

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

THIRTY-NINTH 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

Tuesday, June 6, 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	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

ABSENT

Adley	McPherson
Total - 2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Jones, 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 Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 6, 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. 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.

Reported without amendments.

HOUSE BILL NO. 466—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2740.64, relative to the city of Franklin; to recognize the Franklin Downtown Development District of the city of Franklin as a downtown development district; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 625—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 33:4574.15 and to repeal Act No. 20 of the 1975 Regular Session of the Legislature of Louisiana, relative to tourism in western Louisiana; to change the name of the West Louisiana Tourist Development Region to Five Parishes West; to change the composition of the region; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 775—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1235, relative to tutorship; to provide for the direct payment to children who are eighteen years or older; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 783—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:6(30), relative to the importation and ownership of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of non-indigenous constrictors; to provide for penalties; and to provide for related matters.

June 6, 2006

Reported without amendments.

HOUSE BILL NO. 813—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 33:3074(D)(5), relative to the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 814—
BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 33:9097.3, relative to the Wedgewood Civic Association District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 890—
BY REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact R.S. 32:351(A), relative to equipment on motor vehicles; to provide for the use of horns on motor vehicles; to provide relative to certain exemptions for mobility-impaired persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 939—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2531.1, relative to the municipal fire and police civil service; to provide relative to the continuation of applicability of certain provisions relative to the municipal fire and police civil service; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 971—
BY REPRESENTATIVES QUEZAIRES, DANIEL, DOVE, DOWNS, ERDEY, M. GUILLORY, KATZ, KENNARD, SMILEY, AND TUCKER AND SENATOR ELLINGTON
AN ACT

To enact R.S. 32:1504(D), relative to regulation of motor carriers; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain agreements; to provide for certain limitations; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 971 by Representative Quezair

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 5, 2006, on page 1, line 10, change "shall be" to "is hereby"

HOUSE BILL NO. 994—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(26)(c) of the Constitution of 1921, continued as a statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2496(C), and to amend and

reenact R.S. 33:2556(3), relative to temporary appointments in the fire and police civil service for municipalities, parishes, and fire protection districts; to increase the duration of emergency appointments; to provide for the duration of emergency appointments after a gubernatorially declared state of emergency; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1037—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Paragraph 22 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. 33:2492 and 2552, relative to fire and police civil service boards; to provide relative to promotional and competitive employment tests provided by such boards; to provide relative to the administration of such tests by the state examiner; to provide relative to the notification of test scores; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1105—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 49:214.4(B)(3), relative to coastal restoration; to provide for a coastal forest preservation, conservation, and restoration program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 23:1221(4)(s)(v), relative to workers' compensation; to repeal the applicable dates for catastrophic injury claims; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1168—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2002(A)(3) and 2218.2(A)(3), relative to certain firemen and law enforcement officers; to authorize enhancement of the first-year salary of certain firemen and law enforcement officers; to require written disclosure of the temporary nature of such enhancement; to provide relative to reducing the salary of any fireman or law enforcement officer after a year; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1231—
BY REPRESENTATIVES WALKER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BRUCE, BURNS, R. CARTER, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUTTER, KATZ, KENNEY, LABRUZZO, LANCASTER, MCDONALD, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, QUEZAIRES, RICHMOND, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, AND WALSWORTH
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard not currently on active duty shall be eligible for a resident Louisiana National Guard license; to provide for residency requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1281—

BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 33:9038.1, relative to tax increment financing; to specify those taxes which may be levied and the increments of which may be pledged and dedicated in tax increment financing; to provide relative to the effect of the invalidity of any tax or tax increment on other taxes or tax increments; to provide for legislative intent; to provide for redesignation of certain statutes by the Louisiana State Law Institute; to provide for an effective date; 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.

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 101—

BY SENATOR BROOME
A RESOLUTION

To designate June 7, 2006, as "PICO LIFT DAY" at the Louisiana Senate.

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

SENATE RESOLUTION NO. 102—

BY SENATOR SHEPHERD
A RESOLUTION

To commend Zella P. Longino on the occasion of her seventieth birthday and the many contributions she has made to those less fortunate.

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

SENATE RESOLUTION NO. 103—

BY SENATOR HINES
A RESOLUTION

To commend Technical Sergeant E-6 Kevan R. Pierre upon his retirement from the United States Air Force after more than twenty years of outstanding military service.

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

SENATE RESOLUTION NO. 104—

BY SENATOR MURRAY
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Joycelyn Vaughn Santa Marina, a person fulfilled by her service to her God, to her family, and to her community.

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

SENATE RESOLUTION NO. 105—

BY SENATOR MURRAY
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of Peter W. "Champ" Clark, New Orleans legend and renaissance man of many talents, and to celebrate the wealth of contributions he made on behalf of the citizens of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR AMEDEE AND REPRESENTATIVE SMILEY
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Johnny Gale Leveron.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Amedee	Ellington	Murray
Bajoie	Fields	Nevers
Barham	Gautreaux B	Romero
Broome	Hollis	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Marionneaux	
Total - 28		

NAYS

Total - 0

ABSENT

Adley	Gautreaux N	Mount
Boasso	Heitmeier	Quinn
Duplessis	Malone	Shepherd
Fontenot	McPherson	
Total - 11		

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

**Senate Bills and Joint Resolutions
on Second Reading**

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

SENATE BILL NO. 755— (Substitute of Senate Bill No. 321 by Senator Nevers)

BY SENATOR NEVERS
AN ACT

To amend and reenact R.S. 23:1201(E) and (F), 1203(B) and 1310.3(E) and to enact R.S. 23:1034.3, relative to workers' compensation; to provide with respect to medical service agreements; to provide for medical provider reimbursement agreements; to provide definitions; to provide for a compliance date; to provide for required provisions of a valid agreement; to provide for notice of changes; to provide for penalties; to provide for jurisdiction of disputes; and to provide for related matters.

June 6, 2006

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Original Senate Bill No. 755 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 23:" delete "1201(E) and (F),"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 23:" delete "1201(E) and (F),"

AMENDMENT NO. 3

On page 5, delete lines 15 through 29 in their entirety

AMENDMENT NO. 4

On page 6, delete lines 1 through 29 in their entirety

AMENDMENT NO. 5

On page 7, delete lines 1 and 2 in their entirety

On motion of Senator Nevers, the amendments were adopted.

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

Senate and Concurrent Resolutions on Second Reading

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

SENATE RESOLUTION NO. 98—

BY SENATOR MOUNT

A RESOLUTION

Designates Thursday, June 8, 2006, as Girl Scouts Day at the Louisiana State Capitol.

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

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later than April 1, 2007.

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

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

June 5, 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. 705—

BY REPRESENTATIVES WHITE, ALARIO, ARNOLD, BALDONE, BARROW, BAUDOIN, BEARD, BRUCE, BURRELL, CHANDLER, CRANE, CURTIS, DAMICO, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WOOTON

AN ACT

To enact R.S. 11:1307(F), relative to the State Police Pension and Retirement System; to provide an additional benefit for certain retirees and their surviving spouses, subject to certain limitations; to provide with respect to disability retirees; to provide relative to funding; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1287—

BY REPRESENTATIVES GRAY, ALARIO, ALEXANDER, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRAVINS, CURTIS, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, E. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFONTA, MARCHAND, MARTINY, MONTGOMERY, MORRELL, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TUCKER, WALKER, WALSWORTH, WHITE, AND WINSTON

AN ACT

To enact R.S. 17:1687, relative to tuition exemptions at public postsecondary education institutions; to exempt certain persons previously in the state's foster care program from the payment of tuition and mandatory fee amounts at such institutions; to provide eligibility criteria; to provide for the duration of such exemptions; to provide for verification of foster care status; to provide for effectiveness; to provide relative to implementation; to provide definitions; and to provide for related matters.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Ellington 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. 705—

BY REPRESENTATIVES WHITE, ALARIO, ARNOLD, BALDONE, BARROW, BAUDOIN, BEARD, BRUCE, BURRELL, CHANDLER, CRANE, CURTIS, DAMICO, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WOOTON

AN ACT

To enact R.S. 11:1307(F), relative to the State Police Pension and Retirement System; to provide an additional benefit for certain retirees and their surviving spouses, subject to certain limitations; to provide with respect to disability retirees; to provide relative to funding; to provide 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. 1287—

BY REPRESENTATIVES GRAY, ALARIO, ALEXANDER, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRAVINS, CURTIS, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, E. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFONTA, MARCHAND, MARTINY, MONTGOMERY, MORRELL, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TUCKER, WALKER, WALSWORTH, WHITE, AND WINSTON

AN ACT

To enact R.S. 17:1687, relative to tuition exemptions at public postsecondary education institutions; to exempt certain persons previously in the state's foster care program from the payment of tuition and mandatory fee amounts at such institutions; to provide eligibility criteria; to provide for the duration of such exemptions; to provide for verification of foster care status; to provide for effectiveness; to provide relative to implementation; to provide definitions; and to provide for related matters.

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

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

June 5, 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. 264—

BY REPRESENTATIVE CHANDLER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider alternate plans for the segment of the U.S. Hwy 167 project which will traverse through the village of Dry Prong, which is part of the TIMED Program, and to present the alternate plan to the elected officials and citizens of Dry Prong as soon as practicable.

HOUSE CONCURRENT RESOLUTION NO. 265—

BY REPRESENTATIVE T. POWELL
A CONCURRENT RESOLUTION

To commend the Patient Relations Section of the Louisiana State University Health Care Services Division and the individual patient representatives whose work has made the section a success.

