

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

THIRTY-FOURTH DAY'S PROCEEDINGS

**Thirty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 25, 2006

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Uilo
Total - 36		

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Dr. Stephen Trammel, 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 Dardenne, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

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

BOB ODOM

Commissioner of Agriculture & Forestry

May 15, 2006

Honorable Donald Hines
President of the Senate

P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed the following individuals to positions with the Louisiana Department of Agriculture and Forestry and am submitting their names for confirmation:

Andrew Milton Batiste - Assistant Director of Livestock Brand

Marc Stephen Bordelon - Director of Boll Weevil Eradication Commission

Danny Milas McCartney - Assistant Director of Weights and Measures Commission

Benjamin "Benjy" Rayburn - Assistant Commissioner of Agro-Consumer Services

Francis Todd Thompson - Director of Weights and Measures Commission

I feel that these gentlemen meet all of the qualifications required by law and will serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested. Should you need or desire any other information from me, please contact me at anytime.

Thanking you for your cooperation and assistance, I am

Sincerely,
BOB ODOM
Commissioner

BOB ODOM

Commissioner of Agriculture & Forestry

May 15, 2006

Honorable Donald Hines
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed the following individuals to the boards and commissions for which I am responsible and I am submitting them for confirmation:

Name -	Vice	Term
Mr. Greg Faulk 416 Doucet Rd., Unit 7A Lafayette, LA 70503	Miller	11/2/05-Concurrent

Board/Position

Crawfish Promotion & Research Board -Farm Bureau - engaged in farming of crawfish or harvesting crawfish

Name	Vice	Term
Mr. J.B. Hanks P.O. Box 66312 Baton Rouge, LA 70896	Rivere	7/22/05-Concurrent

Board/Position

Crawfish Promotion & Research Board - engaged in harvesting wild crawfish

Name	Vice	Term
Ms. Fran Stroud 7451 Aylsworth Rd. Elton, LA 70533	n/a	7/20/05-Concurrent

Board/Position

Crawfish Promotion & Research Board - engaged in harvesting wild crawfish

May 25, 2006

Name Mr. Nelson Bordelon Vice J. Roy Term 3/20/06-6/30/09
765 Lancon Bordelon Rd
Mansura, LA 71350

Board/Position Sweet Potato Advertising and Development Commission Shipper Representative

I feel that these individuals meet all of the qualifications required by law and will serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested. Should you need or desire any other information from me, please contact me at anytime.

Sincerely, BOB ODOM Commissioner

FLORIDA PARISHES JUVENILE JUSTICE COMMISSION

May 19, 2006

Senate President P.O. Box 94183, Capitol Station Baton Rouge, LA 70804

RE: Appointees to Florida Parishes Juvenile Justice Commission

Dear Senator:

Please find enclosed herewith the Oaths of Office on the individuals who were appointed or reappointed to serve as Commissioners on the Florida Parishes Juvenile Justice Commission March 1, 2004. This information is being forwarded to your office to comply with the provisions of R.S. 15:1094.1(A), which requires Senate approval of the appointees.

Their names, length of terms, and the appointing authority, as set forth in R.S. 15:1094.1(A), are as follows:

Table with 3 columns: Name, Length of Term, Appointing Authority. Rows include Ronald D. Bell and Guy Recatto, Jr.

If you have any questions regarding this matter, please feel free to contact me at (985) 748-7890.

Very truly yours, BRENDA C. BICKFORD, Administrative Assistant

LOUISIANA STATE UNIVERSITY Health Care Services Division Louisiana's Health System

May 19, 2006

The Honorable Don Hines President of the Senate P. O. Box 94183 Capitol Station Baton Rouge, LA 70804

RE: Appointment to the Louisiana State University Health Care Services Division Community Advisory Committee

Dear Senator Hines:

Attached is a completed Confirmation Questionnaire on an individual recently appointed to the Lallie Kemp Regional Medical Center Community Advisory Committee:

Ora Lee Pea -Replacing Marian Kinchen

In accordance with R. S. 17:1519.7.B, "Such appointments shall be submitted to the Senate for confirmation."

If you have any questions regarding the questionnaire, please contact Marcia Daigle of my staff. Ms. Daigle may be reached at 922-0493.

Sincerely, DONALD R. SMITHBURG Executive Vice President, LSU System Chief Executive Officer, HCSD

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

May 24, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 548 by Senator Ellington:

Representatives Johns, Pierre and Jack Smith.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 24, 2006

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. 655— BY SENATORS ADLEY, KOSTELKA AND QUINN AND REPRESENTATIVES DANIEL, BEARD, CRANE, DAMICO, DEWITT, FRITH, GEYMAN, HAMMETT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE AND WALSWORTH AN ACT

To amend and reenact R.S. 30: 82(6), 89.1 and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, judgments, and awards by the court; to

provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1—

BY SENATORS MCPHERSON, ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, SCHEDLER AND SMITH AND REPRESENTATIVES ALARIO, ALEXANDER, BALDONE, BAUDOIN, BOWLER, BRUNEAU, BURNS, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, MONTGOMERY, SCHNEIDER, T. POWELL, RITCHIE, ROMERO, STRAIN AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) and Article VI, Section 21(B) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property for use by or transfer to any private person or entity under certain circumstances; to provide for the definition of "public purposes"; to provide concerning the sale of expropriated property; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 25, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the office of group benefits to conduct a second phase of study for gastric bypass surgery.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 25, 2006

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. 4—

BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ARNOLD, BALDONE, BRUCE, BURNS, BURRELL, CAZAYOUX, CRAVINS, CROWE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GEYMAN, GREENE, JOHNS, KATZ, KLECKLEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MORRISH, PINAC, T. POWELL, ROMERO, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, TOOMY, TRICHE, WALSWORTH, WHITE, AND WOOTON AND SENATORS BARHAM AND CAIN

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C) and 78.1(D) and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen years; to provide relative to the electronic monitoring of offenders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 13—

BY REPRESENTATIVES GREENE AND TOOMY

A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 21—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 15:556(2), relative to the Louisiana Sexual Assault Task Force; to provide relative to the reporting deadlines of the task force; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 55—

BY REPRESENTATIVE MCDONALD

AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for an exemption from the fee on certain tire sales; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 60—

BY REPRESENTATIVE GRAY

AN ACT

To enact Part IV of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:1801 through 1842 and to repeal Part III of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:1700 through 1724, relative to child custody; to create the Uniform Child Custody Jurisdiction and Enforcement Act; to provide for definitions; to provide for the application; to provide for jurisdiction; to provide for enforcement; to provide for registration; to provide for appeals; to repeal the Uniform Child Custody Jurisdiction Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 68—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability for the members of indigent defender boards; and to provide for related matters.

Reported without amendments.

May 25, 2006

HOUSE BILL NO. 87—
BY REPRESENTATIVE WHITE
AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251, relative to health care of persons arrested for felony offenses; to require that hospitals notify requesting law enforcement agencies prior to discharge of a person admitted to the hospital under certain conditions; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 90—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 625, 644(A)(5), 684(D), (E), (F), and (G), 694(B), and 704(B) and to enact Children's Code Articles 644(A)(6) and (7) and 682(B)(4), relative to the diligent search for absent parents; to provide for the responsibility of parents involved in certain juvenile court proceedings to notify the department and their counsel of their whereabouts; to provide for the duty of a curator ad hoc to give notice to parents of their responsibility to keep their whereabouts known to their counsel and the department; to provide for the duty of parents to notify the court and counsel of contact information of alternative caregivers for their child; to provide for giving notice to persons before the court of their responsibility to give contact information of the parents and alternative caregivers; to provide for duties of the department; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 92—
BY REPRESENTATIVES DANIEL, DORSEY, AND HONEY
AN ACT

To amend and reenact R.S. 13:992.1(A), (B)(1)(a) and (2)(a) and (b), relative to the Nineteenth Judicial District Court judicial building; to provide for an increase in fees of authorized cost per recordation; to provide exclusions for juvenile, succession, and family matters from the increase in fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 128—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Articles 111 and 112, relative to an award of final spousal support; to require necessitous circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 154—
BY REPRESENTATIVES STRAIN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BURRELL, CRANE, CROWE, DANIEL, DOERGE, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GREENE, HARRIS, HEATON, HONEY, KATZ, KENNEY, McDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JANE SMITH, TRAHAN, TUCKER, WADDELL, AND WALKER
AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain students of postsecondary education institutions to provide documentation of certain immunizations; to require such institutions to provide information relative to certain immunizations to certain persons; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 170—
BY REPRESENTATIVES WHITE AND KATZ
AN ACT

To amend and reenact R.S. 15:708(A)(1), (2), (3)(a), and (5), to enact R.S. 15:708(G) and (H), and to repeal R.S. 15:708(A)(3)(c), relative to labor by inmates at workday release programs; to provide an exception for the requirement that inmates remain under the custody and control of the sheriff in cases where the parish or municipal authorities assume the responsibility for the custody and control of participating prisoners for particular parish or municipal projects while the prisoners are outside of prison facilities; to provide for immunity for sheriffs and their employees for injuries or damages caused or suffered by prisoners participating in any work program during incarceration at parish jail facilities; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 175—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 17:421.6(C), relative to salary adjustments for certain persons holding certificates issued by the National Board for Professional Teaching Standards; to provide conditions for receiving the adjustment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 180—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact Code of Civil Procedure Article 1913(E), relative to notice of judgment; to provide for notice of judgment in open court under certain circumstances; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 190—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 317—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 13:2106(C), relative to the clerks of court in St. Tammany Parish; to specify some organizations to whom the clerk of the city court of Slidell shall remit funds collected to provide shelter for battered and homeless women and their children; to specify the organizations to whom the clerk of the Twenty-Second Judicial District Court in St. Tammany Parish shall remit funds collected to provide shelter for battered and homeless women and their children; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 322—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Civil Code Article 196 and Code of Civil Procedure Article 1061(B) and Children's Code Article 116(17) and R.S. 9:392(A)(introductory paragraph) and (7), 396(A)(1)(introductory paragraph), (B)(1), and (C)(1), 398.2(A)(1), and 400(A)(4), R.S. 40:34(B)(1)(h)(i), and R.S.

46:121(3)(b), to enact R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:401 through 406, and to repeal R.S. 9:305, 395.1, 400(A)(2), and 400.1, relative to the filiation of parents and children; to provide changes in terminology; to provide for exceptions to compulsory reconventional demands; to provide for contestation and disavowal of paternity actions; to provide for the effect of contestation and disavowal judgments on child support, custody, and visitation orders; to provide for an acknowledgment of paternity; to provide for blood tests; to provide for the suspension of prescription for disavowal action; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 322 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 6, following "Code Title III" and before "of Title 9" insert "of Code Book I"

AMENDMENT NO. 2

On page 2, line 28, following "Code Title III" and before "of Title 9" insert "of Code Book I"

HOUSE BILL NO. 371—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(g), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 403—

BY REPRESENTATIVE ALARIO
AN ACT

To repeal R.S. 39:1405.1(B), relative to fees to defray expenses of the State Bond Commission; to repeal the authorization to rebate excess fees collected by the State Bond Commission.

Reported without amendments.

HOUSE BILL NO. 414—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 503—

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 809(B), 833(A), 834(A), 835(A), 836(A), 837, and 838(D) and to enact Children's Code Articles 834(F), 834.1, and 837.1 through 837.6, relative to the mental capacity of children to proceed to trial; to provide for a contradictory hearing; to provide for the qualifications of a restoration service provider; to provide for evaluations of the child; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 511—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 594—

BY REPRESENTATIVES GREENE AND ANSARDI
AN ACT

To amend and reenact Civil Code Article 466, relative to component parts of immovable property; to provide relative to buildings and other constructions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 654—

BY REPRESENTATIVES DOERGE AND RICHMOND
AN ACT

To enact Children's Code Articles 1024.1 and 1036.2, relative to the involuntary termination of parental rights; to provide for the payment of transportation costs; to require the incarcerated parent to provide a reasonable plan for the appropriate care of his child; to require the Department of Social Services to notify the incarcerated parent of his duty; to provide time limitations; to provide for the assessment of the plan; to provide a standard notification form; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 661—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1482(K), relative to professional, personal, consulting, and social services procurement; to exempt certain contracts with a higher education entity from procurement requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 733—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to provide for review by the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 733 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 15, change "Subparagraphs" to "Paragraphs"

AMENDMENT NO. 2

On page 3, line 8, change "Subsection (B)(1) above" to "Paragraph (B)(1) of this Section"

May 25, 2006

AMENDMENT NO. 3

On page 4, line 7, change "Subparagraph (2) of this Paragraph" to "Paragraph (2) of this Subsection"

HOUSE BILL NO. 765—

BY REPRESENTATIVE CRAVINS
AN ACT

To amend and reenact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 777—

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 603(18), 619(A), (B), and (C), 620(B) and (C), 621, 622, 624(G), and 627(A) and (B), to enact Children's Code Articles 603(19) and 627(F), and to repeal Children's Code Article 624(H), relative to children in need of care; to provide for the definitions for the removal and safety plan for children in need of care; to provide with respect to instant orders of custody; to provide for placement of the child pending a continued custody hearing; to provide for the safety plan of a child in need of care; to provide for persons who seek to become custodians of the child; to provide for the custody hearing and custody orders; and to provide for related matters

Reported without amendments.

HOUSE BILL NO. 857—

BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, R. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, MARTINY, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WALSWORTH, AND WOOTON
AN ACT

To enact R.S. 15:542(B)(7), relative to registration requirements for sex offenders; to require sex offenders to register with local law enforcement officials when a sex offender has established a residence in a new parish for a certain period of time; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 870—

BY REPRESENTATIVES DAMICO AND SALTER
AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 873—

BY REPRESENTATIVES CAZAYOUX, BURRELL, DORSEY, FAUCHEUX, GLOVER, M. POWELL, SCALISE, AND WHITE
AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 29:726(E)(14)(c), (d), (e), and (f), relative to functions of the Governor's Office of Emergency Preparedness and Homeland Security; to prohibit registered sexual offenders from being housed with other evacuees during a declared state of emergency or after a declared state of emergency; to provide relative to the sheltering of registered sexual offenders; to require each shelter to notify law enforcement of any evacuee

being housed who is a registered sex offender; to provide immunity from liability; to require the Louisiana Bureau of Criminal Identification and Information to provide a copy of the central registry of sex offenders to each emergency shelter opened or operating in the state of Louisiana in certain emergencies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 876—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 892—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 9:2800.16, relative to public liability; to provide for government immunity of the state and other political subdivisions during and in the aftermath of Hurricanes Katrina and Rita; to provide for limitation of liability for the state and other governmental subdivisions and its agents and assigns arising out of decisions made, and in its operational activities, in the reopening, rebuilding, and resuming of operations following Hurricanes Katrina and Rita; to prohibit certain causes of action against school districts and the Recovery School District; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact Children's Code Article 1169(3) and (5), relative to adoption; to provide for the definition of child; to provide that a child is a person under the age of eighteen for purposes of adoption; to provide for a citation correction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 907—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 17:3803(B)(1) and (2) and (E), R.S. 39:98.2(A) and (D), and R.S. 49:327(B)(1) and (2), relative to the investment authority of the state treasurer; to provide for the investment and management of offshore revenues; to provide for the investment and management of monies in the Millennium Trust; to provide for the investment and management of the state general fund and other funds under the control of the state treasurer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 960—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact Part VII-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.1, relative to the selection of professional services for public contracts; to prohibit the selection of providers of design professional services based on price; to provide for contracts for design professional services entered into where price or price-related factors were a factor in selection; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 983—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 15:551, relative to the monitoring, apprehension, arrest, and prosecution of sex offenders; to create the Sexual Offender Apprehension Team; to provide for the activities of the sexual predator apprehension team; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 992—

BY REPRESENTATIVES MARCHAND, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, AND WOOTON
AN ACT

To enact R.S. 19:2.3, relative to expropriation; to prohibit expropriation for certain purposes; to provide for exceptions; to provide for the return of unused expropriated property; to provide for applicability; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 992 by Representative Marchand

AMENDMENT NO. 1

On page 2, line 6, following "sold," and before "shall" delete "it"

HOUSE BILL NO. 1030—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 15:1303(D) and to enact R.S. 15:1303(C)(7) and (E), relative to electronic surveillance; to authorize a law enforcement officer or investigator to intercept, conduct, use, or disclose electronic, wire, or oral communications obtained during certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1081—

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 40:2267.3(D) and 2267.5, relative to the Acadiana Criminalistics Laboratory District and Commission; to provide for the membership; to provide for costs; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1081 by Representative Durand

AMENDMENT NO. 1

On page 2, line 5, following "Laboratory," and before "submitted" change "who" to "which"

HOUSE BILL NO. 1097—

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALEXANDER, CRAVINS, JOHNS, ROBIDEAUX, AND WALKER
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability; to provide immunity for the use of force or violence in certain circumstances; to provide for attorney fees; to provide for costs

and expenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1129—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 56:1705, relative to state funds; to establish the Poverty Point Reservoir Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1130—

BY REPRESENTATIVES RICHMOND, ARNOLD, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, FANNIN, FRITH, GALLOT, GLOVER, GRAY, HEBERT, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFONTA, MARCHAND, MCDONALD, MORRELL, PIERRE, QUEZAIRE, RITCHIE, ROMERO, ST. GERMAIN, AND THOMPSON
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.101 through 9039.112, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1262—

BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON
AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1367— (Substitute for House Bill No. 618 by Representative Martiny)

BY REPRESENTATIVE MARTINY
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1372— (Substitute for House Bill No. 78 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to

May 25, 2006

criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1373— (Substitute for House Bill No. 995 by Representative Gray)

BY REPRESENTATIVE GRAY AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1385— (Substitute for House Bill No. 567 by Representative Toomy)

BY REPRESENTATIVES TOOMY AND ANSARDI AN ACT

To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

Reported without amendments.

