ACT

To enact Children's Code Article 412(K), relative to juvenile records; to provide for a disclosure exception for the confidentiality of juvenile records when there is an escape from a juvenile detention center; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 133—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact Code of Civil Procedure Article 4521 and to enact Code of Civil Procedure Articles 4272(C) and 4522, relative to minors; to provide for structured settlements; to provide for court approval of payments to minors; to provide for judgments in favor of minors; to provide procedures; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 158—**  
BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact Title II of Book I of the Civil Code, comprised of Civil Code Articles 38 through 46, and to enact Code of Civil Procedure Article 11, relative to domicile; to provide for the domicile of a natural person; to provide that a person may not have more than one domicile; to provide for the lack of a habitual residence; to provide for the domicile of spouses; to provide for the domicile of interdicts; to provide for the domicile of a person under continued or permanent tutorship; to provide for the domicile of unemancipated minors; to provide for a change of domicile; to provide for the intent to change domicile; to provide for the domicile of persons who hold a temporary position; to provide for the domicile of military personnel; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 190—**  
BY REPRESENTATIVE MILLS  
AN ACT

To enact R.S. 40:6(G), relative to the state Sanitary Code; to authorize the Department of Health and Hospitals to make an order of the secretary and state health officer executory in a state district court; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 193—**  
BY REPRESENTATIVE KATZ  
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(ii), relative to medical malpractice coverage; to provide that voluntary services provided by physicians for the state via telemedicine be included in medical malpractice coverage; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 335—**  
BY REPRESENTATIVES WILLMOTT, JOHNSON, AND LOPINTO  
AN ACT

To amend and reenact R.S. 9:315.5 and 315.16(A) and to enact R.S. 9:315.16(B)(11), relative to child support; to provide for the time period for determining extraordinary medical expenses; to provide for the review of the guidelines; to provide for the membership of the review committee; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 339—**BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 9:315.1(C)(1)(b), 315.6, and 315.13(B), relative to child support; to provide for the placement of child support in a trust; to provide for the addition of special expenses; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 341—**BY REPRESENTATIVES JOHNSON, LOPINTO, AND WILLMOTT  
AN ACT

To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1, relative to child support guidelines; to provide for the determination of income; to provide for the admissibility of evidence of income; to provide for required documentation; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 374—**BY REPRESENTATIVE CHANDLER  
AN ACT

To amend and reenact R.S. 9:334(B)(2) and (E) and Children's Code Article 439, relative to mediation; to provide for the qualifications of child custody mediators; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 376—**BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 38:3097.3(E), relative to ground water management; to provide for compliance orders; to provide for civil penalties and fines for violations of laws, regulations, and orders relating to ground water management; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 382—**BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; provides for the collection of fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 444—**BY REPRESENTATIVE TEMPLET  
AN ACT

To amend and reenact Children's Code Articles 1123(B) and (C), 1124, 1125, 1126, 1127, 1127.1, 1137(D), 1172, 1173(A)(2), 1185, 1186(A) and (B), 1188, 1189, 1190(A) and (C), 1191, 1192, 1269.1, 1269.2(B), 1269.6, 1270(A) and (C), 1272(C) and (D), and 1276 and to enact Children's Code Articles 1122(B)(12), (13), and (14), (F)(18), (19), and (20), (G)(18) and (19), and (H), 1123(D), 1190(D), 1269.1.1, and 1270(F), relative to the adoption of children; to provide for the act of surrender; to provide for the statement of family history; to provide for the age of a child eligible for adoption; to provide for the validity of continued contact agreements; to provide for the preplacement home study; to provide for counseling; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 444 by Representative Templet

**AMENDMENT NO. 1**

On page 2, line 14, following "The" change "act of surrender" to "Act of Surrender"

**AMENDMENT NO. 2**

On page 2, line 27, following "The" change "act of surrender" to "Act of Surrender"

**AMENDMENT NO. 3**

On page 12, line 11, following "Child" and before "Placing" insert "-"

**AMENDMENT NO. 4**

On page 12, line 16, following "agency," and before "licensed" delete "a"

**AMENDMENT NO. 5**

On page 12, line 16, following "worker," and before "licensed" delete "or a"

**AMENDMENT NO. 6**

On page 13, line 7, following "to the" and before "Department" delete "State"

**AMENDMENT NO. 7**

On page 13, line 16, following "Adoption of" delete ","

**HOUSE BILL NO. 447—**BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact Children's Code Articles 1117, 1121(A), 1122(B)(4), (5), (10), and (11), and 1130(A) and to enact Children's Code Articles 1130(E) and 1131(H), relative to the surrender of parental rights; to provide for licensing by the Department of Social Services; to provide for the declarations in the act of surrender; to provide time limitations for private adoptions; to provide time limitations for agency adoptions; to provide for the filing of the act of surrender; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 494—**BY REPRESENTATIVES HINES AND TIM BURNS  
AN ACT

To amend and reenact R.S. 9:315.19, relative to child support; to provide for the schedule of basic child support obligations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 498—**BY REPRESENTATIVE EDWARDS  
AN ACT

To enact Children's Code Articles 739(E) and 821(F), relative to continued custody hearings; to provide that continued custody hearings may be conducted in any parish within a judicial district when the judicial district is comprised of more than one parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 530—**BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 13:621.44(A), relative to the Orleans Parish Juvenile Court; to provide for the term of office for a judge with the court in case of vacancy; and to provide for related matters.

Reported without amendments.

June 12, 2008

**HOUSE BILL NO. 538—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 13:621.41(G), relative to the Forty-First Judicial District Court, to provide relative to judgeships; to authorize judges elected to the Forty-First Judicial District to automatically revert back to their respective section or division in civil and criminal district courts for the parish of Orleans if Act No. 621 of the 2006 Regular Session of the Louisiana Legislature is held unconstitutional; to authorize an elected or appointed magistrate to the Forty-First Judicial District to automatically revert back to their respective section or division in civil and criminal district courts for the parish of Orleans, if Act No. 621 of the 2006 Regular Session of the Louisiana Legislature is held unconstitutional; to provide for a condition precedent before the consolidation of the clerk's offices and the sheriff's offices of the civil and criminal district courts takes effect; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 585—**  
BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact Code of Civil Procedure Article 4553, relative to post-judgment proceedings related to the interdiction; to provide that temporary restraining orders and injunctions shall be included as post-judgment proceedings related to the interdiction; to provide relative to the court and division conducting post-judgment proceedings related to an interdiction; to provide for proceedings related to an interdiction; to provide for legislative intent; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 605—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 9:2271 through 2275, 2283, and 2291 and the heading of Chapter 2 of Code Title II of Code Book III, the heading of Part I of Chapter 2 of Code Title II of Code Book III, and the heading of Part II of Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to enact R.S. 9:2290, and to repeal R.S. 9:2276 through 2280 and 2292 through 2295, relative to trusts for charitable, benevolent, or eleemosynary purposes and to donations for charitable purposes; to provide for trusts for charitable purposes, to provide for trustees of a charitable trust; to provide for the application of the Louisiana Trust Code; to provide for standing to enforce a charitable trust; to provide for the governing instrument of a charitable trust; to provide for the duration of a charitable trust; to provide for the termination of a small charitable trust; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 715—**  
BY REPRESENTATIVE GEYMANN  
AN ACT

To direct the Department of Public Safety and Corrections to not implement the provisions of the Federal Real ID Act of 2005; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 715 by Representative Geymann

**AMENDMENT NO. 1**

On page 2, line 19, following "States," and before "(1992)" change "488 U.S. 1041" to "505 U.S. 144"

**HOUSE BILL NO. 726—**  
BY REPRESENTATIVES HARDY, ABRAMSON, ARMES, AUBERT, AUSTIN BADON, BALDONE, BARROW, BURRELL, CHAMPAGNE, CORTEZ, DIXON, FRANKLIN, GISCLAIR, HINES, HONEY, GIROD JACKSON, LAFONTA, LEGER, MARCHAND, MILLS, MONTOUCET, MORRELL, NORTON, RITCHIE, ROBIDEAUX, PATRICIA SMITH, AND TRAHAN

AN ACT

To enact R.S. 14:40.5, relative to the public display of a noose for the purpose of intimidation; to create the crime of public display of a noose with the intent to intimidate; to provide for penalties; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 954—**  
BY REPRESENTATIVE ELLINGTON  
AN ACT

To amend and reenact R.S. 40:1299.40(A)(1), (B), and (E)(6) and to enact Part XXII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.40.1, relative to electronic health care transactions; to permit consent to medical treatment to be given by other than written means, including electronic means; to authorize the use of electronic signature authentication and identification with respect to individually identifiable health information; to establish permitted features of an electronic signature authentication and identification system; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

**HOUSE BILL NO. 1031—**  
BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA  
AN ACT

To amend and reenact the heading of Part III-F of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:135, 135.1(A), 135.2(3)(a), 135.3, 135.4, and 135.7(1) and to repeal Section 2 of Act No. 1212 of the 2003 Regular Session of the Legislature as amended by Act No. 538 of the 2006 Regular Session of the Legislature, relative to the expropriation of property by the city of Ruston; to authorize the city to expropriate by a declaration

of taking; to define terms; to provide for purposes of the expropriation; to repeal termination dates; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1040—**  
BY REPRESENTATIVES ABRAMSON AND LORUSSO  
AN ACT

To amend and reenact R.S. 13:4711(A), 4712, 4713(A) and (C)(2), and 4715, relative to nuisances; to provide for definitions; to provide for the award of damages; to authorize certain people to file petitions; to provide for evidence; to provide for the closing of the premises; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1202—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 9:355.3(A), 355.6(introductory paragraph), and 355.8 and to repeal R.S. 9:355.3(C) and 355.7, relative to the relocation of the residence of a child; to require a court order; to provide for the failure to give notice; to provide for objecting to a relocation; to repeal existing provision requiring notice of relocation in absence of court order; to repeal existing provision providing for failure to object to notice of relocation; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1214—**  
BY REPRESENTATIVE SCHRODER  
AN ACT

To amend and reenact Children's Code Article 551, relative to child abuse; to further state legislative intent by providing for interaction between certain parties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1243—**  
BY REPRESENTATIVE LAFONTA  
AN ACT

To enact R.S. 14:67.26, relative to theft; to provide for the crime of theft of copper from a religious building or cemetery or graveyard; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1258—**  
BY REPRESENTATIVE EDWARDS  
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to fees for appraisals conducted prior to a sheriff's sale; to increase the fees for appraisals conducted prior to a sheriff's sale on movables; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1286—**  
BY REPRESENTATIVE LAMBERT  
AN ACT

To enact Code of Civil Procedure Article 2088(B) and to designate the undesignated introductory paragraph of Code of Civil Procedure Article 2088 as Paragraph A thereof, relative to civil appeals; to provide for jurisdiction; to provide for the retention of jurisdiction by the trial court; to provide for the conversion of an appeal; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1373— (Substitute for House Bill No. 1052 by Representative Baldone)**

BY REPRESENTATIVES BALDONE, ARMES, ARNOLD, BOBBY BADON, HENRY BURNS, CHAMPAGNE, DOVE, GISCLAIR, HARDY, HENDERSON, HOFFMANN, HONEY, LABRUZZO, LEGER, LORUSSO, MILLS, MONTOUCET, MORRELL, NORTON, PEARSON, PETERSON, RICHARD, RICHMOND, GARY SMITH, JANE SMITH, ST. GERMAIN, TEMPLET, WADDELL, AND WHITE  
AN ACT

To amend and reenact R.S. 15:241, 541(1)(d), (e), (f), (g), (h), (i), (j), and (k), (14.1), and (14.2)(a) and (f), 542(C)(2), 542.1(A)(1)(e) and (2)(a), 542.1.1(A)(1) and (B), 542.1.3(A), (B), and (F), 542.1.5(A)(1) and (2)(a) and (F), 542.1.6, 543(B)(introductory paragraph) and (6), 543.1, and 544(A), (B), (C), and (D)(3)(d), to enact R.S. 15:541(1)(l) and (m), 542.1.3(H), and 544(E), and to repeal R.S. 15:541(14.2)(k) and 542.1.1(A)(4), relative to sex offenses and offenses involving child victims; to provide with respect to victims of sex offenses; to provide with respect to the requirements of sex offender and child predator registration and notification provisions; to provide for definitions; to provide for the time period in which an offender must comply with registration and notification requirements; to provide for the duties of the Department of Public Safety and Corrections and the office of youth development; to provide relative to the duration of registration and notification requirements; to provide for written notification by the courts; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1373 by Representative Baldone

AMENDMENT NO. 1

On page 5, line 8, following "secretary" and before "youth" change "of" to "for"

AMENDMENT NO. 2

On page 10, line 7, before "be required" change "will" to "shall"

AMENDMENT NO. 3

On page 10, line 14, following "time" and before "be required" change "the offender will" to "in which the offender shall"

AMENDMENT NO. 4

On page 10, line 15, following "offender" and before "be required" change "will" to "shall"

AMENDMENT NO. 5

On page 10, line 22, following "time" and before "be required" change "the offender will" to "in which the offender shall"

AMENDMENT NO. 6

On page 10, line 23, following "offender" and before "be required" change "will" to "shall"