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE LAMBERT
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing median barrier systems along Interstate 10 and Interstate 12 to prevent cross-median crashes and submit its recommendations to the House and Senate Committees on Transportation, Highways and Public Works prior to the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 267—

BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Peter W. "Champ" Clark, Sr., a man who broke down barriers and leaves a remarkable legacy.

HOUSE CONCURRENT RESOLUTION NO. 269—

BY REPRESENTATIVES SMILEY, LAMBERT, AND QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Robert J. Clouatre, superintendent of the Ascension Parish school system, upon the occasion of his retirement.

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. 264—

BY REPRESENTATIVE CHANDLER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider alternate plans for the segment of the U.S. Hwy 167 project which will traverse through the village of Dry Prong, which is part of the TIMED Program, and to present the alternate plan to the elected officials and citizens of Dry Prong as soon as practicable.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 265—

BY REPRESENTATIVE T. POWELL
A CONCURRENT RESOLUTION

To commend the Patient Relations Section of the Louisiana State University Health Care Services Division and the individual patient representatives whose work has made the section a success.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Amedee	Dupre	Mount
Bajoie	Ellington	Murray
Barham	Fields	Nevers
Boasso	Gautreaux B	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Marionneaux	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Adley	Gautreaux N	Malone
Duplessis	Heitmeier	McPherson
Fontenot	Lentini	Shepherd
Total - 9		

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

June 6, 2006

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE LAMBERT
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing median barrier systems along Interstate 10 and Interstate 12 to prevent cross-median crashes and submit its recommendations to the House and Senate Committees on Transportation, Highways and Public Works prior to the 2007 Regular Session.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 267—

BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Peter W. "Champ" Clark, Sr., a man who broke down barriers and leaves a remarkable legacy.

The resolution was read by title. Senator Bajoie 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, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Total - 30; Dardenne, Dupre, Ellington, Fields, Hollis, Jackson, Jones, Kostelka, Lentini, Marionneaux; Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Uilo.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Adley, Duplessis, Fontenot, Total - 9; Gautreaux B, Gautreaux N, Heitmeier; Malone, McPherson, Shepherd.

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

HOUSE CONCURRENT RESOLUTION NO. 269—

BY REPRESENTATIVES SMILEY, LAMBERT, AND QUEZAIRE AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

To commend Robert J. Clouatre, superintendent of the Ascension Parish school system, upon the occasion of his retirement.

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. 157— BY REPRESENTATIVE K. CARTER AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(c), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the

statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 318— BY REPRESENTATIVE RICHMOND AN ACT

To enact R.S. 22:1484(10), relative to insurance; to provide for prohibiting the use of credit information that would increase expiring premiums for policies that renew during a certain period; 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. 515— BY REPRESENTATIVE JEFFERSON AN ACT

To enact Part V of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1094 through 1097, relative to hospital service districts; to create the Parish Hospital Service District for the parish of Orleans; to provide that such district shall be divided into two separate areas; to provide for the creation of two separate governing boards for each such area and to provide for the membership of each such board; to provide for the powers, duties, functions, and responsibilities of the district and each governing board; to provide relative to per diem paid to governing board members; to provide for limitations; 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 Health and Welfare.

HOUSE BILL NO. 540— BY REPRESENTATIVES BURNS AND SCHNEIDER AN ACT

To enact R.S. 29:726(G), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to develop a communications system; to require the system to be able to withstand hurricane force winds; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 619— BY REPRESENTATIVES BURNS AND SCHNEIDER AN ACT

To amend and reenact R.S. 29:726(F), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to include within the authority and responsibilities of the office to develop a wireless communications system; to include within the system coordination between local and state responders; to include within the system certain components; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 778— BY REPRESENTATIVES HUNTER, BAUDOIN, AND THOMPSON AN ACT

To enact R.S. 9:315.26 and R.S. 32:708.1, relative to child support; to provide for the collection of past due child support; to authorize the filing of liens on motor vehicles owned by a party owing past due support; to provide procedures for the filing of judgments; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and

referred to the Committee on Judiciary A.

HOUSE BILL NO. 1178—

BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAUX, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO

AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; 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.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

AGRICULTURE, FORESTRY, AQUACULTURE AND RURAL DEVELOPMENT

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

June 6, 2006

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

HOUSE BILL NO. 347—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 3:3004(B), relative to impounding livestock found at large; to increase the fee for retrieval of escaped livestock in Vermilion Parish; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MIKE SMITH
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 6, 2006

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To direct the Department of Environmental Quality and the office of environmental education to cooperate with Keep Louisiana Beautiful, Incorporated to conduct a campaign to educate the public to prevent cigarette litter.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 227—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the governor, the lieutenant governor, the attorney general, the Department of Environmental Quality, the Department of Natural Resource, and the Department of Wildlife and Fisheries to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

Reported favorably.

HOUSE BILL NO. 475—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 38:3086.23(A)(2) as amended by Section 1 of Act No. 2 of the 2005 Regular Session of the Legislature, relative to the Ascension Parish members of the Bayou Lafourche Fresh Water District board of commissioners; to provide for the continued effectiveness of certain provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 851—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2186(A) and to enact R.S. 30:2011(D)(25), relative to reviews and determination conducted by the Department of Environmental Quality; to provide for request for reviews of certain immovable property; to provide for reviews and determinations of environmental media; to provide for fees; to provide for authority to promulgate rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 877—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 970—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 30:2189(A) and R.S. 45:163(A), relative to transportation of hazardous waste; to provide for exemptions from permitting requirements for transporting hazardous waste in certain circumstances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 5, 2006

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 115—

BY SENATORS MICHOT AND MOUNT
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Economic Development to administer the Quality Jobs Program in such a way, including a change in rule or regulation if necessary, that will assist companies statewide who have experienced a reduction in the number of their employees as a result of hurricanes Katrina or Rita and who meet all the qualifications of the Quality Jobs Program, by allowing such impacted companies to count as a "new direct job" any employees who are hired or rehired in the companies' efforts to maintain, resume, restore, or increase operations in the state.

Reported with amendments.

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.

Reported with amendments.

HOUSE BILL NO. 1293—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 51:1783(6) and (7) and 1787(A)(1), (B)(2)(a), (C)(1), (D)(2)(a), (F), and (H)(1)(a), relative to the rebate of sales and use taxes pursuant to the Louisiana Enterprise Zone Act; to provide for the rebate of local sales and use taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairperson

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. 45—

BY REPRESENTATIVE TRICHE
AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 45 by Representative Triche

AMENDMENT NO. 1

On page 4, line 18, after "division" and before "or" insert a semi colon ";" and change "guards" to "security officers"

AMENDMENT NO. 2

On page 4, line 19, after "officers", delete the period "." and insert in lieu thereof a semicolon ";" and "or to any positions of the LSU health care services division."

On motion of Senator B. Gautreaux, 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. 178—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 816—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 11:62(5)(b), 444(A)(2), and 450(B), relative to Department of Public Safety and Corrections peace officers who are members of the Louisiana State Employees' Retirement System; to provide for calculation of benefits; to provide for employee contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 816 by Representative Salter

AMENDMENT NO. 1

On page 2, line 2 after "R.S. 11:444(A)(2)(b)" delete the remainder of the line and insert in lieu thereof "- 9%."

AMENDMENT NO. 2

On page 2, line 28 after "parole officers," and before "security officers" insert "and"

AMENDMENT NO. 3

On page 3, delete line 2 in its entirety and insert in lieu thereof "troopers, as provided in R.S."

On motion of Senator B. Gautreaux, 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. 922—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1002(6), 1141.2(B)(10), 1152(J)(3) and (4), 1402(6), 1422, 1503(7), 1732(15), 1763(J)(1) and (2), 1902(14), 2031(5), and 2178(B)(1)(b) and (C)(1)(c) and to enact R.S. 11:231(C)(3), relative to benefits of the state and statewide retirement systems of Louisiana; to provide for definitions; to provide for calculation of average compensation; to provide for the calculation of benefits after participation in the Deferred Retirement Option Plan; to provide for applicability and effectiveness; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1026—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:2252(2), 2253(A)(1)(a)(ii), and 2256(A)(4) and to enact R.S. 11:2252(22) and (23), 2254(D), 2271, and 2272, relative to the Firefighters' Retirement System; to provide for compliance with the Internal Revenue Code; to provide relative to definitions, membership, service credit, and benefits; to provide with respect to tax qualification; to provide for an excess benefit plan; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1362—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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.

Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 57—
BY SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 30:2011(A)(1) and 2052 and to repeal R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), relative to environmental quality; to remove the jurisdiction of Department of Environmental Quality relative to the regulation of noise pollution; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Bill No. 57 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "2052" insert a comma "," and "and to enact R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), effective July 1, 2007,"

AMENDMENT NO. 2

On page 2, after line 12, insert the following:
"Section 3. R.S. 30:2011(A)(1) and 2052 are hereby amended and reenacted and R.S. 30:2011(A)(2), 2053(5) and 2054(B)(7) are hereby enacted to read as follows:

§2011. Department of Environmental Quality created; duties; powers; structure

A.(1) There is hereby created the Department of Environmental Quality which shall be the primary agency in the state concerned with environmental protection and regulation. The department shall have jurisdiction over matters affecting the regulation of the environment within the state, including but not limited to the regulation of air quality, noise pollution control, water pollution control, the regulation of solid waste disposal, the protection and preservation of the scenic rivers and streams of the state, the regulation and control of radiation,

the management of hazardous waste, and the regulation of those programs which encourage, assist, and result in the reduction of wastes generated within Louisiana.