Respectfully submitted, ARTHUR J. "ART" LENTINI Chairman

Adoption of Legislative Bureau Report

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

Senate Bills and Joint Resolutions on Second Reading

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

SENATE BILL NO. 750— (Substitute of Senate Bill No.638 by Senator Hines)

BY SENATORS HINES AND CHAISSON AN ACT

To enact R.S. 18:1505.2(S) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

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

Senate Concurrent Resolutions on Second Reading

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 103— BY SENATOR HINES

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals to establish a committee to study and develop a methodology to provide needs assessments for federally qualified health centers and freestanding rural health clinics to systematically promote the expansion of primary and preventive health care services, develop and stimulate services provided by others to ensure better access to quality primary health care services, without adversely affecting Louisiana's established rural hospitals, their provider-based rural health clinics and the established medical practices of primary care physicians on the active medical staff of such rural hospital.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Bajoie, Barham, Boasso, Broome, Chaisson, Dardenne, Dupre, Ellington, Fields, Gautreaux B, Heitmeier, Hollis, Jones, Kostelka, Lentini, Malone, Michot, Murray, Quinn, Romero, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Amedee, Cain, Cheek, Cravins, Duplessis, Fontenot, Gautreaux N, Jackson, Marionneaux, McPherson, Mount, Nevers, Schedler, Shepherd.

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

SENATE CONCURRENT RESOLUTION NO. 104— BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to continue the panel of healthcare information technology and fiscal experts who were first convened in July, 2005 at the e-Health Information Summit meeting for the purpose of identifying and recommending a method for funding investments in health information technology in both public and private healthcare provider facilities, and to direct the panel to develop recommendations to encourage medical professionals to adopt health information technology in the delivery of publicly and privately funded health care services.

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

SENATE CONCURRENT RESOLUTION NO. 105— BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the secretary of state to determine the practical and legal needs that must be met to enable eligible voters displaced by a declared disaster to have the opportunity to vote on election day at locations in the state other than in the parish in which they are registered for all elections to be conducted in the parish in which the voter is registered, whether state, local, or federal elections.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 24, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 240—

BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

HOUSE BILL NO. 269—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 47:841(F), relative to tobacco products; to establish the Tobacco Regulation Enforcement Fund as a special fund in the state treasury; to provide for the deposit, investment, and use of monies in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 558—

BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

HOUSE BILL NO. 1056—

BY REPRESENTATIVE FARRAR
AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency registration; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

HOUSE BILL NO. 1240—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural hospital service districts; to provide for an effective date; and to

provide for related matters.

HOUSE BILL NO. 1376— (Substitute for House Bill No. 407 by Representative Richmond)

BY REPRESENTATIVE RICHMOND
AN ACT

To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 240—

BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

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

HOUSE BILL NO. 269—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 47:841(F), relative to tobacco products; to establish the Tobacco Regulation Enforcement Fund as a special fund in the state treasury; to provide for the deposit, investment, and use of monies in the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 558—

BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

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

HOUSE BILL NO. 1056—

BY REPRESENTATIVE FARRAR
AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency registration; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

May 25, 2006

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

HOUSE BILL NO. 1240—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural hospital service districts; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1376— (Substitute for House Bill No. 407 by Representative Richmond)
BY REPRESENTATIVE RICHMOND
AN ACT

To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 24, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 236—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to reconsider the decision to allow Louisiana Farm Bureau Mutual Insurance Company to exclude wind and hail coverages from its homeowners' policies.

HOUSE CONCURRENT RESOLUTION NO. 237—
BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Petty Officer Third Class Lee Hamilton Deal of West Monroe who was killed as a result of enemy action in Iraq.

HOUSE CONCURRENT RESOLUTION NO. 238—
BY REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to work in conjunction with the Governor's Office of Elderly Affairs to study the feasibility of implementing a Silver Alert System to provide for an early warning system to help locate missing senior citizens and to report its findings prior to March 1, 2007.

HOUSE CONCURRENT RESOLUTION NO. 239—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Culture, Recreation and Tourism to create a state heritage area program in order to recognize and distinguish significant cultural, historic, and natural resources.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 236—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to reconsider the decision to allow Louisiana Farm Bureau Mutual Insurance Company to exclude wind and hail coverages from its homeowners' policies.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Insurance.

HOUSE CONCURRENT RESOLUTION NO. 237—
BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Petty Officer Third Class Lee Hamilton Deal of West Monroe who was killed as a result of enemy action in Iraq.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mount
Adley	Gautreaux B	Murray
Bajoie	Heitmeier	Nevers
Barham	Hollis	Quinn
Boasso	Jackson	Romero
Broome	Jones	Schedler
Chaisson	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo
Ellington	Michot	
Total - 29		

NAYS

Total - 0

ABSENT

Amedee	Duplessis	McPherson
Cain	Fontenot	Shepherd
Cheek	Gautreaux N	
Cravins	Marionneaux	
Total - 10		

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

HOUSE CONCURRENT RESOLUTION NO. 238—
BY REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to work in conjunction with the Governor's Office of Elderly Affairs to study the feasibility of implementing a Silver Alert System to provide for an early warning system to help locate missing senior citizens and to report its findings prior to March 1, 2007.

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

HOUSE CONCURRENT RESOLUTION NO. 239—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Culture, Recreation and Tourism to create a state heritage area program in order to recognize and distinguish significant cultural, historic, and natural resources.

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

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 329—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 348—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 11:62(5)(f) and 441(F), relative to the Louisiana State Employees' Retirement System; to provide with respect to retirement eligibility and the employee contribution rate of certain employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 467—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:2740.64, relative to economic development in Ouachita Parish; to create and provide for the Bawcomville Economic Development District; to provide relative to the powers, duties boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 518—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for claims adjusters; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 527—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide

with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 712—

BY REPRESENTATIVES WALSWORTH AND KATZ

AN ACT

To amend and reenact R.S. 33:2866.1(B), relative to sale of property adjudicated to parishes or municipalities; to provide with respect to the realtor's commission; to authorize the governing authority of certain parishes to establish a pilot program to determine the effectiveness of negotiating the amount of the fee or commission; to authorize such negotiation; to provide time limitations and to provide for review of such program; to provide a maximum amount of the fee or commission that is authorized to be paid; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 762—

BY REPRESENTATIVE WINSTON

AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to the village of Folsom; to authorize the governing authority of the village to impose impact fees, subject to voter approval, on new development; to provide for the adoption of a capital improvement plan; to provide relative to the waiver and refund of any such fee; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 807—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 33:1572(A)(2)(d), relative to operating expenses for the coroner's office in East Baton Rouge Parish; to require the assessment of a fee in all criminal cases, including traffic violations, in all courts in East Baton Rouge Parish; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1346—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 15:254.9, relative to off-duty law enforcement officers testifying in the Nineteenth Judicial District Court in specified cases; to provide for a sum to be paid per subpoena per day; to provide for transmittal of the fee; to provide for withholdings; to provide for requirements; to provide for a maximum allowable fee; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

May 25, 2006

HOUSE BILL NO. 1395— (Substitute for House Bill No. 1047 by Representative St. Germain)
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 233—
BY REPRESENTATIVES ROBIDEAUX AND ROMERO
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass legislation prohibiting the use of a deceased soldier's image for monetary gain.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 25, 2005

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. 77—
BY REPRESENTATIVES FANNIN, ALEXANDER, BADON, BARROW, CRANE, CROWE, DOWNS, GREENE, HONEY, M. POWELL, T. POWELL, TRAHAN, WALKER, AND WALSWORTH
A CONCURRENT RESOLUTION

To urge and request the High School Redesign Commission to consider and include in its recommendations the role and importance of vocational education programs in preparing high school students to pursue postsecondary education, industry-based training or certification, an apprenticeship, the military, or immediate entrance into a career field.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study the feasibility of the implementation by such management boards of an alternative leave program for unclassified and academic personnel employed in postsecondary education institutions under the respective jurisdiction of each board as an option to the sick and annual leave that is currently provided to such employees pursuant to state law and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 228—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services, office of community services, and the Department of Education to provide a plan for improved educational outcomes for students in foster care.

Reported favorably.

HOUSE BILL NO. 234—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 17:436.2, relative to school board policies; to require city, parish, and other local public school boards to adopt policies prohibiting teachers from making a recommendation that a student be administered a psychotropic drug and from taking certain actions relative thereto and from suggesting any mental health diagnosis for a student; to provide relative to the authority of certain school board employees to recommend that students be evaluated; to provide relative to the authority of school employees to discuss student behavior and academic progress; to provide definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 345—
BY REPRESENTATIVE CAZAYOUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 830—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1233—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 17:3991(B)(1)(a)(ii)(dd), relative to the enrollment of at-risk pupils in a charter school which is established with the educational mission of meeting the needs of students who are the dependent children of military personnel; to provide conditions and limitations; to provide applicability; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1342—
BY REPRESENTATIVES HONEY, BADON, BARROW, DOWNS, GREENE, AND TRAHAN
AN ACT

To enact R.S. 17:1855.2, to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to increase tuition for students attending the university laboratory school; to provide for the amounts of such increase; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1354—
 BY REPRESENTATIVES GRAY AND K. CARTER
 AN ACT

To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1301 through 1307, and R.S. 36:4(B)(1)(g), relative to the Hurricane Katrina Memorial Commission; to create and provide for the membership, powers, and duties of the commission; to provide for donations and grants; to provide for a commission report and termination of the commission; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
 CHRIS ULLO
 Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 25, 2006

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 20—
 BY SENATOR MCPHERSON
 AN ACT

To amend and reenact R.S. 32:392 and 863.1(C)(1)(a) and (6), relative to motor vehicles; to provide for impoundment of motor vehicles for violations of the Louisiana Highway Regulatory Act; to provide relative to impoundment pursuant to the compulsory motor vehicle liability security law; to provide for noncompliance; to provide for enforcement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 673—
 BY SENATOR MALONE
 AN ACT

To enact R.S. 38:2212(T), relative to letting contracts; to require certain disclosures prior to a public entity entering into a contract for public work; to require disclosure of all stockholders, partners including silent partners, officers, and members of a corporation, partnership, or other legal entity prior to entering into a contract for public work; to require disclosure of the balance sheet or proof of assets and liabilities of a corporation, partnership, or other legal entity; to provide certain penalties; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 65—
 BY REPRESENTATIVE GARY SMITH
 A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections, office of state police, in conjunction with the Louisiana Highway Safety Commission to conduct a public awareness campaign informing the public that the left lane on multilane highways is for passing and to request state police to impose penalties for violations as provided by law.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 80—
 BY REPRESENTATIVE JEFFERSON
 A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study technology and strategies that are available and might be used to establish an integrated system of water management and hurricane protection in south Louisiana and to report its findings to the House and Senate Committees on Transportation, Highways and Public Works and to the Legislature of Louisiana prior to the 2008 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 132—
 BY REPRESENTATIVE KATZ
 A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs indicating the location of Antique Alley in West Monroe and to facilitate the erection of the Monroe Garden Club welcome sign.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 190—(Substitute for House Concurrent Resolution No. 103 by Representative Greene)

BY REPRESENTATIVE GREENE
 A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of incorporating into its five-year strategic plan a plan for the improvement of the appearance of state highways.

Reported favorably.

HOUSE BILL NO. 299—
 BY REPRESENTATIVES DANIEL, BEARD, GREENE, KATZ, PITRE, QUEZAIRE, TRAHAN, AND WALSWORTH
 AN ACT

To amend and reenact R.S. 48:2074(A) and 2077(24) and to enact R.S. 48:2077(25) and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2111 through 2119, relative to construction and funding of transportation projects; to provide relative to the Louisiana Transportation Authority; to provide relative to powers and duties of such authority regarding the Transportation Mobility Fund; to create and establish the Transportation Mobility Fund; to provide relative to the distribution of proceeds; to provide relative to the eligibility, ranking, and prioritizing of projects; to provide relative to applications for funding; to provide relative to the financing of qualified projects; to authorize the issuance of debt in certain circumstances; to provide relative to the required security for such financing and interest rates; to provide relative to preliminary and final approval of project financing; to impose certain obligations and responsibilities on applicants; to provide relative to certain financial and credit requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 954—
 BY REPRESENTATIVE LAMBERT
 AN ACT

To amend and reenact R.S. 32:408(B)(2)(d), relative to issuance of drivers' licenses; to provide relative to Class "D" Chauffeur's Licenses; to add certain types of vehicles to the list of vehicles authorized to be operated with a Class "D" Chauffeur's License; and to provide for related matters.

Reported favorably.

May 25, 2006

HOUSE BILL NO. 993—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 32:735 and 737(A)(introductory paragraph) and (2), (4), (10), and (11), (B), and (C) and R.S. 47:532.1(A)(1) and to enact R.S. 32:737(A)(12), relative to auto title companies; to provide for the contracting of auto title companies; to provide for surety bond requirements; to provide for contracts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1025—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 48:194, relative to construction on highways in the state highway system in East Baton Rouge Parish; to provide relative to certain projects that may be fully funded by the governing authority of East Baton Rouge Parish; to provide limitations and procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 48:279(A), relative to highway construction by the Department of Transportation and Development; to provide relative to the hours when construction may be done on certain highways; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1204—

BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS ELLINGTON AND HEITMEIER
AN ACT

To enact R.S. 32:1525 and to repeal R.S. 32:1513(A), relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; to prohibit the seizure of certain motor vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1218—

BY REPRESENTATIVE TUCKER
AN ACT

To require that the Crescent City Connection Division within the Department of Transportation and Development collect and dispose of litter in certain areas of Orleans Parish.

Reported with amendments.