AMENDMENT NO. 7

On page 13, line 4, before "the offender" change "15:541(14.2)" to "~~15:541(9-1)~~ 15:541(14.2)"

AMENDMENT NO. 8

On page 15, line 21, following "three" and before "business" insert "(3)"

AMENDMENT NO. 9

On page 17, line 14, following "convicted of" and before "or 89" change "R.S. 14:92(7)" to "R.S. 14:92(A)(7)"

AMENDMENT NO. 10

On page 17, line 15, following "Paragraph" change "(7)" to "(8)"

AMENDMENT NO. 11

On page 21, line 24, before "For" change "(3)" to "(3)"

AMENDMENT NO. 12

On page 21, delete lines 26 through 28 and insert "\* \*\*"

AMENDMENT NO. 13

On page 22, delete lines 1 and 2

AMENDMENT NO. 14

On page 22, line 4, before "as provided" change "by a registered" to "registered"

HOUSE BILL NO. 1374— (Substitute for House Bill No. 1283 by Representative Norton)

BY REPRESENTATIVES NORTON, ARMES, BARRAS, BARROW, BILLIOT, HENRY BURNS, BURRELL, CORTEZ, DIXON, FRANKLIN, GISCLAIR, GREENE, ELBERT GUILLORY, HARDY, HAZEL, HINES, HOWARD, HUTTER, LIGI, LOPINTO, MILLS, MONICA, ROBIDEAUX, SCHRODER, SIMON, JANE SMITH, TEMPLET, AND WOOTON AN ACT

To enact R.S. 14:107.4, relative to offenses affecting the general peace and order; to create the crime of unlawful filming or recording of criminal activity; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1377— (Substitute for House Bill No. 561 by Representative Abramson)

BY REPRESENTATIVE ABRAMSON AN ACT

To amend and reenact R.S. 33:441(A)(1), relative to mayor's courts; to authorize that a certain amount of court costs assessed may be allocated to the Louisiana Association of Chiefs of Police for certain purposes; to provide for deposit of funds; to provide for transmittal to the association; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1378— (Substitute for House Bill No. 611 by Representative Simon)

BY REPRESENTATIVE SIMON AN ACT

To enact Chapter 24-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2529, relative to a Silver Alert Network for reporting and locating missing persons with a mental impairment; to provide for a Silver Alert Steering Committee; to provide for authority and duties of the committee; to provide for recommendations to the legislature; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1379— (Substitute for House Bill No. 838 by Representative Tucker)

BY REPRESENTATIVES TUCKER, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CROMER, DIXON, EDWARDS, FANNIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HAZEL, HINES, HOFFMANN, HONEY, GIROD JACKSON, ROSALIND JONES, KATZ, LAFONTA, LEBAS, LIGI, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, POPE, RICHARD, RICHARDSON, RICHMOND, SCHRODER, JANE SMITH, PATRICIA SMITH, TEMPLET, TRAHAN, WHITE, WILLIAMS, AND WILLMOTT AN ACT

To enact R.S. 29:735.3 and R.S. 40:1299.39.3, relative to health care services rendered during an emergency; to provide for legislative findings and intent; to provide for a review of health care services rendered during a state of emergency prior to criminal prosecution; to provide for an Emergency/Disaster Medicine Review Panel; to provide for membership of the review panel; to provide for a procedure for the review of health care services rendered during the state of emergency; to provide for definitions; to provide with respect to confidentiality; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1386— (Substitute for House Bill No. 758 by Representative Ponti)

BY REPRESENTATIVES PONTI, ABRAMSON, HENRY BURNS, BURRELL, CHAMPAGNE, DIXON, GUINN, HARDY, HINES, HOFFMANN, JOHNSON, LIGI, RICHARDSON, JANE SMITH, AND ST. GERMAIN AN ACT

To amend and reenact Code of Civil Procedure Article 151(A) and (B), relative to the recusal of judges in civil matters; to provide for mandatory grounds for recusal; to provide for permissive grounds for recusal; 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 and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 10, 2008

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 160— BY SENATORS CRAVINS, LAFLEUR, LONG, MORRISH AND QUINN AN ACT

To enact R.S. 22:635.3(D) and (E) and 636.2(E) and (F) relative to homeowner's insurance; to provide for changes in homeowners insurance policy deductibles for named storms or hurricanes; to provide for premium quotes involving homeowner's policies and policy deductibles; to provide for application of deductibles in the event of a loss; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 627— BY SENATOR THOMPSON AN ACT

To amend and reenact R.S. 3:3807(B)(2), relative to the retail florist examination; to require the commissioner of agriculture to adopt rules and regulations regarding the demonstration portion of the retail florist examination; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 15— BY SENATORS DUPRE, ADLEY, ERDEY, B. GAUTREAUX, MCPHERSON, MOUNT AND SHAW AN ACT

To enact R.S. 47:463.136, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of a Gold Star motor vehicle prestige license plate for immediate family members of those military personnel killed in the line of duty; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 161—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 9:397.1(B), R.S. 13:4291(A), and R.S. 46:236.3(B)(1) and (K), relative to income assignment orders; to provide for the interruption of prescription of child support payments intercepted through any means; to authorize the use of income assignment orders; to collect paternity testing costs; to provide for fines against employers for failing to withhold payments from income assignment orders; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 243—**

BY SENATORS MCPHERSON, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MORRISH, MOUNT, MURRAY, NEVERS, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 48:394, relative to private railroad crossings; to provide a procedure relative to the closure or removal of private crossings; to provide for notice to the Louisiana Public Service Commission and owner of record; to provide for a public hearing; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 260—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 9:406 and to enact R.S. 9:399.1, relative to paternity; to provide for formal notice of revocation of acknowledgments; to provide for nullification of an acknowledgment to provide time periods for bringing a petition to vacate judgments establishing paternity; to provide time periods for nullification of a judgment of paternity; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 301—**  
BY SENATOR CHAISSON

AN ACT

To enact R.S. 29:735.3, relative to civil liability of medical personnel; to provide immunity for medical personnel during a declared state of emergency who render emergency care, health care services, or first aid as a result of evacuations or treatment conducted in accordance with disaster medicine protocol and at the direction of military or government authorities; to provide for a definition of disaster medicine protocol; and to provide for related matters.

Reported with amendments.

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

AN ACT

To enact R.S. 37:1731.1, relative to limitation of liability; to provide relative to medical services performed during a declared state of emergency; to provide certain limitations of liability; to provide definitions, terms, and conditions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 355—**  
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 39:1546.1, relative to the office of risk management; to create the Non-litigated Claims Management Fund as a

special fund in the state treasury; to provide for the deposit into and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 588—**

BY SENATORS CRAVINS, DUPRE, HEBERT, LONG AND MORRISH AND REPRESENTATIVE KLECKLEY AND SENATORS ADLEY, ALARIO, AMEDEE, CHAISSON, CHEEK, DORSEY, ERDEY, N. GAUTREAUX, GRAY, HEITMEIER, JACKSON, KOSTELKA, MARIONNEAUX, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:3304(D) and (F) and R.S. 36:696(B) and to enact R.S. 22:3312, relative to the Insure Louisiana Incentive Program; to provide for use of unused monies in the program to assist individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for participation in the premium program; to provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 613—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:621.41(B)(1), (D), (E), (F)(1), (H)(1) and (3), 621.43, 621.45(B), 1136, 1137, 1140(A) (introductory paragraph), (B) and (C), 1335, and 1336, and to enact R.S. 13:621.49, relative to the district courts in the parish of Orleans; to provide for the civil district court in the parish of Orleans; to provide for the judges in the civil district court in the parish of Orleans; to provide for the criminal district court in the parish of Orleans; to provide for the judges in the criminal district court in the parish of Orleans; to provide for the Forty-First Judicial District Court; to provide for the judges and magistrates in the Forty-First Judicial District Court; to provide for reversion to certain offices under certain circumstances; to provide for the jurisdiction, elections, term of office, and powers of such courts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 625—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact Section 22 of Act No. 621 of the 2006 Regular Session of the Legislature, and to enact R.S. 13:621.49, relative to the civil and criminal district courts in and for Orleans Parish; to provide relative to consolidation of certain courts; to provide relative to the Forty-First Judicial Court; to provide relative to judges and magistrates and their duties and offices; to provide terms, conditions, and procedures; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 228—**

BY SENATORS HEITMEIER, BROOME, GRAY, MURRAY AND NEVERS

AN ACT

To enact R.S. 28:22, R.S. 40:2006(B)(2)(i) and (E)(2)(x), and Part VI-F of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180.6 through 2180.11, relative to crisis receiving centers; to provide for a crisis response system; to provide for definitions; to provide for fees; to provide for licensing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Reported with amendments.

June 12, 2008

**SENATE BILL NO. 238—**  
BY SENATOR CASSIDY

AN ACT

To enact R.S. 40:1064.1, relative to expedited partner therapy; to provide for the prescription of medications to individuals who may have been exposed to certain venereal diseases absent a doctor-patient relationship and absent a clinical assessment; to provide for the promulgation of rules; and to provide for related matters.

Reported with amendments.

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

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 546—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:1031(A) and 1033(A) and (B) and to enact R.S. 37:1033(H), relative to direct service workers; to provide for applicability; to provide for training; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 800—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 41:1217.1, relative to leases of public lands; to provide for the powers and duties of the commissioner of administration and department secretaries; to provide relative to the renewal of certain leases; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 11—**  
BY SENATORS N. GAUTREAU, LONG, NEVERS, RISER, SMITH AND THOMPSON

AN ACT

To amend and reenact R.S. 3:3602(2), (4), and (6), 3603(A) and (B), 3604, and 3607(A) and (C) and to enact R.S. 3:3601(B)(3) and 3602(16), (17), (18), (19), and (20) relative to the right to farm; to provide for legislative findings; to provide for definitions; to provide for the right to farm; to provide for local ordinances; to provide relative to nuisance actions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 166—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 13:621.48, relative to the Forty-First Judicial District Court; to provide relative to judges and magistrates of the Forty-First Judicial District Court; to provide for the reversion by certain judges and magistrates to their office, division, or section

in civil and criminal district courts for the parish of Orleans if Act 621 of the 2006 Regular Session of the Louisiana Legislature is held unconstitutional; to provide certain terms, conditions, and procedures; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 168—**  
BY SENATORS MURRAY, RISER, SCALISE, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 23:1552(B)(6) and repeal R.S. 23:1552(B)(7), relative to unemployment compensation; to provide with respect to reimbursement of unemployment claims paid as a result of hurricanes Katrina and Rita; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 579—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:841.3 and 983(L), R.S. 44:183(F), and Section 8(A)(1) as enacted by Act No. 621 of the 2006 Regular Session of the Legislature, relative to district courts; to provide for the handling of funds by the clerk of the Forty-First Judicial District Court; to provide relative to the fixing and collection of certain costs and charges; to provide for the depositing of certain collected fees or sums into a specific account; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 624—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 13:621.41.1 and R.S. 33:1374, relative to Forty-First Judicial District Court; to provide for an environmental docket for the Forty-First Judicial District Court; to provide terms, conditions, and procedures; to provide with respect to enforcing ordinances and regulations relating to violations with respect to enforcing health, safety and welfare ordinances in Orleans Parish, or otherwise enforcing ordinances relating to violations of public health, housing, fire code, environmental, building code, zoning, historic district, permitting, vegetation and nuisance ordinances in Orleans Parish; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 76—**  
BY SENATORS GRAY, DONAHUE, N. GAUTREAU, KOSTELKA, MICHOT, MURRAY AND QUINN

AN ACT

To enact Chapter 11 of Title X of the Children's Code, to be comprised of Articles 1051 through 1053, and Article 1146(E), relative to the restoration of parental rights after termination; to provide for the motion to restore parental rights; to provide for the duties of the department; to provide for the hearing; to provide for the permanency hearing; to provide for the review hearing; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 179—**  
BY SENATOR QUINN

AN ACT

To amend and reenact Civil Code Article 2339, relative to community property; to provide relative to the fruits and



revenues of separate property; to provide for reservation as separate property; to provide certain terms, conditions, procedures, requirements and effects; to provide for notice; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 252—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:1088.1(A)(5) and (B), relative to licensure of certain persons engaged in residential mortgage lending; to provide relative to certain fees for such persons to utilize the licensing system; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 253—**  
BY SENATOR MICHOT

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 339—**

BY SENATORS THOMPSON, RISER AND WALSWORTH  
AN ACT

To enact R.S. 8:69.2, relative to cemeteries placed into receivership; to provide for the qualifications of a receiver; to provide for establishment of a receivership; to provide for the administration and duties of a receivership; to provide for the termination of a receivership; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 445—**  
BY SENATOR SMITH

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 492—**  
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:346, to enact Civil Code Article 136.1, and to repeal R.S. 9:347, relative to custody and visitation; to provide relative to awards of visitation and custody rights; to provide relative to certain actions; to provide an action for failure to exercise rights pursuant to a court-ordered schedule; to provide terms, conditions, and procedures; to provide for judgments, awards and orders, and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 542—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 47:302.5(E)(5) and 302.54, relative to the dispositions of certain collections in Vernon Parish; to create the Vernon Parish Legislative Improvement Fund No. 2 as a special fund in

the state treasury; to provide for the deposit of and use of monies in the fund; to provide for the transfer of certain funds; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 709—**  
BY SENATOR DUPLESSIS

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 721—**  
BY SENATOR CHAISSON

AN ACT

To enact R.S. 13:3714(C), relative to courts, judicial procedure and evidence; to provide for the admissibility of blood alcohol concentration test results from a source other than the office of state police crime laboratory; to authorize judicial rulings on the admissibility of blood alcohol concentration test results when a challenge as to the authenticity, reliability, or accuracy of such results is raised in a timely manner; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 758—**  
BY SENATOR BROOME

AN ACT

To enact Children's Code Article 1248.1, relative to intrafamily adoptions; to provide for notice of rights of natural parents; to provide terms, conditions, and procedures; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 764—**  
BY SENATORS DORSEY AND DUPLESSIS

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 806— (Substitute of Senate Bill No. 131 by  
Senator LaFleur)**

BY SENATOR LAFLEUR

AN ACT

To amend and reenact Part II of Chapter 10 of Title 37 of the Louisiana Revised Statutes of 1950, composed of R.S. 37:861 through 867, and R.S. 37:831(38) and to enact R.S. 37:831(71) through (80), relative to preneed funeral contracts; to provide for definitions; to provide for preneed funeral plans; to provide for preneed funeral contracts; to provide for funeral goods and services; to provide for cancellation; to provide for restrictions; to provide for penalties; to provide for applicability; and to provide for related matters.