(2) However, the jurisdiction of the department relative to the regulation of noise pollution control shall not prevent local governments from adopting local noise pollution control ordinances which are at least as strict as state regulations pertaining to the regulation of noise pollution.

§2052. Policy; purpose

The legislature finds and declares that the purity of the air in the environment is a matter of vital concern to the welfare of the people of the state and to promote an environment free from pollution that jeopardizes the health and welfare of the citizens of the state, consistent with sound policies for employment and industrial development, it is necessary to establish an efficient method for the regulation and control of discharge of contaminants into the air resources of the state. The legislature further finds and declares the policy of the state of Louisiana to promote an environment free from noise that endangers the health or welfare of its people.

§2053. Definitions

As used in this Chapter, the following terms shall have the meanings ascribed to them in this Section, unless the context clearly indicates otherwise:

(5) "Noise" means the intensity, duration, and the character of sounds from all sources.

§2054. Air quality control; secretary of environmental quality; powers and duties

B. The secretary shall have the following powers and duties:

(7) To adopt and promulgate rules and regulations establishing and implementing a comprehensive program for the control and abatement of environmental noise pollution. The regulations shall be consistent with applicable federal laws, rules, and regulations and, at a minimum, shall provide for the following:

- (a) Criteria and standards for noise control and abatement.
(b) Levels of noise appropriate to defined areas under various conditions.

Section 4. This Section and Sections 1, 2, and 5 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Section and Sections 1, 2, and 5 shall become effective on the day following such approval.

Section 5. Section 3 of this Act shall become effective July 1, 2007."

Senator Fontenot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Vote. Includes Mr. President, Amedee, Bajoie, Barham, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo, and Total - 33.

June 6, 2006

NAYS

Total - 0

ABSENT

Adley	Duplessis	McPherson
Boasso	Heitmeier	Shepherd
Total - 6		

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 79— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2195.2(A)(1)(c)(ii), and (3), 2195.4(A), and 2195.10 and to enact R.S. 30:2195.9(A)(6); relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; authorizes the Department of Environmental Quality to file liens in lieu of tank owners paying deductibles on underground storage tanks; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 79 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 5, following "releases" and before "the Department" change "authorizes" to "to authorize"

Senator Fontenot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Heitmeier	Shepherd
Duplessis	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 125— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 28:382.2(C) and R.S. 39:1533(A) and to enact R.S. 28:771(G), and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to create the South Central Louisiana Human Services Authority; to provide for the powers, duties and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed Senate Bill No. 125 by Senator Dupre

AMENDMENT NO. 1

On page 1, between lines 10 and 11, insert the following: "Notice of intention to introduce this Act has been published."

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Gautreaux B	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Adley	Gautreaux N	Shepherd
Duplessis	Heitmeier	
Fontenot	McPherson	
Total - 7		

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senator B. Gautreaux in the Chair

SENATE BILL NO. 147— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1235.2(A)(1), relative to ambulance providers; to provide relative to licensure of ambulance services; to provide for exceptions; to expand the allowable distance to transport patients between hospital campuses without licensure as an ambulance provider; to provide definitions; and to provide

for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 147 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:1235.2(A)(1)" insert "and (3)"

AMENDMENT NO. 2

On page 1, line 5, after "definitions;" and before "and to provide" insert "to provide for retroactivity;"

AMENDMENT NO. 3

On page 1, line 7, delete "is" and insert in lieu thereof "and (3) are"

AMENDMENT NO. 4

On page 1, line 17, after "hospital" delete "and other health care provider"

AMENDMENT NO. 5

On page 2, between lines 2 and 3, insert the following:
 "(3) The vehicle utilized by the hospital for transport contains the same equipment as is required for a licensed ambulance and successfully completes an inspection by the department to determine that it is in a safe and working order."
 " * * * "

AMENDMENT NO. 6

On page 2, delete lines 3 through 7 in their entirety and insert in lieu thereof:
 "Section 2. This Act is declared to be remedial and curative and, therefore, is to be applied retroactively to May 16, 2006, as well as prospectively."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Heitmeier	Shepherd
Duplessis	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 189—
 BY SENATOR JONES

AN ACT

To amend and reenact R.S. 25:373(B)(4), 380.1(C)(2)(d), 380.52(C)(2) and 1242(C)(2)(h), relative to the secretary of state; to replace the state archivist with the secretary of state or his designee on various museum boards; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 189 by Senator Jones

AMENDMENT NO. 1

On page 1, line 17, after "C." delete the remainder of the line and on page 2, delete line 1 and insert the following:
 " * * * "

AMENDMENT NO. 2

On page 2, delete lines 21 and 22 and insert the following:
 " * * * "

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Heitmeier	Shepherd
Duplessis	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 190—
 BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:114(F)(2) and 1520(A) and (C), relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

June 6, 2006

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 190 by Senator Mount

AMENDMENT NO. 1

On page 2, line 29, after "(c)" delete "Ninety percent of the" and change "individual" to "Individual"

AMENDMENT NO. 2

On page 3, at the end of line 2, after "year" delete the period "." and insert the following:

"may be required to be filed electronically as follows:

(i) Thirty percent of the returns due on or after January 1, 2007.

(ii) Sixty percent of the returns due on or after January 1, 2009.

(iii) Ninety percent of the returns due on or after January 1, 2011."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Engrossed Senate Bill No. 190 by Senator Mount

AMENDMENT NO. 1

In Amendment No. 2 proposed the House Committee on Ways and Means and adopted by the House on May 18, 2006, on page 1, at the end of line 7, change "2007" to "2008"

AMENDMENT NO. 2

In Amendment No. 2 proposed the House Committee on Ways and Means and adopted by the House on May 18, 2006, on page 1, at the end of line 8, change "2009" to "2010"

AMENDMENT NO. 3

In Amendment No. 2 proposed the House Committee on Ways and Means and adopted by the House on May 18, 2006, on page 1, at the end of line 9, change "2011" to "2012"

Senator Mount moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Hollis, Jackson, Jones, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Adley, Duplessis, Heitmeier, Kostelka, McPherson, Shepherd

The Chair declared the amendments proposed by the House were concurred in. Senator Mount moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 240— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1371(B), 1372, 1375(B), 1377(C)(1), and (2), and (D)(1), 1378(A)(1), (2), (3)(a)(iii), (b)(ii), and (7), (E), and (F)(30), and 1379, and to enact R.S. 23:1371(D) and 1371.1, relative to workers' compensation; to provide with respect to the Louisiana Workers' Compensation Second Injury Fund; to provide for the confidentiality of records; to provide for definitions; to provide for membership to the second injury board; to provide for the personnel of the second injury board; to provide for payment of assessments and penalties to the second injury fund; to provide for prescriptive periods for submission of requests for reimbursement; to provide for required reports to the second injury board; to provide for notice of decisions of the second injury board; to provide for the diagnosis of mental retardation in a second injury fund claim; to provide for the annual report of the second injury board; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 240 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 17, change "23:1293(A)(5)" to "23:1293(A)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 240 by Senator Nevers

AMENDMENT NO. 1

On page 2, delete lines 23 through 29 in their entirety and insert in lieu thereof, the following:

"(2) "Psychologist" shall mean an individual licenced to practice psychology by the Louisiana State Board of Examiners of Psychologists or, in the event an individual is practicing psychology in a jurisdiction other than Louisiana, licenced by the appropriate member board of the Association of State and Provincial Psychology Boards to practice psychology, who has registered specialty in a relevant clinical area of practice, who has been in clinical practice for at least three years and has training and experience in the evaluation, diagnosis, and treatment of mental retardation."

AMENDMENT NO. 2

On page 3, delete lines 1 through 6 in their entirety and insert in lieu thereof, the following:

"(3) "Psychiatrists" shall mean an individual licenced to practice medicine by the Louisiana State Board of Medical Examiners or, in the event that the individual is practicing medicine in a jurisdiction other than Louisiana, licenced by the appropriate member board of the Federation of State Medical Boards to practice psychiatry, who has completed a residency in psychiatry, been in clinical practice for at least three years and has training in the evaluation, diagnosis, and treatment of mental retardation."

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Bajoie, Barham, Ellington, Fields, Fontenot, Gautreaux B, Michot, Mount, Murray, Nevers

Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Heitmeier	Shepherd
Duplessis	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 308—

BY SENATORS MURRAY AND HEITMEIER AND REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv), and R.S. 41:901, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the nature of such property transfer; to provide with regard to the applicability of certain laws; and to provide for related matters.

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

SENATE BILL NO. 390—

BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 48:250.1, relative to the Department of Transportation and Development's structured training program; to repeal the requirement that construction and maintenance personnel of the department participate in the structured training program.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezaira to Engrossed Senate Bill No. 390 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "To" change "repeal R.S. 48:250.1" to "amend and reenact R.S. 48:250.1"

AMENDMENT NO. 2

On page 1, line 3, after "program;" delete "to repeal" and insert "to provide relative to"

AMENDMENT NO. 3

On page 1, at the end of line 5, delete the period "." and insert a semicolon ";" and the following:

"to require the department to provide notice to employees under certain circumstances; and to provide for related matters."

AMENDMENT NO. 4

On page 1, delete line 7 in its entirety and insert the following:

"Section 1. R.S. 48:250.1 is hereby amended and reenacted to read as follows:

§250.1. Structured training program; construction and maintenance personnel

A. Construction and maintenance employees of the department shall be required to participate in a structured training program as contained in the department's Engineering Directives and Standards Manual. The department shall provide formal training courses and certified instructors for the courses. The department shall be prohibited from implementing reductions in pay; however, the department is authorized to withhold merit pay if the employee refuses to participate or does not participate in the training programs. secretary of the department's Policy and Procedure Memorandum. The department shall provide training at its own expense and shall allow employees to complete training during regular work hours. The department shall notify employees in writing of their training requirements no less than six months prior to the department's review of the employee's record for merit increase purposes.

B. If, in the course of reviewing an employee's record for merit increase purposes, the department discovers that an employee has failed to meet or maintain the department's training requirements, the department shall issue a formal letter of warning to the employee for failing to meet or maintain training requirements. The letter shall include a list of the deficient training requirements and shall give notice to the employee that once the deficient training is completed, the employee's merit increase shall be granted, provided that lack of training is the only reason for withholding the employee's merit increase. The letter shall also include notice to the employee that if the deficient training requirements are not met by the employee's next anniversary date or by the next date the employee is eligible for a merit increase, the employee shall be subject to disciplinary action as authorized by the State Civil Service Commission and civil service rules."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	

Total - 34

NAYS

Total - 0

ABSENT

Adley	Heitmeier	Shepherd
Duplessis	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third

June 6, 2006

Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 158— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3), and to repeal R.S. 32:62(A), relative to motor vehicles; to provide for removal of vehicles from the roadway following certain accidents and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways; 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

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

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Includes Adley, Duplessis, McPherson, Shepherd.

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.

SENATE BILL NO. 676— BY SENATOR HINES AND REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 30:2000.2(1), relative to the Atchafalaya Basin Program; to provide certain definitions; to provide relative to the definition of "Atchafalaya Basin"; and to provide for related matters.

The bill was read by title. Senator Hines 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, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Schedler.

Table with 3 columns: Name, Yeas, Nays. Includes Chaisson, Cheek, Cravins, Dardenne, Dupre, Jackson, Jones, Kostelka, Lentini, Malone, Smith, Theunissen, Ullo.

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent. Includes Adley, Duplessis, McPherson, Romero, Shepherd.

The Chair declared the 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.

SENATE BILL NO. 754— (Substitute of Senate Bill No. 100 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To enact Part II-H of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.41 through 2120.46, relative to adult day health care providers; to provide for purpose; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for license issuance, application, and onsite inspections; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 754 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 3, change "2120.46" to "2120.47"

AMENDMENT NO. 2

On page 1, line 10, change "2120.46" to "2120.47"

AMENDMENT NO. 3

On page 1, at the beginning of line 13, delete "A."

AMENDMENT NO. 4

On page 1 delete line 17 and on page 2 delete line 1

AMENDMENT NO. 5

On page 2, line 6, after "management" change "or" to "and"

AMENDMENT NO. 6

On page 2, line 8, change "weekday" to "day"

AMENDMENT NO. 7

On page 2, line 12, change "ten" to "two"

AMENDMENT NO. 8

On page 2, line 18, after "physically" change the comma "," to "or" and delete ", or socially"

AMENDMENT NO. 9

On page 5, between lines 28 and 29, insert the following:

"§2120.47. Moratorium; exceptions
A. The Department shall implement a moratorium on adult health care providers enrolled in the Title XIX program. Under this moratorium, the department shall not approve or enroll any new or additional adult day health care providers into the Title XIX program, except as provided in Subsection B. This moratorium shall become enforceable on August 15, 2006, and

shall remain in effect until July 1, 2008.

B. If the department determines that there is a need for new or additional adult day health care providers in a certain geographic location, the department may approve and enroll a new or additional adult day health care provider into the Title XIX program. The department shall promulgate and publish rules in accordance with the Administrative Procedure Act to provide for the following:

(1) Criteria and processes for determining whether such a need exists;

(2) Procedures for selecting an adult day health care provider to be approved and enrolled into the Title XIX program once a need has been determined; and

(3) Other such rules or regulations as necessary for the efficiency and effectiveness of approval or enrollment of adult day health care providers into the Title XIX program."

Senator Cravins moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn
Cain	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Lentini	Uilo
Dupre	Malone	
Ellington	Michot	
Total - 31		

NAYS

Amedee	Chaisson	Marionneaux
Total - 3		

ABSENT

Mr. President	Kostelka	Shepherd
Adley	McPherson	
Total - 5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Dupre	Lentini
Bajoie	Ellington	Malone
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Quinn
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Uilo
Total - 33		

NAYS

Marionneaux
Total - 1

ABSENT

Mr. President	McPherson	Shepherd
Adley	Nevers	
Total - 5		

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

**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. 118—

BY REPRESENTATIVE ARNOLD

A CONCURRENT RESOLUTION

To urge and request the nine statewide public retirement systems to direct at least ten percent of certain trades and commissions through broker-dealers who have been incorporated, domiciled, or who have their principal trading operations in Louisiana for at least two years as required by law applicable to the four state retirement systems, provided no additional costs are incurred by the systems.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Concurrent Resolution No. 118 by Representative Arnold

AMENDMENT NO. 1

On page 1, at the beginning of line 13 delete "shall"

AMENDMENT NO. 2

On page 1, line 14 after "and" and before "at least" delete "shall direct"

AMENDMENT NO. 3

On page 1, delete line 20 in its entirety and insert "fixed-income transactions; and"

AMENDMENT NO. 4

On page 2, line 1 after "rule" delete the remainder of the line and delete lines 2 and 3 in their entirety and insert in lieu thereof the following:

"be applied by the thirteen Louisiana state and statewide public retirement systems, and requires each fiduciary of such systems, and each board of trustees acting collectively on behalf of such systems to act with the care,"

AMENDMENT NO. 5

On page 2, line 7 change "requires" to "provides" and after "trades" and before "be" insert "of the state systems shall"

On motion of Senator B. Gautreaux, the committee amendment was adopted.

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

June 6, 2006

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVES SCHNEIDER, ARNOLD, CURTIS, DOERGE,
KLECKLEY, ROBIDEAUX, AND TRICHE

A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of
trustees of the Louisiana State Employees' Retirement System
(LASERS) of up to two and four-tenths percent for LASERS'
retirees, survivors, and beneficiaries, effective July 1, 2006.

Reported favorably by the Committee on Retirement. The
resolution was read by title and recommitted to the Committee on
Finance.

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Uilo.

NAYS

Total - 0

ABSENT

Table with 2 columns: Adley, McPherson, Total - 2

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

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.

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

Table with 3 columns of names: Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Kostelka, Lentini, Malone, Marionneaux, Michot, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Uilo, Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Adley, Cravins, Jones, McPherson, Mount, Shepherd, Total - 6

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. 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.

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

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.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Re-Reengrossed House Bill No. 299 by Representative Daniel

AMENDMENT NO. 1

On page 4, line 25, after "established by the" delete the remainder of the line and delete lines 26 through 28 and insert "Louisiana Transportation Authority."

AMENDMENT NO. 2

On page 6, line 11, after "pledge agreement." and before "or" insert "mortgage."

AMENDMENT NO. 3

On page 6, at the end of line 14, after "pledge" and before the comma ", " insert "agreement, mortgage"

AMENDMENT NO. 4

On page 6, line 27, after "exceeding" change "twenty" to "thirty-five"

AMENDMENT NO. 5

On page 8, between lines 12 and 13, insert the following:
"H. The Louisiana Transportation Authority is hereby authorized to sell such bonds, notes, or other evidences of indebtedness of a qualified applicant pursuant to negotiated or competitive sale after financial feasibility of a project has been achieved, and the proceeds of any such sale shall be deposited in the Transportation Mobility Fund."

AMENDMENT NO. 6

On page 14, line 21, after "date of" delete "the audit report" and insert "maturity of the bonds, notes, or other evidences of indebtedness"

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

The Chair declared the amended 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. 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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Malone	McPherson
Total - 3		

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

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.

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	Ellington	Michot
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Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

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

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.

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	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

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.

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray

Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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.

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.

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
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. 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.

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

June 6, 2006

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

HOUSE BILL NO. 839—
BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAUX

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 sheddors license; to eliminate the soft shell crab sheddors license; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

which the bill was passed and laid the motion on the table.

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.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed House Bill No. 954 by Representative Lambert

AMENDMENT NO. 1

On page 2, line 12, change "twenty-six thousand" to "twenty-six thousand one"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Total - 3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Total - 3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

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.

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

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.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

June 6, 2006

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:" insert "389(C)(9) and"

AMENDMENT NO. 2

On page 1, line 10, after "vehicles" insert ", their registration or license plates"

AMENDMENT NO. 3

On page 1, line 12, after "R.S. 32:" insert "389(C)(9) and" and change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert:
"§389. Weights and standards police; enforcement procedure; payment and collection procedures; administrative review

C. * * * *

(9) Notwithstanding any other law to the contrary, no motor vehicle, motor vehicle registration, or vehicle license plate shall be seized for a violation of the provisions of this Part and Part VI-A or for failure to pay a fine for such violation.

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington 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, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Adley, McPherson, Shepherd.

The Chair declared the amended 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. 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.

The bill was read by title. Senator Heitmeier 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, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Adley, McPherson, Shepherd.

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

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.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 1229 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 3, after "lands;" insert "to provide definitions;"

AMENDMENT NO. 2

On page 1, line 11, delete "A permanent stand is a stand that"

AMENDMENT NO. 3

On page 1, delete lines 12 and 13, and insert "Any permanent stand may be removed and destroyed. A permanent stand is one of the following:

- (1) a stand that uses nails, screws, spikes, or other means to attach to a tree and which is not designed to be hand carried by one person, and to be removed daily; or
(2) a non-portable, freestanding structure."

On motion of Senator Barham, the amendments were adopted.

The bill was read by title. Senator Michot 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, Dupre, Malone.

Amedee	Ellington	Marionneaux
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
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Total - 3

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

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
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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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
-------	-----------	----------

Total - 3

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. 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.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

June 6, 2006

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 1285 by Representative Odinet

AMENDMENT NO. 1

Delete the set of one amendment proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on May 30, 2006.

AMENDMENT NO. 2

On page 2, delete lines 3 through 7 in their entirety and insert in lieu thereof the following:

"B. This Section shall not apply to a parish having a population in excess of four hundred thousand, based on the latest decennial census, where an ordinance of the governing authority of such parish provides relative to the destruction of a nonconforming use in whole or in part by fire, storm, or other act of God or the public enemy."

Senator Murray moved adoption of the amendments.

Senator Bajoie objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Murray
Fontenot	Jones	
Total - 5		

NAYS

Amedee	Fields	Mount
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Kostelka	Shepherd
Chaisson	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Ellington	Michot	
Total - 29		

ABSENT

Adley	Cravins	McPherson
Cheek	Dupre	
Total - 5		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Dupre	Marionneaux
Total - 37	NAYS

Total - 0	ABSENT
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Adley	McPherson
Total - 2	

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

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.

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

NAYS

Total - 0	ABSENT
-----------	--------

Adley	McPherson	Shepherd
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. 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.

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

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.

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
Total - 3		

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

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.

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

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.

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

Senator Fontenot in the Chair

HOUSE BILL NO. 69—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

June 6, 2006

ABSENT

Adley McPherson Shepherd
Total - 3

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

HOUSE BILL NO. 206— BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY A JOINT RESOLUTION

Proposing to amend Article V, Section 15(A) of the Constitution of Louisiana, to authorize the legislature by law to establish new judgeships for district courts with the new division having limited or specialized jurisdiction within the territorial jurisdiction of the district court and subject matter jurisdiction over family or juvenile matters as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley McPherson Shepherd
Total - 3

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. 228— BY REPRESENTATIVE WALKER AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Bunkie; 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 Reengrossed House Bill No. 228 by Representative Walker

AMENDMENT NO. 1

On page 1, line 2, after "Article" change "4843(H) and (L)" to

"4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 2

On page 1, line 4, after "Bunkie" insert ", the City Court of Alexandria, and the City Court of Pineville"

AMENDMENT NO. 3

On page 1, line 6, after "Article" change " 4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 4

On page 1, delete line 20 and insert the following:

"I. In the Pineville City Court, the City Court of Leesville, the City Court of Minden, the City Court of Springhill, and the City Court of Slidell, and the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars.

K. In the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars, except as provided in Article 4850.1.

E K. In the city courts of Bunkie and City Court of Marksville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.

M L. In the city courts of Abbeville and Kaplan, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars.

M. In the City Court of Alexandria and the City Court of Pineville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed the amount provided in Article 1732(1) for purposes of demanding a jury trial."

AMENDMENT NO. 5

On page 2, delete lines 1 through 4

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

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

NAYS

Total - 0

ABSENT

Adley McPherson Shepherd
Total - 3

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. 229—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Marksville; 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 Reengrossed House Bill No. 229 by Representative Walker

AMENDMENT NO. 1

On page 1, line 2, after "Article", change "4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 2

On page 1, line 4, after "Marksville" insert ", the City Court of Alexandria, and the City Court of Pineville"

AMENDMENT NO. 3

On page 1, line 6, after "Article", change "4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 4

On page 1, delete line 20, and insert the following:

~~I. In the Pineville City Court, the City Court of Leesville, the City Court of Minden, the City Court of Springhill, and the City Court of Slidell, and the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars.~~

~~K. In the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars, except as provided in Article 4850.1.~~

~~E. K. In the city courts of Bunkie and Marksville City Court of Bunkie, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.~~

~~M. L. In the city courts of Abbeville and Kaplan, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars.~~

~~M. In the City Court of Alexandria and the City Court of Pineville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute or the value of the property involved, does not exceed the amount provided in Article 1732(1) for purposes of demanding a jury trial."~~

AMENDMENT NO. 5

On page 2, delete lines 1 through 4

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

Mr. President Dupre Malone

Amedee	Ellington	Marionneau
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley	McPherson	Shepherd
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Total - 3

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. 291—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact Children's Code Article 611(C), relative to the reporting of child abuse and neglect; to provide relative to the burden of proof in establishing the liability of a person filing a false report; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneau	

Total - 37

NAYS

Total - 0

ABSENT

Adley	McPherson
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Total - 2

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

Mr. President in the Chair

HOUSE BILL NO. 350—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 13:1565(D) and to enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to require the

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clerk of court for the First Judicial District Court to be ex officio clerk of court for the Juvenile Court of Caddo Parish; to provide for expenses and salaries for the operation of the clerk of court for the Juvenile Court of Caddo Parish; 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 Ellington Michot
Amedee Fields Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Duplessis Malone
Dupre Marionneaux
Total - 37

NAYS

Total - 0

ABSENT

Adley McPherson
Total - 2

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. 351— BY REPRESENTATIVE M. POWELL AN ACT

To enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to establish a judicial expense fund for the court; to provide for deposit out of existing fees; to provide for uses of the separate account; to provide for limitations; to provide for an annual audit; to provide for prohibitions; 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 Ellington Michot
Amedee Fields Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Duplessis Malone
Dupre Marionneaux
Total - 37

NAYS

Total - 0

ABSENT

Adley McPherson
Total - 2

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. 422— BY REPRESENTATIVES TOOMY AND ANSARDI AN ACT

To amend and reenact Code of Civil Procedure Article 4843, relative to city court jurisdiction; to reorganize and clarify Code of Civil Procedure Article 4843; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley Cravins McPherson
Total - 3

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

HOUSE BILL NO. 453— BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Marionneaux
Amedee Fields Michot
Bajoie Fontenot Mount

Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Total - 3		

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

HOUSE BILL NO. 539—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 9:315.7(D) and (E), relative to the calculation of child support; to provide for deductions from the basic child support obligation; to provide relative to certain social security benefits; to provide relative to arrearages in child support obligations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Total - 3		

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. 1219—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 35:131 through 133, 191(C)(1) and (2) and (E), and 191.1 and to enact R.S. 35:191(V), relative to notaries public; to authorize the secretary of state to grant leaves of absence for notaries; to provide for the application, qualification, and administration process for taking the notary examination; to provide for certain fees; to provide for the continued exercise of notarial functions by notaries displaced by

Hurricane Katrina or Rita; to provide for the development of uniform statewide examination standards; to provide for regional testing centers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Total - 3		

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

HOUSE BILL NO. 1222—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

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ABSENT

Adley Cravins McPherson
Total - 3

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

HOUSE BILL NO. 1223— BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 35:71(A)(1) and (E) and to enact R.S. 35:191(A)(3), relative to notaries public; to provide relative to the suspension of a notarial commission and the removal of certain penalties; to provide for the definitions of "valid notarial commission" and "validly appointed notary public"; and to provide for related matters.

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

HOUSE BILL NO. 1359— BY REPRESENTATIVES STRAIN AND DURAND AN ACT

To enact R.S. 9:2793.5; relative to civil liability of nonprofit organizations; to provide a limitation of liability for the Louisiana Girl Scout Councils; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed House Bill No. 1359 by Representative Strain

AMENDMENT NO. 1 Delete Senate Committee Amendments proposed by the Senate Committee on Judiciary A and adopted by the Senate May 31, 2006.

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Malone Amedee Ellington Michot Bajoue Fields Mount Barham Fontenot Murray Boasso Gautreaux B Nevers Broome Gautreaux N Quinn Cain Heitmeier Romero Chaisson Hollis Schedler Cheek Jackson Smith Dardenne Jones Theunissen Duplessis Kostelka Ullo Total - 33

NAYS

Marionneaux Total - 1

ABSENT

Adley Lentini Shepherd

Cravins McPherson Total - 5

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

HOUSE BILL NO. 1379— (Substitute for House Bill No. 860 by Representative Alexander)

BY REPRESENTATIVES ALEXANDER, ANSARDI, BEARD, BRUCE, CRANE, CROWE, DORSEY, ERDEY, FRITH, E. GUILLORY, KENNEY, LABRUZZO, MONTGOMERY, MORRISH, PIERRE, T. POWELL, ROMERO, SCALISE, SMILEY, JANE SMITH, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, CAIN, KOSTELKA, MICHOT, NEVERS, QUINN, SMITH, AND THEUNISSEN AN ACT

To amend and reenact Civil Code Articles 102 and 103(1) and Code of Civil Procedure Articles 3952, 3953(introductory paragraph) and (1) and (2) and 3956(introductory paragraph) and (5) and R.S.13:3491(A)(introductory paragraph) and (5)(a) and (B) and 3492(A)(introductory paragraph) and (6)(b) and (B) and to enact Civil Code Article 103.1, relative to divorce; to provide for the granting of divorce when there are minor children of the marriage; to provide for nullity of judgments; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Engrossed House Bill No. 1379 by Representative Alexander

AMENDMENT NO. 1 On page 2, line 18, after "If" and before "a protective" insert ", after a contradictory hearing."

AMENDMENT NO. 2 On page 6, after line 25, insert the following: "Section 5. The provisions of this Act shall apply only to actions filed on and after its effective date. Actions pending before the effective date of this Act shall be governed by prior law."

On motion of Senator Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot Amedee Gautreaux B Mount Bajoue Gautreaux N Nevers Boasso Heitmeier Quinn Broome Hollis Romero Cain Jones Schedler Chaisson Kostelka Smith Dardenne Lentini Theunissen Dupre Malone Ullo Total - 27

NAYS

Bajoue Jackson Cheek Murray Total - 4

ABSENT

Adley Fields McPherson Cravins Fontenot Shepherd

Duplessis Marionneaux
Total - 8

The Chair declared the amended 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.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 1379. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1381— (Substitute for House Bill No. 421 by Representative Burrell)

BY REPRESENTATIVES BURRELL, ALARIO, ALEXANDER, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, K. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HOPKINS, HUTTIER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, MARTINY, McDONALD, MCVEA, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WHITE AND SENATORS BROOME, N. GAUTREAU, X, COSTELKA, LENTINI, AND ROMERO

AN ACT

To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to create the crime of prohibited sales of computer or video games to minors; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1381 by Representative Burrell

AMENDMENT NO. 1

On page 1, delete lines 2 through 6 and insert the following:
"To amend and reenact R.S. 14:91.11(A)(1) and (2), (B), and (D) and to enact R.S. 14:91.11(A)(4), and (5), and (E), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to provide that the provisions apply to persons under the age of eighteen years; to require identification prior to selling materials harmful to minors; and to provide for related matters."

AMENDMENT NO. 2

On page 2, delete lines 7 through 29, and insert the following:
"Section 2. R.S. 14:91.11(A)(1) and (2), (B), and (D) are hereby amended and reenacted and R.S. 14:91.11(A)(4), and (5), and (E) are hereby enacted to read as follows:

§91.11. Sale, exhibition, or distribution of material harmful to minors

A.(1) The unlawful sale, exhibition, rental, leasing, or distribution of material harmful to minors is the intentional sale, allocation, distribution, advertisement, dissemination, exhibition, or display of material harmful to minors, by a person who is not the spouse, parent, or legal guardian of the minor to any unmarried person under the age of ~~seventeen~~ eighteen years, or the possession of material harmful to minors with the intent to sell, allocate, advertise, disseminate, exhibit, or display such material to any unmarried person under the age of ~~seventeen~~ eighteen years, by a person who is not the spouse, parent, or legal guardian of the minor at a newsstand or any other commercial establishment which is open to persons under the age of ~~seventeen~~ eighteen years.

(2) "Material harmful to minors" is defined as any paper, magazine, book, newspaper, periodical, pamphlet, composition, publication, photograph, drawing, picture, poster, motion picture film, video tape, video game, figure, phonograph record, album, cassette, compact disc, wire or tape recording, or other similar tangible work or thing which exploits, is devoted to or principally consists of, descriptions or depictions of illicit sex or sexual immorality for commercial gain, and when the trier of fact determines ~~that the average person applying contemporary community standards would find that the work or thing is presented in a manner to provoke or arouse lust, passion, or perversion or exploits sex: each of the following applies:~~

(a) The material incites or appeals to or is designed to incite or appeal to the prurient, shameful, or morbid interest of minors.

(b) The material is offensive to the average adult applying contemporary community standards with respect to what is suitable for minors.

(c) The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

* * *

(4) "Minor" means any person under the age of eighteen years.

(5) "Video game" means an object or device that stores recorded data or instructions, receives data or instructions generated by a person who uses it, and, by processing the data or instructions, creates an interactive game capable of being played or viewed on or through a computer, gaming system, console, or other technology.

(1) It shall be unlawful for a person who is not the spouse, parent, or legal guardian of the minor to invite or permit any unmarried person under the age of ~~seventeen~~ eighteen years of age to be in any commercial establishment that exhibits or displays any item, material, work or thing of any kind that is described in Subsection A of this ~~section~~ Section.

(2) Lack of knowledge of age or ~~marital status~~ shall not constitute a defense, unless the defendant shows that he had reasonable cause to believe that the minor involved was ~~either married or seventeen~~ eighteen years of age or more and that the minor exhibited to the defendant a ~~draft~~ selective service card, driver's license, military identification card, birth certificate or other official or apparently official document purporting to establish that such a minor was ~~either married or seventeen~~ eighteen years of age or more.

(3) For the purpose of Subsections A and B of this ~~section~~ Section, "exhibition or display" means the exhibition or display of material harmful to minors as defined in Subsection A of this Section so that, as displayed, depictions and representations of illicit sex or sexual immorality are visible to minors, or that an unmarried person under the age of seventeen years is permitted to see or examine the contents of the material harmful to minors.

(4) A commercial establishment shall not be in violation of this ~~section~~ Section if the commercial establishment provides for a separate area for the exhibition or display of material harmful to minors and designates said area "NOT FOR MINORS" or similar words and the commercial establishment prohibits ~~unmarried minors~~ persons under the age of ~~seventeen~~ eighteen years from seeing or examining the contents of material harmful to minors.

* * *

D. Prior to selling material harmful to minors as provided for by this Section, a commercial establishment shall require the individual purchasing the material harmful to minors to provide a driver's license, selective service card, military identification card, birth certificate, or other official form of identification which on its face establishes the age of the person as eighteen years or older.

DE. Whoever is found guilty of violating the provisions of this ~~section~~ Section shall be fined not less than one hundred dollars nor more than two thousand dollars or imprisoned for not more than one year, or both."

AMENDMENT NO. 3

On page 3, delete lines 1 through 7

Senator Marionneaux moved adoption of the amendments.

Senator Romero objected.

June 6, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cheek	Lentini
Amedee	Dupre	Marionneaux
Bajoie	Fields	Murray
Boasso	Heitmeier	Schedler
Chaisson	Hollis	
Total - 14		

NAYS

Barham	Gautreaux B	Nevers
Broome	Jackson	Quinn
Cain	Jones	Romero
Dardenne	Kostelka	Smith
Duplessis	Malone	Theunissen
Ellington	Michot	Ullo
Fontenot	Mount	
Total - 20		

ABSENT

Adley	Gautreaux N	Shepherd
Cravins	McPherson	
Total - 5		

The Chair declared the amendments were rejected.

Personal Privilege

Senator Schedler asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Marionneaux to House Bill No. 1381. He voted yea on the amendment and had intended to vote nay. He asked that the Official Journal so state.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson
Cravins	Shepherd
Total - 4	

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

HOUSE BILL NO. 1388— (Substitute for House Bill No. 1191 by Representative Thompson)

BY REPRESENTATIVE THOMPSON AND SENATOR BARHAM AND COAUTHORED BY REPRESENTATIVES SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RITCHIE AND SENATORS HINES, BAJOIE, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 29:725(E) through (H) and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, 725.2, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state; to provide for application of the principles of the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities and employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for confidentiality of certain records; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; 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	Ellington	Marionneaux
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
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.

Motion to Recommit

Senator Smith asked for and obtained a suspension of the rules and recommitted House Bill No. 336, which was on Third Reading and Final Passage Subject to Call, to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for

the purpose of reverting to the Morning Hour.

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 106—

BY SENATOR DUPRE

A RESOLUTION

To amend and readopt Senate Rule No. 13.4 of the Rules of Order of the Senate; to add Paragraph (18) to such rule, relative to standing committees; to establish the Senate Standing Committee on Coastal Protection and Restoration; and to provide for the jurisdiction of such committee.

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

SENATE CONCURRENT RESOLUTION NO. 123—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals, along with other appropriate state agencies, collaborate with various health organizations to increase awareness of the negative impact of diabetes.

The resolution 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

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 6, 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. 562—

BY SENATORS BAJOIE, CHEEK, N. GAUTREAUX, HINES, JACKSON, MCPHERSON, MOUNT, NEVERS AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE AND SALTER

AN ACT

To amend and reenact R.S. 28:22.7(B) and R.S. 36:251(C)(1) and 258(F),(G),(H), and (I) and to enact R.S. 36:258(J) and to repeal R.S. 36:254(G), relative to the office of aging and adult services; to place the office within the Department of Health and Hospitals; to transfer the Villa Feliciana Medical Complex to the office of aging and adult services; to provide for the purpose and function of the office of aging and adult services; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 32—

BY SENATOR THEUNISSEN AND REPRESENTATIVE FRITH

AN ACT

To create the Parishwide School District of the Parish of Cameron, State of Louisiana, and provide for its powers and duties; to provide such district with the power to levy for the year 2006 an ad valorem property tax not to exceed ten mills only for the purpose of giving additional support to the school system in the

parish; to provide for the ratification of certain acts of a similar district; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 549—

BY SENATOR MICHOT

AN ACT

To enact R.S. 51:710.2, relative to securities; to provide for certain public records; to provide for confidentiality of certain records; to provide for disclosure of certain confidential records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 482—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2179.2, relative to direct service workers; to provide that the Board of Examiners of Nursing Facility Administrators is authorized to operate and maintain the Direct Service Worker Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or certification cards and to charge an amount for providing them; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 489—

BY SENATOR SMITH AND REPRESENTATIVE CRANE

AN ACT

To enact Chapter 17 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2901 through 2907, to create the Louisiana Geography Education Initiative Program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 530—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:3302(A), relative to the president of postsecondary systems; to remove any requirement for appointments of such presidents to be confirmed by the Board of Regents; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 566—

BY SENATORS CHAISSON AND MURRAY

AN ACT

To enact R.S. 15:83 and 85(12) and Code of Criminal Procedure Articles 345(I) and (J) and 955(F), relative to bail bond obligations; to provide for bail bond contracts; to provide for definitions; to provide for the setting aside of bond obligations due to a fortuitous event; to provide for the forfeiture of bonds through cumulative actions; to provide for bond forfeiture actions for certain obligations in summary proceedings; to provide for extensions of time to satisfy bond obligations under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 568—

BY SENATOR DARDENNE

AN ACT

To repeal R.S. 40:2155(B)(9), relative to adult residential care homes; to repeal the requirement that the department promulgate rules to prevent facilities from ordering residents to evacuate under certain circumstances; and to provide for related matters.