HOUSE BILL NO. 1278—

BY REPRESENTATIVES BRUNEAU, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, HUTTER, LAMBERT, PITRE, M. POWELL, SMILEY, AND ST. GERMAIN
AN ACT

To enact R.S. 32:402(C)(3), relative to drivers' licenses; to authorize the waiver of certain commercial motor vehicle driver's license requirements for military personnel during a state of emergency; to provide relative to certain restrictions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1308—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1305(I), relative to motor vehicle safety inspection programs; to revise the programs relative to motor vehicles transporting general freight and commodities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1312—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 32:361.2(A)(2)(f) and 361.3(C), relative to motor vehicle windshields; to provide for objects or materials placed or affixed on windshields; to provide for medical and security exceptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 25, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 445—

BY SENATOR JACKSON
AN ACT

To enact R.S. 40:600.26(G), relative to the Louisiana Housing Trust Fund Act of 2003; to provide for housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide for the priority of housing citizens who were displaced in a declared disaster area as a result of hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 16—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 39:1311(B), relative to budgetary procedures for political subdivisions; to provide for the applicability of certain requirements for written notification in the budgetary process; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 365—

BY REPRESENTATIVES FANNIN AND TOWNSEND AND SENATOR SMITH
AN ACT

To enact R.S. 33:1236(31)(b)(iii) and R.S. 30:2057(B)(5)(c), relative to the regulation of burning by certain parish governing authorities; to provide for ordinances regulating the burning of certain flammable materials in certain parishes under certain circumstances; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1285—
BY REPRESENTATIVES ODINET, BARROW, BAUDOIN, BAYLOR,
DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND
AN ACT

To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities; to require that the governing authority of any municipality or parish and any agency of any such municipality or parish shall not allow and shall not cause any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; to provide exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1389— (Substitute for House Bill No. 1288
by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

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

May 25, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 98—
BY SENATOR SHEPHERD
AN ACT

To enact R.S. 23:335, relative to employment discrimination; to prohibit discrimination due to actual or perceived sexual orientation; to provide for exceptions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 106—
BY SENATOR CRAVINS
AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 650—
BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 23:992 and to repeal R.S. 23:992.1, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to provide for penalties; to repeal the provision

with regard to exemptions; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 566—
BY REPRESENTATIVES CRAVINS AND BOWLER
AN ACT

To amend and reenact R.S. 23:1196(A)(5), relative to workers' compensation insurance; to provide for reinsurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 577—
BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 23:1196(A)(5) and (H) and 1197(C), relative to insurance cost containment; to provide relative to workers' compensation self- insurance funds; to provide for reinsurance; to provide for deficit of fund; to provide for examination of the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1330—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 23:921(I), relative to noncompete agreements; to provide for an exclusion for automobile salesmen; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BEN W. NEVERS
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 25, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 664—
BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 41:1702(D)(2)(a), relative to reclamation and restoration of certain lands; to provide relative to certain powers of the secretary of the Department of Natural Resources; to provide relative to certain agreements concerning the acquisition of land by a state or national nonprofit land conservation organization; to provide relative to agreements concerning ownership of minerals; to provide certain terms, conditions, and procedures; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To suspend until sixty days after the final adjournment of the 2007 Regular Session of the Legislature of Louisiana, the provisions of R.S. 56:433(B)(1) and (C) insofar as they specify a date for closure of the oyster harvest on the public seed grounds and to authorize the Wildlife and Fisheries Commission to open oyster harvest season in those parts of the natural reefs which are located in certain parts of the coast where there are sufficient

May 25, 2006

quantities of oysters available for harvest.

Reported favorably.

HOUSE BILL NO. 91—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around certain boat launches and docking facilities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 336—

BY REPRESENTATIVES MONTGOMERY, GALLOT, AND TOWNSEND
AN ACT

To enact R.S. 39:12(A)(4) and (C), relative to management of state lands; to require development of management plans by state agencies; to require management of state lands in a prudent manner; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 702—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:433(B)(1) and (C), relative to harvest of oysters; to provide for season opening and closing dates for harvest from the public seed grounds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 795—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 56:6(31), relative to importation of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of big exotic cats; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 802—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 56:435.1(A), (F), and (G) and 435.1.1(A), (C), and (D), to enact R.S. 56:435.1(H), and to repeal R.S. 56:435.2, relative to the oyster harvest in Calcasieu Lake and Sabine Lake; to provide for the use of mechanical dredges; to authorize the Wildlife and Fisheries Commission to set closing dates and harvest limits; to provide for limited transplanting of oysters and cultch in Vermilion Bay; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 838—

BY REPRESENTATIVES ST. GERMAIN, PIERRE, LAMBERT, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:328(B), (C), and (D) and to enact R.S. 56:328(E), relative to invasive, noxious aquatic plants; to require the Department of Wildlife and Fisheries to maintain and promulgate a list of prohibited noxious aquatic plants; to require the department to take necessary steps to control and eradicate such plants; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 839—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAU
AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shedders license; to eliminate the soft shell crab shedders license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1161—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 56:322.2(I), relative to taking of shad; to authorize the use of unattended nets overnight during the open season in Lake Palourde and Lake Verret; to provide for certain restrictions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1229—

BY REPRESENTATIVE BAUDOIN
AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1249—

BY REPRESENTATIVES ODINET AND BALDONE AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:423(A) and (B)(1), 424(H), 425(A) and (C), 427.1, 428(A) and (B), 429, and 432.1, to enact R.S. 56:424(I), 425(E), and 432.2, and to repeal R.S. 56:428.1, 428.2, 428.3, and 430.1, relative to oyster leases; to authorize the acquisition by the state of oyster leases directly impacted by coastal protection, conservation, or restoration projects; to establish a hierarchy of rights; to establish limitations on actions against the state, its political subdivision, or the United States; to provide for lease terms; to establish a lease acquisition and compensation program in the Department of Natural Resources; to provide for annual reports; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MAX T. MALONE
Chairman

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

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

SENATE BILL NO. 261—

BY SENATOR CHEEK
AN ACT

To amend and reenact R.S. 40:1300.51(3), and to enact R.S. 40:1300.51(2)(n), relative to criminal history checks; to provide for authorization relative to day care applicants; and to provide for related matters.

Reported by substitute by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 261 by Senator Cheek)

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a), relative to criminal history checks; to provide for records provided to healthcare service and ambulance employers, and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1300.52(D)(1)(a) is hereby amended and reenacted to read as follows:

§1300.52. Employment of nonlicensed persons and licensed ambulance personnel in certain locations; mandatory criminal history checks; temporary employment; notice to applicants

D.(1) The office or authorized agency shall not provide to the employer the criminal history records of a person being investigated unless the records relate to:

(a) Any crime of violence as enumerated in R.S. 14:2(13) and those crimes defined in R.S. 14:34.7, R.S. 14:35, R.S. 14:36, R.S. 14:37.1, R.S. 14:37.4, R.S. 14:38, R.S. 14:41, R.S. 14:43.3, R.S. 14:43.5, **R.S. 14:44.2**, R.S. 14:52 through R.S. 14:54.4, R.S. 14:55, **R.S. 14:57**, R.S. 14:60 through R.S. 14:62.3, R.S. 14:64.3, R.S. 14:64.4, R.S. 14:67, R.S. 14:67.1 through R.S. ~~14:67.15~~ **14:67.16**, **R.S. 14:67.20 through R.S. 14:67.22**, **R.S. 14:69 through 14:70.2**, **R.S. 14:70.4 and 14:70.5**, **R.S. 14:71.1**, R.S. 14:74, R.S. 14:78, R.S. 14:79.1, R.S. 14:80 through R.S. 14:86, R.S. 14:89, **R.S. 14:91.13**, R.S. 14:92, R.S. 14:93, R.S. 14:93.2.1, R.S. 14:93.3 through R.S. 14:93.5, **R.S. 14:101.1**, R.S. 14:102.1, R.S. 14:106, **R.S. 14:107.2**, **R.S. 14:128.1 and R.S. 14:128.2**, R.S. 14:282, R.S. 14:286, and distribution or possession with the intent to distribute controlled dangerous substances as listed in Schedules I through V of the Uniform Controlled Dangerous Substances Act.

On motion of Senator McPherson, the committee substitute bill was adopted and becomes Senate Bill No. 751 by Senator Cheek, substitute for Senate Bill No. 261 by Senator Cheek.

SENATE BILL NO. 751— (Substitute of Senate Bill No. 261 by Senator Cheek)

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a), relative to criminal history checks; to provide for records provided to healthcare service and ambulance employers, and to provide for related matters.

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

SENATE BILL NO. 629—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1782 and to enact Part I-A of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1809 through 1826, relative to pawnbrokers; to provide with respect to continuing education of pawnbrokers; to provide for definitions; to provide for the creation of the Louisiana State Board for Continuing Pawnbroker Education; and to provide for related matters.

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

SENATE BILL NO. — (Substitute of Senate Bill No. 629 by Senator Heitmeier)

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1782 and 1808 and to enact R.S. 37:1785(D), 1787(A)(5), and 1809 through 1828, relative to pawnbrokers; to provide for definitions; to provide for licensing of pawnbrokers; to create the Louisiana State Board For Continuing Pawnbroker Education; to provide for membership of the board; to provide for powers and duties of the board; to

provide for continuing education for pawnbrokers; to provide for rules regarding continuing education courses; to provide for reports to the board and commission; to provide for rules for noncompliance; to provide for fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1782 and 1808 are hereby amended and reenacted and R.S. 37:1785(D), 1787(A)(5), and 1809 through 1828 are hereby enacted to read as follows:

§1782. Definitions

As used in this Part:

(1) "Applicable liabilities" **include means** trade or other accounts payable; accrued sales, income, or other taxes; accrued expenses; and notes or other payables that are unsecured or secured in whole or part by current assets.

(2) "Board" means the Louisiana State Board for Continuing Pawnbroker Education.

~~(2)(3)~~ "Commissioner" means the commissioner of the Office of Financial Institutions within the office of the governor.

(4) "Continuing education year" means that period annually from June first to May thirty-first, beginning with June 1, 2006.

~~(3)(5)~~ "Current assets" include an investment made in cash, bank deposits, merchandise inventory and loans due from customers, excluding the pawn service charge. The term does not include an investment made in any of the following:

(a) Fixed assets of real estate, furniture, fixtures, or equipment.

(b) Stocks, bonds or other securities.

(c) Prepaid expenses or other general intangibles.

(6) "Designee" means that person who possesses one or more pawnshop licenses or is a manager of a pawnshop on a full-time basis and who is designated to obtain continuing pawnbroker credits on behalf of the licensee.

~~(4)(7)~~ "Jewelry" means things consisting of precious stones and/or precious metals worn as adornment or apparel.

~~(5)(8)~~ "Law enforcement officer" means:

(a) The law enforcement officers of the office of state police of the Department of Public Safety and Corrections.

(b) The superintendent of the police of the city or town in which the pawnbroker maintains a pawnshop or his duly authorized designee having been so designated by title or position as one regularly responsible for the inspection and regulation of pawnshops or one designated in writing to enforce the provisions of this Part.

(c) The sheriff of the parish in which the pawnbroker maintains a pawnshop or his duly authorized designee having been so designated by title or position as one regularly responsible for the inspection and regulation of pawnshops or one designated in writing to enforce the provisions of this Part.

~~(6)(9)~~ "License" means the certificate of authority to operate a pawnshop as issued by the commissioner.

(10) "Licensee" means a person that holds one or more pawnbroker licenses to operate a pawnshop as issued by the commissioner.

~~(7)(11)~~ "Maturity date" means the last date subsequent to the pawn transaction upon which the pledgor can redeem a pledged thing.

~~(8)(12)~~ "Month" means that period of time from one date in a calendar month to the corresponding date in the subsequent calendar month. If the subsequent calendar month has no corresponding date, the last day of the subsequent month shall be considered the corresponding date. In the event any period consists of more than one month and the last month has no corresponding date, the last day of the last month shall be considered the corresponding date.

~~(9)(13)~~ "Net assets" means the book value of current assets less applicable liabilities.

~~(10)(14)~~ "Pawnbroker" means a person who lends money on a deposit or pledge or who takes other things into possession as security for money advanced or who makes a public display at his place of business of the sign generally used by pawnbrokers to denote his business, namely, three gilt or yellow balls, or who publicly exhibits a sign that money is to be loaned on things on deposit.

~~(11)(15)~~ "Pawnshop" means the location at which, or premises upon which, a pawnbroker regularly conducts business.

~~(12)(16)~~ "Pawn transaction" means the lending of money on a deposit or pledge or taking other things into possession as security for

money advanced. Any arrangement whereby a seller either reserves the right to redeem or repurchase a thing shall be considered a pawn transaction and the purchaser shall be subject to the provisions of this Part.

(13)(17) "Person" means natural and juridical persons.

(18) "Publicly-traded licensee" means any corporation or other business association with a class of equity securities registered under the Security Exchange Act of 1934, as amended and any subsidiary or controlled affiliates of such a corporation or other business association that owns or operates a licensed pawnshop in this state.

(14)(19) "Things" means any property, movable and immovable, corporeal and incorporeal, and rights therein.

§1785. Licensing of pawnbrokers; limit to location

D. No license shall be granted to any person who has failed to meet the requirements of continuing pawnbroker education as provided for in this Part.

§1787. Eligibility for license, net assets or bond

A. To be eligible for a license an applicant shall meet all of the following:

(5) Beginning September 1, 2007, a pawnbroker shall have complied with the continuing education requirements provided for in this Part prior to license renewal.

§1808. Creation of board

In order to assure that each licensee operates professionally, ethically, and is knowledgeable of all applicable local, state, and federal laws, rules, and regulations, the Louisiana State Board For Continuing Pawnbroker Education is hereby created. The board shall, with the advice of the commissioner, have the authority to establish rules and regulations to meet its objectives. The board shall be a body corporate and may sue and be sued. The members of the board shall be selected, pursuant to the provisions set forth in R.S. 37:1809, not later than July 1, 2006.

§1809. Selection of board members

A. The board shall be composed of five members as follows:

(1) Three members shall be the nominees of the Louisiana Pawnbrokers Association, a Louisiana non-profit corporation having been chartered by the secretary of state on March 5, 2003.

(2) One member shall be a nominee of the Louisiana Sheriffs Association, a Louisiana non-profit corporation having been chartered by the secretary of state on July 27, 1945.

(3) One member shall be a member of the commissioner's staff appointed by him to serve as his representative.

B. The five members of the Louisiana State Board For Continuing Pawnbroker Education shall be appointed in the following manner:

(1) The Louisiana State Pawnbrokers Association shall submit to the commissioner six nominees. From this list, the commissioner shall appoint three of the six nominees to serve as board members.

(2) The Louisiana Sheriffs Association shall submit to the commissioner two nominees. From this list, the commissioner shall appoint one of the two nominees to serve as a board member.

C. Each board member shall serve for four years, and thereafter until his successor has been appointed. However, one initial pawnbroker appointment shall be for one year, one initial pawnbroker appointment and the commissioner's appointment shall be for two years, and one initial pawnbroker appointment shall be for three years.

D. In the event of a vacancy on the board, two additional nominees shall be presented to the commissioner by the Louisiana Pawnbrokers Association or the Louisiana Sheriffs Association to replace such vacancy. The commissioner may replace or fill the seat held by his nominee at any time. The selected board member shall serve out the unexpired term.

§1810. Qualification of members

A. Each pawnbroker board member shall be the owner of one or more pawnshops. The qualifications of each pawnbroker

board member shall continue throughout his term in office. In the event a board member should cease meeting the qualifications, his seat shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term pursuant to the same process as for the original appointment.

B. The Louisiana Sheriffs Association member shall be a full-time law enforcement officer with a minimum of five years of experience in the state of Louisiana.

§1811. Oath

Each board member shall receive a certificate or commission from the governor and before beginning his term of office shall file with the secretary of state a written oath or affirmation of faithful discharge of his official duties.

§1812. Officers; subcommittees

A. The board shall, by majority vote, elect annually a chairman, a vice chairman to serve in the absence of the chairman, and a secretary from its members. The board may elect annually such other officers as it may determine to be necessary or proper for the administration, implementation, and enforcement of this Part.

B. The board may organize itself into subcommittees of not fewer than three members for the purpose of considering any matters.

§1813. Quorum

A majority of the board members shall constitute a quorum of the board for all purposes, including the rule making and adjudicative functions of the board.