Reported with amendments.

June 12, 2008

**SENATE BILL NO. 144—**  
BY SENATORS N. GAUTREAU, AMEDEE, DORSEY, DUPLESSIS AND MOUNT

AN ACT

To enact R.S. 14:43.6, relative to certain sex offenses; to provide for the administration of medroxyprogesterone acetate to or voluntary castration of sex offenders; to provide penalties for noncompliance; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 4—**  
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 14:67.16.1, relative to the registration of persons convicted of identity theft; to require registration of persons convicted of identity theft; to provide penalties for violations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 384—**  
BY SENATOR HEBERT

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 410—**  
BY SENATOR HEBERT

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 475—**  
BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 17:3991(D), relative to charter schools; to provide relative to reimbursement for transportation services; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 482—**  
BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:3137, relative to dual enrollment of students; to provide relative to the participation of certain students in the dual enrollment program established by the Board of Regents; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 510—**

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

AN ACT

To amend and reenact R.S. 14:81.3(A) and (B)(1), relative to offenses affecting sexual immorality; to provide for the crime of

computer-aided solicitation of a minor; to provide for the increase of penalties for such crime; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 548—**  
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:7(27), relative to duties and functions of the State Board of Elementary and Secondary Education; to require the board to develop a teacher exit interview system for school boards; to provide for forms and interview questions; to provide for reporting data; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 632—**  
BY SENATORS GRAY AND JACKSON

AN ACT

To enact Part XII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of Louisiana of 1950, to be comprised of R.S. 17:409 through 409.6, and to enact R.S. 36:651(AA), relative to school facilities; to create and provide for the Louisiana Statewide Educational Facilities Authority in the Department of Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for rules; to provide relative to program participation; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 733— (Substitute of Senate Bill No. 561 by Senator Nevers)**

BY SENATORS NEVERS, CROWE, RISER AND THOMPSON

AN ACT

To enact R.S. 17:285.1, relative to curriculum and instruction; to provide relative to the teaching of scientific subjects in public elementary and secondary schools; to promote students' critical thinking skills and open discussion of scientific theories; to provide relative to support and guidance for teachers; to provide relative to textbooks and instructional materials; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 786—**  
BY SENATOR GRAY

AN ACT

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

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 124—**

BY SENATOR BROOME

A RESOLUTION

To commend the efforts and accomplishments of the Louisiana Children's Trust Fund Board.

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

**SENATE RESOLUTION NO. 125—**

BY SENATOR GRAY

A RESOLUTION

To commend the sponsors of the Hoffman Triangle Extravaganza and to acknowledge their recovery and revitalization efforts and to note the rebirth of the urban neighborhood located in the Central City borough of New Orleans.

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

**SENATE RESOLUTION NO. 126—**

BY SENATORS MURRAY AND GRAY

A RESOLUTION

To express the intent of the Legislature of Louisiana in support of a bid for the city of New Orleans to host the Men's National Collegiate Athletic Association Final Four Basketball Championship Tournament in the Superdome in either 2012, 2015, or 2016.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON NATURAL RESOURCES**

Senator Reggie P. Dupre, Jr., Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 12, 2008

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

**HOUSE BILL NO. 583—**

BY REPRESENTATIVE RICHARDSON

AN ACT

To enact R.S. 41:903, relative to public lands; to provide relative to school board lands; to authorize the Central Community School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1383— (Substitute for House Bill No. 1281 by Representative Wooton)**

BY REPRESENTATIVE WOOTON AND SENATOR DUPRE

AN ACT

To enact R.S. 36:610(L) and R.S. 56:433.1, relative to taking oysters from the public seed grounds; to provide for an oyster seed ground vessel permit; to provide for eligibility for such permit; to provide for the terms and conditions of such permit; to establish the Oyster Seed Ground Vessel Permit Appeals Board; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
REGGIE P. DUPRE, JR.  
Chairman

**REPORT OF COMMITTEE ON**

**FINANCE**

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

June 11, 2008

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 104—**

BY SENATORS SHEPHERD, DUPLESSIS, GRAY AND MURRAY

A CONCURRENT RESOLUTION

To direct the Louisiana Recovery Authority not to spend certain funds for community recovery projects in New Orleans.

Reported favorably.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact R.S. 11:1631(F), relative to the District Attorneys' Retirement System; to provide for the reemployment of certain retirees; to allow such reemployed retirees to receive full salary and benefits; to provide with respect to employer and employee contributions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1266—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 46:440.1(C) and to enact R.S. 46:440.1(D) through (F), relative to the Medical Assistance Programs Fraud Detection Fund; to allocate monies collected; to provide for the reversion of appropriated funds left unspent; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
MICHAEL J. "MIKE" MICHOT  
Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

Senator Neil Riser, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

June 12, 2008

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 125—**

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To urge and request the Department of Labor to study the need for an annual cost-of-living wage increase for direct support professionals and design a plan for implementing such raises for direct support professionals.

Reported favorably.

June 12, 2008

**HOUSE BILL NO. 535—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 23:1232, relative to workers' compensation death benefits; to provide for the equal allocation of payments to dependents of injured workers; to provide for the schedule of payments; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 547—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 23:1310.11, relative to workers' compensation; to provide relative to a time and procedure for the submission of filing fees; to provide for an application for waiver of costs; to require payment of a filing fee to the office of workers' compensation administration within five days of the date of denial of the waiver of costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 554—**

BY REPRESENTATIVE PATRICIA SMITH  
AN ACT

To amend and reenact R.S. 23:1171.1(C)(1), relative to discontinuance of business; to provide for penalties and fines for employers out of compliance; to provide for procedures for employers out of compliance; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 968—**

BY REPRESENTATIVE EDWARDS  
AN ACT

To enact R.S. 23:921(F)(1)(c), relative to covenants not to compete; to provide relative to employment with a franchise; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1387— (Substitute for House Bill No. 1083 by Representative Patricia Smith)**

BY REPRESENTATIVE PATRICIA SMITH  
AN ACT

To enact Part II-A of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:931 through 934, relative to the classification of employees; to provide for definitions; to provide relative to the duty to classify employees; to provide with respect to penalties for failure to classify; to provide for restitution; to provide with respect to investigation and prosecution; to provide for suspension of all professional licenses; to provide with respect to civil actions; to provide for penalties for evading detection; to require the Department of Labor to promulgate rules; to provide for subpoena power; to require employers to maintain certain records; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NEIL RISER  
Chairman

**REPORT OF COMMITTEE ON**

**LOCAL AND MUNICIPAL AFFAIRS**

Senator Cheryl Artise Gray, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 12, 2008

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 182—**

BY REPRESENTATIVE PERRY  
A CONCURRENT RESOLUTION

To urge and request the Vermilion Parish Police Jury to consider adoption of zoning ordinances to regulate the use of land pursuant to authority granted to it and all parish governments by R.S. 33:4780.40 et seq. In an effort to protect and promote the health, safety, and general welfare of the public.

Reported favorably.

**HOUSE BILL NO. 401—**

BY REPRESENTATIVE MORRELL  
AN ACT

To enact R.S. 33:9038.62, relative to Orleans Parish; to create and provide for the Gentilly Taxing District within the parish; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to the powers and duties of the district including the power to provide for tax increment financing; to provide for the term of the district; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 836—**

BY REPRESENTATIVE AUSTIN BADON  
AN ACT

To enact Chapter 30 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9100.1 through 9100.13, relative to New Orleans East; to establish and provide for the membership, governance, purposes, duties, powers, and functions of the East New Orleans Neighborhood Advisory Commission; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 934—**

BY REPRESENTATIVES TEMPLET, BALDONE, BILLIOT, BURFORD, BURRELL, CARMODY, CHAMPAGNE, CONNICK, DIXON, ELLINGTON, GALLOT, GUINN, HENDERSON, HINES, HOFFMANN, GIROD JACKSON, LAFONTA, LEGER, LIGI, LOPINTO, LORUSSO, MARCHAND, MILLS, NOWLIN, PEARSON, SMILEY, JANE SMITH, PATRICIA SMITH, TUCKER, WADDELL, WILLMOTT, AND WOOTON  
AN ACT

To amend and reenact Subpart D of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, formerly comprised of R.S. 33:4761 through 4768, to be comprised of R.S. 33:4761 through 4770, relative to the removal of dangerous structures; to provide relative to the establishment of and procedures for the enforcement of certain liens and privileges; to provide for applicability to parishes and municipalities; to provide relative to funding from the state; to create the Louisiana Blighted Property Reclamation Revolving Loan Fund; to provide for applicability to the Louisiana Housing Finance Agency; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHERYL ARTISE GRAY  
Chairman

**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. 32—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 44:231.1, relative to the office of recorder of mortgages in Orleans Parish; to provide that no special election or qualifying period shall be held to fill a vacancy occurring in the term of office expiring December 31, 2008; to provide for applicability; 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. 176—**

BY REPRESENTATIVES ABRAMSON, GREENE, AND HENRY  
AN ACT

To enact R.S. 42:1124.6, relative to disclosure of information by certain officials; to require certain disclosures by certain elected officials; to provide for the content of and procedures for such disclosures; to provide for enforcement and penalties; 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. 176 by Representative Abramson

**AMENDMENT NO. 1**

On page 1, line 3, after "certain disclosures by" change "certain elected officials;" to "certain agency heads and certain appointed members of certain boards and commissions;"

**AMENDMENT NO. 2**

On page 1, line 8, after "certain elected officials" insert "and appointed members of boards and commissions"

**AMENDMENT NO. 3**

On page 1, line 9, after "Each" insert "agency head in an agency of a" and after "statewide elected official," delete the remainder of the line

**AMENDMENT NO. 4**

On page 1, delete line 10 and insert "and each appointed member of a board or commission that has the authority to expend, disburse, or invest one million dollars or more of funds in a fiscal year,"

**AMENDMENT NO. 5**

On page 1, delete lines 14 and 15

**AMENDMENT NO. 6**

On page 1, line 16, delete "agency of the elected official and who made a" and insert "(a) Any"

**AMENDMENT NO. 7**

On page 1, line 17, after "thousand dollars" insert "made by the agency head" and between "to a campaign of the" and "elected official" insert "appointing"

**AMENDMENT NO. 8**

On page 2 delete lines 1 through 4

**AMENDMENT NO. 9**

On page 2, line 5, delete "made a" and insert "(b) Any" and between "one thousand dollars" and "to a campaign" insert "made by the appointed board or commission member" and at the end of the line delete "such"

**AMENDMENT NO. 10**

On page 2, line 6, at the beginning of the line before "elected official" insert "the appointing"

**AMENDMENT NO. 11**

On page 2, line 10, after "elected official's" insert "or appointed board or commission member's"

**AMENDMENT NO. 12**

On page 2, line 11, after "only those" delete the remainder of the line and insert "contributions or loans"

**AMENDMENT NO. 13**

On page 2, line 12, at the beginning of the line delete "a loan" and after "a campaign or" delete "contributed"

**AMENDMENT NO. 14**

On page 2, line 13, at the beginning of the line delete "who were hired or appointed" and after "within one year of the" delete "contribution or loan" and insert "agency head's or board or commission member's appointment"

**AMENDMENT NO. 15**

On page 2, delete lines 16 through 27

**AMENDMENT NO. 16**

On page 3, line one, change "D." to "C."