Reported with amendments.

June 6, 2006

SENATE BILL NO. 266—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:843(A)(1), (B), (C)(3), (4), (5) and (6), and 851(B)(2), and to repeal R.S. 47:844(A)(5), relative to tobacco tax; to provide for the sale of cigarette stamps; to provide for reciprocal agreements with tax authorities of other states; to provide for a discount to registered tobacco dealers; and to provide for related matters.

Reported with amendments.

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

June 6, 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. 116—
BY SENATOR ELLINGTON AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To commend Mary Barber of West Feliciana High School upon her selection as an alternate representative of south Louisiana at the Hugh O'Brian World Leadership Congress to be held in July in Washington, D.C.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATORS MICHOT, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE ROBIDEAU

A CONCURRENT RESOLUTION

To commend and congratulate Acadian Ambulance Service, Inc., and Air Med Services, L.L.C., for their outstanding rescue and recovery efforts following hurricanes Katrina and Rita.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR HINES AND REPRESENTATIVE LAFLEUR
A CONCURRENT RESOLUTION

To commend Anne-Marie Fontenot of Sacred Heart High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Reported without amendments.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

June 6, 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. 30—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study domestic abuse and its effect in the workplace and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2007 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 166—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

HOUSE CONCURRENT RESOLUTION NO. 206—
BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

HOUSE CONCURRENT RESOLUTION NO. 232—
BY REPRESENTATIVES M. POWELL, BURNS, FARRAR, FAUCHEUX, AND WHITE
A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to facilitate, coordinate, and assist the prompt and timely payment of ambulance services rendered during the aftermath of Hurricanes Katrina and Rita and further to request that the office develop policies to coordinate the expeditious allocation and payment of emergency ambulatory services for future declared disasters.

HOUSE CONCURRENT RESOLUTION NO. 257—
BY REPRESENTATIVE HUNTER
A CONCURRENT RESOLUTION

To extend the membership and time frame for completion of the duties of the Workers' Compensation Medical Reimbursement Task Force.

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to evaluate the impact of immigration on Louisiana laws and make recommendations to the legislature on those areas of laws which should be studied or make recommendations as to specific changes to existing laws or proposing the enactment of new laws, or both.

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. 30—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study domestic abuse and its effect in the workplace and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2007 Regular Session of the Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

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

HOUSE CONCURRENT RESOLUTION NO. 194—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to evaluate the impact of immigration on Louisiana laws and make recommendations to the legislature on those areas of laws which should be studied or make recommendations as to specific changes to existing laws or proposing the enactment of new laws, or both.

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

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

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

HOUSE CONCURRENT RESOLUTION NO. 232—

BY REPRESENTATIVES M. POWELL, BURNS, FARRAR, FAUCHEUX, AND WHITE

A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to facilitate, coordinate, and assist the prompt and timely payment of ambulance services rendered during the aftermath of Hurricanes Katrina and Rita and further to request that the office develop policies to coordinate the expeditious allocation and payment of emergency ambulatory services for future declared disasters.

On motion of Senator Bajoie, the resolution was read by title

and referred to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 257—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To extend the membership and time frame for completion of the duties of the Workers' Compensation Medical Reimbursement Task Force.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 6, 2006

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVES BURRELL AND GALLOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to organizing and improving the procedures for the sale of tax adjudicated properties and to recommend procedures that will insure merchantable title of tax adjudicated properties.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request property and casualty insurers to waive any provisions in their policies which limit the time for filing suit against the insurer to twelve months or one year when filing suit on a property damage claim resulting from Hurricane Katrina or Rita.

Reported favorably.

HOUSE BILL NO. 22—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 13:783(F)(6), relative to the office of the clerk of court in Richland Parish; to require the payment of premium costs for certain life and group medical insurance for retired personnel; to require years of service; to provide for limitations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 27—

BY REPRESENTATIVE FARRAR AND SENATOR MCPHERSON

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), (K), (L), and (M), relative to city court jurisdiction; to increase the jurisdictional amount in dispute for the City Court of Alexandria and the City Court of Pineville; and to provide for related matters.

Reported favorably.

June 6, 2006

HOUSE BILL NO. 134—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2), 932(A), 1201(C), and 1672(C), relative to service of citation; to provide for waiver of the required request for service of citation under certain circumstances; to provide for the procedure to object to the failure to request the required service of citation; to provide for the effect of such exception; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 186—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph) and to enact R.S. 9:392(A)(7)(c), relative to the acknowledgment of paternity; to require the disclosure of certain information prior to the execution of an acknowledgment; to prohibit the suspension of certain responsibilities and obligations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 265—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:334, relative to child custody; to provide for the qualifications of mediators in child custody proceedings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 266—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 439(B) and to enact Children's Code Article 439(F)(7) and (H) through (K), relative to qualifications of a mediator for juvenile court disputes; to provide for mandatory qualifications and continuing education; to provide for the establishment and maintenance of a register of qualified mediators; to provide for the assessment of reasonable fees; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 339—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 13:3667.1(A), 3667.3, and 4163(A)(1)(a) and (B) and to enact Code of Civil Procedure Article 1469(5) and Code of Criminal Procedure Article 740, relative to the attendance and testimony of legislators and legislative personnel in certain court proceedings; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the compulsory appearance and testimony of legislators and personnel during legislative sessions; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 391—

BY REPRESENTATIVES BRUNEAU, SALTER, SCHNEIDER, BURNS, TOOMY, AND SCALISE
AN ACT

To enact R.S. 13:1312.1 and to repeal R.S. 13:1312(B) through (D), 1377(B) through (C), 1381.4(B) through (D), and 1595.2(B) and (C), relative to judicial expense funds; to create the Consolidated Judicial Expense Fund for the civil and criminal district courts, the juvenile court of the parish of Orleans, and the First and Second City Courts of the city of New Orleans; to provide for the transfer, collection, allocation, sources, control, disposition, and administration of monies in the fund by the

judges of the courts, including the magistrate of the criminal district court, sitting en banc; to repeal provisions providing for the separate administration of funds by each court; to provide for the effect of laws governing existing funds applicable to the courts; to provide for exceptions; to provide for implementation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 412—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(3), (8), and (9), relative to medical malpractice; to revise the definitions of "patient", "malpractice", and "health care"; to provide for the inclusion of blood donors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 535—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 9:5609, relative to prescription; to provide for a one-year prescriptive period of actions for actions on certain contracts to purchase or sell immovable property; to provide relative to recordation of contracts; to provide for effectiveness as to third parties; to provide for retroactive application; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 538—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:299.31 and 299.32(1) and (2) and to enact R.S. 9:315.26 and 325 and R.S. 47:299.41(C), relative to support; to provide for the intercept of income tax refunds for the payment of spousal support; to provide for the intercept of income tax refunds for the payment of child support; to provide for the ranking and priority of claims; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 570—

BY REPRESENTATIVES SCALISE, ALEXANDER, GALLOT, E. GUILLORY, HUNTER, AND WALKER
AN ACT

To enact Chapter 22 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2151 through 2163, relative to qui tam actions; to create the Hurricane Relief Funds Integrity Act; to prohibit false or fraudulent claims or false or misleading statements in relation to obtaining funds, property, use of property, or other compensation from hurricane relief programs; to provide for civil actions by the attorney general or by other persons to recover hurricane relief program funds; to provide for damages, fines, penalties, and interest; to create the Hurricane Relief Programs Fraud Detection Fund; to provide for an awards program for information on violations; to provide for protection for certain persons against reprisals by certain persons; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 598—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 1293, relative to service of process by a private person; to provide for court discretion in appointing private process servers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 601—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:315.4 and R.S. 46:236.8(A), (B)(1)(introductory paragraph), (c), (e), (f), and (C), (E), (F), and (G)(6) and to enact R.S. 9:315(C)(8), relative to child support; to provide for the definition of medical support; to require medical support orders; to provide changes in terminology; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 707—

BY REPRESENTATIVES FARRAR, RICHMOND, AND STRAIN
A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) of the Constitution of Louisiana, to prohibit the expropriation and transfer of property to a private person under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 829—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Civil Code Article 665, relative to legal public servitudes; to provide that public servitudes exist for the making and repairing of certain levees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 9:2800.16, relative to limitations of liability; to provide an exemption from liability for the gratuitous medical transportation services for a child and his family under certain circumstances; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1213—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 35:191(P), relative to notaries public; to provide for statewide jurisdiction for certain notaries; to provide for the qualifications to obtain statewide jurisdiction; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES K. CARTER, ALEXANDER, ANSARDI,
BOWLER, AND WALKER
AN ACT

To enact Chapter 4 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4241 through 4276, relative to arbitration; to provide for the International Commercial Arbitration Act; to provide for definitions; to provide for court intervention; to provide for arbitration agreements; to provide for the arbitral tribunal; to provide for jurisdiction; to provide procedures; to provide for the making of awards; to provide for settlements; to provide for recourse; to provide for recognition; to provide for enforcement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact Code of Civil Procedure Article 2640 and 2721(A), relative to executory proceedings; to delete inconsistent provisions relative to service of the notice of demand for payment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1302—

BY REPRESENTATIVE BURNS
AN ACT

To provide relative to the interruption of prescription for property damage claims related to Hurricanes Katrina and Rita; to establish legislative intent; to provide for the interruption of prescription for one year; to authorize suit for declaratory judgment; to provide an emergency effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 6, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 331—

BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 14:95(G)(2) and to enact R.S. 40:1379.3.1(A)(3), relative to retired law enforcement officers; to provide for carrying concealed weapons by such persons; to provide for issuance of retiree identification to certain retired law enforcement officers; to provide for payment of concealed handgun permit fees; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation.

Reported favorably.

HOUSE BILL NO. 7—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 26:583(D), relative to the merger of one area with another area as to the legal sales characteristic of the annexed area regarding alcohol sales; to exempt Ward Two from taking on the sales characteristic of Bastrop, Morehouse Parish; and to

June 6, 2006

provide for related matters.

Reported favorably.

HOUSE BILL NO. 98—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:71.1(3)(c) and 271.2(3)(c), relative to alcoholic beverage permits; to require the granting of a Class A-Special permit to sell alcohol to the convention center located in the city of Natchitoches; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 184—

BY REPRESENTATIVES JACK SMITH, BALDONE, BRUCE, BURRELL,
AND LAFLEUR
AN ACT

To enact Code of Criminal Procedure Article 894.4, relative to extension of probation or parole; to provide for the extension of probation or parole when monetary obligations are not extinguished; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 278—

BY REPRESENTATIVES MARTINY, BRUCE, CAZAYOUX, CRAVINS,
LAFLEUR, JANE SMITH, AND WHITE
AN ACT

To amend and reenact R.S. 15:542(A)(2)(a), relative to registration requirements of sex offenders; to require sex offenders who enter an emergency shelter to notify the local sheriff; to provide notice to the chief of police in municipalities where a shelter is located; to provide for notice to the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 281—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 15:144(B) and 145(B)(3), relative to indigent defender boards; to provide for the hiring of attorneys; to provide residential requirements; to provide for membership of the indigent defender board in Orleans Parish; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 374—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide when a term of probation commences if incarceration and probation are ordered by a court; to provide for the concurrent running of probation and parole supervision in certain cases; to provide for applicability; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 603—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:934(2) and 936(B), relative to the Responsible Vendor Program; to provide for the validity of server permits for four years; to increase the fees that providers may charge for conducting server training courses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 633—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 26:80(H) and 280(H), relative to the Alcoholic Beverage Control Law; to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 794—

BY REPRESENTATIVES M. POWELL, ALEXANDER, BAUDOIN,
BAYLOR, BEARD, BRUCE, BURNS, CAZAYOUX, CRAVINS, CROWE,
CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE,
DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH,
GEYMANN, GLOVER, GREENE, M. GUILLORY, HEBERT, HILL,
HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY,
LABRUZZO, LAFLEUR, LANCASTER, MCDONALD, MCVEA, ODINET,
PIERRE, PITRE, T. POWELL, QUEZAIRE, SALTER, SCALISE,
SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN
SMITH, ST. GERMAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN,
TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON,
AND WOOTON

AN ACT

To enact R.S. 29:731.2, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to require any person applying to receive or receiving disaster assistance to provide identification information when requested to do so by a sheriff of the jurisdiction; to provide for consent to provide certain information when applying for emergency assistance grants; to require a state or local agency who receives personal identification information to provide the information to a sheriff upon request; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 905—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 15:848.5(B), relative to the Lincoln Parish Detention Center; to provide relative to the incarceration of prisoners; to provide for the use of other jail and prison facilities in the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1341—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:2268.2, relative to the Southeast Regional Criminalistics Laboratory Commission; to provide relative to the domicile of the commission; to authorize the commission to contract with an existing public or private laboratory; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1366— (Substitute for House Bill No. 168 by Representative Jack Smith)

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(A)(2)(a), relative to orders for costs and fines; to provide that orders for costs and fines are deemed to be civil money judgments in the same manner as provided for orders for restitution; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

Rules Suspended

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

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments,
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator Murray asked that Senate Bill No. 308 be called from the Calendar at this time.

SENATE BILL NO. 308—
BY SENATOR MURRAY AND REPRESENTATIVE ANSARDI AND
COAUTHORED BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv), and R.S. 41:901, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the nature of such property transfer; to provide with regard to the applicability of certain laws; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Richmond and Ansardi to Reengrossed Senate Bill No. 308 by Senator Murray

AMENDMENT NO. 1

On page 2, line 22, after "**hurricane.**" insert "**However, the school district shall not exercise such authority to sell, exchange, or lease any property or building unless it first offers such property or building without cost to the local public school board to which the**

property belonged prior to its being under the control of the school district and such local public school board refuses at a public meeting to accept the return of the property or building."

AMENDMENT NO. 2

On page 4, line 8, after "**hurricane.**" insert "**However, the Recovery School District shall not exercise such authority to sell, exchange, or lease any property or building unless it first offers such property or building without cost to the local public school board to which the property belonged prior to its being under the control of the school district and such local public school board refuses at a public meeting to accept the return of the property or building."**

Senator Murray moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneau
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
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Total - 3

The Chair declared the amendments proposed by the House were concurred in. Senator Murray moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**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:

June 6, 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 Bills have been properly enrolled:

SENATE BILL NO. 35—
BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 3061, relative to successions; to provide relative to judgments of possession; to provide relative to the requirement for an inheritance tax return in such instances; to limit such requirement to certain

circumstances; and to provide for related matters.

SENATE BILL NO. 123—

BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND BOWLER

AN ACT

To amend and reenact R.S. 9:315(C)(3)(a), relative to child support; to provide for the definition of gross income; to include the basic allowance for housing for military personnel as gross income; and to provide for related matters.

SENATE BILL NO. 186—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:1808(J)(1), relative to registration and licensure of certain postsecondary institutions; to provide for an exemption from the requirements for such registration and licensure; and to provide for related matters.

SENATE BILL NO. 216—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:1379.1(F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 40:1379.1(N), relative to powers and duties of the deputy secretary of the Department of Public Safety and Corrections, Public Safety Services, office of the state police; to provide for issuance of special officer commission to commissioned law enforcement officer responding pursuant to a request for assistance under the Southern Regional Homeland Security and Emergency Preparedness Management Assistance Compact, during a declared state of emergency or disaster; and to provide for related matters.

SENATE BILL NO. 227—

BY SENATOR N. GAUTREUX

AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belts; to exempt from the safety belt law certain utility workers in the performance of their duties under certain circumstances; and to provide for related matters.

SENATE BILL NO. 252—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:381(C)(3), relative to utilities and facilities; to provide for the relocation of utilities and facilities for highway widening, relocation, or improvement purposes; to provide for utility relocation agreements; to provide relative to delays; and to provide for related matters.

SENATE BILL NO. 268—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:287.655(A), (D)(introductory paragraph), and (G)(1), and to repeal R.S. 47:120, 120.1, and 120.2, relative to installment payments of estimated income tax by corporations; to specify that the amount to be paid if there is an underpayment of tax or an adjustment is a penalty; and to provide for related matters.

SENATE BILL NO. 397—

BY SENATORS ELLINGTON AND ULLO

AN ACT

To enact R.S. 44:23, relative to applicability of public records laws; to provide for the application of such laws to preconstruction estimates for projects of the Department of Transportation and Development; to provide for procedures; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 400— (Duplicate of House Bill No. 255)

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:455, relative to the Department of Transportation and Development; to provide relative to the accrual of legal interest against the department in expropriation proceedings; and to provide for related matters.

SENATE BILL NO. 406—

BY SENATORS LENTINI AND HINES

AN ACT

To amend and reenact R.S. 40:1299.47(B)(1)(c) and to enact R.S. 40:1299.47(B)(1)(d) and (N), relative to medical malpractice; to provide relative to medical risk review panels; to provide relative to the waiver of such panel; to establish an expedited risk review panel process; to require a written request for such process; to provide for time requirements relative to request for such process, the selection of panel members, and the rendering of the opinion of the panel; to provide relative to notification of certain participants in the panel; to require certain information of certain health care providers; to provide relative to a HIPAA Compliant Authorization form; to authorize a protection order of medical records; to provide relative to certain evidence; to require a written report of the conclusion of the panel; and to provide for related matters.

SENATE BILL NO. 589— (Duplicate of House Bill No. 859)

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:255(B)(5)(b), relative to bids on contracts for the Department of Transportation and Development; to provide for the rejection of bids; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 33—

BY SENATORS NEVERS, ELLINGTON, B. GAUTREUX, N. GAUTREUX, MOUNT, ROMERO AND SCHEDLER AND REPRESENTATIVES ALARIO, BALDONE, BARROW, BAUDOIN, BEARD, BOWLER, BRUCE, BURNS, CHANDLER, CRANE, CRAVINS, CROWE, DARTEZ, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, M. POWELL, T. POWELL, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALSWORTH, WHITE AND WOOTON

AN ACT

To amend and reenact R.S. 14:87 and to enact R.S. 40:1299.30, relative to abortion; to prohibit abortion of a human being, except when necessary to save the life of the mother and when necessary to prevent substantial risk of death or permanent impairment under certain circumstances; to provide for criminal consequences for violations; to provide for the act to only become effective upon the occurrence of certain events; to provide for severability; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 6, 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. 110—

BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend and congratulate James A. "Jimmy" Little on being named King and Champion for 2006 and receiving the coveted "Poo Yie" trophy.

SENATE CONCURRENT RESOLUTION NO. 114—

BY SENATORS N. GAUTREUX AND B. GAUTREUX AND REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To commend Gage Rodriguez of Hanson Memorial High School upon his selection as an alternate representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Adley 1 Day McPherson 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, June 7, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, June 7, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