§1814. Meetings

The board shall meet semi-annually at such times and places as it may determine. The board may meet at such other times as it deems appropriate. A fourteen-day notice of all meetings of the board shall be provided to all board members. Each notice of a board meeting shall designate the time and place of the meeting and include an agenda with all items to be addressed.

§1815. Duties of the board

The Louisiana State Board for Continuing Pawnbroker Education shall:

(1) Foster and encourage the offering of quality courses by qualified sponsors.

(2) Establish satisfactory procedures to ascertain the quality of continuing pawnbroker education courses, sponsors, and standards observed in the continuing pawnbroker education courses offered to pawnshops.

(3) Exercise general supervisory authority over the administration of this Part with the advice of the commissioner.

(4) Make and promulgate regulations with the advice of the commissioner, that define and clarify this Part and assure prompt, accurate reporting of attendance at continuing pawnbroker education courses.

(5) Grant or deny accreditation for the purpose of meeting requirements by sponsors for any course conducted within or outside of the state.

(6) Report annually to the commissioner.

(7) Perform such other acts and duties, not inconsistent with this Part, as are necessary and proper to improve continuing pawnbroker education courses within the state.

§1816. Domicile of the board

The board shall be domiciled in Baton Rouge and may meet at such locations as may be determined by the board and as may be recommended by the commissioner.

§1817. Compensation

No board member shall receive a per diem or other compensation but may be reimbursed for actual expenses incurred when attending a meeting of the board or any of its committees. In no instance shall such reimbursement exceed one hundred dollars per meeting. Funds for reimbursement shall be derived solely from donations, other private sources, or fees collected from continuing pawnbrokers education sponsors.

§1818. Continuing pawnbroker education requirement

A. To meet the minimum requirements of continuing pawnbroker education, every licensee must obtain credit for not less than five hours of continuing pawnbroker education per continuing education year, except as otherwise provided in this Part. An instruction hour must be at least fifty minutes of

substantive presentation, not including speaker introduction or other preliminary matters.

B. Each licensee shall designate a pawnbroker who shall attend approved continuing pawnbroker education on behalf of the licensee.

C. Any licensee shall, during the first continuing education year of its licensing, attend five hours of approved continuing pawnbroker education.

D. Of the five hours of continuing pawnbroker education required annually during a continuing education year, not less than:

(1) Two hours of continuing pawnbroker education shall address applicable federal, state, or local laws, rules, or regulations.

(2) One hour of continuing pawnbroker education shall address pawnbroker ethics and professionalism.

(3) One hour of continuing pawnbroker education shall address best business practices, employee training, security, record keeping, and accounting.

E. Up to three hours may be carried forward to a year which shall be credited toward completion of the requirements for that year before crediting hours earned during that year.

§1819. Application

The provisions of this Part shall apply to every licensee and compliance shall be a condition of licensure.

§1820. Credits

A. Credit will be given only for continuing pawnbroker education courses approved by the board.

B. Requests for substituted compliance, partial waivers, or exemptions for hardship or extenuating circumstances may be granted by the board upon written application of the board and approved by the commissioner.

C. Credit may also be earned through teaching in an approved continuing pawnbroker education course. Presentations will qualify for continuing pawnbroker education on the basis of two hours of credit for each instructional hour of presentation.

D. Publicly-traded licensees shall be exempted from the continuing pawnbroker education required by the Louisiana Pawnshop Act. Upon request of the commissioner, the publicly-traded licensee shall provide the commissioner with a complete copy of its formal training materials. Training materials provided to the commissioner pursuant to this Subsection shall in no event be made available to the public.

§1821. Standards for continuing pawnbroker education credits

The following standards will govern the approval of continuing pawnbroker education courses by the board:

(1) The course must have significant intellectual or practical content and its primary objective must be to maintain or increase the participant's professional competence as a pawnbroker.

(2) The course must be conducted by a non-profit or not for profit entity. The course must be conducted substantially as planned, subject to bona fide emergency withdrawals and alterations.

(3) The course in whole or in part should include high quality, readable, and carefully prepared written materials which shall be made available to all participants at no additional charge at or before the time the course is presented, unless the absence of such materials is recognized as reasonable and approved by the board with the advice of the commissioner.

(4) The course must be conducted in a physical setting conducive to learning at a time and place free of interruptions.

(5) At the conclusion of an approved course, each attendee shall be given the opportunity to complete an evaluation questionnaire addressing the quality, effectiveness, and usefulness of the particular course. Within thirty days of the conclusion of the course, a summary of the results of the questionnaires shall be forwarded to the commissioner with a copy sent to the board. Sponsors shall maintain the questionnaires for a period of ninety days following a course.

(6) The costs of the course itself, apart from optional meals, lodging, travel, and other non-related expenses, shall be reasonable considering the subject matter, instructional level,

supporting documentation, and educational material, and sponsorship fees.

(7) No examination or testing shall be required at any continuing pawnbroker education course.

§1822. Approved sponsors

A. The board may contract with one or more sponsors and may charge an application fee as provided for in Subsection D of this Section and an attendee fee as provided for in R.S. 37:1824(E) to sponsors seeking approval of courses. All fees shall be used to defray the expenses of the board.

B. Continuing pawnbroker education courses shall be offered by a sponsor having substantial, recent, experience in the pawn industry or such other expertise relevant to continuing pawnbroker education and demonstrated ability to organize and present continuing pawnbroker education effectively. Demonstrated ability arises partly from the extent to which individuals with applicable training or educational experience are involved in the planning, supervision, and presentation of the course.

C. To sponsor continuing pawnbroker education, the entity shall have been, for a period of three years, a non-profit, not for profit, trade association, or other entity recognized as an exempt organization pursuant to 26 U.S.C. 501(c).

D. All sponsors who seek approval for in-state continuing pawnbroker education courses shall be approved as a provider of continuing pawnbroker education by the board. An application for sponsor accreditation shall be submitted with an annual five hundred dollar non-refundable application fee to the board. Upon approval of this application, the provider is approved to submit proposed continuing pawnbroker education courses for approval during that continuing pawnbroker education year.

E. The board shall have the right to refuse approval to providers who do not comply with the requirements of this Part or the rules pertaining to course sponsors promulgated by the board.

§1823. Approved continuing pawnbroker education courses

Approved sponsors who submit an application for continuing pawnbroker education courses shall:

(1) Make such application at least forty-five days in advance of the course. The board may in its discretion, upon showing of good cause, grant retroactive approval.

(2) Make such application on a form provided by the board which shall be transmitted to the board via mail, electronic means, or in such other manner approved by the board.

(3) Include with such application a copy of all materials to be provided to attendees, sample brochures and a course outline that describes the course content, identifies the instructors and their credentials, lists the time devoted to each topic, and shows each date and location at which the course will be offered.

§1824. Sponsors' report to the board

A. For every course presented, each approved sponsor shall provide, and each designee shall complete, a continuing pawnbroker education attendance card while in attendance at an accredited continuing pawnbroker education course held in Louisiana or held out of state by a Louisiana-based sponsor.

B. The designee shall leave the completed attendance card with the continuing pawnbroker education sponsor for submission to the board for inclusion in the licensee's continuing pawnbroker education record.

C. The continuing pawnbroker education sponsor shall submit the completed cards to the board within thirty days after the date of the course.

D. Attendance cards will not be accepted from an individual licensee or its designee.

E. Each sponsor of an approved continuing pawnbroker education course shall submit the names of each designee, the name of the applicable licensee, the date, and hours attended, and a description of the matters taught to the board within thirty days of completion of the course, but no later than May first of the applicable continuing education year. A processing fee of no more than ten dollars per course participant shall be submitted with the sponsor's report to the board.

§1825. Board's report to the commissioner

A. On or before June first of each continuing education year, commencing June 1, 2007, the board shall submit to the commissioner a list of all courses approved by the board, the sponsor, the date of the course, the location, and the content thereof, along with a summary of the evaluations received.

B. On or before June first of each continuing education year commencing June 1, 2007, the board shall also submit to the commissioner a list of every designee who has attended a continuing pawnbroker education course, the name of the applicable licensee, the sponsor, the date thereof, the sessions attended, and the aggregate number of hours received and hours carried forward from prior years.

§1826. Noncompliance; penalties

A. If, by May thirty-first of the continuing education year, a licensee is compliant with the minimum requirements for continuing pawnbroker education as provided for in R.S. 37:1818, no further action is necessary.

B. If, by May thirty-first of the continuing education year, a licensee has not earned the required hours, that licensee must comply with the five-hour requirement and pay the applicable fines no later than August thirty-first of that year.

C. The commissioner shall, by July second of each continuing education year, mail a notice of noncompliance with continuing pawnbroker education requirements to each licensee who has failed to meet the continuing pawnbroker education requirement at the licensee's official address of record.

D. A licensee to whom the noncompliance report form is sent shall obtain the required number of credit hours needed for compliance with R.S. 37:1818 by August thirty-first of that continuing education year. Credit hours earned during this period shall be applied toward the previous year's requirement until the necessary hours are earned.

E. A noncompliant licensee shall, by August thirty-first, furnish the following to the commissioner:

(1) Documentary proof that the licensee has complied with the requirements of R.S. 37:1818; or

(2) An affidavit or documentary proof setting forth the reasons for failure to comply with the requirements of R.S. 37:1818 because of illness or other good cause.

F. Any licensee who fails to timely comply with the requirements of this Part for earning hours by the May thirty-first deadline shall be assessed a delinquency penalty of two hundred fifty dollars, payable to the commissioner.

G. Any licensee who has previously been noncompliant within the past five years will automatically incur an additional fifty dollar penalty, payable to the commissioner, for repeated noncompliance.

H. Documentary proof of compliance furnished after the May thirty-first deadline shall be accompanied by the delinquency penalty provided for in Subsection F of this Section or documentary proof will not be accepted by the commissioner.

I. At any time after notice of noncompliance, a licensee may file with the commissioner and the board, documentary proof indicating compliance with the requirements of this Part. The board shall forthwith provide to the commissioner its findings as to compliance. If proof submitted by the licensee is satisfactory to the commissioner, or a satisfactory recommendation is made by the board, the commissioner may take such action as he deems appropriate, including reinstatement of the licensee as eligible to operate.

J. A licensee who fails to comply with the continuing pawnbroker education requirements by October first shall be certified by the commissioner as ineligible to operate as a pawnshop, other than for the purposes or the redemption of items then in pawn.

K. A licensee may be reinstated by obtaining the necessary credit hours, as determined by the board and reported to the commissioner, during the period of ineligibility and paying to the commissioner a reinstatement fee of one hundred dollars.

§1827. Commissioner's authority to waive non-compliance and penalties

Notwithstanding any other law to the contrary, where the commissioner finds that good cause exists, he may waive or limit the requirements for continuing pawnbroker education for one

or more pawnbrokers. Such waiver may be granted where the commissioner finds that there exists hardship, extenuating circumstances, or there has been an unavailability or inadequacy of continuing pawnbroker education courses during the continuing education year.

§18081828. Acting as pawnbroker without complying with law; violations by pawnbroker; penalties

A. Any person who engages in the business of operating a pawnshop or who advertises in any media or by any means that he is a pawnbroker without first securing the license prescribed by this Part shall be punished by a fine up to five thousand dollars by the commissioner or imprisoned for not more than one year, or both.

B. In addition to any other penalty which may be applicable, any licensee who willfully violates the provisions of this Part or who willfully makes a false entry in any records required by this Part shall be fined up to one thousand dollars per violation or false entry.

On motion of Senator Hollis, the committee substitute bill was adopted and becomes Senate Bill No. 752 by Senator Heitmeier, substitute for Senate Bill No. 629 by Senator Heitmeier.

SENATE BILL NO. 752— (Substitute of Senate Bill No. 629 by Senator Heitmeier)

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1782 and 1808 and to enact R.S. 37:1785(D), 1787(A)(5), and 1809 through 1828, relative to pawnbrokers; to provide for definitions; to provide for licensing of pawnbrokers; to create the Louisiana State Board For Continuing Pawnbroker Education; to provide for membership of the board; to provide for powers and duties of the board; to provide for continuing education for pawnbrokers; to provide for rules regarding continuing education courses; to provide for reports to the board and commission; to provide for rules for noncompliance; to provide for fees; and to provide for related matters.

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

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. 93—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 37:756(A), 760(A)(1), and 766 and to enact R.S. 37:753(C)(4), 760(A)(15), 761(C), 764(D), 795(B)(2)(a)(iii) and (iv) and (3)(a)(iii) and (iv), and (C), relative to the Dental Practice Act; to provide for the suspension of nominating procedures; to provide for receipts and disbursements of the board; to provide relative to the powers and duties of the board; to provide relative to the requirements of applicants for a dental license and a dental hygiene license; to provide for the supervision of dental hygienists; to increase costs and fees; and to provide for related matters.

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

HOUSE BILL NO. 106—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:2803(C)(introductory paragraph) and (D), relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to change the reporting date; to extend the termination date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate,

the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 108—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 49:72(7) and to enact R.S. 49:78.1, relative to lobbying of the executive branch; to provide for the regulation of lobbying of the executive branch; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; 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. 109—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 24:51(5) and to enact R.S. 24:56(G) and 58.1, relative to lobbying of the legislature; to provide for the regulation of lobbying of the legislature; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; 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. 109 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 7 after "Part" insert ";" and delete the remainder of the line and delete line 8

On motion of Senator Jones, 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. 110—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 37:1446(H), relative to real estate brokers; to provide that certain real estate salespersons or associates of real estate brokers are independent contractors and not employees; and to provide for related matters.

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

HOUSE BILL NO. 119—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 37:1449.1, relative to purchase agreements for residential real property; to require Louisiana Real Estate Commission licensees to use a uniform purchase agreement form; to provide for promulgation of the form by the commission; and to provide for related matters.

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

HOUSE BILL NO. 130—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a)(i), relative to the nominating committee for nominees for positions on the Board of Ethics; to change the composition of such nominating committee; 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. 158—
BY REPRESENTATIVE K. CARTER
AN ACT

To repeal R.S. 22:1137(A)(10) and 1139(C)(8) and Part VII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1751 through 1770, relative to regulation of automobile service clubs by the commissioner of insurance.

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

HOUSE BILL NO. 197—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(l), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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. 198—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(k), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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. 248—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:32(5) and (9), relative to domestic incorporated insurers; to provide for the requirements of articles of incorporation of such insurers; and to provide for related matters.

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

HOUSE BILL NO. 250—
BY REPRESENTATIVE K. CARTER
AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

May 25, 2006

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

HOUSE BILL NO. 252—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:2003(B)(5) and (9), relative to health maintenance organizations; to provide for the requirements of articles of incorporation of health maintenance organizations; and to provide for related matters.

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

HOUSE BILL NO. 285—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:1459(D), relative to the real estate commission; to provide for return of fees collected by unlicensed persons; and to provide for related matters.

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

HOUSE BILL NO. 311—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 42:1169(D) and to enact R.S. 42:1169 (E) and (F), relative to procedures of the board of ethics; to require the board of ethics to provide notice to the appropriate agency head or governing authority of an investigation, hearing, or consent opinion related to a public servant's reprisal for disclosure of improper acts; to require an agency to cooperate with the board's investigation and be a party to the board's investigation, hearing, or consent opinion; to provide for the stay of any action by the board if a civil action or adjudicatory action on the same matter is pending; to provide for the outcome of the civil action or adjudicatory action to resolve all related matters before the board; 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. 312—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:337(A), relative to mortgage lenders; to provide for payment of insurance settlement proceeds; and to provide for related matters.

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

HOUSE BILL NO. 314—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 6:338(B)(2), relative to mortgage lenders; to provide for the date from which to calculate accrued interest; and to provide for related matters.

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

HOUSE BILL NO. 340—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; 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. 355—
BY REPRESENTATIVES TRICHE, DOERGE, AND DURAND AND
SENATOR LENTINI
AN ACT

To amend and reenact R.S. 46:236.15(C), relative to child support enforcement; to grant limited administrative authority to access certain information; and to provide for related matters.