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. 326—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:2447, 3410, and 3432(C), R.S. 12:23(G)(2)(b), 171(A)(introductory paragraph) and (B), 205.1(B), 263(A)(introductory paragraph) and (B), 316(A)(introductory paragraph) and (B), 419(A), 469, and 1364, R.S. 14:325(A), R.S. 49:222, and R.S. 51:214(D) and (E), 216(A)(1), and 217(B), relative to fees charged by the secretary of state; to provide relative to the authority of the secretary of state to determine and to collect certain fees; to provide for certain fees charged by the secretary of state; 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. 368—**

BY REPRESENTATIVES NOWLIN, ABRAMSON, BALDONE, BURFORD, HENRY BURNS, CHANDLER, CORTEZ, DOWNS, FANNIN, GISCLAIR, HARDY, HARRISON, HINES, HOFFMANN, GIROD JACKSON, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LIGI, MILLS, RITCHIE, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TEMPLET, TRAHAN, AND WADDELL

AN ACT

To enact R.S. 49:965.2 through 965.7, relative to the Regulatory Flexibility Act; to create the Regulatory Flexibility Act; to set forth legislative intent and findings; to provide for definitions; to require the preparation of an economic impact statement prior to the adoption of a proposed administrative rule affecting small businesses; to require the preparation of a regulatory flexibility analysis prior to the adoption of a proposed administrative rule affecting small businesses; to require an agency to notify the Department of Economic Development; to provide for certain notification; to provide for the duties of certain agencies relative to such notification; 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. 368 by Representative Nowlin

June 12, 2008

AMENDMENT NO. 1

On page 1, line 2, change "965.7" to "965.8"

AMENDMENT NO. 2

On page 1, line 8, after "Development;" and before "to provide for" insert the following: "to provide for conflicts;"

AMENDMENT NO. 3

On page 1, line 12, change "965.7" to "965.8"

AMENDMENT NO. 4

On page 1, line 14, change "965.7" to "965.8"

AMENDMENT NO. 5

On page 5, between lines 9 and 10, add the following:

"§965.7. Conflicts of law

Nothing in the Regulatory Flexibility Act shall be construed to conflict with or supersede any applicable federal law, rule, or regulation."

AMENDMENT NO. 6

On page 5, line 10, change "§965.7" to "§965.8"

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. 876—**

BY REPRESENTATIVES RICHMOND, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, BOBBY BADON, BARROW, BILLIOT, HENRY BURNS, BURRELL, CARTER, CONNICK, DIXON, DOERGE, EDWARDS, FRANKLIN, GALLOT, GISCLAIR, HARDY, HAZEL, HENDERSON, HINES, HONEY, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, LABRUZZO, LAFONTA, LEGER, MARCHAND, MONTUCET, MORRELL, NORTON, PEARSON, PETERSON, PONTI, PUGH, RICHARD, RITCHIE, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WILLIAMS, AND WOOTON

AN ACT

To enact R.S. 36:4(X) and Chapter 18 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1211 through 1213, relative to the Louisiana Council on the Social Status of Black Men and Boys; to create the council; to provide for the membership of the council; to provide for the powers, duties, and responsibilities of the council; to provide legislative findings; 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. 906—**

BY REPRESENTATIVES HUTTER, ARMES, BILLIOT, BURRELL, HARDY, HILL, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C)(4)(e), relative to the enforcement procedures of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide for the standard of evidence for public hearings; 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 Reengrossed House Bill No. 906 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 42:1141(B)(1)(a)" delete "and (C)(4)(e)"

AMENDMENT NO. 2

On page 1, line 5, delete "to provide for the standard of evidence for public hearings;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 42:1141(B)(1)(a)" delete "and (C)(4)(e) are" and insert "is"

AMENDMENT NO. 4

On page 2 delete lines 8 through 20

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. 935—**

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 36:4(B)(1)(dd) and (H), 408(D), and 478(G), R.S. 23:2042, R.S. 46:2521, R.S. 49:220.4(A)(1), R.S. 51:911.26(A)(1), and Sections 5 and 6(B) of Act No. 5 of the 2006 First Extraordinary Session of the Legislature, to enact R.S. 36:309(B)(3), 409(J), and 803.1, and to repeal R.S. 36:4(B)(14) and (F) and 4.1(D)(16) and R.S. 23:2056, relative to the organization of the executive branch of state government; to transfer certain agencies in the office of the governor into the division of administration in the office of the governor and to transfer certain agencies from the office of the governor to certain executive branch departments; to provide relative to the exercise of the powers, duties, functions, and responsibilities of such agencies; to provide relative to the existence of certain agencies placed in the division of administration; and to provide for related matters.

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 Reengrossed House Bill No. 935 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 2, at the end of the line delete "R.S." and on page 1, line 3, at the beginning of the line delete "46:2521,"

AMENDMENT NO. 2

On page 1, line 3, after "49:220.4(A)(1)," insert "220.24(C)(6), (J), (K), and (L), and 220.25,"

AMENDMENT NO. 3

On page 1, line 5, after "and 803.1," insert "and R.S. 49:220.24(M),"

AMENDMENT NO. 4

On page 1, line 12, after "administration;" insert "to provide for certain powers, duties, and functions of certain entities remaining in the office of the governor;"

AMENDMENT NO. 5

On page 4, delete lines 18 through 28

AMENDMENT NO. 6

On page 4, line 29, change "Section 4." to "Section 3." then delete the remainder of the line and insert "R.S. 49:220.4(A)(1), 220.24(C)(6), (J), (K), and (L), and 220.25 are hereby amended and reenacted and R.S. 49:220.24(M) is hereby enacted to read as follows:"

AMENDMENT NO. 7

On page 5 between lines 10 and 11 insert the following:

"§220.24. Authority; duties; powers; standards; functions

C. (1) \* \* \*

June 12, 2008

(6) The inspector general shall submit an annual report to the governor and the Joint Legislative Committee on the Budget at the end of each fiscal year that describes the accomplishments and contributions made by the office toward achieving the mission of helping to prevent and detect waste, fraud, and abuse in Louisiana government. Upon completion, **as indicated by signature of the inspector general**, all final reports of the inspector general immediately shall be filed with the Joint Legislative Committee on the Budget and shall include the response of the agency, if any. All such reports shall be provided to the staff of the governor's office and the Joint Legislative Committee on the Budget upon request.

\* \* \*

**J. The office of the state inspector general is hereby designated as a law enforcement agency and conferred all investigative powers and privileges appurtenant to a law enforcement agency under state law as necessary and in furtherance of the authority, duties, powers, and functions set forth herein. These powers and privileges shall not include arrest powers but shall include access to computer systems, information maintained for the use of law enforcement personnel, and any information contained in the criminal history record and identification file of the Louisiana Bureau of Criminal Identification and Information.**

**J-K.** Upon credible information of corruption or fraud, the office of the state inspector general shall notify the appropriate law enforcement agencies. Subsequent to notifying the appropriate law enforcement agency, the inspector general may assist the law enforcement agency in conducting the investigation. Upon detecting a violation of one of the provisions of the Code of Governmental Ethics, the office of the state inspector general may file a complaint with the Board of Ethics.

**K-L.** The office of the state inspector general may conduct joint investigations and projects with other oversight or law enforcement agencies.

**L-M.** The inspector general shall do all things necessary to carry out the functions set forth in this Part.

§220.25. Confidentiality of certain records

Except for the reports of investigations released as provided in R.S. 49:220.24(C)(6), the records prepared or obtained by the inspector general in connection with investigations conducted by the inspector general shall be deemed confidential and protected from disclosure pursuant to R.S. 44:3 and 44:5. No privilege established by law shall be deemed waived on any record obtained by the inspector general in connection with the performance of the duties established in this Part. Any record or information obtained by the inspector general which is confidential pursuant to any other provision of law shall remain confidential, and it shall be a misdemeanor punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for the inspector general or any of his employees, **or any other public official, corporation, or individual**, to make public any such information or record. **Nothing herein shall be interpreted to prevent public access to public records during the course of an inspector general investigation. The custodian of any public record shall provide that record to any person having the right to examine public records. If the only copy of the public record is in the hands of the inspector general, the custodian of that record shall so certify and the requestor may examine and copy the record at the office of the inspector general.**

#### AMENDMENT NO. 8

On page 5, line 11, change "Section 5." to "Section 4."

#### AMENDMENT NO. 9

On page 5, line 19, change "Section 6." to "Section 5."

#### AMENDMENT NO. 10

On page 5, line 27, change "Section 7." to "Section 6." and after "R.S. 36:4(B)(14)" insert a comma and delete "and (F) and" and after "4.1(D)(16)" insert a comma

#### AMENDMENT NO. 11

On page 6, line 1, change "Section 8." to "Section 7."

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. 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.

Reported favorably by the Committee on Finance. 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. 962—**

BY REPRESENTATIVE PETERSON AND SENATOR GRAY AND  
REPRESENTATIVE LEGER  
AN ACT

To enact Subpart P of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.62, relative to state funds; to create the Louisiana Statewide Educational Facilities Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 988—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 24:31.4(B) and (C), relative to the legislature; to provide relative to district offices of members of the legislature; to provide relative to district office allowances and payments related to district offices; to provide relative to transactions related to district offices; 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. 1011—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To enact R.S. 18:177.1, relative to registration of voters; to require the Department of Public Safety and Corrections to provide certain information concerning registration and reinstatement to certain persons; to require the Department of Public Safety and Corrections to provide certain persons with voter registration applications; 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.

June 12, 2008

HOUSE BILL NO. 1063—

BY REPRESENTATIVES TUCKER, BARRAS, CROMER, DANAHAY, ELLINGTON, GALLOT, HENRY, GIROD JACKSON, ROSALIND JONES, LIGI, PETERSON, PUGH, RICHARD, SMILEY, JANE SMITH, AND WADDELL

AN ACT

To amend and reenact R.S. 24:31.5, relative to the legislature; to provide relative to certain legislative employees; to provide relative to the salary of certain legislative employees; to provide relative to the duties of the Legislative Budgetary Control Council relative thereto; to provide relative to eligibility for benefits for certain legislative employees; to provide eligibility criteria for participation in the state group benefits program, the state employees' retirement system, and other benefits for legislative assistants; 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. 1063 by Representative Tucker

AMENDMENT NO. 1

On page 1, delete lines 15 through 19, and on page 2, delete lines 1 through 19, and insert the following:

"A.(1) Each member of the legislature may employ one or more legislative assistants, who shall be employed as unclassified state employees. The total salary of such assistant or assistants shall not exceed the applicable monthly salary as follows:

STEP	MONTHLY SALARY
Base	\$ 2,000 \$2,900
First	\$ 2,083 \$2,983
Second	\$ 2,169 \$3,069
Third	\$ 2,259 \$3,159
Fourth	\$ 2,352 \$3,252
Fifth	\$ 2,450 \$3,350
Sixth	\$ 2,551 \$3,451
Seventh	\$ 2,657 \$3,557
Eighth	\$ 2,767 \$3,667
Ninth	\$ 2,881 \$3,781
Maximum Tenth	\$ 3,000 \$3,900
Eleventh	\$4,020
Twelfth	\$4,145
Thirteenth	\$4,275
Fourteenth	\$4,410
Fifteenth	\$4,550
Sixteenth	\$4,696
Seventeenth	\$4,848
Eighteenth	\$5,006
Nineteenth	\$5,170
Twentieth	\$5,341
Twenty-first	\$5,518
Twenty-second	\$5,703
Twenty-third	\$5,895
Twenty-fourth	\$6,095
Twenty-fifth	\$6,303
Twenty-sixth	\$6,519
Twenty-seventh	\$6,744
Twenty-eighth	\$6,977
Twenty-ninth	\$7,221
Maximum	\$7,473

(2) On and after July 1, 1998 2008, any legislator who has the maximum salary step available to him for his legislative assistants shall have available a step increase of four percent per year for the salary available for his legislative assistants."

AMENDMENT NO. 2

On page 2, delete lines 23 through 29, and on page 3, delete lines 1 through 14, and insert the following:

"(4)(a) Each legislative assistant shall perform such duties as the legislator may assign and shall be paid a salary fixed by the legislator, provided that the salary for any one legislative assistant shall not exceed two thousand nine hundred dollars per month or the base salary established by the Legislative Budgetary Control Council plus the equivalent of one step for each year of his employment as a legislative assistant or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator.

(b) When more than one legislative assistant is employed by a legislator, the total salary for all legislative assistants of a legislator shall not exceed two thousand nine hundred dollars per month or the base salary established by the Legislative Budgetary Control Council plus the equivalent of one step for each year of employment as a legislative assistant of the legislative assistant receiving the highest salary, or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator, by all of these assistants. When part-time help or contractual services are used, the total payments shall not exceed an amount equal to the base salary of a legislative assistant. However, no legislative assistant shall be paid a salary that exceeds two thousand nine hundred dollars per month or the base salary established by the Legislative Budgetary Control Council plus the equivalent of one step for each year of his employment as a legislative assistant.

(c) On and after July 1, 2009, the Legislative Budgetary Control Council shall have the authority to provide for increases in the salary schedule as set forth in this Section. At the time of any such increase, the Legislative Budgetary Control Council shall also provide a detailed mechanism to factor in other governmental experience into the number of years of experience of a legislative assistant for salary purposes.

(d) Notwithstanding Subparagraphs (a) and (b) of this Paragraph, a legislator who has funds available for employing one or more legislative assistants based on his years of legislative service which amount is in excess of the amount available to pay the salary of his legislative assistant or assistants based on their years of employment as a legislative assistant may use such excess funds to supplement the scheduled salary of one or more of his legislative assistants, to employ additional legislative assistants, or both. Any supplement above the scheduled salary paid to a legislative assistant pursuant to this Subparagraph shall terminate as fixed by the employing legislator or upon the termination of the assistant's employment with the legislator."

AMENDMENT NO. 3

On page 4, lines 1 and 2, change "the Legislative Budgetary Control Council" to "or pursuant to this Section"

AMENDMENT NO. 4

On page 4, delete lines 9 through 18 and insert the following:

"C.(1) (a) When a legislator employs only one legislative assistant, such assistant may participate in the state's group life, health, and hospitalization insurance program and the state employees' retirement system provided such assistant receives at least sixty percent of the total compensation available to employ the legislative assistant.

(b) Each legislative assistant employed full time and who either has at least one year of experience or receives at least eighty percent of the total compensation available to the employing legislator for his assistants, including all step increases authorized by law. When a legislator employs more than one legislative assistant, the primary legislative assistant may participate in the state's group life, health, and hospitalization insurance program and the state employees' retirement system. "Primary legislative assistant" is the legislative assistant who receives the highest salary and whose salary is at least sixty percent of the salary that such assistant can be paid under this Section.

(c) Any legislative assistant who does not meet the criteria set forth herein shall not be eligible to participate in these or any other benefits accruing under law to state employees."



**AMENDMENT NO. 5**

On page 4, delete lines 21 through 23.

**AMENDMENT NO. 6**

On page 4, line 24, between "employed" and "on" insert "by the legislature"

**AMENDMENT NO. 7**

On page 4, line 25, change "December 1, 2007" to "June 30, 2008"

**AMENDMENT NO. 8**

On page 4, delete lines 28 and 29, and insert "provisions of Section 1 of this Act."

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. 1175—**

BY REPRESENTATIVE MONTOUCET  
AN ACT

To amend and reenact R.S. 42:1123(39)(a), relative to ethics; to provide relative to an exception to the ethics code for the immediate family member of a legislator registering as a lobbyist or lobbying; 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. 1181—**

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 42:1102(18), relative to the Code of Governmental Ethics; to provide an exception to the definition of "public employee" for certain specified members of the National Guard; 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. 1182—**

BY REPRESENTATIVE SCHRODER  
AN ACT

To enact R.S. 24:653(K) and R.S. 39:345.1, relative to the expenditure of public funds; to provide with respect to the approval by the Joint Legislative Committee on the Budget of budgets of certain public entities or salaries of certain public officials; to authorize the committee to direct by resolution the withholding of certain warrants of monies from the state treasury under certain circumstances; to designate certain expenditures as prohibited donations; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1182 by Representative Schroder

**AMENDMENT NO. 1**

On page 2, between lines 22 and 23, insert the following:

"(3) Notwithstanding any contrary provision of law, the chairman of the Joint Legislative Committee on the Budget may grant an entity, for good cause shown, an extension of time, not to exceed thirty days, to comply with the provisions of this Subsection and the Joint Legislative Committee on the Budget may grant an additional extension of time."

On motion of Senator Michot, 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. 1337—**

BY REPRESENTATIVE AUBERT  
AN ACT

To enact R.S. 42:1123(40), relative to the Code of Governmental Ethics; to provide for an exception to the Code of Governmental Ethics to allow a person to enter into certain transactions to obtain a governmental service provided by his agency under certain circumstances; 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. 1337 by Representative Aubert

**AMENDMENT NO. 1**

On page 1, line 11, delete "person" and insert "public servant"

**AMENDMENT NO. 2**

On page 1, line 13, after "including" delete "without limitation"

**AMENDMENT NO. 3**

On page 1, line 14, at the end of the line after "services" insert "under the same terms and conditions as applicable to a member of the general public"

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. 1372— (Substitute for House Bill No. 1016 by Representative Smiley)**

BY REPRESENTATIVES SMILEY, ABRAMSON, BALDONE, BURFORD, CHAMPAGNE, CONNICK, GISCLAIR, HINES, HOFFMANN, JOHNSON, KATZ, LEGER, LIGI, MORRELL, PEARSON, PUGH, RICHARD, JANE SMITH, AND WADDELL

AN ACT

To amend and reenact R.S. 17:185.3, R.S. 36:4(B)(1)(e), R.S. 40:1299.40(E), and R.S. 46:2352(10)(a)(iii) and to repeal R.S. 17:3397.3(C), Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1231 through 1237, R.S. 36:4.1(D)(7), 109(B)(1) and (2), 209(Q), 259(JJ) and (KK), 509(D) and (V), 919.8, and 919.10, Chapter 27 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2301 through 2319, Part XXXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.321 through 3087.335, R.S. 39:301, R.S. 40:31.2, and Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1236.15 through 1236.29, R.S. 46:2355, 2525.1, Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2616 through 2618, Chapter 23 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1831 through 1836, Chapter 25 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2001 through 2006, Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2061 through 2067, Part VI of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:971 through 978, Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1371 through 1377, and Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3051 through 3056, relative to boards, commissions, districts, authorities, and like entities; to abolish certain boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Purchase Bicentennial Commission, the Advisory Council for

Technology Access by Individuals with Disabilities, the Medical Disclosure Panel, the Bio-recovery Technician Certification Commission, the Interagency Task Force on Health Literacy, the Diabetes Initiative Council, the Task Force on Violent Crime Against Women, the Telephone Access Program Board, the Agriculture Education Advisory Committee, the Research and Development Council, the Jackson Parish Dugdemona Watershed Authority, the Jean Lafitte Scenic Byway District, the Real French Destination Scenic Byway District, the Investment in Infrastructure for Economic Development Commission, the Waterways Infrastructure and Development Bank and its board of directors, the Applied Polymer Technology Extension Consortium Board of Directors and Advisory Committee, the Major Projects Development Authority, and the Louisiana State Radio and Television Technicians Board; to transfer powers and responsibilities of certain abolished entities; 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. 1385— (Substitute for House Bill No. 875 by Representative Jackson)**

BY REPRESENTATIVES MICHAEL JACKSON AND ABRAMSON  
AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 through 2749, relative to reimbursement for mental health services; to create the Mental Health Access Committee; to provide for the membership, functions, and duties of the committee; to provide for the study of a revised reimbursement methodology and standards of participation for community mental health clinics; to provide for the promulgation of rules and regulations; to provide for Medicare-certified community mental health centers and community mental health clinics; 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.

**Rules Suspended**

Senator Smith 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:

**Rules Suspended**

Senator Smith asked for and obtained a suspension of the rules for the purpose of beginning House Bills on Third Reading and Final Passage with House Bill No. 3.

**Bagneris Rule**

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

Without objection, so ordered.

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE GREENE  
AN ACT

To enact the Omnibus Bond Authorization Act of 2008, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

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

**Senator Broome in the Chair**

**HOUSE BILL NO. 39—**

BY REPRESENTATIVE HAZEL  
AN ACT

To enact R.S. 14:2(B)(41) and (42), relative to crimes of violence; to add battery of a police officer and battery of a correctional facility employee to the list of enumerated crimes of violence; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 33

**NAYS**

Total - 0

**ABSENT**

Amedee	Gautreaux B	McPherson
Dorsey	Heitmeier	

Total - 5

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

**HOUSE BILL NO. 296—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact Section 3 of Act No. 82 of the 1948 Regular Session of the Legislature, relative to the parish of Calcasieu; to provide relative to community center and playground districts in Calcasieu Parish; to provide relative to the board of commissioners of each such district; to provide relative to the appointment and terms of board members; to provide relative to the filling of vacancies on the board; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 33

**NAYS**

Total - 0

**ABSENT**

Amedee	Duplessis	Heitmeier
Dorsey	Gautreaux B	

Total - 5

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

**HOUSE BILL NO. 350—**

BY REPRESENTATIVE LEGER

**AN ACT**

To amend and reenact R.S. 17:1990(B)(2)(a), relative to the operation of schools transferred to the Recovery School District; to authorize the Recovery School District to contract with for-profit providers for the operation of schools under its jurisdiction; 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	Erdey	Morrish
Adley	Hebert	Mount
Alario	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	LaFleur	Shaw
Crowe	Long	Shepherd
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	

Total - 32

**NAYS**

Gray	Murray
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Total - 2

**ABSENT**

Amedee	Gautreaux B
Cassidy	Gautreaux N

Total - 4

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. 416—**

BY REPRESENTATIVE ELLINGTON

**AN ACT**

To enact R.S. 51:1787(A)(1)(a)(iii), (iv), and (v), relative to the rebate of sales and use taxes; to require the timely payment of sales and use tax rebates; to authorize reconsideration of certain items; to require the payment of interest under certain circumstances; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 416 by Representative Ellington

**AMENDMENT NO. 1**

On page 4, line 14, change "LAC 13:I.1701(C)(4)" to "LAC 13:I.701(C)(4)"

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 35

**NAYS**

Total - 0

**ABSENT**

Amedee	Dorsey	Gautreaux B
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Total - 3

The Chair declared the amended 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. 417—**

BY REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact R.S. 47:2101(A)(3), relative to the payment of ad valorem taxes; to change the deadline interest begins to accrue on delinquent ad valorem taxes; 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	Gautreaux N	Morrish
Adley	Gray	Mount
Alario	Hebert	Murray
Broome	Heitmeier	Nevers
Cassidy	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	LaFleur	Shaw
Crowe	Long	Shepherd
Donahue	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Erdey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Dorsey	Gautreaux B
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. 420—

BY REPRESENTATIVES GALLOT, BOBBY BADON, BARRAS, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, DANAHAY, DOERGE, DOWNS, ELLINGTON, FOIL, GEYMAN, ELBERT GUILLOREY, 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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-Reengrossed House Bill No. 420 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 4, between "authorities;" and "to" insert "to provide for the use of such remitted funds;"

AMENDMENT NO. 2

On page 2, line 26, change the period "." to "and to require that at least fifty percent of such remitted funds be dedicated to the parish transportation fund"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-Reengrossed House Bill No. 420 by Representative Gallot

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "and (5)"

AMENDMENT NO. 2

On page 1, after "(D)(4)" insert "and (5)"

AMENDMENT NO. 3

On page 2, between lines 13 and 14, insert:

"(5)(a)(i) Notwithstanding any other provision of this constitution, after the allocations required in this Paragraph, Paragraph (E) of this Section, and Article VII, Section 10-A of this constitution, beginning July 1, 2009, fifty percent of the revenues received from severance taxes on state lands in the Atchafalaya Basin each fiscal year, but not to exceed ten million dollars each fiscal year, shall be remitted to the governing authorities of the parishes within the Atchafalaya Basin in which the severance occurs in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and such other advisory or approval boards which the legislature shall create or provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural resources shall direct.

(ii) Of the monies allocated in any one fiscal year, seventy-five percent shall be used for water management, water quality, or access projects, and the remaining twenty-five percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan. The monies in the fund shall not be used to pay salaries or operating costs of the program or department.

(b) As used in this Subparagraph, the following terms shall have the meaning ascribed to them below:

(i) "Access project" means construction or renovation of a boat launch or a roadway that provides access to areas of the Atchafalaya Basin, or acquisition of a maximum of fifteen hundred acres, all in compliance with the provisions of the state or federal master plans.

(ii) "Annual Basin plan" means the list of projects or stages of projects to be undertaken in any single fiscal year.

(iii) "Atchafalaya Basin" means the area located within the guide levees of the Atchafalaya Basin and those areas directly adjacent to the levees bounded on the north by U.S. Highway 190 and on the south by Morgan City, and as defined in the Atchafalaya Basin Floodway System, Louisiana Project.

(iv) "Atchafalaya Basin Floodway System, Louisiana Project" means the Atchafalaya Basin Floodway System, Louisiana Project and enacted by the 1982 Atchafalaya Basin Floodway System, U.S. Army Corps of Engineers Feasibility Study, Supplemental Appropriations Act of 1985, Public Law 99-88, as amended by the Water Resources Development Act of 1986, Public Law 99-662, the Energy and Water Development Appropriations Act of 1991, Public Law 101-514, the Energy and Water Development Appropriations Act of 1997, Public Law 104-206, the Water Resources Development Act of 2000, Public Law 106-541, and the Water Resources Development Act of 2007, Public Law 110-114.

(v) "Basin master plan" means the plan developed by the state in accordance with the federal Atchafalaya Basin Floodway System, Louisiana Project, pursuant to federal law, including the Supplemental Appropriations Act of 1985, Public Law 99-88, and the Water Resources Development Act of 1986, Public Law 99-662.

(vi) "Water management project" means any project that facilitates improvements to water quality, interior circulation, water access, or improvements to general ecosystem function by means of sediment reduction, removal, or diversion."

AMENDMENT NO. 4

On page 2, line 26, after "dollars" delete the remainder of the line and insert: "; to increase the amount of such severance taxes collected by the state which is remitted to the parishes in the Atchafalaya Basin where the severance occurs, not to exceed ten million dollars, to be

used in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and such other advisory or approval boards which the legislature must create or provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural resources shall direct, provided that seventy-five percent shall be used for water management, water quality, or access projects, and the remaining twenty-five percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan; all to become effective July 1, 2009. (Amends Article VII, Section"

AMENDMENT NO. 5

On page 2, line 27, after "(D)(4)" insert "and (5)"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-Reengrossed House Bill No. 420 by Representative Gallot

AMENDMENT NO. 1

On page 2, line 26, between "2009." and "(Amends" insert the following: "Further provides that fifty percent of all severance tax allocations received by a parish shall be dedicated to the parish transportation fund."

On motion of Senator Marionneaux, 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 Erdey Morrish
Adley Gautreaux N Mount
Alario Gray Murray
Broome Hebert Nevers
Cassidy Heitmeier Quinn
Cheek Jackson Riser
Cravins LaFleur Shaw
Crowe Long Shepherd
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Dupre Michot
Total - 35

NAYS

Total - 0

ABSENT

Amedee Gautreaux B Kostelka
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. 463—

BY REPRESENTATIVES TRAHAN AND TUCKER
AN ACT

To amend and reenact R.S. 17:10.5(C), relative to the Recovery School District; to provide relative to the retention period for certain schools transferred to the Recovery School District; to require the Recovery School District to report certain information to the State Board of Elementary and Secondary Education on the status of such schools; to provide for information to be included in the report, including recommendations of the Recovery School District; to provide timelines relative to such reporting and actions taken by the State Board of Elementary and Secondary Education on such recommendations; 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 Michot
Adley Erdey Morrish
Alario Hebert Mount
Broome Heitmeier Nevers
Cassidy Jackson Quinn
Cheek Kostelka Riser
Cravins LaFleur Shaw
Crowe Long Shepherd
Donahue Marionneaux Smith
Dorsey Martiny Walsworth
Duplessis McPherson
Total - 32

NAYS

Gray Murray
Total - 2

ABSENT

Amedee Gautreaux N
Gautreaux B Thompson
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. 465—

BY REPRESENTATIVES LABRUZZO, BILLIOT, CONNICK, LIGI, LOPINTO, TALBOT, WILLMOTT, AND WOOTON AND SENATOR MARTINY

AN ACT

To enact R.S. 33:1420.19, relative to economic development in Jefferson Parish; to provide for the creation of a special district in the parish for the purpose of promoting, encouraging, and participating in infrastructure improvements to stimulate the economy; to provide for the boundaries, governance, and duties and powers of the district, including the power to provide for tax increment financing and to incur debt and issue evidences of indebtedness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrish
Adley Gautreaux N Mount

June 12, 2008

Alario	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	Michot	
Total - 35		

NAYS

McPherson  
Total - 1

ABSENT

Amedee  
Total - 2

Gautreaux B

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

**HOUSE BILL NO. 525—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To enact R.S. 11:3688(A)(11), relative to the Harbor Police Retirement System (Port of New Orleans); to provide with respect to per diem; to establish the requirements for the receipt of per diem and the amount allowable; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee  
Total - 3

Cassidy

Gautreaux B

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

**HOUSE BILL NO. 526—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 11:3685(D), relative to the Harbor Police Retirement System; to provide for a change in the formula used to calculate a cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Shepherd sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Engrossed House Bill No. 526 by Representative Arnold

AMENDMENT NO. 1

On page 1, at the beginning of line 14, add "(a)"

AMENDMENT NO. 2

On page 1, at the beginning of line 19, add "(b)"

On motion of Senator Shepherd, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Gray	Mount
Alario	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Cravins	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneau	Shepherd
Dorsey	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Amedee  
Total - 5

Duplessis  
Gautreaux B

Kostelka

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

**HOUSE BILL NO. 534—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 11:3690(D)(12), relative to the Harbor Police Retirement System; to provide with respect to the method of financing administrative expenses; to increase the amount of system funds which may be used for administrative expenses; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Gray	Mount
Alario	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn

Cravins	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Erdey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Cassidy	Gautreaux B
Total - 3		

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

**HOUSE BILL NO. 558—**  
BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), (b), and (c), relative to public contracts; to require public entities which advertise bids for construction of public works to include an estimate of the budget in the advertisement; to provide relative to the procedures for bidding on such contracts including forms used for such purposes; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Smith
Total - 3		

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. 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.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 563 by Representative Downs

AMENDMENT NO. 1

On page 2, line 1, change "low" to "lowest responsible"

On motion of Senator McPherson, the amendments were adopted.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 563 by Representative Downs

AMENDMENT NO. 1

Delete the Senate Committee Amendments proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 10, 2008

AMENDMENT NO. 2

On page 1, delete lines 15 through 20, delete page 2, and insert: "entity."

(ii)(aa) The division of administration, office of facility planning and control, shall develop and prescribe through the promulgation of rules and regulations in accordance with the Administrative Procedure Act the bid form necessary to obtain the information and to implement the sections of the bid form provided for in this Item to be utilized for the public bid of public works projects. The bid form developed shall require only the information necessary to determine the lowest bidder and the following sections and information: Bid Security or Bid Bond, Acknowledgment of Addenda, Base Bid, Alternates, Bid Total, Signature of Bidder, Name, Title and Address of Bidder, Name of Firm or Joint Venture, Corporate Resolution and Louisiana Contractors License Number, and on public works projects where unit prices are utilized, a section on the bid form where the unit price utilized in the bid shall be set forth.

(bb) Other documentation and information required shall be furnished by the low bidder at a later date, in accordance with the Bidding Documents.

(iii) The provisions of this Subparagraph shall not apply to bid forms of the Department of Transportation and Development pursuant to Title 48 of the Louisiana Revised Statutes of 1950.

\* \* \*

On motion of Senator McPherson, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrish
Alario	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Quinn
Cravins	Kostelka	Riser
Crowe	LaFleur	Shaw

June 12, 2008

Donahue	Long	Shepherd
Dorsey	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Amedee Gautreaux B

Total - 2

The Chair declared the amended 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.

**Mr. President in the Chair**

**Rules Suspended**

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**EDUCATION**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

June 12, 2008

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 107—**

BY REPRESENTATIVE DOWNS

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents, in consultation with the public postsecondary education management boards, to study current policies and practices relative to the accessibility of textbooks and other instructional materials for use by blind students at public postsecondary educational institutions and to submit a written report of study findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the convening of the 2009 Regular Session.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 110—**

BY REPRESENTATIVES JANE SMITH, HENRY BURNS, EDWARDS, HOFFMANN, AND TRAHAN

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to revise the Louisiana Educational Assessment Program testing schedule to provide for the administration of the tests required pursuant to the program to begin no earlier than the second week of April for the 2009-2010 school year and no earlier than the first week of May for the 2010-2011 school year and thereafter, and to adopt a policy prohibiting any public elementary or secondary school from starting the school year prior to the last week of August.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 114—**

BY REPRESENTATIVE TRAHAN

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents, in fulfilling the board's constitutional duties to formulate and make timely revision of a master plan for postsecondary education, which shall include a formula for the equitable distribution of funds to the institutions of postsecondary education, to require, effective with Fiscal Year 2009-2010 and thereafter, that at least fifteen percent of an institution's funding pursuant to the formula be allocated based on performance standards, including but not limited to improvements in student retention and graduation rates and increases in the amounts of external funding generated for the institution compared to institutional peers.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 115—**

BY REPRESENTATIVES TRAHAN, HARDY, AND HOFFMANN

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education, in consultation with the Louisiana High School Athletic Association, to study all issues relative to minimum academic eligibility requirements for participation by students in interscholastic athletics and other extracurricular activities, including but not limited to a review of other states' policies and laws relative to such issue, and to submit a written report of study findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than January 1, 2009.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 116—**

BY REPRESENTATIVE TRAHAN

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education, the Board of Supervisors of Community and Technical Colleges, and the Board of Regents jointly to study the feasibility and advisability of transferring the administration of adult education programs from the State Board of Elementary and Secondary Education to the Board of Supervisors of Community and Technical Colleges and to report study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 132—**

BY REPRESENTATIVE JANE SMITH

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to study and review recommended best practices relative to the use of additional safety devices not currently required by law to alert motor vehicle drivers when a school bus is preparing to stop or is stopped on a roadway for the loading or unloading of riders or is stopped for other reasons as required by law; to provide for the board to make certain determinations relative to establishing a pilot program to be implemented during the 2009-2010 school year for the purpose of evaluating benefits to the safety of students, other bus riders, and bus operators of requiring school buses to be equipped with such additional devices; to provide study guidelines; and to require submission of a report on study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the 2009 Regular Session of the Legislature.

Reported favorably.



**HOUSE CONCURRENT RESOLUTION NO. 151—**  
 BY REPRESENTATIVES HOFFMANN, ARMES, AUBERT, AUSTIN  
 BADON, CARMODY, CARTER, CHANDLER, CHANEY, DIXON, DOWNS,  
 EDWARDS, LEGER, RICHARDSON, RITCHIE, PATRICIA SMITH, AND  
 TRAHAN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in conjunction with the High School Redesign Commission, to develop and implement two separate curricular strands and two related diploma versions for high school students and to submit a written report on the status of such development and implementation to the House Committee on Education and the Senate Committee on Education not later than December 31, 2008.

Reported favorably.

**HOUSE BILL NO. 187—**  
 BY REPRESENTATIVE KATZ  
 AN ACT

To enact R.S. 17:170.1(G), relative to immunizations of persons registering for courses at postsecondary education institutions; to require chief administrators of all postsecondary education institutions to check student immunization records for compliance with applicable law; to provide for the electronic transmission of immunization compliance reports; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 734—**  
 BY REPRESENTATIVE TRAHAN  
 AN ACT

To enact R.S. 17:3351(A)(5)(e), relative to tuition and mandatory attendance fees; to authorize each public postsecondary education management board to establish tuition and mandatory fee amounts for resident students; to provide for adjustments to such amounts; to provide relative to certain guidelines established by the Board of Regents; to provide for waivers; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1075—**  
 BY REPRESENTATIVES LABRUZZO AND RICHMOND  
 AN ACT

To amend and reenact R.S. 17:3048.6(A)(1), relative to initial eligibility requirements for Tuition Opportunity Program for Students awards for certain students displaced by Hurricane Katrina or Rita, or both; to provide waivers and exceptions; to provide limitations; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1156—**  
 BY REPRESENTATIVES ABRAMSON, BARROW, HENRY BURNS,  
 BURRELL, FRANKLIN, GREENE, HARDY, HAZEL, HINES, HOFFMANN,  
 LABRUZZO, LAFONTA, LEGER, MARCHAND, MORRELL, NORTON,  
 PETERSON, RITCHIE, GARY SMITH, JANE SMITH, AND PATRICIA  
 SMITH

AN ACT

To enact Subpart P of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71 through 100.75, relative to state grants; to establish the Grants for Grads Program; to provide for administration and operation of the program by certain agencies of the state; to provide for eligibility and participation in the program; to establish the Grants for Grads Fund as a special treasury fund; to provide for the deposit, use, transfer, and investment of monies in the fund; to provide for the making of grants to certain home buyers; to provide for the deposit of monies into the TOPS Fund; to authorize rulemaking; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1278—**  
 BY REPRESENTATIVE WADDELL  
 AN ACT

To enact R.S. 17:3048.1(B)(4), relative to eligible schools for use of a TOPS-Tech Award pursuant to the Tuition Opportunity Program for Students; to include certain schools having a valid and current certificate of registration issued by the State Board of Cosmetology and proprietary schools having a valid and current license issued by the Board of Regents; to provide conditions; to provide relative to award amounts at such schools; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
 BEN W. NEVERS  
 Chairman

**House Bills and Joint Resolutions  
 on Second Reading  
 Reported by Committees**

Senator Michot asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 734—**  
 BY REPRESENTATIVE TRAHAN  
 AN ACT

To enact R.S. 17:3351(A)(5)(e), relative to tuition and mandatory attendance fees; to authorize each public postsecondary education management board to establish tuition and mandatory fee amounts for resident students; to provide for adjustments to such amounts; to provide relative to certain guidelines established by the Board of Regents; to provide for waivers; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Re-engrossed House Bill No. 734 by Representative Trahan

AMENDMENT NO. 1

On page 2, line 14, after "peers" insert a period "." and delete the remainder of the line and at the beginning of line 15 delete "approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 2

On page 2, at the end of line 22, insert "Beginning with the 2009-2010 academic year, the authority to increase tuition and mandatory fee amounts granted by the provisions of this Subparagraph shall be subject to the approval of the Joint Legislative Committee on the Budget."

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

**Rules Suspended**

Senator Michot asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 734 in the Committee on Finance without the required 24 hour notice.

**Introduction of Resolutions,  
 Senate and Concurrent**

Senator Jackson 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

June 12, 2008

as follows:

SENATE RESOLUTION NO. 127—  
BY SENATOR JACKSON

A RESOLUTION

To urge and request the Department of Health and Hospitals to work in conjunction with statewide medical organizations representing pediatric physicians to obtain or prepare and disseminate written materials, at appropriate literacy levels, containing information about the possible complications, proper care and support for pre-term infants.

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

SENATE CONCURRENT RESOLUTION NO. 105—  
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend Mary Louise "Weegie" Peabody, Executive Director of the State Board of Elementary and Secondary Education, BESE, and to recognize thirty years of extraordinary public service in the field of education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B
Total - 2	

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

SENATE CONCURRENT RESOLUTION NO. 106—  
BY SENATORS THOMPSON, ALARIO, JACKSON, LAFLEUR, LONG, MICHOT, MURRAY, NEVERS, RISER, SMITH AND WALSWORTH  
A CONCURRENT RESOLUTION

To urge and request state agencies to donate certain food, produce and water to the Louisiana Food Bank Association.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrish
Alario	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	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Quinn
Gautreaux B	Shepherd
Total - 4	

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

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:

June 12, 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 Bills have been properly enrolled:

SENATE BILL NO. 17—  
BY SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 22:1430.11(A) and (D), relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to eligibility and application for coverage by the corporation; and to provide for related matters.

SENATE BILL NO. 72—  
BY SENATOR CROWE  
AN ACT

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

SENATE BILL NO. 235—  
BY SENATOR NEVERS  
AN ACT

To amend and reenact R.S. 40:2009.4(A)(6), the introductory paragraph of 2109(B)(1)(c), and the introductory paragraph of 2180.2(10), relative to rules, regulations, and minimum standards of certain facilities; to authorize the Department of Health and Hospitals to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; to provide for a determination of substantial damage in accordance with the Louisiana State Uniform Construction Code by certain persons; and to provide for related matters.

SENATE BILL NO. 264—  
BY SENATORS QUINN AND BROOME  
AN ACT

To amend and reenact R.S. 46:2136(A)(4) and 2136.1(A) and Children's Code Article 1570.1(A) and to enact R.S. 46:2135(A)(6) and (7) and Children's Code Articles 1569(A)(6)

and (7) and 1570(A)(5), relative to domestic abuse assistance; to provide for temporary restraining orders; to expand the scope of protection of a temporary restraining order; to provide relative to protective orders; to provide for certain medical evaluations; to provide for the payment of attorney fees; and to provide for related matters.

**SENATE BILL NO. 353—**  
BY SENATORS N. GAUTREUX AND BROOME AND REPRESENTATIVE KATZ  
AN ACT

To enact R.S. 37:1732.1, relative to liability; to provide with respect to limitation of liability for physicians; to limit the liability of a physician who volunteers at certain nonprofit centers; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 426—**  
BY SENATOR DUPLESSIS  
AN ACT

To enact R.S. 6:969.20(D), relative to the Motor Vehicle Sales Finance Act; to provide for certain duties for the lender or holder of a retail installment contract; and to provide for related matters.

**SENATE BILL NO. 754—**  
BY SENATOR HEBERT  
AN ACT

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

**SENATE BILL NO. 73—**  
BY SENATOR GRAY  
AN ACT

To amend and reenact Children's Code Articles 625(B)(2), 675(B)(2), and 685, and R.S. 46: 51.1(A) and to enact Children's Code Article 682(B)(5), relative to parental contributions for care and treatment; to provide for advising parents of their obligation to care for their children; to provide for the case plan for children in foster care; to provide for the relation between contributions for care and child support; to provide for duties of the department; and to provide for related matters.

**SENATE BILL NO. 143—**  
BY SENATORS N. GAUTREUX, AMEDEE, CROWE, DORSEY, DUPLESSIS AND MOUNT  
AN ACT

To amend and reenact the introductory paragraph of R.S. 14:313(C) and to enact R.S. 14:313(E) and 313.1, relative to "sex offenders"; to prohibit "sex offenders" from wearing a mask, hood or disguise during Halloween and certain other holidays; to prohibit "sex offenders" from distributing candy or other gifts to minors on Halloween and certain other holidays; and to provide for related matters.

**SENATE BILL NO. 282—**  
BY SENATOR CROWE  
AN ACT

To amend and reenact R.S. 40:2116(K), relative to nursing homes; to provide for certain nursing home beds, which were placed in alternate healthcare use, to be re-licensed as nursing home beds; and to provide for related matters.

**SENATE BILL NO. 299—**  
BY SENATORS ERDEY AND BROOME  
AN ACT

To enact R.S. 42:808(E), relative to group insurance; to provide for eligibility of certain developmentally disabled persons; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 360—**  
BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 17:2053(E), relative to payments to independent institutions of higher learning; to provide relative to the exclusion of certain semester hours in the calculation of amounts due eligible institutions; and to provide for related matters.

**SENATE BILL NO. 371—**  
BY SENATOR DUPRE  
AN ACT

To amend and reenact R.S. 56:10.1(C), relative to the Aquatic Plant Control Fund; to provide for certain uses of the fund; to provide that the fund may be used for salaries or related benefits for the Department of Wildlife and Fisheries; and to provide for related matters.

**SENATE BILL NO. 415—**  
BY SENATOR MURRAY AND REPRESENTATIVE LABRUZZO  
AN ACT

To amend and reenact R.S. 32:391(C) and (D) and to enact R.S. 32:391(E) and Code of Criminal Procedure Article 211.5, relative to arrest; to provide for the issuance of a summons in certain circumstances; to require that certain criteria be satisfied; and to provide for related matters.

**SENATE BILL NO. 456—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 39:100.21, relative to the 2004 Overcollections Fund; to change the name of the fund; to provide for the uses of the fund; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 489—**  
BY SENATOR THOMPSON  
AN ACT

To amend and reenact R.S. 39:360(C), relative to maintenance of state owned aircraft; to provide relative to maintenance regulation by the aviation unit of the division of administration; to provide an exemption for aircraft owned or operated by the Louisiana Department of Agriculture and Forestry; and to provide for related matters.

**SENATE BILL NO. 514—**  
BY SENATORS AMEDEE, ADLEY, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREUX, N. GAUTREUX, GRAY, HEBERT, HEITMEIER, JACKSON, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SMITH, THOMPSON AND WALSWORTH  
AN ACT

To amend and reenact R.S. 14:81.2(B) and (C), relative to molestation of a juvenile; to provide relative to the elements of the crime; to provide relative to penalties; and to provide for related matters.

**SENATE BILL NO. 530—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 39:461.3(A), (B), and (C), relative to the interim emergency board; to provide for agency notification; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 532—**  
BY SENATOR N. GAUTREUX  
AN ACT

To amend and reenact R.S. 47:302.23(B)(1), relative to the disposition of certain sales tax collections on the sales of certain services in Vermilion Parish; to provide for the allocation of monies in the fund; to provide for an effective date; and to provide for related matters.

June 12, 2008

SENATE BILL NO. 746—  
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 17:46(A)(1), relative to sabbatical leave for teachers employed by the special schools; to provide for eligibility for sabbatical leave for certain other special school employees under certain conditions; and to provide for related matters.

SENATE BILL NO. 752—  
BY SENATOR WALSWORTH

AN ACT

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

SENATE BILL NO. 335—  
BY SENATOR CRAVINS

AN ACT

To amend and reenact Title 22 of the Louisiana Revised Statutes of 1950; to direct the Louisiana State Law Institute to redesignate the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 into a new format and number scheme without changing the substance of the provisions, to be comprised of R.S. 22:1 through 2371, and to provide for related matters.

SENATE BILL NO. 807— (Substitute of Senate Bill No. 422 by Senator Duplessis)

BY SENATOR DUPLESSIS AND REPRESENTATIVES ARNOLD, CHANDLER, HENDERSON, MICHAEL JACKSON, MONICA, PUGH AND WADDELL

AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1361 through 1378, relative to cable services and video services; to create the "Consumer Choice for Television Act"; to provide guidelines for cable services and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable services or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regard to cable services or video services; to provide for public, educational, and governmental access programming streams and support; to provide for effect on local franchise agreements; to provide for a prohibition of in-kind contributions or grants; to provide for customer service standards; to provide for emergency alert services; to provide for indemnity; and to provide for related matters.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Privilege Report of the Committee on  
Senate and Governmental Affairs

ENROLLMENTS

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

June 12, 2008

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 100—  
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend and honor the 2008 Foster Parents of the Year from each region of the state and to acknowledge the valuable contributions they provide to the abused children of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 101—  
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to allow immediate family to visit military personnel on extended deployment overseas who are in a rest and relaxation period.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

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

Message to the Governor

SIGNED SENATE BILLS

June 12, 2008

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 75—  
BY SENATOR GRAY

AN ACT

To amend and reenact R.S. 40:2116(J)(1), relative to facility need review; to provide for facility need review approvals for nursing homes and intermediate care facilities for people with developmental disabilities that were located in an area affected by executive order or proclamation of emergency or disaster; to provide for extension of such facility need review approvals; and to provide for related matters.

SENATE BILL NO. 77—

BY SENATORS GRAY, DONAHUE, N. GAUTREAUX, KOSTELKA, MICHOT, MURRAY AND QUINN AND REPRESENTATIVES BARROW, BURFORD, DOERGE, HILL, MICHAEL JACKSON, JOHNSON, KATZ, LEBAS, MILLS, NOWLIN, POPE, WILLIAMS AND WILLMOTT

AN ACT

To enact Children's Code Article 603(13)(i), relative to child abuse; to provide for mandatory reporting by court appointed special advocates; and to provide for related matters.

SENATE BILL NO. 374—  
BY SENATOR CRAVINS

AN ACT

To repeal Part XI of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1931 through 1943, relative to animal insurers; to repeal provisions regarding the licensing and operation of animal insurers; to provide for effectiveness of the Act; and to provide for related matters.

SENATE BILL NO. 414—  
BY SENATOR MURRAY

AN ACT

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

**SENATE BILL NO. 696—**  
BY SENATOR ERDEY

AN ACT

To enact R.S. 33:4564.6, relative to the Livingston Parish Recreation District No. 2; to increase the per diem of the board of commissioners; and to provide for related matters.

**SENATE BILL NO. 732—**  
BY SENATOR GRAY

AN ACT

To enact Chapter 31-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1271.1 through 1271.4, relative to residential neighborhood enhancement programs; to establish the residential neighborhood enhancement program; to provide for definitions; to provide with respect to program requirements and limitations; and to provide for related matters.

**SENATE BILL NO. 745—**

BY SENATORS GRAY, CROWE, DUPLESSIS, MURRAY, QUINN AND SHEPHERD AND REPRESENTATIVES ABRAMSON, GISCLAIR, HARDY, LAFONTA, LEGER, MARCHAND, MORRELL, PETERSON, RICHMOND, ROY, PATRICIA SMITH AND TEMPLET

AN ACT

To amend and reenact R.S. 33:9039.66(A)(1), (B), and (E), 9039.68(B)(3), and 9039.72(B) and to enact R.S. 33:9039.68(A)(16), relative to the Greater New Orleans Bioscience Economic Development District; to provide for the board of commissioners; to provide for general powers; to provide for the promulgation of bylaws; and to provide for related matters.

**SENATE BILL NO. 87—**

BY SENATORS SHAW, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, RISER, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ANDERS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAU, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS AND WILLMOTT

AN ACT

To amend and reenact R.S. 47:32(A), relative to individual income tax; to provide for a reduction of rates and brackets; and to provide for related matters.

**SENATE BILL NO. 99—**

BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:1733(C) and to enact R.S. 11:1903(C)(3), relative to employer contributions of certain statewide retirement systems; to prohibit the transfer of employer contributions from the Municipal Employees' Retirement System and from the Parochial Employees' Retirement System; to provide an exception to such prohibition for the transfer of funds from either system in association with the transfer of a member's service credit from such system to another public retirement or pension system, plan, or fund; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 123—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 23:921(H) and to enact R.S. 23:921(J), (K) and (L), relative to the prohibition on restraint of business; to provide for dissolution of noncompete agreements in certain situations; to allow members of a noncompete agreement to transfer, sell, or purchase stock in certain situations; to provide with regard to corporations; to provide with regard to

partnerships; to provide with regard to limited liability companies; and to provide for related matters.

**SENATE BILL NO. 150—**  
BY SENATOR CRAVINS

AN ACT

To enact Part XIV-A of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 22:2090.1 through 2090.26, relative to domestic captive insurance companies; to provide for definitions; to provide for applicability of other provisions; to provide for powers of the commissioner of insurance, including the authority to adopt reasonable regulations; to provide for incorporation and application for a certificate of authority; to provide for financial examinations; to provide for capital and surplus requirements; to provide for suspension or revocation of certificate of authority; to provide for authorized and prohibited lines of insurance; to provide for restrictions on captive insurers operations; to provide for filing of rates and forms; and to provide for related matters.

**SENATE BILL NO. 220—**  
BY SENATOR QUINN

AN ACT

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

**SENATE BILL NO. 245—**  
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:48, relative to insurers; to provide for the type of insurers and other risk bearing entities regulated by the Louisiana Insurance Code; to provide for the effectiveness; and to provide for related matters.

**SENATE BILL NO. 291—**  
BY SENATOR DONAHUE

AN ACT

To amend and reenact the title of Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:9039.1 and 9039.2(A), relative to the East Florida Parishes Retirement District; to provide for the name of such district; to change the name of the district; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 347—**  
BY SENATOR CRAVINS

AN ACT

To repeal Part X of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:391 through 397, relative to insurers on the co-operative or assessment plan; to repeal provisions regarding the continuation of life, health and accident insurers on the co-operative or assessment plan organized as of October 1, 1948, and to provide for related matters.

**SENATE BILL NO. 366—**  
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 17:3396.4(A), relative to the Research Park Corporation; to revise the membership of the Research Park Corporation's board of directors; and to provide for related matters.

**SENATE BILL NO. 458—**  
BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(a), relative to membership in the Parochial Employees' Retirement System; to allow certain elected justices of the peace to elect to become system members; to allow purchase of service credit; to provide for calculation of payment for such purchase; to provide for an effective date; and to provide for related matters.

June 12, 2008

SENATE BILL NO. 657—

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

AN ACT

To amend and reenact R.S. 32:1(10), 125(B), 141(C), 296(A)(introductory paragraph), 471(1) and (2), and 473.1(A) and (B), and 1735(C), to enact R.S. 32:125(D), Subpart E-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of 32:151 through 153, 291.1(C), and 296(C), and to repeal R.S. 32:475, all relative to motor vehicles; to create and provide relative to the Open Roads Law; to provide for definitions; to provide relative to motor vehicles stopping, standing, or parking on state roadways and shoulder of roadways; to provide relative to the procedure upon approaching an authorized emergency vehicle; to provide relative to roadway hazard cleanup; to create and provide relative to the Instant Tow Dispatch Pilot Program and the Expedited Towing Pilot Program; to require submission of reports from pilot programs; to require removal of abandoned vehicles from roadways within a certain time; to repeal certain provisions relating to disposal of vehicles; and to provide for related matters.

SENATE BILL NO. 676—

BY SENATOR LAFLEUR AND REPRESENTATIVE LEBAS

AN ACT

To enact R.S. 56:1685.2, relative to state preservation areas; to name the visitor center at the Louisiana State Arboretum State Preservation Area; and to provide for related matters.

SENATE BILL NO. 182—

BY SENATORS GRAY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ANDERS, ARNOLD, AUBERT, BARROW, BURRELL, CHAMPAGNE, CORTEZ, CROMER, GISCLAIR, ELBERT GUILLORY, HARDY, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, KATZ, LAFONTA, LEGER, MARCHAND, MILLS, MORRELL, NORTON, PEARSON, RICHARD, RICHARDSON, RICHMOND, ROBIDEAU, SCHRODER, SMILEY, PATRICIA SMITH, TEMPLET, TRAHAN, WADDELL, WILLIAMS AND WOOTON

AN ACT

To amend and reenact R.S. 28:53.2(B), (C), (D), (E), (F), and (G), and to enact R.S. 28:53.2(H) and Part III-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:67 through 76, relative to involuntary outpatient treatment for behavioral health services; to provide for criteria for involuntary outpatient treatment; to provide for judicial procedure; to provide for an order of custody; to provide for a written treatment plan; to provide for an appeal; and to provide for related matters.

SENATE BILL NO. 44—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:3304(C), (D), and (F), and R.S. 36:696(B) and to enact R.S. 22:3309(E) and 3312, relative to Insure Louisiana Incentive Program; to provide for a third invitation for grant applications; to provide for recovery of unearned grants; to provide for use of unused monies in the program to assist individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for participation in the premium program; to provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program; to provide for rules; to provide for grants to existing insurers to insure new dwellings when the level of risk of catastrophe is the same or less; to provide for grants to certain insurers who reinstate certain coverages; to provide for qualifications; and to provide for related matters.

SENATE BILL NO. 190—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 32:1262(B)(1), relative to the Motor Vehicles and Traffic Regulations Act; to provide for audits of automobile dealer records; and to provide for related matters.

SENATE BILL NO. 25—

BY SENATOR DUPRE AND REPRESENTATIVES HARRISON AND BALDONE

AN ACT

To enact R.S. 33:9357, relative to veterans' memorial districts; to create the Terrebonne Parish Veterans' Memorial District; to provide for its composition, powers, duties and functions; to provide for membership of the governing authority of the district; and to provide for related matters.

SENATE BILL NO. 36—

BY SENATORS DUPRE, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 40:1300.143(7)(a)(ii), relative to the definition of rural hospital; to provide for the definition of "rural hospital"; and to provide for related matters.

SENATE BILL NO. 80—

BY SENATOR MARTINY

AN ACT

To enact Code of Criminal Procedure Article 881.1(A)(3), relative to suspension and deferral of sentence with respect to certain felonies and misdemeanors; to provide for the procedure, and effect of the suspension of imposition of sentence; to require that certain criteria be satisfied; and to provide for related matters.

SENATE BILL NO. 120—

BY SENATOR B. GAUTREAU

AN ACT

To enact R.S. 11:1456.1 and 1456.2 and to repeal R.S. 11:1456, relative to the Assessors' Retirement Fund; to create the Back-Deferred Retirement Option Program; to provide for eligibility, procedures for application, and calculation of benefits of such program; to provide for rescission of participation in the Deferred Retirement Option Plan; to provide for effective dates; and to provide for related matters.

SENATE BILL NO. 147—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:441(B), relative to Lawrason Act municipalities; to authorize the board of aldermen, upon the mayor's request, to appoint one or more magistrates and one or more prosecutors for the mayor's court; and to provide for related matters.

SENATE BILL NO. 149—

BY SENATORS CRAVINS AND N. GAUTREAU

AN ACT

To amend and reenact R.S. 22:1402.2(B)(1), relative to insurance rating and regulation; to provide a prohibition against the inclusion of fines and penalties in rate filings; and to provide for related matters.

SENATE BILL NO. 152—

BY SENATOR CRAVINS AND REPRESENTATIVES BARROW, HARDY, LAFONTA, LORUSSO, MARCHAND AND WILLIAMS

AN ACT

To amend and reenact R.S. 22:175(B)(7), relative to group life insurance; to provide for eligibility of coverage; and to provide for related matters.

SENATE BILL NO. 172—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 51:579(B) and to enact R.S. 51:579(A)(3), relative to purchasers of certain metals; to provide

for the purchase of copper wire, alloy, bronze, zinc, aluminum, stainless steel, or brass; to provide for register and reporting requirements; and to provide for related matters.

**SENATE BILL NO. 177—**

BY SENATORS B. GAUTREAUX AND MURRAY  
AN ACT

To enact R.S. 11:2178(C)(5) and 2178.1(A)(3), relative to the Sheriffs' Pension and Relief Fund; to provide for eligibility for and calculation of a reduced retirement benefit; to allow a member with ten years of service credit to retire at age sixty and receive a reduced benefit; to prohibit such a member from participating in the Back-Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 192—**

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 34:1121(B)(introductory paragraph) and (3) and (9), relative to the composition of the Pilotage Fee Commission; to add an alternate at-large member to the commission; to provide for the level of participation of the alternate; and to provide for related matters.

**SENATE BILL NO. 763—**

BY SENATOR DONAHUE

AN ACT

To authorize and provide for the transfer of certain state property; to provide for the transfer of state property in St. Tammany Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

**SENATE BILL NO. 784—**

BY SENATOR N. GAUTREAUX

AN ACT

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

**SENATE BILL NO. 746—**

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 17:46(A)(1), relative to sabbatical leave for teachers employed by the special schools; to provide for eligibility for sabbatical leave for certain other special school employees under certain conditions; and to provide for related matters.

**SENATE BILL NO. 752—**

BY SENATOR WALSWORTH

AN ACT

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

**SENATE BILL NO. 73—**

BY SENATOR GRAY

AN ACT

To amend and reenact Children's Code Articles 625(B)(2), 675(B)(2), and 685, and R.S. 46: 51.1(A) and to enact Children's Code Article 682(B)(5), relative to parental contributions for care and treatment; to provide for advising parents of their obligation to care for their children; to provide for the case plan for children in foster care; to provide for the relation between contributions for care and child support; to provide for duties of the department; and to provide for related matters.

**SENATE BILL NO. 143—**

BY SENATORS N. GAUTREAUX, AMEDEE, CROWE, DORSEY,  
DUPLESSIS AND MOUNT

AN ACT

To amend and reenact the introductory paragraph of R.S. 14:313(C) and to enact R.S. 14:313(E) and 313.1, relative to "sex offenders"; to prohibit "sex offenders" from wearing a mask, hood or disguise during Halloween and certain other holidays; to prohibit "sex offenders" from distributing candy or other gifts to minors on Halloween and certain other holidays; and to provide for related matters.

**SENATE BILL NO. 282—**

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 40:2116(K), relative to nursing homes; to provide for certain nursing home beds, which were placed in alternate healthcare use, to be re-licensed as nursing home beds; and to provide for related matters.

**SENATE BILL NO. 299—**

BY SENATORS ERDEY AND BROOME

AN ACT

To enact R.S. 42:808(E), relative to group insurance; to provide for eligibility of certain developmentally disabled persons; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 360—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:2053(E), relative to payments to independent institutions of higher learning; to provide relative to the exclusion of certain semester hours in the calculation of amounts due eligible institutions; and to provide for related matters.

**SENATE BILL NO. 371—**

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:10.1(C), relative to the Aquatic Plant Control Fund; to provide for certain uses of the fund; to provide that the fund may be used for salaries or related benefits for the Department of Wildlife and Fisheries; and to provide for related matters.

**SENATE BILL NO. 415—**

BY SENATOR MURRAY AND REPRESENTATIVE LABRUZZO

AN ACT

To amend and reenact R.S. 32:391(C) and (D) and to enact R.S. 32:391(E) and Code of Criminal Procedure Article 211.5, relative to arrest; to provide for the issuance of a summons in certain circumstances; to require that certain criteria be satisfied; and to provide for related matters.

**SENATE BILL NO. 456—**

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:100.21, relative to the 2004 Overcollections Fund; to change the name of the fund; to provide for the uses of the fund; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 489—**

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 39:360(C), relative to maintenance of state owned aircraft; to provide relative to maintenance regulation by the aviation unit of the division of administration; to provide an exemption for aircraft owned or operated by the Louisiana Department of Agriculture and Forestry; and to provide for related matters.

June 12, 2008

SENATE BILL NO. 514—

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

AN ACT

To amend and reenact R.S. 14:81.2(B) and (C), relative to molestation of a juvenile; to provide relative to the elements of the crime; to provide relative to penalties; and to provide for related matters.

SENATE BILL NO. 530—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:461.3(A), (B), and (C), relative to the interim emergency board; to provide for agency notification; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 532—

BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 47:302.23(B)(1), relative to the disposition of certain sales tax collections on the sales of certain services in Vermilion Parish; to provide for the allocation of monies in the fund; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 17—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1430.11(A) and (D), relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to eligibility and application for coverage by the corporation; and to provide for related matters.

SENATE BILL NO. 72—

BY SENATOR CROWE

AN ACT

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

SENATE BILL NO. 235—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 40:2009.4(A)(6), the introductory paragraph of 2109(B)(1)(c), and the introductory paragraph of 2180.2(10), relative to rules, regulations, and minimum standards of certain facilities; to authorize the Department of Health and Hospitals to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; to provide for a determination of substantial damage in accordance with the Louisiana State Uniform Construction Code by certain persons; and to provide for related matters.

SENATE BILL NO. 264—

BY SENATORS QUINN AND BROOME

AN ACT

To amend and reenact R.S. 46:2136(A)(4) and 2136.1(A) and Children's Code Article 1570.1(A) and to enact R.S. 46:2135(A)(6) and (7) and Children's Code Articles 1569(A)(6) and (7) and 1570(A)(5), relative to domestic abuse assistance; to provide for temporary restraining orders; to expand the scope of protection of a temporary restraining order; to provide relative to protective orders; to provide for certain medical evaluations; to provide for the payment of attorney fees; and to provide for related matters.

SENATE BILL NO. 426—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:969.20(D), relative to the Motor Vehicle Sales Finance Act; to provide for certain duties for the lender or holder of a retail installment contract; and to provide for related matters.

SENATE BILL NO. 754—

BY SENATOR HEBERT

AN ACT

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

SENATE BILL NO. 353—

BY SENATORS N. GAUTREAU AND BROOME AND REPRESENTATIVE KATZ

AN ACT

To enact R.S. 37:1732.1, relative to liability; to provide with respect to limitation of liability for physicians; to limit the liability of a physician who volunteers at certain nonprofit centers; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 335—

BY SENATOR CRAVINS

AN ACT

To amend and reenact Title 22 of the Louisiana Revised Statutes of 1950; to direct the Louisiana State Law Institute to redesignate the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 into a new format and number scheme without changing the substance of the provisions, to be comprised of R.S. 22:1 through 2371, and to provide for related matters.

SENATE BILL NO. 807— (Substitute of Senate Bill No. 422 by Senator Duplessis)

BY SENATOR DUPLESSIS AND REPRESENTATIVES ARNOLD, CHANDLER, HENDERSON, MICHAEL JACKSON, MONICA, PUGH AND WADDELL

AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1361 through 1378, relative to cable services and video services; to create the "Consumer Choice for Television Act"; to provide guidelines for cable services and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable services or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regard to cable services or video services; to provide for public, educational, and governmental access programming streams and support; to provide for effect on local franchise agreements; to provide for a prohibition of in-kind contributions or grants; to provide for customer service standards; to provide for emergency alert services; to provide for indemnity; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrish
Alario	Gray	Mount



Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Quinn
Cravins	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

ABSENT

Amedee	Gautreaux B
Total - 2	

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Amedee	1 Day	B. Gautreaux	1 Day
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**Adjournment**

Senator Broome moved that the Senate adjourn until Monday, June 16, 2008, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Monday, June 16, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk