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

HOUSE BILL NO. 369—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:32(1) and 34(B)(1)(a)(viii), (h)(v), (i), and (j), relative to biological parents; to provide for definitions regarding surrogate pregnancies; to expand the definition of surrogate to include a person related by affinity; to provide for retroactivity; and to provide for related matters.

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

HOUSE BILL NO. 400—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 51:938.1, relative to the office of entertainment industry development; to create the office; to provide for duties of the office; to provide for promotional activities; to provide for receipt of funds; and to provide for related matters.

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

HOUSE BILL NO. 441—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1459, relative to insurers; to eliminate the annual reporting of rates of and compensation paid by stock fire insurers to the Insurance Rating Commission; to change references to agents to references to producers; and to provide for related matters.

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

HOUSE BILL NO. 473—
BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 28:852(B), relative to the Florida Parishes Human Services Authority; to provide for a change of domicile of the authority; and to provide for related matters.

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

HOUSE BILL NO. 480—
BY REPRESENTATIVES DURAND, KATZ, AND ST. GERMAIN AND
SENATORS JACKSON AND MOUNT
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(f), relative to the Department of Social Services; to provide for re-creation of the Department of Social Services and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 487—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

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

HOUSE BILL NO. 585—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(a)(iv), (b)(ii), and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent child previously enrolled in Medicaid; and to provide for related matters.

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

HOUSE BILL NO. 589—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:3397(B)(1)(introductory paragraph) and (c), (C)(1)(introductory paragraph) and (c), and (D)(1)(introductory paragraph) and (c), and 3406(D) and to enact R.S. 37:3393(I), (J), (K), and (L) and 3397(B)(6), (C)(5), and (D)(5), relative to the real estate appraisers board; to provide for penalties for unlicensed appraisers; to provide for minimum education, examination, and experience requirements; to provide for use of licenses; and to provide for related matters.

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

HOUSE BILL NO. 674—
BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; 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. 687—
BY REPRESENTATIVES JACKSON AND GRAY
AN ACT

To enact R.S. 28:382.2(D), relative to statewide human services and accountability framework for human services delivery; to provide for reporting; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 690—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Chapter 13-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to consumer protection against computer spyware; to provide for definitions; to provide for spyware prohibitions; to provide for control or modification; to provide for misrepresentation; to provide for nonapplicability; to provide for criminal enforcement and penalties; to provide for civil relief; and to provide for related matters.

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

HOUSE BILL NO. 716—
BY REPRESENTATIVE BEARD
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; 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. 732—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 37:1431(30), relative to the real estate commission; to provide for a definition; and to provide for related matters.

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

HOUSE BILL NO. 792—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

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

May 25, 2006

HOUSE BILL NO. 797—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 797 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 16, after "1701" delete the remainder of the line and delete line 17, and insert the following: "and 3505(A). The lessor shall"

On motion of Senator McPherson, 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. 850—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 18:1505.2(S), relative to campaign contributions from persons who have entered into certain transactions; to prohibit such persons from making contributions to certain elected officials; to prohibit elected officials from accepting campaign contributions from such persons; to provide relative to penalties; to provide relative to definitions; to provide relative to dates of application; 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. 891—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 32:1252(8), (22)(a), and 23(a) and 1254(J)(4)(a), relative to the distribution and sale of motor vehicles; to provide for definitions; to provide for additional licensing and compliance requirements for motor vehicle lessors; and to provide for related matters.

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

HOUSE BILL NO. 909—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices

of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; 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. 909 by Representative Bruneau

AMENDMENT NO. 1

On page 12, line 9 after "office" insert "s" and delete the remainder of line and delete line 10

On motion of Senator Jones, 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. 977—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 42:1102(21), relative to the Code of Governmental Ethics; to provide for the definition of substantial economic interest for the purpose of the Code of Governmental Ethics; 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. 1010—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 32:300.3, relative to operating motor vehicles; to prohibit the operator or a passenger in a motor vehicle from smoking when children of a certain age are present; to provide relative to penalties for violations; to provide relative to citations issued for violations; to prohibit certain actions by law enforcement officers; and to provide for related matters.

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

HOUSE BILL NO. 1016—
BY REPRESENTATIVES CAZAYOUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 42:1114.3(B), (C), (D)(1) and (3), and (E)(3), relative to certain disclosures required by the Code of Governmental Ethics; to provide for disclosure reports and statements required to be filed by the Code of Governmental Ethics; to provide for initial disclosure statements; to provide for the manner of filing certain such disclosure statements; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1036—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

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

HOUSE BILL NO. 1051—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 18:18.2, relative to the secretary of state engaging in certain political activities; to prohibit the secretary of state from engaging in certain political activities, except related to his own candidacy; to provide relative to the definitions; 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. 1078—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.37(A)(1), (B), (C)(1), (D)(1), (E), (G), and (H), 969.38(A), (B), (C)(1) and (2), and (D), 969.39(A) and (B), 969.40(B), (C), and (D), and 969.41(A), (B), and (C), relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for licensing procedures; to provide for denial, suspension, or revocation of licenses; to provide for investigations and complaints; to provide for the powers of the commission; to provide for the penalties imposed by the commission; and to provide for related matters.

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

HOUSE BILL NO. 1137—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:844.31(A), relative to telemarketing activities; to provide for the prohibition of telephonic solicitation during a state of emergency; to provide for exceptions; 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 Engrossed House Bill No. 1137 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, between "45:" and "844.31(A)" insert "844.14(A)(1) and (3)(b), and"

AMENDMENT NO. 2

On page 1, line 2, after "844.31(A)," insert "and to repeal R.S. 45:844.14(B),"

AMENDMENT NO. 3

On page 1, line 4, after "exceptions;" insert "to delete the requirement that a telephone subscriber who has requested a private or unlisted number be placed on the do not call list; to provide solicitors the option to provide a surety bond upon registration; to delete requirement that persons who sell, lease, or rent telephonic solicitation listings include numbers appearing on the "do not call" listing;"

AMENDMENT NO. 4

On page 1, line 6, delete "45:844.31(A) is" and insert "45:844.14(A)(1) and (3)(B), and 844.31(A) are"

AMENDMENT NO. 5

On page 1, between lines 6 and 7, insert the following:

"§844.14. Listing procedures; prohibited acts
A.(1) Any residential telephonic subscriber desiring to be placed on a "do not call" listing shall be placed on that listing upon the commission's receipt of a request form. This listing shall be effective for five years and renewed by the commission upon receipt of a renewal notice. ~~Any residential telephone subscriber that has previously requested that their number shall be listed as private or unlisted will automatically be placed on a "do not call" list.~~

* * *

(3)(a) * * *

(b) In order to obtain copies of the "do not call" listing, a telephonic solicitor shall, in addition to paying the applicable fee, register with the commission, pay any registration fee as required by the commission, and provide all necessary documentation as required by the commission. Such telephonic solicitor, as defined in this Chapter, ~~shall also be required to~~ may maintain a bond in the amount of twenty thousand dollars in favor of the state of Louisiana to guarantee the payment of any administrative penalties assessed pursuant to this Chapter and file a copy of such bond with the commission.

* * *

AMENDMENT NO. 6

On page 3, after line 14, insert the following:
"Section 2. R.S. 45:844.14(B) is hereby repealed."

On motion of Senator Hollis, 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. 1169— (Substitute for House Bill No. 115 by Representative Pinac)

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:1123.115(A), relative to condominium management; to provide for privileges on immovables; and to provide for related matters.

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

HOUSE BILL NO. 1232—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

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

HOUSE BILL NO. 1254—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1254 by Representative Durand

AMENDMENT NO. 1

On page 1, line 3 after "(20)" insert "and 2844(E)"

AMENDMENT NO. 2

On page 1, line 8 after "(20)" insert "and 2844(E)"

AMENDMENT NO. 3

On page 2, after line 9 insert the following:

"E. The number of board members necessary to constitute a quorum for the transaction of business shall never be less than one third of the entire membership of the board. A majority vote of the board members constituting a quorum shall be necessary for any action taken by the board."

On motion of Senator McPherson, 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. 1255—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:3386.1(3), (10), and (14), 3387.1(A) and (E)(2), 3387.2(A) and (E)(1), 3388.2(A), (B), and (D), and 3389, to enact R.S. 36:259(E)(24) and R.S. 37:3387.10 through 3387.14, and to repeal R.S. 37:3386.1(13) and R.S. 37:3387.7 through 3387.9, relative to the Addictive Disorders Practice Act; to provide transitional authority for the Addictive Disorder Regulatory Authority; to provide for definitions; to provide for licensed prevention professionals, certified prevention professionals, registered prevention professionals, prevention services assistants, and certified prevention supervisors; to provide for the Addictive Disorder Regulatory Authority; and to provide for related matters.

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

HOUSE BILL NO. 1265—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; 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 Engrossed House

Bill No. 1265 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:

"(4) At the time of the telephonic call by the excavator or demolisher, the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place shall notify the excavator or demolisher who wishes to excavate or demolish in the parishes listed in Paragraph (3) of this Subsection, that the mark-by-time is ninety-six hours in those parishes. The regional notification center or centers shall also adequately notify the excavator or demolisher by placing in bold type on the call ticket, that the "mark-by-time" period in the area is for ninety-six hours."

On motion of Senator Hollis, 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. 1270—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

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

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations, standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1325—

BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 51:941(3), relative to economic development; to provide for a definition of "small and emerging business"; 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 Engrossed House Bill No. 1325 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 2, after "51:941(3)" insert "and to enact R.S. 51:1926(A)(5)"

AMENDMENT NO. 2

On page 1, line 3, between the semicolon ";" and "and" insert "to provide for certain qualified investments by certified capital companies; to provide for the purpose of such investments; to

provide for the powers and duties of the commissioner;"

AMENDMENT NO. 3

On page 1, line 5, after "reenacted" insert "and R.S. 51:1926(A)(5) is hereby enacted"

AMENDMENT NO. 4

On page 1, after line 15, insert the following:

"§1926. Requirements for continuance of certification

A. A certified Louisiana capital company is required to comply with all of the requirements of this Section in order to continue certification of its investment pools as certified capital. To continue the certification of any investment pools as certified capital, a certified Louisiana capital company must make qualified investments from each investment pool according to the following schedule:

* * *

(5) Notwithstanding any other provision of law to the contrary, for purposes of this Chapter a qualified investment shall include an investment received by a business prior to August 29, 2005 that was either made by or participated to a certified capital company for the purpose of moving the headquarter operations of the business to Louisiana and which business ceased its operations subsequent to August 29, 2005, but prior to the completion of the relocation to Louisiana. The commissioner shall determine if an investment meets the requirements of this Paragraph.

* * *

On motion of Senator Hollis, 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. 1377— (Substitute for House Bill No. 502 by Representative Pinac)

BY REPRESENTATIVE PINAC
AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

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

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1003 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1003—

BY REPRESENTATIVES SALTER AND SCALISE
AN ACT

To enact R.S. 47:337.9(F), relative to the Uniform Local Sales Tax Code; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 546, was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Lentini, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 24, 2006, was reconsidered.

SENATE BILL NO. 60—

BY SENATORS LENTINI AND BOASSO
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) and to add Section 29(E)(6) of the Constitution of Louisiana, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Lentini, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees, Subject to Call

The following Senate Bills and Joint Resolutions reported by Committees, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 594 be called from the Calendar at this time.

SENATE BILL NO. 594—

BY SENATOR SHEPHERD
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to environmental quality; to provide for the authority of the secretary of the Department of Environmental Quality; to provide relative to the distribution of a percentage of tipping fees from certain landfills in certain parishes; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 594 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 3, delete "to prohibit"

AMENDMENT NO. 2

On page 1, delete line 4, and insert "to provide relative to the distribution of a percentage of tipping fees from certain landfills in certain parishes; and to provide for"

May 25, 2006

AMENDMENT NO. 3

On page 1, line 14, after "contrary," insert "if and when"

AMENDMENT NO. 4

On page 1, line 15, delete "shall not" and change "permit" to "permits"

AMENDMENT NO. 5

On page 1, line 17, after "census" delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete lines 1 and 2 and insert:

"ten percent of all tipping fees shall be deposited into a Mitigation Fund created by the respective parish governing authority for the remediation and restoration of contamination in and around any Type III construction and demolition solid waste disposal facility in such parish. Such respective parish governing authority shall adopt an ordinance for the distribution of such fees."

On motion of Senator Fontenot the committee amendment was adopted. The amended bill was read by title ordered engrossed and recommitted to the Committee on Environmental Quality.

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT

Senate Bill No.507 by Senator Heitmeier

May 17, 2006

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 507 by Senator Heitmeier recommend the following concerning the Engrossed bill:

- 1. That the House Floor Amendment proposed by Representative Alario and adopted by the House of Representatives on April 25, 2006, be adopted.

Respectfully submitted,

Senators: Francis C. Heitmeier, Willie Mount, Robert Adley

Representatives: John A. Alario, Jr., Charlie DeWitt, Billy Montgomery

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Heitmeier, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Bajoie, Barham, Boasso, Broome, Chaisson, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero

Cheek, Cravins, Dardenne, Dupre, Ellington, Jones, Kostelka, Lentini, Malone, Marionneaux, Schedler, Shepherd, Smith, Theunissen, Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee, Total - 3

Cain

Duplessis

The Chair declared the Conference Committee Report was adopted. Senator Heitmeier moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Bagneris Rule

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

Without objection, so ordered.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 486—

BY SENATOR JACKSON

AN ACT

To enact R.S. 39:2(49) and 36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 607—

BY SENATORS FONTENOT, ADLEY, BOASSO, CRAVINS, DARDENNE, N. GAUTREAUX, HOLLIS AND QUINN AND REPRESENTATIVES HEBERT, RICHMOND, JACK SMITH AND TRICHE

AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies; and to provide for related matters.

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

SENATE BILL NO. 609—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2418(G), (I), (N), and (O)(3), relative to waste tires; to sunset the fund in the state treasury known as the "Waste Tire Management Fund"; to provide certain terms, conditions, and procedures; to provide for certain fees and funds; to provide for payments to qualified waste tire processors for processing waste tires; to provide for deposit of certain fees, fines, penalties and interest, and costs; to provide for

"undisputed obligations"; to provide for a termination date; and to provide for related matters.

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

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

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

Called from the Calendar

Senator Lentini asked that Senate Bill No. 59 be called from the Calendar at this time.

SENATE BILL NO. 59—
BY SENATORS LENTINI AND BOASSO
AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, and to enact R.S. 11:293, relative to retirement benefits; to provide relative to state and statewide retirement systems; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of conviction by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of a conviction; to authorize a civil action by a state or statewide retirement system under certain circumstances; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Lentini asked that Senate Bill No. 669 be called from the Calendar at this time.

SENATE BILL NO. 669—
BY SENATOR LENTINI
AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950 and to enact R.S. 11:293, relative to retirement benefits; to provide relative to any public retirement or pension system; to provide relative to elected officials and public employees enrolled in such systems; to require the forfeiture of retirement pensions for such persons who are convicted of certain felonies while in such positions; to provide relative to the employee contributions of such persons; to require reporting of convictions by the employers of such persons; to require that such forfeiture benefits be stayed during an appeal of conviction; to authorize a civil action by a public retirement or pension system under certain circumstances; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Nevers asked that Senate Bill No. 749 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 749— (Substitute of Senate Bill No. 335 By Senator Nevers)
BY SENATORS NEVERS AND HINES
AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.5, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the governing boards of public schools not under the jurisdiction of a local board; to provide relative to the funding for dual enrollment; and to provide for related matters.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1
On page 7, line 29, after "**year**" insert "**or as soon as funding is made available**"

On motion of Senator Nevers, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

May 25, 2006

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 1— BY REPRESENTATIVE WADDELL A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on Medicaid reimbursement, relative to Vagus Nerve Stimulators, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 212— BY REPRESENTATIVE WINSTON A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to support and establish a free trade agreement between the United States and Taiwan.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Fields, McPherson, Adley, Fontenot, Michot, Bajoe, Gautreaux B, Mount, Barham, Gautreaux N, Murray, Boasso, Heitmeier, Nevers, Broome, Hollis, Quinn, Chaisson, Jackson, Romero, Cheek, Jones, Schedler, Cravins, Kostelka, Shepherd, Dardenne, Lentini, Smith, Dupre, Malone, Theunissen, Ellington, Marionneaux, Ullo, Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Cain, Duplessis, Total - 3

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 744— BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and R.S. 36:209(O) and to enact R.S. 36:802.21, relative to New Orleans City Park; to provide for the powers, duties, functions, and responsibilities of the New Orleans City Park Improvement Association and its board of commissioners and the powers, duties, functions, and responsibilities of the Department of Culture, Recreation and Tourism and its officers and offices with respect to the park and the association and its board of commissioners; to provide that the association and its board shall be policymaking agencies; to provide for certain other powers of the board; to provide relative to employees, their appointing authority, civil service status, and certain benefits; to provide relative to contracts with a nonprofit or not-for-profit firm, corporation, or entity and the authority therefor; to provide relative to funds and funding and related procedures; to provide that the secretary of the Department of Culture, Recreation and Tourism shall be a member of the board; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 744 by Representative Bruneau

AMENDMENT NO. 1

On page 7, line 7, after "E." insert:

"(1)(a) Section 8 of Act No. 865 of the 1982 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, is specifically recognized and shall remain in effect.

(b) New Orleans City Park and the New Orleans City Park Improvement Association shall prepare and make available a plan providing specific goals and objectives for the use of any state general funds, including measures of performance and a proposed comprehensive budget for the appropriated funding. Any appropriated state general funds will become available to New Orleans City Park and the New Orleans City Park Improvement Association upon approval of the plan by the Secretary of the Department of Culture, Recreation and Tourism.

(c) New Orleans City Park and the New Orleans City Park Improvement Association and its board of commissioners shall submit to the Department of Culture, Recreation and Tourism a comprehensive report of receipts and expenditures at least quarterly in such form as the department may require and shall provide the department with any other information it may request.

(2)"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Fields, McPherson, Adley, Fontenot, Michot, Bajoe, Gautreaux B, Mount, Barham, Gautreaux N, Murray, Boasso, Heitmeier, Nevers

Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 764—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 780—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 824—

BY REPRESENTATIVES FRITH, PIERRE, JACK SMITH, AND ST. GERMAIN AND SENATOR MALONE
AN ACT

To amend and reenact R.S. 56:104(B)(4), 104.1(A), and 116.3(A)(1)(a) and (B) and to repeal R.S. 56:116(B)(3), relative to hunting with bow and arrow; to authorize the use of magnified scopes with crossbows; to authorize the use of a mechanically held bow in certain circumstances; to authorize the use of certain arrow points; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 824 by Representative Frith

AMENDMENT NO. 1

On page 2, line 8, between "crossbows" and "." insert "when indicated as needed by an optometrist or ophthalmologist"

AMENDMENT NO. 2

On page 2, line 24 "crossbows" and "." insert "when indicated as needed by an optometrist or ophthalmologist"

AMENDMENT NO. 3

On page 3, line 15 "crossbows" and "." insert "when indicated as needed by an optometrist or ophthalmologist"

On motion of Senator Malone, the amendments were adopted.

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

May 25, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 825—
 BY REPRESENTATIVES ST. GERMAIN, DANIEL, LAMBERT, PIERRE,
 AND JACK SMITH AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 56:6.1 and to repeal R.S. 56:317, relative to emergency season closures for hunting and fishing; to authorize the emergency closure of hunting or fishing seasons by the secretary of the Department of Wildlife and Fisheries; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 835—
 BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS
 MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 836—
 BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN
 AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 840—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, PIERRE, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:103(E), relative to hunting licenses; to provide penalties for use of a hunting license by a person other than the licensee; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 918—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers

Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 953—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To authorize and provide for the transfer of certain state property in West Feliciana from the division of administration to Turnbull Incorporated; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1069—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:572(1)(a), relative to the Natural Resources and Energy Act of 1973; to provide that when intrastate natural gas is rationed or allocated because of an emergency shortage, priority is given to the petroleum, petrochemical, and chemical industry to the extent necessary to ensure the protection of the public health, safety, and the environment; and to provide for related matters.

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

May 25, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1071—

BY REPRESENTATIVES HUNTER, ALARIO, BARROW, DEWITT, DORSEY, GLOVER, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOIE, HINES, MOUNT, AND NEVERS
AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.44, relative to housing; to enact and provide for the Louisiana Housing Preservation Act; to provide relative to the identification and rehabilitation of blighted housing property and procedures therefor; to provide for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto; to provide for designation of qualified rehabilitation entities; to provide relative to permits, taxes, liens, obligations, and liability; to provide relative to certain preferences; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Reengrossed House Bill No. 1071 by Representative Hunter

AMENDMENT NO. 1

On page 18, line 27, after "has determined that" delete the remainder of the line and insert "at least fifty percent of the rehabilitation plan is complete."

AMENDMENT NO. 2

On page 18, line 28, delete "rehabilitation will be complete."

AMENDMENT NO. 3

On page 18, line 29, after "attesting" insert "to the frame within which"

AMENDMENT NO. 4

On page 19, line 1, delete "within that time period."

AMENDMENT NO. 5

On page 19, at the beginning of line 16, between "A." and "A local" insert "(1)"

AMENDMENT NO. 6

On page 19, between lines 18 and 19, insert the following:

"(2) The owner shall be served with a copy of the petition in accordance with the Code of Civil Procedure Article 1201 et seq. and be given an opportunity to respond."

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1086—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 49:214.7(A) and to enact R.S. 49:214.7(E), relative to barrier islands; to require that barrier island stabilization or reconstruction projects contain a minimum dune height; to require the Department of Natural Resources to report annually to the legislature relative to the status and plans for barrier islands; 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	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

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

HOUSE BILL NO. 1103—

BY REPRESENTATIVES WADDELL, BEARD, DANIEL, DOWNS, ERDEY, GREENE, HUTTER, PITRE, M. POWELL, QUEZAIRE, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(c) and 410(A)(3)(a)(iii) and R.S. 47:503(A)(3) and to enact R.S. 32:409(C), relative to personal information required by the office of motor vehicles on drivers license and motor vehicle registration applications; to provide relative to the address requirements on such forms for certain applicants; to provide exceptions for law enforcement officers, court officers, and members of their immediate families; to prohibit the release of personal information for such persons under certain circumstances; to provide for certain definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversize and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

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

HOUSE BILL NO. 1184—

BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN, AND WALKER

AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Cain Duplessis
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the

May 25, 2006

bill was passed and laid the motion on the table.

HOUSE BILL NO. 1190—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Fontenot, Mount, Adley, Gautreaux B, Murray, Bajejo, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Broome, Hollis, Romero, Chaisson, Jackson, Schedler, Cheek, Jones, Shepherd, Cravins, Kostelka, Smith, Dardenne, Lentini, Theunissen, Dupre, Malone, Ullo, Ellington, McPherson, Fields, Michot.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Amedee, Cain, Marionneaux, Boasso, Duplessis.

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

Senator McPherson in the Chair

HOUSE BILL NO. 1212—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Fontenot, Michot, Adley, Gautreaux B, Mount, Bajejo, Gautreaux N, Murray, Barham, Heitmeier, Nevers, Boasso, Hollis, Quinn, Broome, Jackson, Romero, Chaisson, Jones, Shepherd, Cheek, Kostelka, Smith, Cravins, Lentini, Theunissen, Dupre, Malone, Ullo, Ellington, Marionneaux.

Table with 2 columns: Name, Count. Includes Fields, McPherson, Total - 34, NAYS.

Table with 2 columns: Name, Count. Includes Total - 0, ABSENT.

Table with 3 columns: Name, Count. Includes Amedee, Dardenne, Schedler, Cain, Duplessis, Total - 5.

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

HOUSE BILL NO. 1230—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 33:2740.42(A)(1) and (D), relative to Allen Parish; to authorize the governing authority to levy and collect an additional hotel occupancy tax with voter approval; to provide for the use of such tax; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1230 by Representative Hill

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on May 22, 2006.

AMENDMENT NO. 2

On page 2, line 6, change "One-half" to "One-third"

AMENDMENT NO. 3

On page 2, line 7, after "Airport" delete "and one-half" and insert ", and one-third"

AMENDMENT NO. 4

On page 2, line 8, after "Courthouse" and before the period "." insert ", and one-third of the proceeds shall be allocated to the Allen Parish assessor to be used for the expenses of the Allen Parish assessor's office"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Fields, McPherson, Adley, Fontenot, Michot, Bajejo, Gautreaux B, Mount, Barham, Gautreaux N, Murray, Broome, Heitmeier, Nevers, Chaisson, Hollis, Romero, Cheek, Jackson, Schedler, Cravins, Jones, Smith, Dardenne, Kostelka, Theunissen, Dupre, Lentini, Ullo, Ellington, Marionneaux, Total - 32.

NAYS

Quinn
Total - 1

ABSENT

Amedee	Cain	Malone
Boasso	Duplessis	Shepherd
Total - 6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1257—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:463.131 and 463.132, relative to motor vehicle prestige license plates; to provide for the creation of a Support Our Troops prestige license plate; to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1282—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1294—
BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT

To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D) and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler

May 25, 2006

Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1306—
BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Chaisson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Ellington	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Duplessis	Romero
Cain	Gautreaux B	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1332—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

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

HOUSE BILL NO. 649—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 47:1998(G), relative to appeals of tax assessments; to provide for the payment of attorney fees, expert fees, and costs under certain circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 649 by Representative Salter

AMENDMENT NO. 1

On page 1, line 14, change "all" to "reasonable"

AMENDMENT NO. 2

On page 1, line 17, after "assessment" insert "in full"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero

Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 684—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1978.1, 1992(F)(1) and (G), and 1997(C), relative to property assessment; to provide for listing and assessment procedures; 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	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Dupre	Malone	
Ellington	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Duplessis	Schedler
Cain	Romero	
Total - 5		

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

HOUSE BILL NO. 958—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:303(B)(3)(b)(v), relative to the collection of local sales and use tax on motor vehicles; to specify procedure for resolution of boundary disputes between taxing bodies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Cain	Duplessis
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1158—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 47:820.4(D), relative to the Transportation Infrastructure Model for Economic Development; to provide relative to bonds sold to fund the program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Dupre	Malone	Ullo
Ellington	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Duplessis
Cain	Schedler
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

May 25, 2006

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

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

Called from the Calendar

Senator Mount asked that House Bill No. 717 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 717— BY REPRESENTATIVE SALTER AN ACT

To enact R.S. 33:2737.79, to authorize the Sabine Parish School Board to levy and collect an additional sales and use tax; to provide for the maximum rate of the tax and for imposition and collection of the tax; to provide for the use of tax proceeds; to provide for an effective date; 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, Ellington, McPherson, Adley, Fields, Michot, Bajorie, Fontenot, Mount, Barham, Gautreaux B, Murray, Boasso, Heitmeier, Nevers, Broome, Hollis, Quinn, Chaisson, Jackson, Romero, Cheek, Jones, Theunissen, Cravins, Kostelka, Ullio, Dardenne, Lentini, Dupre, Malone, Total - 31

NAYS

Smith Total - 1

ABSENT

Amedee, Gautreaux N, Shepherd, Cain, Marionneaux, Duplessis, Schedler, Total - 7

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

Called from the Calendar

Senator Dardenne asked that House Bill No. 973 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 973— BY REPRESENTATIVE GREENE AN ACT

To enact Part II-B of Chapter 4 of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:491 and 492, and to repeal R.S. 47:463.3, relative to motor vehicle license plates; to provide relative to the creation and issuance of ham radio station license plates for owners or operators; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Fields, McPherson, Adley, Fontenot, Michot, Bajorie, Gautreaux B, Mount, Barham, Gautreaux N, Murray, Boasso, Heitmeier, Nevers, Broome, Hollis, Quinn, Chaisson, Jackson, Romero, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullio, Dupre, Malone, Ellington, Marionneaux, Total - 34

NAYS

Total - 0

ABSENT

Amedee, Duplessis, Shepherd, Cain, Schedler, Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne 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 McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

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

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 248 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 248— BY SENATOR MCPHERSON AN ACT

To enact R.S. 15:574.23, relative to parole; to authorize the Board of Parole to release an offender on medically recommended intensive supervision; to require the promulgation of rules and regulations to administer the program; to require the department to work with Department of Health and Hospitals to assure the use of Medicare and Medicaid funding for the operation of such program; 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	Ellington	Marionneaux
Adley	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Chaisson	Hollis	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Dupre	Malone	
Total - 31		

NAYS

Lentini
Total - 1

ABSENT

Amedee	Mount	Shepherd
Cain	Nevers	
Duplessis	Schedler	
Total - 7		

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

Rules Suspended

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

**Senate Resolutions
on Second Reading, Subject to Call**

The following Senate Resolutions, subject to call were read and acted upon as follows:

Called from the Calendar

Senator Shepherd asked that Senate Resolution No. 78 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 78—
BY SENATORS SHEPHERD AND ULLO
A RESOLUTION**

To commend and congratulate Chris and Laura Richard for their efforts in getting the church and physical plant at St. Joseph the Worker Catholic Church back up and functional after Hurricane Katrina and for their continued dedication to the church parish.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 25, 2006

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 1—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT**

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

**HOUSE BILL NO. 2—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT**

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**HOUSE BILL NO. 3—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT**

To enact the Omnibus Bond Authorization Act of 2006, 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.

**HOUSE BILL NO. 277—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT**

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

**HOUSE BILL NO. 1208—
BY REPRESENTATIVE ALARIO
AN ACT**

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

**HOUSE BILL NO. 1209—
BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT,
SALTER, TOOMY, AND TOWNSEND AND SENATORS CHAISSON,
HINES, LENTINI, AND MARIONNEAUX
AN ACT**

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

**HOUSE BILL NO. 1244—
BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD,
AND ALARIO AND SENATORS HINES, BAJOIE, FIELDS, JONES, AND
HEITMEIER
AN ACT**

To appropriate funds for Fiscal Year 2006-2007 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

May 25, 2006

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 1—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 2—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 3—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2006, 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 Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 277—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1208—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1209—
BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT,
SALTER, TOOMY, AND TOWNSEND AND SENATORS CHAISSON,
HINES, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1244—
BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD,
AND ALARIO AND SENATORS HINES, BAJOIE, FIELDS, JONES, AND
HEITMEIER
AN ACT

To appropriate funds for Fiscal Year 2006-2007 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

Senator B. Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 25, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 708—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 11:3366, 3370(A), 3378(A)(1)(c) through (f) and (h) and (2)(a) through (c), 3383(A), and 3384(A) and (B), relative to retirement; to provide with respect to the Firefighters' Pension and Relief Fund in the City of New Orleans; to provide for eligibility and benefits; to provide for military service credit; to provide for use of excess interest earnings; to provide for survivor benefits; to provide for minimum benefits; to provide for computation of benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
D. A. "BUTCH" GAUTREAU
Chairman

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

May 25, 2006

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. 43— BY SENATORS SMITH AND ELLINGTON AND REPRESENTATIVES CHANDLER, MONTGOMERY, SALTER AND TOWNSEND A CONCURRENT RESOLUTION

To commend and congratulate Northwestern State University Demons basketball coach, Mike McConathy, upon the occasion of the completion of the 2005-2006 basketball season, which included a win in the National Collegiate Athletic Association (NCAA) men's basketball tournament and the winning of its second consecutive Southland Conference championship.

SENATE CONCURRENT RESOLUTION NO. 100— BY SENATORS MALONE, CHEEK AND JACKSON A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sarah Ann Hoffman Snyder.

SENATE CONCURRENT RESOLUTION NO. 102— BY SENATOR DARDENNE A CONCURRENT RESOLUTION

To recognize October 1, 2006, as World Peace Day in the state of Louisiana.

Respectfully submitted, CHARLES D. JONES Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 25, 2006

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 Bill has been properly enrolled:

SENATE BILL NO. 146— BY SENATOR MCPHERSON AN ACT

To amend and reenact R.S. 56:116.4(A)(3), to provide relative to turkey hunting; to provide for the method of taking turkeys; to provide relative to certain exceptions; to provide relative to certain distance requirements; and to provide for related matters.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Bill was signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 25, 2006

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. 2— BY SENATOR N. GAUTREAUX AND REPRESENTATIVE MCDONALD AND SENATORS CHAISSON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, ADLEY, BAJOIE, BARHAM, BOASSO, CHEEK, CRAVINS, DARDENNE, DUPRE, B. GAUTREAUX, JONES, LENTINI, MCPHERSON, MURRAY, QUINN, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BRUCE, BURNS, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CURTIS, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GEYMANN, GREENE, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HUTTER, JEFFERSON, JOHNS, KATZ, KENNEY, KLECKLEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL AND WALSWORTH AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C), 81(C), and 81.1(E), and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen; to provide relative to the electronic monitoring of offenders; and to provide for related matters.

SENATE BILL NO. 26— BY SENATOR DUPRE AN ACT

To enact R.S. 49:213.1(E) and 213.4(A)(7), and to repeal R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature, relative to the Coastal Protection and Restoration Authority; to provide relative to its powers, duties, and functions; to authorize the authority to serve as the single entity responsible to act as local sponsor for certain projects relative to hurricane protection and flood control; to authorize the authority to enter into certain contracts relative to hurricane protection and flood control projects; and to provide for related matters.

SENATE BILL NO. 142— (Duplicate of House Bill No. 200) BY SENATOR ADLEY AND REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 26:901(16) and 909 and R.S. 47:843(C)(5), 844, 848(B), and 859(A)(1) and to enact R.S. 26:907.1 and 916(H), relative to regulation of tobacco products; to provide for certain regulation, permitting, and other requirements for certain elements of the tobacco industry; to authorize enforcement and audit of certain activities; to provide for a new provision governing dealer permits under the office of alcohol and tobacco control; to provide for suspension or revocation of a permit by the office of alcohol and tobacco control; to provide for applying for and obtaining a permit; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 173— BY SENATOR FONTENOT AN ACT

To amend and reenact R.S. 30:2179, relative to environmental quality; to require the secretary of the Department of Environmental Quality to evaluate hazardous waste capacity in order to safely and efficiently manage such waste; and to provide for related matters.

May 25, 2006

SENATE BILL NO. 180—
BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and R.S. 15:574.9(B), relative to probation and parole; to provide for revocation of probation and parole; to limit incarceration period for technical violations; and to provide for related matters.

SENATE BILL NO. 217— (Duplicate of House Bill No. 608)
BY SENATOR NEVERS AND REPRESENTATIVE BOWLER AND
COAUTHORED BY SENATOR CHEEK

AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1541 and 1553(C), relative to unemployment compensation; to provide with respect to contributions; to provide for the social charge account and unemployment benefit charges arising from executive orders issued by the governor in response to a declared disaster or emergency; to prohibit the charging of such benefits to employers' experience rating records; to prohibit the recoupment of such benefits through the social charge tax; and to provide for related matters.

SENATE BILL NO. 407— (Duplicate of House Bill No. 819)
BY SENATOR LENTINI AND REPRESENTATIVE TRICHE AND
COAUTHORED BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(introductory paragraph) and (a) and to enact R.S. 27:364(A)(1)(b)(vi), relative to the Department of Social Services; to provide for the authority to seize progressive slot machine annuities from individuals in arrearage in child support; to authorize the gaming control board to promulgate rules for the seizure of progressive slot machine annuities; and to provide for related matters.

SENATE BILL NO. 85—
BY SENATOR JONES

AN ACT

To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and procedures for such centers; to provide for eligibility; and to provide for related matters.

SENATE BILL NO. 134—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:2120.33(13), (14)(c), and (16), relative to brain injury facilities; to redefine certain terms; and to provide for related matters.

SENATE BILL NO. 135—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:2212(C)(1), relative to basic benefit plans provided under a health care cost control program; to prohibit the basic benefit plan from excluding direct reimbursement to advanced practice registered nurses under certain circumstances; and to provide for related matters.

SENATE BILL NO. 139—
BY SENATOR HINES

AN ACT

To enact R.S. 37:2504 (D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide that the board is authorized to operate and maintain the Certified Nursing Aide Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or other paraphernalia and to charge an amount for providing them; and to provide for related matters.

SENATE BILL NO. 154— (Duplicate of House Bill No. 1124)
BY SENATOR N. GAUTREAUX AND REPRESENTATIVE FRITH

AN ACT

To enact R.S. 9:348, relative to children; to provide relative to visitation orders; to provide for missed visitation due to certain military active duty; to require compensatory days of visitation in such instances; to require negotiation between parents; to provide for court intervention in certain circumstances; to authorize court-ordered mediation; to provide relative to court costs; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 162—
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 56:320(A)(5), relative to wire nets; to repeal the provision that a wire net shall only be used for the taking of legal size catfish; and to provide for related matters.

SENATE BILL NO. 196—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3414, relative to the Agricultural Commodity Dealer and Warehouse Law; to require warehousemen to provide quarterly statements to producers contracting for storage of grain; and to provide for related matters.

SENATE BILL NO. 209—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2054(B)(9) and to enact R.S. 30:2074(B)(10), relative to environmental quality; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits; to provide for limitations on such authority; and to provide for related matters.

SENATE BILL NO. 250—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2022(B)(1) and (2), relative to the Department of Environmental Quality; to provide for the processing and review of permit applications for new facilities and applications for substantial permit modifications; to provide that certain administrative completeness review on permit application is to be made within sixty days after the application is submitted; to provide that a final decision on a permit is to be made within three hundred days after the application is submitted; and to provide for related matters.

SENATE BILL NO. 253—
BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, KOSTELKA,
NEVERS AND SMITH AND REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 14:44.2(A), relative to aggravated kidnapping of a child; increases the child's age requirement; and to provide for related matters.

SENATE BILL NO. 388— (Duplicate of House Bill No. 696)
BY SENATOR ELLINGTON AND REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 47:1576.1, relative to settlement offers made by taxpayers; to require certain determinations of tax due and prescription of tax refunds or credits; to require certain responses by the secretary of the Department of Revenue to settlement offers; and to provide for related matters.

SENATE BILL NO. 401—
BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1(A)(1) and (H)(3), relative to post- conviction relief; to provide for an application for DNA testing; to remove the time period in which an application requesting DNA testing may be filed; and to provide for related matters.

SENATE BILL NO. 448— (Duplicate of House Bill No. 768)

BY SENATOR BROOME AND REPRESENTATIVE PINAC AND COAUTHORED BY REPRESENTATIVES BADON, BARROW, FANNIN, GREENE, HONEY, KENNEY, T. POWELL, ALEXANDER, BALDONE, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, BURRELL, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, JEFFERSON, KATZ, LAFONTA, MARCHAND, MONTGOMERY, MORRELL, PIERRE, M. POWELL, QUEZAIRE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, STRAIN, TOWNSEND, TRAHAN, WADDELL, WALKER AND WALSWORTH

AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain school boards to provide information relative to certain immunizations and diseases; to provide for rules and regulations; and to provide for related matters.

SENATE BILL NO. 477—

BY SENATOR CAIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 578 and to enact Code of Criminal Procedure Article 572(C), relative to bail; to provide for the expiration of bail bonds when the time for prosecuting certain offenses has lapsed; and to provide for related matters.

SENATE BILL NO. 547—

BY SENATORS MURRAY, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MCPHERSON, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFLEUR, LAFONTA, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TOWNSEND, TRAHAN, WADDELL AND WALKER

AN ACT

To enact R.S. 15:572.9, relative to pardons; to provide that a person convicted of violating a state law or municipal ordinance the purpose of which was to maintain or enforce racial separation or discrimination shall be granted a pardon of the conviction upon application; to provide for a hearing if the state objects to the granting of the pardon; and to provide for related matters.

SENATE BILL NO. 615—

BY SENATORS FONTENOT, BAJIOIE, HINES, MOUNT AND NEVERS AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE AND SALTER

AN ACT

To enact Chapter 23 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2571 through 2588, relative to environmental quality; to create and provide relative to the Mercury Risk Reduction Act; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations to carry out the provisions of this Chapter; to provide for definitions; to provide for manufacturer notifications; to provide relative to public disclosure of confidential business information; to provide relative to restrictions on the sale of certain mercury-added products; to provide for exemptions and phase outs; to provide relative to labeling of mercury-added products; to provide relative to public notification; to provide relative to the collection of mercury-added products; to provide relative to disclosure for mercury containing formulated products; to provide relative to the use of elemental mercury; to provide relative to existing inventories of mercury-added products; to authorize the Department of Environmental Quality to implement a public education and outreach program; to provide relative to state procurement preferences for low or non-mercury-added products; to provide relative to mercury containing devices in water and wastewater systems; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 636— (Duplicate of House Bill No. 1152)

BY SENATOR DUPRE AND REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 38:329.1, relative to levees; to provide for the powers and duties of the South Lafourche Levee District; to provide relative bonding and taxing authority of the district; and to provide for related matters.

SENATE BILL NO. 646— (Duplicate of House Bill No. 1176)

BY SENATOR MURRAY AND REPRESENTATIVE T. POWELL

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign finance; to prohibit certain campaign contributions made to candidates seeking the office of the commissioner of insurance; to prohibit service providers who contract or subcontract with the Louisiana Citizens Property Insurance Corporation from making campaign contributions to such candidates; to define the term service provider; to provide for applicability to certain campaign contributions; and to provide for related matters.

SENATE BILL NO. 692—

BY SENATOR ADLEY

AN ACT

To authorize the state of Louisiana, acting through the Military Department, and the secretary of the Department of Wildlife and Fisheries to sell, convey, transfer, assign, and deliver to each other certain state property located in Webster Parish.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House**SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

May 25, 2006

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 12—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:220.1(B), relative to leased movables; to increase the penalty for failure to return a leased movable in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 56—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:2795.3(A)(1), (3)(a), (4), and (7), relative to civil liability; to provide a limitation of liability for horse racing; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 76—

BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, PITRE, AND TOOMY AND SENATORS LENTINI AND SHEPHERD

AN ACT

To enact R.S. 42:1441.3(G), relative to public liability; to provide for the civil liability of political subdivisions; to provide for the determination of master for liability purposes; to provide for political subdivisions acting as third-party payors; and to provide for related matters.

May 25, 2006

HOUSE BILL NO. 86—
BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON
AN ACT

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

HOUSE BILL NO. 89—
BY REPRESENTATIVES LAFLEUR, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, KATZ, KENNEY, LAFONTA, LAMBERT, LANCASTER, MCDONALD, MCVEA, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WADDELL, WALKER, AND WHITE AND SENATOR CAIN
AN ACT

To amend and reenact R.S. 14:19 and 20, relative to the justifiable use of force or violence; to provide for a presumption in the use of force or violence under certain circumstances; to provide for immunity for criminal prosecution for the use of force or violence under certain circumstances; to provide for applicability; to provide that there is no duty to retreat when a person is lawfully where they should be; and to provide for related matters.

HOUSE BILL NO. 150—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(i), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 151—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(b), relative to the Department of Economic Development; to provide for re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 203—
BY REPRESENTATIVES PINAC AND M. POWELL
AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

HOUSE BILL NO. 205—
BY REPRESENTATIVES LAFONTA AND KATZ
AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(1)(a)(ii), (b)(ii), (d), (e), (j) through (l), (4), (7) through (9), and (13), (E)(3), and (G) and to repeal R.S. 40:2018.1 (B)(1)(q) and (s), relative to the Louisiana Commission on HIV, AIDS and Hepatitis C; to provide for a termination date; to provide for the members and functions of the commission; and to provide for related matters.

HOUSE BILL NO. 237—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 47:302.39(B), relative to state funds; to provide for the use of monies appropriated from the DeSoto Parish Visitor Enterprise Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 247—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(n), relative to the Louisiana Economic Development Council and certain other agencies within the office of the governor, including provisions to provide for the re-creation of the council and such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 256—
BY REPRESENTATIVES WALKER AND KATZ AND SENATOR JACKSON
AN ACT

To amend and reenact R.S. 28:454.15 and 824(A), R.S. 40:1300.51(2)(b), (3), and (5), 2006(A)(2)(k), (B)(2)(d), and (E)(2)(j), 2007.1(A)(1)(j), 2116(G) and (J)(1), 2120.4(B)(10)(c), 2180(2), 2180.1(introductory paragraph), and 2180.4(B), and R.S. 46:2622(6) and 2625(A)(1)(introductory paragraph) and (b), relative to intermediate care facilities for the mentally retarded; to change the name of intermediate care facilities for the mentally retarded to intermediate care facilities for people with developmental disabilities; and to provide for related matters.

HOUSE BILL NO. 261—
BY REPRESENTATIVE JOHNS AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 37:1164(2)(a), 1203(A)(7), 1209, 1232(B), and 1241(A)(17)(c), relative to the Pharmacy Practice Act; to provide for definitions; to provide for qualifications for reciprocity for pharmacists' licensure; to provide relative to pharmacists registered and licensed not less than fifty years; to provide relative to out-of-state pharmacies; to provide relative to the refusal, restriction, suspension, or revocation of licenses; and to provide for related matters.

HOUSE BILL NO. 296—
BY REPRESENTATIVE CAZAYOUX AND SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 47:302.28(B) and to repeal R.S. 47:302.28(C), relative to the Pointe Coupee Parish Visitor Enterprise Fund; to provide for uses of monies in the fund; and to provide for related matters.

HOUSE BILL NO. 302—
BY REPRESENTATIVES STRAIN, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, WADDELL, AND WINSTON AND SENATORS CHEEK AND NEVERS
AN ACT

To enact R.S. 37:761.1 and 795(B)(1)(l), relative to the dental practice act; to provide for the procedures and requirements to obtain a retired volunteer dental license; to provide for fees and costs; and to provide for related matters.

HOUSE BILL NO. 303—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:981.3(A), relative to the Uniform Controlled Dangerous Substances Law; to provide for violations of the Uniform Controlled Dangerous Substances Law in drug-free zones; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 358—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1406(1), relative to the unfair trade practices and consumer protection law; to provide for an exemption for federally insured financial institutions and licensees of the Office of Financial Institutions; and to provide for related matters.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

HOUSE BILL NO. 389—

BY REPRESENTATIVES TRICHE, ARNOLD, BALDONE, CURTIS, DARTEZ, FAUCHEUX, HEATON, KENNEY, AND WALSWORTH AND SENATORS ADLEY, DUPLESSIS, DUPRE, N. GAUTREAU, HOLLIS, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, AND ULLO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A)(3) and (5) of the Constitution of Louisiana, relative to the extension of the homestead exemption to trusts; to provide that the exemption shall extend to revocable and irrevocable trusts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 438—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

HOUSE BILL NO. 506—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:1782(14), 1796(A), and 1798(A) and to enact R.S. 37:1782(15) and (16), relative to pawnbrokers; to provide for definitions; to provide for recordkeeping; to provide for information to be furnished to police; and to provide for related matters.

HOUSE BILL NO. 706—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 19:136 and 136.1(3), relative to the expropriation of blighted property; to authorize the city of Grambling to expropriate by a declaration of taking; and to provide for related matters.

HOUSE BILL NO. 713—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

HOUSE BILL NO. 846—

BY REPRESENTATIVES DORSEY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND SALTER AND SENATORS BAJOIE, HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 29:769(E), relative to public health emergencies; to provide during such emergencies for the temporary registration of certain health care providers licensed in another jurisdiction of the United States; and to provide for related matters.

HOUSE BILL NO. 930—

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact Paragraph 23(introductory paragraph) of Article XIV, Section 15.1 of the Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana Constitution of 1974, and R.S. 33:2493 and 2553, relative to the municipal fire and police civil service; to provide relative to the qualifications of persons admitted to promotional and competitive employment tests; and to provide for related matters.

HOUSE BILL NO. 937—

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 33:2491(I) and 2551(9), relative to fire and police civil service boards; to provide relative to employment lists established and maintained by such boards; to provide relative to the qualifications of persons placed on such lists; and to provide for related matters.

HOUSE BILL NO. 975—

BY REPRESENTATIVE BRUCE AND SENATOR CHEEK

AN ACT

To enact R.S. 33:4766.1, relative to the village of Grand Cane; to provide relative to the repair of dilapidated and dangerous structures in the village; to authorize the governing authority of the village to file liens against property owners for failure to pay costs owed to such governing authority with respect to such structures; and to provide for related matters.

HOUSE BILL NO. 1006—

BY REPRESENTATIVES DOERGE, DOWNS, AND MONTGOMERY

AN ACT

To authorize and provide for the transfer of certain property, located in Webster Parish from the University of Louisiana System, acting with and on behalf of Louisiana Tech University, to the Military Department, state of Louisiana; and to provide for related matters.

HOUSE BILL NO. 1093—

BY REPRESENTATIVES DURAND, BALDONE, AND ROMERO

AN ACT

To amend and reenact R.S. 14:67.9, relative to theft of oil and gas equipment; to provide for increased penalties; and to provide for related matters.

HOUSE BILL NO. 1119—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3141.3(A)(4), 3141.5(C)(4), and 3141.18(A), (B), (C), and (D), to enact R.S. 17:3141.3(G) and R.S. 36:651(L) and 801.5, and to repeal R.S. 36:651(G)(1), relative to proprietary schools; to provide relative to the membership and duties of the Advisory Commission on Proprietary Schools; to provide relative to the revocation of licenses in the event of a change of ownership of a proprietary school; to provide relative to certain authority of the Board of Regents and the Advisory Commission on Proprietary Schools with regard to the investigation of complaints and hearings relative thereto; to provide relative to the placement of the Advisory Commission on Proprietary Schools in the executive branch of state government and for the exercise of its powers, duties, functions, and responsibilities; and to provide for related matters.

HOUSE BILL NO. 1134—

BY REPRESENTATIVE E. GULLORY

AN ACT

To amend and reenact R.S. 33:9576(A), (B), and (D)(5) and to enact R.S. 33:9576(C)(7), (D)(6), and (E), relative to the Calcasieu Parish Gaming Revenue District; to authorize the district to incur debt and issue bonds and other evidences of indebtedness; to provide for purposes and procedures; and to provide for related matters.

HOUSE BILL NO. 1135—

BY REPRESENTATIVE FRITH
AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Vermilion Parish.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.1(D)(3), (4), and (5), relative to the crime of cruelty to animals; to identify certain species of birds as animals for purposes of the crime; and to provide for related matters.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 25:380.92(C)(introductory paragraph) and to enact R.S. 25:380.92(C)(3), relative to the governing board of the Mansfield Female College Museum; to increase the membership; to provide relative to appointment; to provide relative to terms; and to provide for related matters.

HOUSE BILL NO. 1159—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 17:85.11, relative to naming a stadium; to authorize the parish school board in certain parishes to name a stadium in honor of a former football coach and a team doctor; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1201—

BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX, DORSEY, GEYMANN, GRAY, HEATON, MARTINY, QUEZAIRE, SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO, ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER AND SENATOR BROOME

AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

HOUSE BILL NO. 1210—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

HOUSE BILL NO. 1258—

BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE ROBIDEAUX AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, CAZAYOUX, CHANDLER, CRAVINS, CROWE, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1322—

BY REPRESENTATIVES DOWNS AND GALLOT
AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or use of state sales tax extension for certain economic development projects or programs; and to provide for related matters.

HOUSE BILL NO. 1335—

BY REPRESENTATIVES GLOVER, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, GALLOT, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFONTA, LAMBERT, MARTINY, MCDONALD, MONTGOMERY, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:67.16(A) and (C), relative to identity theft; to provide for penalties for the crime of identity theft against persons sixty years of age or older or disabled; and to provide for related matters.

HOUSE BILL NO. 1369— (Substitute for House Bill No. 581 by Representative Geymann)

BY REPRESENTATIVES GEYMANN, ALARIO, ALEXANDER, BAUDOIN, BEARD, BRUCE, BURNS, R. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GLOVER, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, LAMBERT, MARCHAND, MCDONALD, MONTGOMERY, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WHITE, AND WOOTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A) and to enact Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:561 through 561.7, relative to sex offenders; to provide for supervised release of sex offenders; to provide for the duties of the Department of Public Safety and Corrections; to provide for the conditions of supervised release; to provide for the duration of supervised release; to provide for applicability; to provide for the adoption of administrative rules; to provide for exceptions; to provide for penalties for failure to comply with the conditions of supervised release; to provide for duties of the court to explain the terms

and conditions of supervised release; to provide that supervised release shall not constitute probation and as such is not subject to the five-year limitation on the length of probation; and to provide for related matters.

HOUSE BILL NO. 40—
BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 33:381(C)(17), relative to the village of Grand Cane; to authorize the board of aldermen in the village, upon recommendation of the mayor, to abolish the office of chief of police; to provide relative to police services within the village; and to provide for related matters.

HOUSE BILL NO. 41—
BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 33:2721.15, relative to Richland Parish; to authorize the governing authority of the parish to levy and collect an additional sales and use tax with voter approval; to provide for the use of such tax; and to provide for related matters.

HOUSE BILL NO. 88—
BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 14:99.1, relative to driving offenses; to create the crime of hit and run damaging of a potable waterline by operation of a watercraft or vessel; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 100—
BY REPRESENTATIVES MARTINY, ANSARDI, E. GUILLORY, PIERRE, QUEZAIRE, AND TUCKER

AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(6), relative to drug-free zones; to add child day care center property within drug-free zones; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 112—
BY REPRESENTATIVE DURAND

AN ACT

To authorize and provide for the transfer of certain state property in St. Martin Parish from the division of administration to the adjacent landowner; and to provide for related matters.

HOUSE BILL NO. 213—
BY REPRESENTATIVE GALLOT

AN ACT

To authorize and provide for the transfer of certain property, located in the city of Palmetto, Manatee County, state of Florida, from the University of Louisiana System, acting with and on behalf of Grambling State University, to Annie Barnes-Bourke; and to provide for related matters.

HOUSE BILL NO. 224—
BY REPRESENTATIVE DURAND

AN ACT

To authorize and provide for the transfer of certain state property in St. Martin Parish from the division of administration to the adjacent landowner; to provide for certain terms and conditions; and to provide for related matters.

HOUSE BILL NO. 328—
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(h), relative to the Department of Labor, including provisions to provide for the re-creation of the Department of Labor and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 556—
BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, MARTINY, TOOMY, AND WOOTON

AN ACT

To amend and reenact R.S. 33:113.1(A)(1)(a) and (B) and to enact R.S. 33:113.1(C), relative to administrative procedures for approving or certifying plats for subdivisions and resubdivisions; to authorize certain administrative procedures to provide relative to certain public utility servitudes; and to provide for related matters.

HOUSE BILL NO. 605—
BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 33:4574(B)(43) and (F)(5) and 4574.1.1(A)(44), relative to Red River Parish; to create the Red River Tourism Commission; to provide relative to the appointment of members of the board of directors of the commission; to authorize the commission to levy a hotel occupancy tax and to provide the maximum rate of such tax; and to provide for related matters.

HOUSE BILL NO. 678—
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS

AN ACT

To enact R.S. 23:1020, relative to the obligations and requirements for the payment and receipt of workers' compensation benefits; to provide relative to the ratification of Executive Orders KBB 2005-52, 74, 88, 100, and KBB 2006-10; to provide for retroactive application; and to provide for related matters.

HOUSE BILL NO. 828—
BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 15:542(A)(1) and (4), (B)(1)(a), (C), and (F) and 542.1(C)(1), (2), and (5), (I)(1) and (2), (J)(1), and (K)(1) and (3) and to enact R.S. 15:541(21) and 542(G), relative to the registration of sex offenders; to require the registration of all residences; to define residence; to provide for community notification; to provide a notification procedure when the offender no longer resides with a person; to provide for notification of change of address; to make it a crime to fail to annually update registration and provide proof of address and community notification; to require notice of certain duties to the offender; and to provide for related matters.

HOUSE BILL NO. 931—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3512(8), 3515(A)(1)(a), 3561(D)(1), and 3572.1 and to enact R.S. 9:3554.2, 3554.3, and 3558(E), relative to the Louisiana Consumer Credit Law; to provide for the inclusion of federally related mortgage loans when authorized by contract; to provide relative to stored value cards; to prohibit reapplication for licensure within a certain time period after revocation; to provide relative to costs of appeals and disposition of final judgments and decisions; to provide for changes of control of a consumer loan license; to provide relative to the definition of loan broker; and to provide for related matters.

HOUSE BILL NO. 1060— (Duplicate of Senate Bill No. 163)

BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN AND COAUTHORED BY REPRESENTATIVES ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLAUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS BARHAM, BOASSO, BROOME, CHEEK, CRAVINS, DARDENNE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

May 25, 2006

AN ACT

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to authorize the issuance of an active military license to spouses and certain children of military personnel; and to provide for related matters.

HOUSE BILL NO. 1140— (Substitute for House Bill No. 968 by Representative Martiny)

BY REPRESENTATIVE MARTINY AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact Chapter 6-C of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:651 through 662, relative to the Louisiana Repository for Unidentified and Missing Persons Information Program; to establish the Louisiana Repository for Unidentified and Missing Persons Information Program; to provide with respect to the Forensic Anthropology and Computer Enhancement Services laboratory; to provide for the powers and duties of the laboratory; to provide for definitions; to provide for legislative findings; to provide for laboratory recommendations to the legislature; to provide for procedural compatibility with the Federal Bureau of Investigation; to provide for the collection of forensic anthropology samples; to provide for procedures for collecting, disposition, and use of forensic anthropological analysis; to provide for a central repository for unidentified human remains and missing persons information; to provide for the confidentiality of records; to prohibit disclosure of confidential information; to provide for penalties for disclosure of information; and to provide for related matters.

HOUSE BILL NO. 38—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

HOUSE BILL NO. 107—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:83(B)(1) and 121(C), relative to the secretary of the Department of Natural Resources' service on certain state boards; to authorize the undersecretary to serve as proxy for the secretary on the State Mineral Board and the Oilfield Site Restoration Commission; and to provide for related matters.

HOUSE BILL NO. 207—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

HOUSE BILL NO. 227—

BY REPRESENTATIVE WOOTON

AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

HOUSE BILL NO. 470—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

HOUSE BILL NO. 521—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To repeal R.S. 36:209(H)(2) and Chapter 11-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2361, relative to the Atchafalaya Basin; to repeal the Atchafalaya Basin Division and the Governor's Atchafalaya Basin Commission.

HOUSE BILL NO. 595—

BY REPRESENTATIVES WHITE, ERDEY, MCVEA, AND SMILEY AND SENATOR FONTENOT

AN ACT

To enact R.S. 39:562(M), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 655—

BY REPRESENTATIVES GRAY, ALARIO, DEWITT, DORSEY, HAMMETT, KATZ, RICHMOND, AND SALTER AND SENATORS BAJOE, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 40:49(B)(8)(a), relative to vital statistics laws; to provide for requirements in the preparation of a certificate of death or spontaneous fetal death certificate or stillbirth; and to provide for related matters.

HOUSE BILL NO. 689—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 50:173.1, relative to standards for land mapping systems; to provide for vertical control standards; to provide for references; and to provide for related matters.

HOUSE BILL NO. 866—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 49:1002(J), relative to drug testing; to provide for changes in references from the National Institute on Drug Abuse to Substance Abuse and Mental Health Services Administration; to provide for the application of the Chapter; to provide for the use of certified laboratories for drug testing of samples collected; to amend provisions relative to drug testing procedures and standards; and to provide for related matters.

HOUSE BILL NO. 903—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 40:2160(D), relative to licensing of adult residential care homes; to establish criminal penalties for operating an adult residential care home without a license; and to provide for related matters.

HOUSE BILL NO. 932—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:73(1)(a) and (b), (3), (7), and (11), 74(B)(1), (E)(5), (H)(2) and (3), (J)(introductory paragraph), (3), and (4), 74.1, 75(E), 76(A)(2), (C)(1)(introductory paragraph), (a), and (2), (D)(1) and (2), 77(C)(1) and (D), 79(A)(introductory paragraph), 81(A), (B), (C), (I), and (K), 83(B), (C), (E), and (F)(2), 86(A) and (D), 88, 94(A)(1) and (2), 101(1), 105, 111(A), 112(A), 115, and 121(A) and (B) and to enact R.S. 37:109(C), and 121(F), (G), and (H), and to repeal R.S. 37:125, relative to the board of certified public accountants; to provide for distinction between holders of active and inactive CPA certificates; to provide for mandatory compliance with review panel process; to provide for consistency with respect to the review panel process; to provide for the selection, compensation, and requirements of members of review panels; to provide for the payment and award of costs; and to provide for related matters.

HOUSE BILL NO. 933—

BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:2006(B)(2)(h) and (E)(2)(v) and (w), relative to fees, licenses, and penalties; to provide for per unit licensing fees for end stage renal disease facilities; to provide for delinquent fees for adult brain injury facilities and pain management clinics; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1189—

BY REPRESENTATIVE RITCHIE
AN ACT

To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; and to provide for related matters.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 6:121.2, relative to the Office of Financial Institutions; to provide for the powers and duties of the Office of Financial Institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; and to provide for related matters.

HOUSE BILL NO. 1271—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 6:1088(C)(1)(a), (F)(4), and (G) and 1090(B)(1) and to enact R.S. 6:1090(H), 1092(A)(16) and (17) and (K), 1092.1, 1092.2, and 1096(E)(3) and (G)(3), relative to loans; to provide for the Residential Mortgage Lending Act; to provide for requirements for licensure and filing fees; to provide for the powers and duties of the commissioner of financial institutions; to provide time limits regarding reapplication for licensure; to provide restrictions on employment; to provide for the suspension, revocation, or denial of licensure; to provide for appellate rights; to prohibit the assessment of certain charges; to prohibit the financing of certain charges; and to provide for related matters.

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

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 25, 2006

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to provide an update to the House and Senate Transportation, Highways and Public Works Committees prior to the adjournment of the 2006 Regular Session, regarding the status of its field offices in hurricane-affected areas.

HOUSE CONCURRENT RESOLUTION NO. 219—

BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

To commend the Lady Tarpons of South Cameron High School for winning the Class 1A State Softball Championship.

HOUSE CONCURRENT RESOLUTION NO. 221—

BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To proclaim May 20 through the 26, 2006, as Safe Boating Week in Louisiana and the start of a year-round effort to promote safe boating.

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize Alpha Kappa Alpha Sorority, Incorporated as a benevolent and valiant leader in the wake of Hurricanes Katrina and Rita and the devastation endured by the citizens of Louisiana and to commend the organization for its resolute position and concern for the citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 224—

BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH, AND WADDELL AND SENATORS CHEEK AND JACKSON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sam Giordano, president and general manager of the State Fair of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take such actions as are necessary to improve traffic flow at the intersection of U.S. Highway 61 and Main Street in Laplace, Louisiana, including the installation of No U-Turn signs and increasing the timing of the left turn signal off of Highway 61 onto Main Street.

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce to thirty-five miles per hour the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATORS KOSTELKA AND MALONE
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Matthew David Doss of Dubach.

HOUSE CONCURRENT RESOLUTION NO. 234—

BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To recognize Wednesday, June 7, 2006, as the fifth annual 4-H day at the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVES SCALISE AND BEARD
A CONCURRENT RESOLUTION

To memorialize the United States Congress, specifically Louisiana Senators Mary Landrieu and David Vitter, to take such actions as are necessary to support and vote for the Marriage Protection Amendment presently pending in the United States Senate.

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

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

The House Concurrent Resolutions contained herein were signed

May 25, 2006

by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee	1 Day	Cain	1 Day
Duplessis	1 Day		

Adjournment

Senator Bajoie moved that the Senate adjourn until Tuesday, May 30, 2006, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Tuesday, May 30, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk