

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

THIRTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 22, 2007

The Senate was called to order at 3:00 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	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Lentini	Uilo
Total - 36		

ABSENT

Bajoie	Mount	Schedler
Total - 3		

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

Prayer

The prayer was offered by Pastor Dewayne Rogers, 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 McPherson, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 22, 2007

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. 65—

BY SENATORS SCHEDLER, BOASSO, NEVERS AND QUINN AND REPRESENTATIVES BURNS, CROWE, RITCHIE, SCHNEIDER, STRAIN AND WINSTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Pearl Williams, Councilwoman-at-Large for St. Tammany Parish.

Reported without amendments.

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

**Senate Resolutions
on Second Reading**

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

SENATE RESOLUTION NO. 32—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Jon Eric Bowman upon his death in combat in this nation's war against terrorism.

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

SENATE RESOLUTION NO. 33—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Myles C. Sebastien upon his death in combat in Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 34—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private Mark William Graham upon his death from wounds suffered in Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 35—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private Joshua Cain Burrows of Bossier City, who was killed in action in Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 36—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army First Lieutenant Ashley Laine Henderson Huff upon her death in ground combat action in Operation Iraqi Freedom.

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

May 22, 2007

SENATE RESOLUTION NO. 37—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant First Class Marcus V. Muralles upon his death in combat operations during Operation Enduring Freedom in Afghanistan.

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

SENATE RESOLUTION NO. 38—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family and loved ones of United States Army Sergeant First Class Terry O. P. Wallace upon his death in ground combat operations in Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 39—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Brandon L. Teeters upon his death in combat in Iraq.

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

SENATE RESOLUTION NO. 42—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Matthew J. Vosbein upon his death in ground combat in Operation Iraqi Freedom.

On motion of Senator Marionneaux, 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

May 22, 2007

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. 201—

BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 33:7728(E), relative to St. Tammany Parish Mosquito Abatement District No. 2; to provide with respect to changing the name of such district; to retain the powers of the board of commissioners of the district and of the St. Tammany Parish Council relative to the district; and to provide for related matters.

HOUSE BILL NO. 406—

BY REPRESENTATIVE FRITH
AN ACT

To enact Chapter 27-H of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.121 through 9039.125, relative to the Abbeville Film and Visitors Commission District; to create and provide with respect to such district, including provisions for the district and its governing board and their powers, duties, functions, and responsibilities; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

HOUSE BILL NO. 567—

BY REPRESENTATIVES FRITH AND PINAC AND SENATOR
THEUNISSEN
AN ACT

To enact R.S. 33:2758, relative to ad valorem property taxes in Cameron Parish; to provide for the authority of the Cameron Parish governing authority and local tax recipient bodies to collect ad valorem property taxes and to grant future ad valorem tax credits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 375—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 9:2347(M), relative to public property; to provide that property owned by a public trust, having as its beneficiary the parish of Jefferson, is public and is used for a public purpose; to provide for payments in lieu of taxes by lessees of such public trust; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 392—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Code of Criminal Procedure Article 404(A)(2), relative to the appointment of the jury commission in Orleans Parish; to provide for the appointment by the en banc judges of the criminal district court; to provide for appointment by the en banc judges of the Criminal Division of the Forty-First Judicial District Court with the concurrence of the judges en banc civil division; to provide that the commissioners shall serve at the pleasure of the court; and to provide for related matters.

HOUSE BILL NO. 455—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 33:9039.15(A) and (B), relative to community development districts; to provide relative to membership of the boards of supervisors of such districts; to permit additional members on the boards of supervisors of such districts located within Jefferson Parish and to provide for their appointment, residency, and service; and to provide for related matters.

HOUSE BILL NO. 651—

BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3)(a)(introductory paragraph) and (b) (introductory paragraph), (6), and (7), relative to worker's compensation; to provide for the determination of the liability of the Second Injury Fund; and to provide for related matters.

HOUSE BILL NO. 746—

BY REPRESENTATIVES R. CARTER AND T. POWELL AND SENATOR
NEVERS
AN ACT

To enact R.S. 33:2554(H), relative to municipal fire and police civil service; to provide for filling vacancies in the position of district fire chief for Tangipahoa Fire Protection District No. 1; to provide relative to the qualifications of persons selected and appointed to fill such a vacancy; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 802—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 33:4712.10, relative to the purchase of immovable property; to provide relative to the appraisal of such property prior to purchase by a political subdivision; to provide relative to the sale price; and to provide for related matters.

HOUSE BILL NO. 961— (Substitute for House Bill No. 404 by Representative Damico)

BY REPRESENTATIVES DAMICO AND SALTER
AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges, to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize the filing of cancellations of mortgages and vendor's privileges; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide a limitation of liability for clerks of court and recorders of mortgages; to provide for the indemnification of persons relying on the affidavit of cancellation; and to provide for related matters.

HOUSE BILL NO. 150—

BY REPRESENTATIVES ANSARDI AND MARTINY
AN ACT

To enact Code of Evidence Articles 507(E) and 508(E), relative to the subpoena of lawyers in civil and criminal cases; to provide that the prohibition against the issuance of subpoenas requiring lawyers to reveal privileged or work product information extends to prosecutors and lawyers representing the state or any political subdivision or employed by the Louisiana Legislature; and to provide for related matters.

HOUSE BILL NO. 413—

BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 38:330.1(C)(1)(introductory paragraph) and (b) and (L) and 330.8 and to repeal R.S. 38:330.1(F)(5), relative to the Southeast Louisiana Flood Protection Authority-West Bank; to provide for management of the affairs of the authority; to provide relative to residency requirements for members of the authority; to provide relative to involvement of certain members in decisions of the board; to provide relative to compensation of members; and to provide for related matters.

HOUSE BILL NO. 423—

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 900(A)(5) and R.S. 15:574.9(B) and to enact R.S. 15:574.9(G), relative to probation and parole; to provide with respect to revocation for probation or parole for a technical violation; to clarify that those offenders whose probation or parole is revoked for a technical violation shall return to probation or parole after completing the sentence for the technical violation; to provide for a commencement date for the term of the revocation; to amend the definition of "technical violation"; and to provide for related matters.

HOUSE BILL NO. 440—

BY REPRESENTATIVES SCHNEIDER, WALSWORTH, ARNOLD, CURTIS, DOERGE, GEYMAN, HARRIS, KLECKLEY, MCDONALD, ROBIDEAUX, AND TRAHAN
AN ACT

To amend and reenact R.S. 11:2178(M)(1), relative to the Sheriffs' Pension and Relief Fund; to provide authority for the board of trustees to grant a cost-of-living adjustment for the year ending June 30, 2007; to provide for limitations on such cost-of-living adjustment; to provide for eligibility for such cost-of-living adjustment; to provide for an additional cost-of-living adjustment for certain individuals over sixty-five; and to provide for related matters.

HOUSE BILL NO. 628—

BY REPRESENTATIVE K. CARTER AND SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 38:281(9), 291(K)(1), 330.12(A), and 336(A) and to enact R.S. 38:281(10), relative to the Orleans Levee District; to clarify and provide for the ownership and management of certain property of the district; to provide relative to the disposition of the proceeds of any sale or alienation of such property; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 629—

BY REPRESENTATIVES RITCHIE AND PINAC
AN ACT

To enact Part IV-D of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.51 through 1730.66, relative to industrialized buildings; to provide legislative findings; to provide for definitions; to provide for rules and regulations relative to industrialized buildings; to provide for third-party inspectors and design review agencies; to provide for standards of construction for industrialized buildings; to provide for enforcement of the building code; to provide for enforcement of building code amendments; to provide for design review; to provide for equivalent methods of compliance; to provide for inspections of industrialized buildings; to provide for decals or insignia on modules; to provide for reciprocity of industrialized buildings; and to provide for related matters.

HOUSE BILL NO. 669—

BY REPRESENTATIVES CURTIS AND GRAY
AN ACT

To amend and reenact Children's Code Articles 623, 624(B) and (C), 645, 672.1(D), 675(B)(3), 682(A), 695(A) and (C), 702(A) and (F), 705(A) and (C), and 1025, to enact Children's Code Articles 116(6) and (8.1), 603(11), 622.1, 679(D), 702(I) and (J), 780(E), and 901(F), relative to the interstate placement of foster children; to provide for definitions; to provide for access to shelter care facility records; to provide for notice to parties in procedures for the protection of a child; to provide for the cooperation of the Department of Social Services in foster care and adoption cases; to provide for reunification efforts; to provide for the contents of a case plan; to provide relative to the removal of a child from parental custody or control; to provide for notice to parties in case review hearings; to provide for permanency hearings; to provide for the cooperation of state agencies in foster care placement cases; and to provide for related matters.

HOUSE BILL NO. 727—

BY REPRESENTATIVES ALEXANDER, MORRELL, AND WALSWORTH
AN ACT

To enact R.S. 9:2793.8, relative to civil liability; to provide a limitation of liability for the National Voluntary Organizations Active in Disaster; to provide an exception for willful and wanton misconduct; and to provide for related matters.

HOUSE BILL NO. 751—

BY REPRESENTATIVES HONEY AND GALLOT
AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand petitioners to include second and third cousins; and to provide for related matters.

HOUSE BILL NO. 766—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x)(ff) and to enact R.S. 32:409.1(A)(9), relative to driver's licenses; to change the eligibility of citizens of other countries for a driver's license; and to provide for related matters.

May 22, 2007

HOUSE BILL NO. 780—
BY REPRESENTATIVE FAUCHEUX AND SENATOR CHAISSON
AN ACT

To enact R.S. 9:203(E)(5), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal judges to preside over a marriage ceremony for a particular period of time; and to provide for related matters.

HOUSE BILL NO. 897—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a) and (b)(ii), (2), (4), (6), and (9)(a) and (D) and to repeal R.S. 32:414.2(E), relative to commercial driver's licenses; to require disqualification of commercial driving privileges for certain offenses; to provide with respect to suspension and revocation of driving privileges under commercial driver's licenses; and to provide for related matters.

HOUSE BILL NO. 796—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 13:2575(C)(1) and 2576(A)(1), relative to administrative adjudication of certain ordinance violations; to provide for the enforcement of liens and privileges; and to provide for related matters.

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

**House Bills and Joint Resolutions
on First Reading**

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

HOUSE BILL NO. 150—
BY REPRESENTATIVES ANSARDI AND MARTINY
AN ACT

To enact Code of Evidence Articles 507(E) and 508(E), relative to the subpoena of lawyers in civil and criminal cases; to provide that the prohibition against the issuance of subpoenas requiring lawyers to reveal privileged or work product information extends to prosecutors and lawyers representing the state or any political subdivision or employed by the Louisiana Legislature; and to provide for related matters.

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

HOUSE BILL NO. 201—
BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 33:7728(E), relative to St. Tammany Parish Mosquito Abatement District No. 2; to provide with respect to changing the name of such district; to retain the powers of the board of commissioners of the district and of the St. Tammany Parish Council relative to the district; and to provide for related matters.

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

HOUSE BILL NO. 375—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 9:2347(M), relative to public property; to provide that property owned by a public trust, having as its beneficiary the parish of Jefferson, is public and is used for a public purpose; to provide for payments in lieu of taxes by lessees of such public trust; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 392—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Code of Criminal Procedure Article 404(A)(2), relative to the appointment of the jury commission in Orleans Parish; to provide for the appointment by the en banc judges of the criminal district court; to provide for appointment by the en banc judges of the Criminal Division of the Forty-First Judicial District Court with the concurrence of the judges en banc civil division; to provide that the commissioners shall serve at the pleasure of the court; and to provide for related matters.

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

HOUSE BILL NO. 406—
BY REPRESENTATIVE FRITH
AN ACT

To enact Chapter 27-H of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.121 through 9039.125, relative to the Abbeville Film and Visitors Commission District; to create and provide with respect to such district, including provisions for the district and its governing board and their powers, duties, functions, and responsibilities; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

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

HOUSE BILL NO. 413—
BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 38:330.1(C)(1)(introductory paragraph) and (b) and (L) and 330.8 and to repeal R.S. 38:330.1(F)(5), relative to the Southeast Louisiana Flood Protection Authority-West Bank; to provide for management of the affairs of the authority; to provide relative to residency requirements for members of the authority; to provide relative to involvement of certain members in decisions of the board; to provide relative to compensation of members; and to provide for related matters.

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

HOUSE BILL NO. 423—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 900(A)(5) and R.S. 15:574.9(B) and to enact R.S. 15:574.9(G), relative to probation and parole; to provide with respect to revocation for probation or parole for a technical violation; to clarify that those offenders whose probation or parole is revoked for a technical violation shall return to probation or parole after completing the sentence for the technical violation; to provide for a commencement date for the term of the revocation; to amend the definition of "technical violation"; and to provide for related matters.

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

HOUSE BILL NO. 440—
BY REPRESENTATIVES SCHNEIDER, WALSWORTH, ARNOLD,
CURTIS, DOERGE, GEYMANN, HARRIS, KLECKLEY, MCDONALD,
ROBIDEAUX, AND TRAHAN
AN ACT

To amend and reenact R.S. 11:2178(M)(1), relative to the Sheriffs' Pension and Relief Fund; to provide authority for the board of trustees to grant a cost-of-living adjustment for the year ending June 30, 2007; to provide for limitations on such cost-of-living adjustment; to provide for eligibility for such cost-of-living adjustment; to provide for an additional cost-of-living adjustment for certain individuals over sixty-five; and to provide for related matters.

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

HOUSE BILL NO. 455—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 33:9039.15(A) and (B), relative to community development districts; to provide relative to membership of the boards of supervisors of such districts; to permit additional members on the boards of supervisors of such districts located within Jefferson Parish and to provide for their appointment, residency, and service; and to provide for related matters.

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

HOUSE BILL NO. 567—

BY REPRESENTATIVES FRITH AND PINAC AND SENATOR THEUNISSEN

AN ACT

To enact R.S. 33:2758, relative to ad valorem property taxes in Cameron Parish; to provide for the authority of the Cameron Parish governing authority and local tax recipient bodies to collect ad valorem property taxes and to grant future ad valorem tax credits; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 628—

BY REPRESENTATIVE K. CARTER AND SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 38:281(9), 291(K)(1), 330.12(A), and 336(A) and to enact R.S. 38:281(10), relative to the Orleans Levee District; to clarify and provide for the ownership and management of certain property of the district; to provide relative to the disposition of the proceeds of any sale or alienation of such property; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 629—

BY REPRESENTATIVES RITCHIE AND PINAC

AN ACT

To enact Part IV-D of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.51 through 1730.66, relative to industrialized buildings; to provide legislative findings; to provide for definitions; to provide for rules and regulations relative to industrialized buildings; to provide for third-party inspectors and design review agencies; to provide for standards of construction for industrialized buildings; to provide for enforcement of the building code; to provide for enforcement of building code amendments; to provide for design review; to provide for equivalent methods of compliance; to provide for inspections of industrialized buildings; to provide for decals or insignia on modules; to provide for reciprocity of industrialized buildings; and to provide for related matters.

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

HOUSE BILL NO. 651—

BY REPRESENTATIVES CURTIS AND HUNTER

AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3)(a)(introductory paragraph) and (b) (introductory paragraph), (6), and (7), relative to worker's compensation; to provide for the determination of the liability of the Second Injury Fund; and to provide for related matters.

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

HOUSE BILL NO. 669—

BY REPRESENTATIVES CURTIS AND GRAY

AN ACT

To amend and reenact Children's Code Articles 623, 624(B) and (C), 645, 672.1(D), 675(B)(3), 682(A), 695(A) and (C), 702(A) and (F), 705(A) and (C), and 1025, to enact Children's Code Articles

116(6) and (8.1), 603(11), 622.1, 679(D), 702(I) and (J), 780(E), and 901(F), relative to the interstate placement of foster children; to provide for definitions; to provide for access to shelter care facility records; to provide for notice to parties in procedures for the protection of a child; to provide for the cooperation of the Department of Social Services in foster care and adoption cases; to provide for reunification efforts; to provide for the contents of a case plan; to provide relative to the removal of a child from parental custody or control; to provide for notice to parties in case review hearings; to provide for permanency hearings; to provide for the cooperation of state agencies in foster care placement cases; and to provide for related matters.

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

HOUSE BILL NO. 727—

BY REPRESENTATIVES ALEXANDER, MORRELL, AND WALSWORTH

AN ACT

To enact R.S. 9:2793.8, relative to civil liability; to provide a limitation of liability for the National Voluntary Organizations Active in Disaster; to provide an exception for willful and wanton misconduct; and to provide for related matters.

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

HOUSE BILL NO. 746—

BY REPRESENTATIVES R. CARTER AND T. POWELL AND SENATOR NEVERS

AN ACT

To enact R.S. 33:2554(H), relative to municipal fire and police civil service; to provide for filling vacancies in the position of district fire chief for Tangipahoa Fire Protection District No. 1; to provide relative to the qualifications of persons selected and appointed to fill such a vacancy; to provide limitations; and to provide for related matters.

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

HOUSE BILL NO. 751—

BY REPRESENTATIVES HONEY AND GALLOT

AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand petitioners to include second and third cousins; and to provide for related matters.

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

HOUSE BILL NO. 766—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x)(ff) and to enact R.S. 32:409.1(A)(9), relative to driver's licenses; to change the eligibility of citizens of other countries for a driver's license; and to provide for related matters.

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

HOUSE BILL NO. 780—

BY REPRESENTATIVE FAUCHEUX AND SENATOR CHAISSON

AN ACT

To enact R.S. 9:203(E)(5), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal judges to preside over a marriage ceremony for a particular period of time; and to provide for related matters.

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

HOUSE BILL NO. 796—

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact R.S. 13:2575(C)(1) and 2576(A)(1), relative to administrative adjudication of certain ordinance violations; to provide for the enforcement of liens and privileges; and to provide for related matters.

May 22, 2007

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

HOUSE BILL NO. 802—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 33:4712.10, relative to the purchase of immovable property; to provide relative to the appraisal of such property prior to purchase by a political subdivision; to provide relative to the sale price; and to provide for related matters.

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

HOUSE BILL NO. 897—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a) and (b)(ii), (2), (4), (6), and (9)(a) and (D) and to repeal R.S. 32:414.2(E), relative to commercial driver's licenses; to require disqualification of commercial driving privileges for certain offenses; to provide with respect to suspension and revocation of driving privileges under commercial driver's licenses; and to provide for related matters.

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

HOUSE BILL NO. 961— (Substitute for House Bill No. 404 by Representative Damico)
BY REPRESENTATIVES DAMICO AND SALTER
AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges, to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize the filing of cancellations of mortgages and vendor's privileges; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide a limitation of liability for clerks of court and recorders of mortgages; to provide for the indemnification of persons relying on the affidavit of cancellation; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 21, 2007

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. 72—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To direct the United States Army Corps of Engineers to immediately begin the process of closing the Mississippi River Gulf Outlet, the "MRGO".

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVES JANE SMITH AND MONTGOMERY AND SENATOR ADLEY
A CONCURRENT RESOLUTION

To commend the Benton High School baseball team upon reaching the 2007 Class 3A state championship game.

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE WALKER
A CONCURRENT RESOLUTION

To urge and request the governor, the Louisiana congressional delegation, and other relevant entities to work together to ensure federal funding for the Louisiana Children's Health Insurance Program.

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION

To express condolences upon the death of Mike V, Louisiana State University's beloved tiger mascot.

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

To urge and request the State Board of Certified Public Accountants of Louisiana to encourage certified public accountants to take continuing professional education courses which include information relevant to donations made through an income tax check off.

HOUSE CONCURRENT RESOLUTION NO. 121—
BY REPRESENTATIVES RICHMOND, BADON, K. CARTER, GRAY, JEFFERSON, LAFONTA, MARCHAND, AND MORRELL AND SENATORS BAJOIE, DUPLESSIS, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

To commend Reverend Jerome G. LeDoux, S.V.D., upon the celebration of the fiftieth anniversary of his ordination to the priesthood and to honor his achievements.

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

To urge and request healthcare providers to adopt generally recognized clinical practice guidelines, such as the American Diabetes Association goals, recommendations, and standards that identify the reduction of body mass index, cardiovascular risk issues, and glycemic control as key factors to managing diabetes.

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

House Concurrent Resolutions

Senator Adley 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. 72—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To direct the United States Army Corps of Engineers to immediately begin the process of closing the Mississippi River Gulf Outlet, the "MRGO".

On motion of Senator Adley, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVES JANE SMITH AND MONTGOMERY AND SENATOR ADLEY
A CONCURRENT RESOLUTION

To commend the Benton High School baseball team upon reaching the 2007 Class 3A state championship game.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Gautreaux B	Murray
Cain	Hollis	Nevers
Cassidy	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot	Mount
Boasso	Gautreaux N	Schedler
Broome	Heitmeier	Shepherd
Total - 9		

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

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To urge and request the governor, the Louisiana congressional delegation, and other relevant entities to work together to ensure federal funding for the Louisiana Children's Health Insurance Program.

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

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To express condolences upon the death of Mike V, Louisiana State University's beloved tiger mascot.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Gautreaux B	Murray
Cain	Hollis	Nevers
Cassidy	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot	Mount
Boasso	Gautreaux N	Schedler
Broome	Heitmeier	Shepherd
Total - 9		

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

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE GREENE

A CONCURRENT RESOLUTION

To urge and request the State Board of Certified Public Accountants of Louisiana to encourage certified public accountants to take continuing professional education courses which include information relevant to donations made through an income tax check off.

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

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVES RICHMOND, BADON, K. CARTER, GRAY, JEFFERSON, LAFONTA, MARCHAND, AND MORRELL AND SENATORS BAJOIE, DUPLESSIS, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Reverend Jerome G. LeDoux, S.V.D., upon the celebration of the fiftieth anniversary of his ordination to the priesthood and to honor his achievements.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Gautreaux B	Murray
Cain	Hollis	Nevers
Cassidy	Jackson	Quinn
Chaisson	Jones	Romero
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Bajoie	Fontenot	Mount
Boasso	Gautreaux N	Schedler
Broome	Heitmeier	Shepherd
Total - 9		

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

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request healthcare providers to adopt generally recognized clinical practice guidelines, such as the American Diabetes Association goals, recommendations, and standards that identify the reduction of body mass index, cardiovascular risk issues, and glycemic control as key factors to managing diabetes.

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

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. 29—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 47:302(R) and 321(H) and to enact R.S. 47:331(P)(3), relative to the state sales and use tax; to provide relative to the effectiveness of the exemption for certain farm irrigation equipment; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 117—

BY REPRESENTATIVES MONTGOMERY AND TOWNSEND
AN ACT

To enact R.S. 47:818.14(A)(4), relative to the gasoline tax; to provide for an exemption for gasoline used in the manufacture of certain premixed two-cycle engine fuel; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 141—

BY REPRESENTATIVES TOWNSEND, KATZ, KENNEY, THOMPSON, AND WALSWORTH
AN ACT

To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature of Louisiana, as amended and reenacted by Act No. 12 of the 2004 First Extraordinary Session of the Legislature of Louisiana, relative to the income and franchise tax credits for costs associated with the rehabilitation of certain historic structures; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 231—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:303(E)(1) and 304(A) and to enact R.S. 47:305.56, relative to sales and use taxes; to provide relative to the collection of sales and use taxes on off-road vehicles; to exempt certain purchases of off-road vehicles from collection of state sales and use taxes; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 270—

BY REPRESENTATIVES ALARIO AND THOMPSON
AN ACT

To amend and reenact R.S. 51:1286(C)(1) and to repeal R.S. 51:1286(C)(3), (5), and (6), relative to the Louisiana Tourism Promotion District; to remove the limitation on the amount of the proceeds of the sales and use tax levied by the district dedicated and pledged to specific purposes; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 321—

BY REPRESENTATIVES BURRELL, ALEXANDER, BAYLOR, BRUCE, DOERGE, MONTGOMERY, MORRIS, JANE SMITH, TOOMY, WADDELL, AND WILLIAMS

AN ACT

To amend and reenact R.S. 9:165(C), relative to the Unclaimed Property Leverage Fund; to provide for uses of monies deposited into the fund; to provide for the deposit of monies into the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 348—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 361—

BY REPRESENTATIVES TOWNSEND AND THOMPSON
AN ACT

To amend and reenact Section 2 of Act No. 479 of the 2005 Regular Session of the Legislature, relative to individual income tax credits for costs associated with the rehabilitation of certain owner-occupied residential structures; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 366—

BY REPRESENTATIVES TOWNSEND, BEARD, AND CAZAYOUX
AN ACT

To amend and reenact R.S. 25:1226.4(C)(1) and (2) and 1226.6(A), relative to tax exemptions; to provide for the extension of the Atchafalaya Trace Heritage Area Development Zone tax exemption; to increase the tax credit related to the operations of the cottage industry within the development zone; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 407—

BY REPRESENTATIVES K. CARTER, DOWNS, GRAY, JACKSON, AND MCDONALD
AN ACT

To amend and reenact Section 3 of Act No. 527 of the 2003 Regular Session of the Legislature and Section 2 of Act No. 363 of the 2004 Regular Session of the Legislature, relative to increased fees for issuance and renewal of drivers' licenses; to extend the sunset date of a fee used to fund litter reduction efforts; and to provide for related matters.

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

HOUSE BILL NO. 408—

BY REPRESENTATIVES CAZAYOUX, K. CARTER, AND GRAY
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2356, relative to the Technology Commercialization Credit; to provide for legislative findings and purposes; to provide for definitions; to provide for the reestablishment of the Technology Commercialization Credit Program; to provide for a refundable tax credit on new jobs created; to eliminate certain investment requirements; to expand the time period of the credit; to increase the percentage of the credit; to provide for prohibitions on certain other tax credits and exemptions; to provide for effectiveness of the credit; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 422—

BY REPRESENTATIVES JANE SMITH, BEARD, BURNS, DOVE, DOWNS, GREENE, HUTTER, KATZ, KENNARD, LAMBERT, MORRIS, PITRE, M. POWELL, SMILEY, ST. GERMAIN, AND TUCKER
AN ACT

To amend and reenact R.S. 32:664(A) and (B), relative to tests for suspected drunken driving; to provide with respect to persons qualified to perform such tests; and to provide for related matters.

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

HOUSE BILL NO. 498—

BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 51:911.22(10)(introductory paragraph), 911.22(11), 911.24(C)(2), 912.25(introductory paragraph), and 912.27(B) and to enact R.S. 51:911.22(10)(e), relative to manufactured housing; to provide for changes to definitions; to provide for licensing relative to retailers and developers; to provide for changes to hurricane wind zones relative to manufactured housing; to provide for exclusion of certain individuals relative to installation of manufactured homes; and to provide for related matters.

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

HOUSE BILL NO. 505—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb)(I), relative to the sales and use tax; to authorize an exemption for certain manufacturers; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 531—

BY REPRESENTATIVES MONTGOMERY AND MORRIS
AN ACT

To amend and reenact R.S. 9:165(C), relative to the Unclaimed Property Leverage Fund; to dedicate a portion of collections from the sale of unclaimed property to the fund; to provide for the deposit of monies into the fund; to provide for uses of monies deposited into the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 636—

BY REPRESENTATIVES WILLIAMS, TOOMY, AND RICHMOND
AN ACT

To amend and reenact R.S. 40:41(B)(2), relative to the vital statistics law; to provide that upon written request a public administrator is entitled to disclosure of a confidential death certificate; and to provide for related matters.

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

HOUSE BILL NO. 640—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 47:6020.1(A) and 6020.2(A)(1), relative to the Angel Investor Tax Credit Program; to authorize the refund of such tax credits; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 643—

BY REPRESENTATIVES ROMERO AND DURAND
AN ACT

To amend and reenact R.S. 9:2793.3, 2793.4, 2793.5, and 2793.6, relative to civil liability of certain nonprofit organizations; to provide a limitation of liability for certain services rendered prior to the declaration of a storm; and to provide for related matters.

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

HOUSE BILL NO. 652—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 32:414(A)(1)(a), (B)(introductory paragraph), and (D)(1)(a), 667(I)(1)(a) and (b) and (2), and 668(B)(1)(c) and to enact R.S. 32:415.1(A)(1)(f), relative to installation of ignition interlock devices; to provide for the suspension of driver's licenses for alcohol-related motor vehicle offenses; to provide for the installation of interlocking devices in certain offender's vehicles; and to provide for related matters.

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

HOUSE BILL NO. 711—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:162(10) and 169.1, relative to the Public Service Commission; to provide for the definition of motor carriers; to rededicate certain monies collected by the Public Service Commission to the Motor Carrier Regulation Fund; and to provide for related matters.

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

HOUSE BILL NO. 718—

BY REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact R.S. 13:4712, relative to abatement of public nuisances; to authorize any mayor and any chief of police of a municipality to petition for an injunction or order of abatement of a nuisance; and to provide for related matters.

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

HOUSE BILL NO. 774—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for 2006-2007 Fiscal Year; and to provide for related matters.

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

HOUSE BILL NO. 919—
BY REPRESENTATIVES ALARIO AND THOMPSON
AN ACT

To enact R.S. 47:324, relative to state funds; to provide for the dedication of the avails of certain state sales and use taxes; to provide with respect to deposits into the Louisiana Wildlife and Fisheries Conservation Fund; to provide for an effective date; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

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

May 22, 2007

To the President and Members of the Senate:

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

SENATE BILL NO. 288—
BY SENATOR B. GAUTREAUX
AN ACT

To enact R.S. 30:2525(C)(20), relative to Statewide Beautification; to provide relative to the litter reduction and public action section of the Department of Environmental Quality; to provide for the powers and duties of the litter reduction and public action section; to establish Parish Study Groups; to provide for their composition, powers, and duties; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
HEULETTE C. FONTENOT
Chairman

REPORT OF COMMITTEE ON

**AGRICULTURE, FORESTRY, AQUACULTURE,
AND RURAL DEVELOPMENT**

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

May 22, 2007

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. 806—
BY REPRESENTATIVES THOMPSON, ANDERS, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, MICKEY GUILLORY, HILL, HUNTER, KENNEY, LAFLEUR, MCDONALD, JACK SMITH, ST. GERMAIN, STRAIN, AND WALSWORTH
AN ACT

To enact R.S. 3:333, relative to a Delta Development Initiative; to provide for legislative findings; to require the Center for Rural Initiatives to plan, develop, and implement a Delta Development Initiative; to provide for initiative purposes and components; to provide for collaboration with certain entities; to require certain responsibilities for the center in carrying out the initiative; to provide for evaluation and reports; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MIKE SMITH
Chairman

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

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

SENATE BILL NO. 1—
BY SENATORS MCPHERSON, CHEEK, BAJOEI, CHAISSON AND N. GAUTREAUX AND REPRESENTATIVES JACKSON AND GRAY
AN ACT

To amend and reenact Chapter 8-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 through 978.4, relative to health care reform for Medicaid recipients and low-income uninsured citizens; to enact the Health Care Reform Act of 2007; to provide for definitions; to provide for legislative intent; to provide for implementation of a health care delivery system to provide a continuum of evidence-based, quality driven health care services; to provide for review and approval of proposed plans; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title and passed to a third reading.

Motion

On motion of Senator McPherson, Senate Bill No. 1, which was just advanced to a Third Reading and Final Passage, was made Special Order of the Day No. 1 on Wednesday, May 23, 2007, immediately following the Morning Hour.

SENATE BILL NO. 3—
BY SENATORS MARIONNEAUX, ADLEY, DUPRE, N. GAUTREAUX, MICHOT, MOUNT AND MURRAY
AN ACT

To amend and reenact R.S. 47:305.54, relative to exemptions from sales and use tax of the state; to establish annual Louisiana Sales Tax Holidays; to provide that certain sales and use taxes shall not apply to certain purchases by certain consumers and businesses on certain days; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 3 by Senator Marionneau

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "and" and on line 5 delete "businesses"

AMENDMENT NO. 2

On page 3, delete lines 20 through 29 and on page 4, delete lines 1 through 11

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

SENATE BILL NO. 5—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:293(6)(e) and to repeal R.S. 47:293(6)(f), relative to individual income tax; to remove the expiration date for the state income tax exemption for certain military personnel; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 8—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 25:213(F), relative to public libraries; to authorize the governing authority of St. Tammany Parish to allow its library board to expend a portion of the library maintenance tax for certain purposes; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 8 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 11 after "F." insert "(1)"

AMENDMENT NO. 2

On page 1 line 15 after "**purpose of**" delete "**acquiring sites or erecting or**"

AMENDMENT NO. 3

On page 2, after line 1 insert the following:

"(2) The governing authority may also authorize the library board of control to use a portion of the millage for the purpose of acquiring sites or erecting buildings including furniture, fixtures and equipment for a public library within the parish, after a site and preparation plan has been presented to the public and approved by a majority of the library board of control members."

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

SENATE BILL NO. 9—

BY SENATORS HINES, BROOME, CASSIDY, CHAISSON, MOUNT, QUINN AND ULLO

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7(A) and to repeal R.S. 32:387.7(B), relative to special permits; to provide relative to special permits for vehicles hauling sugarcane; to repeal the requirement that sugarcane haulers have a total of six axles for the vehicle and trailer combination; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 9 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete remainder of the line and insert "R.S."

AMENDMENT NO. 2

On page 1, line 4, after "sugarcane;" delete the remainder of the line and delete line 5 and insert "to extend the issuance of such special permits to owners or operators of certain vehicles to August 1, 2015; and to provide for related"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 32:387.7(B) is hereby amended and"

AMENDMENT NO. 4

On page 1, delete lines 11 through 17 and insert in lieu thereof the following:

* * *

B. Beginning August 1, ~~2010~~ **2015**, the secretary shall not issue any annual special permits to any owner or operator of a vehicle hauling sugarcane who has not added an additional single axle on the sugarcane trailer for a total of six axles for the vehicle and trailer combination."

AMENDMENT NO. 5

On page 2, delete line 1 in its entirety

AMENDMENT NO. 6

On page 2, line 2, change "Section 3." to "Section 2."

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

SENATE BILL NO. 26—

BY SENATORS NEVERS, ADLEY, DUPLESSIS, DUPRE, N. GAUTREAUX, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT AND MURRAY

AN ACT

To amend and reenact R.S. 47:337.10(I), relative to the sales and use tax of political subdivisions; to expand the option of political subdivisions to exclude from its tax certain farm business related property; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 31—

BY SENATOR MURRAY

AN ACT

To repeal R.S. 33:9038.51, relative to the creation of the World Trade Center Taxing Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 32—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:287.738(G) and 293(6)(a)(i) and (8), relative to income tax deductions; to provide for an individual and corporate income tax deduction for certain gratuitous benefits; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 32 by Senator Murray

AMENDMENT NO. 1

On page 1, line 8, delete "and" and on line 14, between "deduction" and the period insert "if such benefit was included in federal adjusted gross income"

AMENDMENT NO. 2

On page 2, line 8, between "entity" and the period insert "if such benefit was included in federal adjusted gross income"

AMENDMENT NO. 3

On page 2, line 16, between "entity" and the comma insert "if such benefit was included in federal adjusted gross income"

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

SENATE BILL NO. 34

BY SENATOR DUPRE

AN ACT

To enact R.S. 33:7713, relative to special districts; to impose a tapping fee for the Consolidated Waterworks District No. 1 of Terrebonne Parish; to provide for the boundaries, purpose and governance of the fee; to provide for imposition of the fee; to provide for costs analysis; to provide for notice; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 37

BY SENATORS DUPRE AND N. GAUTREAUX

AN ACT

To enact R.S. 47:301(10)(dd) and (18)(o), relative to the state sales and use tax; to exclude storm shutter devices from the state sales and use tax; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 37 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete line 2, and insert: "To enact R.S. 47:301(10)(dd) and (18)(o) and 337.10(L), relative to the sales and use tax of the state and political subdivisions of the state; to exclude"

AMENDMENT NO. 2

On page 1, line 3, after "tax;" insert: "to authorize political subdivisions to provide for such an exclusion;"

AMENDMENT NO. 3

On page 1, line 6, after "(18)(o)" insert "and 337.10(L)"

AMENDMENT NO. 4

On page 2, between lines 11 and 12, insert: "\$337.10. Optional exclusions and exemptions"

L. A political subdivision may by ordinance or resolution provide that sales and use tax imposed by the political subdivision

shall not apply to storm shutter devices as defined in R.S. 47:301(10)(dd)."

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

SENATE BILL NO. 46

BY SENATORS THEUNISSEN, BROOME, CASSIDY, CHAISSON, MOUNT, QUINN AND ULLO

AN ACT

To amend and reenact R.S. 24:972(B), 973(A)(6) and 974 and to enact R.S. 24:973(A)(7) and 973.1, relative to civic education; to establish the Legislative Youth Advisory Council; to provide for the duties of the council; to provide for membership; to provide for council administration; to require an annual report; to provide relative to funding; to provide for the duties and functions of the Louisiana Commission on Civic Education; to provide for terms of officers; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 24:972(B), 973(A)(6)" and insert "R.S. 24:973(A)(6)"

AMENDMENT NO. 2

On page 1, line 7, delete "to provide for terms of officers;"

AMENDMENT NO. 3

On page 1, line 9, change "R.S. 24:972(B), 973(A)(6)" to "R.S. 24:973(A)(6)" and on line 10, after "are" insert "hereby"

AMENDMENT NO. 4

On page 1, delete lines 11 through 15

AMENDMENT NO. 5

On page 2, line 10, after "examine" insert "and facilitate communication between youth and the legislature regarding"

AMENDMENT NO. 6

On page 2, delete lines 16 through 23 and insert in lieu thereof the following:

"B. Membership. (1) The council shall consist of the following youth members:

(a)(i) Members appointed by the commission. Two youth members shall be appointed by the Louisiana Commission on Civic Education from each congressional district in a manner which reflects the diversity of the state to the greatest extent practicable. Youth members shall possess the qualifications as provided in Subsection C of this Section.

(ii) The commission shall select members pursuant to this Subparagraph from among youths recommended by school administrators, guidance counselors, teachers, representatives of equivalent instruction programs, or advisors of organizations that have a strong interest in youth activities. The application form for membership on the council shall be developed by the commission.

(b)(i) Members affiliated with school or community organizations. Seven youth members may be designated by a state-level, school-sponsored or community service club or organization which has a mission that supports the ideals of character, leadership, and service; encourages mutual respect and instills civic responsibility; builds courage and confidence among young people through community participation; or promotes the principles of representative democracy, in an effort to build stronger communities by increasing civic engagement among youth.

(ii) If the number of clubs or organizations eligible for and making application to participate exceeds seven, following the

initial appointments to the council, membership shall rotate annually among the eligible clubs or organizations.

(iii) Any state-level club or organization that meets the qualifications of this Subparagraph may submit one name to the commission to be considered for appointment."

AMENDMENT NO. 7

On page 2, between lines 28 and 29, insert the following:

"(d) The state superintendent of education, or his designee."

AMENDMENT NO. 8

On page 2, line 29, change "The members" to "Each member"

AMENDMENT NO. 9

On page 3, line 2, change "to eighteen" to "through nineteen"

AMENDMENT NO. 10

On page 3, line 4, after "grade;" delete "or"

AMENDMENT NO. 11

On page 3, line 9, after "scale." insert "However, a weighted average may be used for students who enroll in honors, Advanced Placement, or International Baccalaureate courses for which grades are calculated on a 5.00 scale."

AMENDMENT NO. 12

On page 3, delete lines 11 and 12

AMENDMENT NO. 13

On page 3, line 13, change "(2)(a) A youth member" to "D. Terms of office. (1) A member appointed pursuant to Subparagraph (B)(1)(a) of this Section"

AMENDMENT NO. 14

On page 3, line 14, change "Subparagraph (b) of this Paragraph" to "Paragraph (2) of this Subsection"

AMENDMENT NO. 15

On page 3, at the end of line 15, after "term" and before the period insert "provided that the member is eligible at the time of their reappointment"

AMENDMENT NO. 16

On page 3, line 16, change "(b)(i)" to "(2)" and after "council" delete the remainder of the line and delete lines 17 and 18 and insert ", as determined by the commission, shall serve a term of one year."

AMENDMENT NO. 17

On page 3, delete lines 19 and 20

AMENDMENT NO. 18

On page 3, line 23, change "Advise" to "To identify the concerns and needs of youth, and to advise and make recommendations to"

AMENDMENT NO. 19

On page 3, line 24, before "policy" insert "on"

AMENDMENT NO. 20

On page 3, line 25, change "Advise" to "To collect, analyze, and provide information to"

AMENDMENT NO. 21

On page 3, line 26, after "legislative" delete "study"

AMENDMENT NO. 22

On page 3, line 28, change "Participate" to "To participate"

AMENDMENT NO. 23

On page 4, line 1, change "Hold" to "To hold"

AMENDMENT NO. 24

On page 4, line 3, change "Submit" to "To submit"

AMENDMENT NO. 25

On page 4, line 6, after "(1)(a)" delete "The" and insert "There shall be a legislative chair and a youth chair of the council; however, the"

AMENDMENT NO. 26

On page 4, line 8, change "year; thereafter" to "year. Thereafter"

AMENDMENT NO. 27

On page 4, line 12, change "chair," insert "co-chair, and a"

AMENDMENT NO. 28

On page 4, line 18, after "members" delete "of the council"

AMENDMENT NO. 29

On page 4, between lines 20 and 21, insert the following:

"(4) The council shall set priorities and may establish any committees as may be necessary in connection with the exercise of its functions.

"(5) Council members shall review and consider the procedures and rules used by the legislature as such may be appropriate for use as models for the council."

AMENDMENT NO. 30

On page 4, line 21, change "(4)" to "(6)"

AMENDMENT NO. 31

On page 4, at the beginning of line 24, delete "A."

AMENDMENT NO. 32

On page 4, line 25, before "council" delete "youth"

AMENDMENT NO. 33

On page 4, delete lines 28 and 29, and on page 5, delete line 1

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

SENATE BILL NO. 49—

BY SENATOR ROMERO

AN ACT

To enact R.S. 33:2495.2, relative to the civil service for the city of New Iberia; to provide for continuance of the city's civil service system under certain circumstances; to provide certain requirements, terms, and conditions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 50—

BY SENATORS THEUNISSEN, HINES, ULLO, BROOME, CASSIDY, CHAISSON, MOUNT AND QUINN

AN ACT

To enact Section 3.1 of Act No. 29 of the 1955 Regular Session of the Legislature, as amended by Act No. 117 of the 1998 First Extraordinary Session of the Legislature and by Act No. 45 of the 2000 First Extraordinary Session of the Legislature, relative to the Educational and Recreational Center located in Bunkie, Louisiana; to provide that the center shall be named the Cecil J. Picard Educational and Recreational Center; and to provide for related matters.

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

SENATE BILL NO. 55—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 47:305(D)(1)(k), relative to the state sales and use tax; to exempt eyeglasses and contact lenses from state sales and use tax; and to provide for related matters.

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Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 60—
BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 11:1006(D) and 1007, relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retired bus drivers; to provide for full-time employment of such bus drivers and the benefits payable thereto; to provide for suspension of benefits; to provide for contributions and employer reporting requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title and passed to a third reading.

SENATE BILL NO. 65—
BY SENATOR ADLEY
AN ACT

To enact R.S. 47:315.5, relative to sales and use tax of the state; to grant an exemption in the form of a restricted refund to certain charitable institutions; to provide a refund procedure and for audits and examinations; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 66—
BY SENATORS ADLEY, CAIN, DUPLESSIS, DUPRE, N. GAUTREAUX, HOLLIS, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY AND NEVERS
AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:293(2) and (6)(a)(i), relative to income tax deductions; to provide for a deduction for certain excess federal itemized deductions; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 66 by Senator Adley

AMENDMENT NO. 1
On page 1, line 3, delete "certain"

AMENDMENT NO. 2
On page 1, delete lines 13 through 16, and insert: "**this Part, means the following percentages of the amount by which the federal itemized personal deductions exceed the amount of federal standard deductions which**"

AMENDMENT NO. 3
On page 2, at the end of line 1, delete the period "." and insert a colon ":"

AMENDMENT NO. 4
On page 2, between lines 1 and 2, insert:
"**(a) For tax years beginning during calendar year 2007, fifty-seven and one half percent of such excess federal itemized personal deductions.**
(b) For tax years beginning during calendar year 2008, sixty-five percent of such excess federal itemized personal deductions.
(c) For all tax years beginning on and after January 1, 2009, one hundred percent of such excess federal itemized personal deductions."

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

Motion

On motion of Senator Adley, Senate Bill No. 66, which was just advanced to a Third Reading and Final Passage, was made Special Order of the Day No. 1 on Thursday, May 24, 2007, immediately following the Morning Hour.

SENATE BILL NO. 86—
BY SENATOR QUINN
AN ACT

To enact R.S. 17:522(D) and 525(C), relative to school employees other than teachers in Orleans Parish; to provide that employees hired or promoted on or after a certain date shall not be eligible to acquire permanent status; and to provide for related matters.

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

SENATE BILL NO. 90—
BY SENATORS N. GAUTREAUX AND MURRAY
AN ACT

To enact R.S. 47:297.7, relative to individual income tax; to provide a refundable tax credit for the installation of certain renewable energy systems; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 90 by Senator N. Gautreaux

AMENDMENT NO. 1
On page 1, line 2, delete "refundable"

AMENDMENT NO. 2
On page 1, line 14, after "**percent of the**" insert "**first twenty-five thousand dollars of the**"

AMENDMENT NO. 3
On page 2, delete lines 7 through 11, and insert:
"**C. If the credit against Louisiana income tax exceeds the amount of such individual's tax liability for the taxable period, then such excess tax credit may be carried forward as a credit against any subsequent individual income tax liability of such individual for a period not exceeding ten years.**"

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

SENATE BILL NO. 94—
BY SENATOR CHAISSON
AN ACT

To enact R.S. 17:3048.1(A)(1)(a)(iii)(ee), relative to the Tuition Opportunity Program for Students; to provide for eligibility; to provide for certain residency requirements to determine eligibility for certain dependent students of certain retired military personnel; to provide relative to the time period in which such parent who moved from Louisiana under permanent change of station orders must change his military records to reestablish Louisiana as his official state of legal residence in order for a dependent child to be eligible for an award; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 121—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2318.1(B) and to enact R.S. 38:2225.2.1, relative to public contracts; to authorize a political subdivision to utilize the design-build method for the construction or repair of any public building or structure or any other public work in certain circumstances; to provide for procedures, requirements, and limitations; to provide relative to qualifications and selection of design-build competitors; to provide relative to preference of and procedures for evaluation and selection of a design-builder; to provide for public announcement procedures; to provide relative to legal challenges; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 122—
BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4720.60.1, relative to the New Orleans Redevelopment Authority; to provide for expedited quiet title and foreclosure action; to provide relative to notice requirements with regard to such property; to provide relative to the sufficiency of such notice; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 156—
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 38:304(B), 331(B)(1)(l) and (m), and to enact R.S. 38:291(X), 329.3, 331(B)(1)(n), and 334.3, relative to levees; to create the St. Mary Levee District and provide for its purposes; to provide for the nomination and appointment of members to the board of commissioners; to provide for the authority, powers, and duties of the board; to provide for revenue utilization; to add a member to the Coastal Louisiana Levee Consortium; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 156 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 14, after "**lands**" delete the remainder of the line, and on line 15, at the beginning of the line, delete "**of**" and insert "**in**"

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

SENATE BILL NO. 160—
BY SENATORS NEVERS, BROOME, CASSIDY, CHAISSON, MOUNT AND ULLO

AN ACT

To enact R.S. 17:24.11, relative to dyslexia services for early elementary students; to provide for the development and implementation by the State Board of Elementary and Secondary Education of a pilot program for early screening and intervention for children with characteristics of dyslexia and related disorders; to provide for program components, performance evaluations, and reporting requirements; to provide

relative to rules and regulations; to provide relative to funding; and to provide for related matters.

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

SENATE BILL NO. 189—

BY SENATORS DUPLESSIS, CHAISSON, HINES, KOSTELKA, MICHOT, MOUNT AND NEVERS AND REPRESENTATIVES BALDONE, BRUCE, K. CARTER, CAZAYOUX, DORSEY, DURAND, FARRAR, ELCIE GUILLORY, HILL, KATZ, LAFLEUR, LAFONTA, PINAC, SALTER, GARY SMITH, ST. GERMAIN, TOWNSEND AND WALSWORTH

AN ACT

To enact Chapter 2 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 47:6101 through 6110, relative to tax credits; to provide for tax credits for individuals for child care expenses, for child care providers, for child care directors and staff, and for businesses providing or assisting child care programs; to authorize the Department of Social Services to establish certain criteria and systems to determine eligibility for the kind and amount of tax credits; to provide for special rules; to provide for a conditional effective date; and to provide for related matters.

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

SENATE BILL NO. —(Substitute of Senate Bill No. 189 by Senator Duplessis)

BY SENATORS DUPLESSIS, CHAISSON, HINES, KOSTELKA, MICHOT, MOUNT AND NEVERS AND REPRESENTATIVES BALDONE, BRUCE, K. CARTER, CAZAYOUX, DORSEY, DURAND, FARRAR, ELCIE GUILLORY, HILL, KATZ, LAFLEUR, LAFONTA, PINAC, SALTER, GARY SMITH, ST. GERMAIN, TOWNSEND AND WALSWORTH

AN ACT

To enact Chapter 2 of Subtitle VII of the Louisiana Revised Statutes of 1950, to be composed of R.S.47:6101 through 6109, relative to tax credits; to provide for tax credits for individuals for child care expenses, for child care providers, for child care directors and staff, and for businesses providing or assisting child care programs; to authorize the Department of Social Services to establish certain criteria and systems to determine eligibility for the kind and amount of tax credits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 2 of Subtitle VII of the Louisiana Revised Statutes of 1950, to be composed of R.S.47:6101 through 6109 is hereby enacted to read as follows:

CHAPTER 2. SCHOOL READINESS TAX CREDITS

§6101. Purpose

The legislature hereby determines that the benefits of quality child care are indisputable, and that a striking connection exists between children's learning experiences well before kindergarten and his or her later school success. Research demonstrates as many as half of school failure may be due to gaps in learning and development before school entry. Since high quality child care is one of the most effective ways to improve school readiness, school performance, high school graduation rates, job performance, and adult productivity, the legislature believes that these school readiness tax credits based upon the quality of care a child receives will provide an incentive for parents, providers, employers, and business to provide the best care for Louisiana's children.

§6102. Definitions

For purposes of this Section, the following terms shall have the following definitions:

(1) "Child" or "children" means people who are five years of age or less.

(2) "Child care facility" means any entity which the Department of Social Services determines is eligible to participate in the quality rating system according to criteria set forth by rule adopted in the manner provided for in R.S. 47:6103, has applied to the Department of Social Services for evaluation under such system, and is participating in the system.

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(3) "Child care provider" means a taxpayer who owns an eligible child care facility or facilities.

(4) "Child care resource and referral agencies" means those agencies with whom the Department of Social Services has contracted to provide child care resource and referral.

(5) "Eligible business child care expenses" means the total of the following expenses of a business that supports quality child care as provided for in R.S. 47:6107:

(a) For the construction, renovation, expansion, or major repair of an eligible child care facility, or for the purchase of equipment for such facility, or for the maintenance and operation thereof, not to exceed fifty thousand dollars in expenses per tax year.

(b) For payments made to an eligible child care facility for child care services to support employees not to exceed five thousand dollars per child per tax year.

(c) For the purchase of child care slots at eligible child care facilities actually provided or reserved for children of employees not to exceed fifty thousand dollars per tax year.

(6) "Eligible child care director" means an individual as defined in Title 48 of the Louisiana Administrative Code, as amended, enrolled in the state practitioner registry developed and maintained by the Department of Social Services, and who is employed in an eligible child care facility which participates in the quality rating system.

(7) "Eligible child care facility" means a child care facility which has applied to the Department of Social Services for an evaluation under its quality rating system and is participating in the quality rating system.

(8) "Eligible child care staff" means an individual enrolled in the state practitioner registry developed and maintained by the Department of Social Services and who is employed in an eligible child care facility which participates in the quality rating system and who otherwise meets the qualifications provided for in Title 48 of the Louisiana Administrative Code, Chapter 53, as amended.

(9)(a) "Quality rating" means the number of "stars" awarded to an eligible child care facility by the quality rating system.

(b) The quality rating of the facility shall be based on the initial rating of the facility if it is the facility's first year participating in the quality rating system. Thereafter, the quality rating shall be the rating of the facility as of July first of each year.

(10) "Quality rating system" means a rule promulgated by the Department of Social Services implementing the Louisiana Quality Rating System which establishes criteria for evaluating and rating the quality of an eligible child care facility in terms of the award of "stars," with five "stars" being the highest quality child care facility.

§6103. Implementation

A.(1) The Department of Social Services shall promulgate rules and regulations for the purpose of developing and implementing the provisions of this Chapter in accordance with the provisions of the Administrative Procedure Act.

(2) The Department of Social Services is authorized to use the emergency rulemaking process for the first set of rules developing and implementing this Chapter. Prior to adoption of the emergency rule, the department shall provide written notification that it intends to publish such rule in the State Register and a copy of the proposed rule to the members of both the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

(3) Any promulgated rule which is first applicable to any calendar year shall be finally adopted prior to December first of the preceding calendar year.

B. In addition to the approval of oversight committees provided for in the Administrative Procedure Act, such rule also shall be approved by the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

§6104. Child care expense tax credit

A. There shall be a credit against Louisiana individual income tax for child care expenses in addition to the credit provided for such expenses in R.S. 47:297.4. Such credit shall be

based upon the credit provided for such expenses in R.S. 47:297.4 and shall be based upon the quality rating of the child care facility which the child attends as follows:

Quality Rating of Child Care Facility	Percentage of the credit in R.S. 47:297.4
Five star	200%
Four star	150%
Three star	100%
Two star	50%
One star or non-participating child care facility	0

B. Parents with multiple children shall calculate the credit of each child separately. In the event that a single child receives services in more than one child care facility in a single year, the facility with the highest quality rating shall be used to calculate the credit.

C. The credit shall be refundable or shall be carried forward as provided for in R.S. 47:297.4.

§6105. Child care provider tax credit

There shall be a credit against any Louisiana individual or corporation income tax or corporation franchise tax for a child care provider refundable as provided for in R.S. 47:6108. The tax credit shall be an amount based upon the average monthly number of children who either participate in the Child Care Assistance Program administered by the office of family support in the Department of Social Services or who are foster children in the custody of the Department of Social Services, and who are attending a child care facility or facilities operated by the child care provider, multiplied by an amount which shall be based upon the quality rating of each child care facility operated by the child care provider as follows:

Quality Rating of Child Care Facility	Tax Credit Per Eligible Child Attending
Five star	\$1,500
Four star	\$1,250
Three star	\$1,000
Two star	\$750
One star or non-participating facility	-0-

§6106. Credit for child care directors and staff

A. There shall be a credit against Louisiana individual income tax refundable as provided for in R.S. 47:6108 for eligible child care directors and eligible child care staff. The tax credit shall be for the following amounts and shall be based upon the following qualifications, but shall be adjusted for inflation as provided for in Subsection C of this Section:

Child Care Director and Child Care Staff Qualification	Tax Credit
Level 4 Director or Level 4 Staff	\$3,000
Level 3 Director or Level 3 Staff	\$2,500
Level 2 Director or Level 2 Staff	\$2,000
Level 1 Director or Level 1 Staff	\$1,500

B. The various levels of qualification for the tax credit for eligible child care directors and eligible child care staff as provided for in Subsection (A) of this Section shall be as defined in the Department of Social Services state practitioner registry in Title 48 of the Louisiana Administrative Code, as amended.

C. Beginning calendar year 2009, the tax credit amounts provided for in Subsection (A) of this Section shall be adjusted annually for each calendar year by the percentage increase in the Consumer Price Index United States city average for all urban consumers (CPI-U), as prepared by the United States Department of Labor, Bureau of Labor Statistics, as determined by the secretary of the Department of Revenue on December first of the preceding calendar year.

D. In order to receive the credit provided for in this Section, the child care director or staff person shall file with his income tax return an attestation form provided by the State Practitioner Registry verifying that the individual meets all the requirements and qualifications of a child care director or staff person for the level claimed.

§6107. Business-supported child care

A.(1) There shall be a refundable credit against any Louisiana individual or corporation income tax or corporation franchise tax for the eligible business child care expenses supported by a business. The credit shall be the following percentages of such eligible business child care expenses depending upon the quality rating of the child care facility to which the expenses are related or the quality rating of the child care facility the child attends:

<u>Quality Rating of Child Care Facility</u>	<u>Percentage of eligible business child care expenses</u>
<u>Five star</u>	<u>20%</u>
<u>Four star</u>	<u>15%</u>
<u>Three star</u>	<u>10%</u>
<u>Two star</u>	<u>5%</u>
<u>One star or non-participating facility</u>	<u>-0-</u>

(2) There shall be an additional refundable credit against any Louisiana individual or corporation income tax or corporation franchise tax for the payment by a business of fees and grants to child care resource and referral agencies not to exceed five thousand dollars per tax year.

B. The credits provided for in this Section shall be allowed against income tax or corporate franchise tax for the taxable period in which the credit is earned. If the tax credit exceeds the amount of such taxes due, then the unused credit shall be refunded as provided for in R.S. 47:6108.

§6108. Refundable tax credits

A. Notwithstanding any other provision of law to the contrary, any excess of allowable credit provided in R.S. 47:6105, 6106, and 6107 and the refundable portion of the credit as provided for in R.S. 47:6104 over the aggregate tax liabilities against which such credit may be applied, as provided in this Section, shall constitute an overpayment, as defined in R.S. 47:1621(A), and the secretary shall make a refund of such overpayment from the current collections of the taxes imposed by Chapter 1 or Chapter 5 of Subtitle II of this Title, together with interest as provided in R.S. 47:1624. The right to a credit or refund of any such overpayment shall not be subject to the requirements of R.S. 47:1621(B). All credits and refunds, together with interest thereof, must be paid or disallowed within one year of receipt by the secretary of any such claim for refund or credit. Failure of the secretary to pay or disallow, in whole or in part, any claim for a credit or a refund shall entitle the aggrieved taxpayer to proceed with the remedies provided in R.S. 47:1625.

B. Notwithstanding anything to the contrary in either Chapter 1 or Chapter 5 of Subtitle II of this Title 47, as amended, the following rules shall apply with respect to the application of the credit established in Subsection A of this Section:

(1) The credit for taxes paid by or on behalf of a corporation shall be applied against Louisiana corporate income and corporation franchise taxes of such corporation.

(2) The credit for taxes paid by an individual shall be applied against Louisiana personal income taxes.

(3) The credit for taxes paid by or on behalf of a corporation classified under Subchapter S of the Internal Revenue Code of 1954, as amended, as an S corporation shall be applied first against any Louisiana corporate income and corporation franchise taxes due by such S corporation, and the remainder of any such credit shall be allocated to the shareholder or shareholders of such S corporation in accordance with their respective interests and applied against the Louisiana income tax of such shareholder or shareholders of the S corporation.

(4) The credit for taxes paid by or on behalf of a partnership shall be allocated to the partners according to their distributive shares of partnership gross income and applied against any Louisiana income tax and corporation franchise tax liability of such partners.

(5) The character of the credit for taxes paid by or on behalf of a partnership or S corporation and allocated to the partners or shareholders, respectively, of such partnership or S corporation, shall be determined as if such credit were incurred by such partners or shareholders, as the case may be in the same manner as incurred by the partnership or S corporation, as the case may be.

(6) The credit for taxes paid by an estate or trust shall be applied against the Louisiana income tax imposed on estates and trusts.

§6109. Recapture of credits

A. If the Department of Social Services or the Department of Revenue find that a child care facility, a business, or an individual has obtained a tax credit in violation of the provisions of this Chapter, including but not limited to fraud or misrepresentation, then the taxpayer's state income tax for such taxable period shall be increased by such amount necessary for the recapture of the tax credit provided for in this Chapter.

B.(1) Credits granted to a taxpayer, but later disallowed, may be recovered by the secretary of the Department of Revenue through any collection remedy authorized by R.S. 47:1561 and initiated within three years from December thirty-first of the year in which the credit was taken.

(2) The only interest that may be assessed and collected on recovered credits is interest at a rate three percentage points above the rate provided in R.S. 9:3500(B)(1), which shall be computed from the original date of the return on which the credit was taken.

C. The provisions of this Paragraph are in addition to and shall not limit the authority of the secretary of the Department of Revenue to assess or to collect under any other provision of law.

Section 2. The provisions of this Act shall be applicable to either of the following, whichever occurs last:

(1) Income tax years beginning on or after January 1, 2008, and franchise tax years beginning on or after January 1, 2009.

(2) Income tax years beginning during the calendar year in which the rules providing for a Quality Rating System are finally promulgated, and franchise tax years beginning the year after such rules are promulgated.

Section 3. 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 Act shall become effective on the day following such approval.

On motion of Senator Adley, the committee substitute bill was adopted and becomes Senate Bill No. 361 by Senator Duplessis, substitute for Senate Bill No. 189 by Senator Duplessis.

SENATE BILL NO. 361— (Substitute of Senate Bill No. 189 by Senator Duplessis)

BY SENATORS DUPLESSIS, CHAISSON, HINES, KOSTELKA, MICHOT, MOUNT AND NEVERS AND REPRESENTATIVES BALDONE, BRUCE, K. CARTER, CAZAYOUX, DORSEY, DURAND, FARRAR, ELCIE GUILLORY, HILL, KATZ, LAFLEUR, LAFONTA, PINAC, SALTER, GARY SMITH, ST. GERMAIN, TOWNSEND AND WALSWORTH

AN ACT

To enact Chapter 2 of Subtitle VII of the Louisiana Revised Statutes of 1950, to be composed of R.S.47:6101 through 6109, relative to tax credits; to provide for tax credits for individuals for child care expenses, for child care providers, for child care directors and staff, and for businesses providing or assisting child care programs; to authorize the Department of Social Services to establish certain criteria and systems to determine eligibility for the kind and amount of tax credits; and to provide for related matters.

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

SENATE BILL NO. 202—

BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.101 through 4720.122, relative to the city of Opelousas; to create the Opelousas Redevelopment Authority; to provide for the procedure to follow and activate the authority; to define terms; to provide for the selection of commissioners and for their terms of office; to provide for annual reports, including financial statements, to the local governing authority; to provide for the powers, duties, and functions of the redevelopment authority, including the acquisition of property by purchase, gift, expropriation, or otherwise; to provide for the preparation and adoption of a community improvement plan; to provide with respect to the certification of blighted property and its removal; to provide for the disposition of property in a community improvement area; to provide for the issuance of bonds; to provide for borrowing money and giving security therefor; to provide for tax exemptions; to authorize the establishment of programs for residential development; to provide for cooperation by public bodies with the authority; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 202 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 9 after "or otherwise," insert "to provide for expedited quiet title and foreclosure actions;"

AMENDMENT NO. 2

On page 25, between lines 5 and 6 insert the following:

"§4720.110.1. Disposition of property by quiet title and foreclosure action

A. The authority may initiate an expedited quiet title and foreclosure action under this Section to quiet title to real property held by the authority or interests in tax reverted property held by the authority by recording with the register of conveyances a notice of pending expedited quiet title and foreclosure action. The notice shall include a legal description of the property; the street address of the property if available; the name, address, and telephone number of the authority; a statement that the property is subject to expedited quiet title proceedings and foreclosure under this Section; and a statement that any legal interests in the property may be extinguished by a district court order vesting title to the property in the authority. If a notice is recorded in error, the authority may correct the error by recording a certificate of correction with the register of conveyances. A notice or certificate under this Subsection need not be notarized and may be authenticated by a digital signature or other electronic means. If an authority has reason to believe that a

property subject to an expedited quiet title and foreclosure action under this Section may be the site of environmental contamination, the authority shall provide the Department of Environmental Quality with any information in the possession of the authority that suggests the property may be the site of environmental contamination.

B. After recording the notice under Subsection A of this Section, the authority shall initiate a search of records identified in this Subsection to identify the owners of a property interest in the property who are entitled to notice of the quiet title and foreclosure hearing under this Section. The authority may enter into a contract with or may request from one or more authorized representatives a title search or other title product to identify the owners of a property interest in the property as required under this Subsection or to perform the other functions set forth in this Section required for the quieting of title to property under this Section. The owner of a property interest is entitled to notice under this Section if that owner's interest was identifiable by reference to any of the following sources before the date that the authority records the notice under Subsection A:

- (1) Land title records in the office of the clerk of court.
(2) Tax records in the office of the assessor.

C. The authority may file a single petition with the district court to expedite foreclosure under this Section listing all property subject to expedited foreclosure by the authority and for which the authority seeks to quiet title. If available to the authority, the list of properties shall include a legal description of, a tax parcel identification number for, and the street address of each parcel of property. The petition shall seek a judgment in favor of the authority against each property listed and shall include a date, within ninety days, on which the authority requests a hearing on the petition. The petition shall request that a judgment be entered vesting absolute title in the authority, without right of redemption for each parcel of property listed, as provided in this Section. Prior to the entry of judgment under this Section, the authority may request the court to remove property erroneously included in the petition, or any tax delinquent properties redeemed prior to the hearing.

D. The district court in which a petition is filed under Subsection C of this Section, shall immediately set the date, time, and place for a hearing on the petition for foreclosure. The date shall be set by the court and shall not be more than ten days after the date requested by the authority in the petition. In no event may the court schedule the hearing later than ninety days after the filing of a petition by the authority under Subsection C of this Section.

E. After completing the records search under Subsection B of this Section, the authority shall determine the address or addresses reasonably calculated to inform those owners of a property interest in property subject to expedited foreclosure under this Section of the pendency of the quiet title and foreclosure hearing under Subsection K of this Section. If, after conducting the title search, the authority is unable to determine an address reasonably calculated to inform persons with a property interest in property subject to expedited tax foreclosure, or if the authority discovers a deficiency in notice under Subsection J of this Section, the following shall be considered reasonable steps by the authority to ascertain the addresses of persons with a property interest in the property subject to expedited foreclosure or to ascertain an address necessary to correct a deficiency in notice under Subsection J of this Section:

- (1) For an individual, a search of records of the clerk of court.
(2) For a business entity a search of business entity records filed with the corporation division of the Department of State.

F. Not less than thirty days before the quiet title and foreclosure hearing under Subsection K of this Section, the authority shall send notice by certified mail, return receipt requested, of the hearing to the persons identified under Subsection E of this Section with a property interest in property subject to expedited foreclosure. The authority shall also send a notice via regular mail addressed to the "Occupant" for each property subject to expedited foreclosure if an address for the property is ascertainable.

G. Not less than thirty days before the quiet title and foreclosure hearing under Subsection K of this Section, the authority or its authorized representative or authorized agent shall visit each parcel of property subject to expedited foreclosure and post conspicuously on the property notice of the hearing. In addition to the requirements of Subsection H of this Section, the notice shall also include the following statement: "THIS PROPERTY HAS BEEN TRANSFERRED TO THE OPELOUSAS REDEVELOPMENT AUTHORITY AND IS SUBJECT TO AN EXPEDITED QUIET TITLE AND FORECLOSURE ACTION. PERSONS WITH INFORMATION REGARDING THE PRIOR OWNER OF THE PROPERTY ARE REQUESTED TO CONTACT THE OPELOUSAS REDEVELOPMENT AUTHORITY AT

H. The notice required under Subsections F and G of this Section shall include:

(1) The date on which the authority recorded under Subsection A of this Section, notice of the pending expedited quiet title and foreclosure action.

(2) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the quiet title and foreclosure hearing under Subsection K of this Section.

(3) A legal description, parcel number of the property, and the street address of the property, if available.

(4) The person to whom the notice is addressed.

(5) The date and time of the hearing on the petition for foreclosure under Subsection K of this Section, and a statement that the judgment of the court may result in title to the property vesting in the authority.

(6) An explanation of any rights of redemption and notice that the judgment of the court may extinguish any ownership interest in or right to redeem the property.

(7) The name, address, and telephone number of the authority.

(8) A statement that persons with information regarding the owner or prior owner of any of the properties are requested to contact the authority.

I. If the authority is unable to ascertain the address reasonably calculated to inform the owners of a property interest entitled to notice under this Section, or is unable to provide notice under Subsections F or G of this Section, the authority shall provide notice by publication. Prior to the hearing, a notice shall be published for three successive weeks, once each week, in the official newspaper published and circulated in the parish. The published notice shall include all of the following:

(1) A legal description, parcel number of the property, and the street address of the property, if available.

(2) The name of any person not notified under Subsections F or G of this Section, that the authority reasonably believes may be entitled to notice under this Section of the quiet title and foreclosure hearing under Subsection K of this Section.

(3) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the foreclosure proceeding under Subsection K of this Section.

(4) The date and time of the hearing on the petition for foreclosure under Subsection K of this Section.

(5) A statement that the judgment of the court may result in title to the property vesting in the authority.

(6) An explanation of any rights of redemption and notice that judgment of the court may extinguish any ownership interest in or right to redeem the property.

(7) The name, address, and telephone number of the authority.

(8) A statement that persons with information regarding the owner or prior owner of any of the properties are requested to contact the authority.

J. If prior to the quiet title and foreclosure hearing under Subsection K of this Section, the authority discovers any deficiency in the provision of notice under this Section, the authority shall take reasonable steps in good faith to correct the deficiency before the hearing. The provisions of this Section relating to notice of the quiet title and foreclosure hearing are

exclusive and exhaustive. Other requirements relating to notice and proof of service under other law, rule, or other legal requirement are not applicable to notice or proof of service under this Section.

K. If a petition for expedited quiet title and foreclosure is filed under Subsection C of this Section, before the hearing, the authority shall file with the clerk of the circuit court proof of notice by certified mail under Subsection F of this Section, proof of notice by posting on the property under Subsection G of this Section, and proof of notice by publication, if applicable. A person claiming an interest in a parcel of property set forth in the petition for foreclosure who desires to contest that petition shall file written objections with the clerk of the circuit court and serve those objections on the authority before the date of the hearing. The district court may appoint and utilize as the court considers necessary a curator for assistance with the resolution of any objections to the foreclosure or questions regarding the title to property subject to foreclosure. If the court withholds property from foreclosure, the authority's ability to include the property in a subsequent petition for expedited quiet title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited quiet title and foreclosure action under this Section. The district court shall enter judgment on a petition to quiet title and foreclosure filed under Subsection C of this Section, not more than ten days after the conclusion of the hearing or contested case, and the judgment shall be effective ten days after the conclusion of the hearing or contested case. The district court's judgment shall specify all of the following:

(1) The legal description and, if known, the street address of the property foreclosed.

(2) That title to property foreclosed by the judgment is vested absolutely in the authority, except as otherwise provided in Subsections C and E of this Section, without any further rights of redemption.

(3) That all liens against the property, including any lien for unpaid taxes or special assessments are extinguished.

(4) That, except as otherwise provided in Paragraphs (3) and (5) of this Subsection, the authority has good and marketable title to the property.

(5) That all existing recorded and unrecorded interests in that property are extinguished, except a visible or recorded easement or right-of-way or private deed restrictions.

(6) A finding that all persons entitled to notice and an opportunity to be heard have been provided that notice and opportunity. A person shall be deemed to have been provided notice and an opportunity to be heard if the authority followed the procedures for provision of notice by mail, for visits to property subject to expedited quiet title and foreclosure, and for publication under this Section, or if one or more of the following apply:

(a) The person had constructive notice of the hearing by acquiring an interest in the property after the date of the recording under Subsection A of this Section, of the notice of pending expedited quiet title and foreclosure action.

(b) The person appeared at the hearing under this Paragraph or submitted written objections to the district court under this Paragraph prior to the hearing.

(c) Prior to the hearing under this Paragraph, the person had actual notice of the hearing.

L. Except as otherwise provided in Paragraphs K(3) and (5), title to property set forth in a petition for foreclosure filed under Subsection C of this Section shall vest absolutely in the authority upon the effective date of the judgment by the district court and the authority shall have absolute title to the property. The authority's title is not subject to any recorded or unrecorded lien, except as provided in Subsection K of this Section and shall not be stayed or held invalid except as provided in Subsection M of this Section. A judgment entered under this Section is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as provided in Subsection N of this Section.

M. The authority or a person claiming to have a property interest under Subsection B of this Section, in property foreclosed

under this Section may, within twenty-one days of the effective date of the judgment under Subsection L of this Section, appeal the district court's order or the district court's judgment foreclosing property to the court of appeals. An appeal under this Subsection is limited to the record of the proceedings in the district court under this Section. The district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment. If an appeal under this Subsection stays the district court's judgment foreclosing property, the district court's judgment is stayed only as to the property that is the subject of that appeal and the district court's judgment foreclosing other property that is not the subject of that appeal is not stayed. To appeal the district court's judgment foreclosing property, a person appealing the judgment shall pay to the authority any taxes, interest, penalties, and fees due on the property and provide notice of the appeal to the authority within twenty-one days after the district court's judgment is effective. If the district court's judgment foreclosing the property is affirmed on appeal, the amount determined to be due shall be refunded to the person who appealed the judgment. If the district court's judgment foreclosing the property is reversed or modified on appeal, the authority shall refund the amount determined to be due to the person who appealed the judgment, if any, and forward the balance to the appropriate taxing jurisdictions in accordance with the order of the court of appeals.

N. The authority shall record a notice of judgment for each parcel of foreclosed property in the office of the register of conveyances. If the authority records a notice of judgment in error, the authority may subsequently record a certificate of correction. A notice or certificate under this Subsection need not be notarized and may be authenticated by a digital signature or other electronic means. After the entry of a judgment foreclosing the property under this Section, if the property has not been transferred by the authority, the authority may cancel the foreclosure by recording with the register of conveyances a certificate of error, if the authority discovers any of the following:

- (1) The description of the property used in the expedited quiet title and foreclosure proceeding was so indefinite or erroneous that the foreclosure of the property was void.
- (2) An owner of an interest in the property entitled to notice of the expedited quiet title and proceedings against the property under this Section was not provided notice sufficient to satisfy the minimum due process requirements of the constitution of this state and the constitution of the United States.
- (3) A judgment of foreclosure was entered under this Section in violation of an order issued by a United States bankruptcy court.

O. If a judgment of foreclosure is entered under Subsection L of this Section, and all existing recorded and unrecorded interests in a parcel of property are extinguished as provided in Subsection L of this Section, the owner of any extinguished recorded or unrecorded interest in that property who claims that he or she did not receive notice of the expedited quiet title and foreclosure action shall not bring an action for possession of the property against any subsequent owner, but may only bring an action to recover monetary damages as provided in this Subsection. The district court has original and exclusive jurisdiction in any action to recover monetary damages under this Subsection. An action to recover monetary damages under this Subsection shall not be brought more than two years after a judgment for foreclosure is entered under Subsection L of this Section. Any monetary damages recoverable under this Subsection shall be determined as of the date a judgment for foreclosure is entered under Subsection L of this Section and shall not exceed the fair market value of the interest in the property held by the person bringing the action under this Section on that date, less any taxes, interest, penalties, and fees owed on the property as of that date. The right to sue for monetary damages under this Subsection shall not be transferable except by testate or intestate succession.

P. The owner of a property interest with notice of the quiet title and foreclosure hearing under Subsection K of this Section, may not assert any of the following:

(1) That notice to the owner was insufficient or inadequate in any way because some other owner of a property interest in the property was not notified.

(2) That any right to redeem tax reverted property was extended in any way because some other person was not notified.

Q. A person holding or formerly holding an interest in tax reverted property subject to expedited foreclosure under this Section is barred from questioning the validity of the expedited foreclosure under this Section.

R. The failure of an authority to comply with any provision of this Section shall not invalidate any proceeding under this Section if a person with a property interest in property subject to foreclosure was accorded the minimum due process required under the Constitution of Louisiana and the Constitution of the United States.

S. It is the intent of the legislature that the provisions of this Section relating to the expedited quiet title and foreclosure of property by the authority satisfy the minimum requirements of due process required under the Constitution of Louisiana and the Constitution of the United States but that the provisions do not create new rights beyond those required under the Constitution of Louisiana or the Constitution of the United States. The failure of the authority to follow a requirement of this Section relating to the expedited quiet title and foreclosure of property held by the authority shall not be construed to create a claim or cause of action against the authority unless the minimum requirements of due process accorded under the Constitution of Louisiana or the Constitution of the United States are violated.

T. As used in this Section, "authorized representative" includes one or more of the following:

- (1) A title insurance company or agent licensed to conduct business in this state.
- (2) An attorney licensed to practice law in this state.
- (3) A person accredited in land title search procedures by a nationally recognized organization in the field of land title searching.
- (4) A person with demonstrated experience in the field of searching land title records, as determined by the authority."

AMENDMENT NO. 3

On page 57, after line 12 insert the following:

"Section 2. 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 Act shall become effective on the day following such approval."

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

SENATE BILL NO. 212—

BY SENATORS BAJOLE, DUPLESSIS AND SHEPHERD
AN ACT

To amend and reenact R.S. 13:901, R.S. 44:71, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:181 through 185, relative to the creation of the Real Estate Office for Orleans Parish; to create the office and provide for the real estate officer; to provide relative to the register of conveyances, the office and custodian of notarial records, and the office of the recorder of mortgages for the parish of Orleans; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 250—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:1787(B)(4), (D)(4), and (H)(3), relative to tax credits; to authorize certain businesses located in enterprise zones to receive tax credits for certain employees; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 263—
BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4720.58.1, relative to the New Orleans Community Improvement Act; to provide for an expedited procedure to quiet title regarding certain immovable property; to provide for notice; to provide for the form of the petition to quiet title; to provide for an expedited hearing; to provide for due process; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 269—
BY SENATOR FIELDS

AN ACT

To repeal R.S. 13:4521, relative to court costs paid by the state and its political subdivisions; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title and passed to a third reading.

SENATE BILL NO. 275—
BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 40:1849(C)(1), relative the transportation of liquefied petroleum gas; to exclude drivers transporting certain quantities from certain personnel competency requirements; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 275 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, delete lines 4 through 8, and insert:

"(b) The provisions of this Paragraph shall not apply to drivers transporting one hundred gallons or less of liquefied petroleum gas in twenty-five gallon containers which conform to United States Department of Transportation specifications."

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

SENATE BILL NO. 278—
BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 47:302.23, relative to the disposition of certain sales tax collections on the sales of certain services in Vermilion Parish; to provide for the allocation and use of monies in the Vermilion Parish Visitor Enterprise Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 278 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 7, after "Alliance," and before "and the Louisiana" insert **"the Sam Guarino & Son Blacksmith Shop Museum,"**

AMENDMENT NO. 2

On page 2, delete lines 11 and 12 and insert the following:

"available: Monies shall only be allocated to a public or quasi-public entity of the state of Louisiana. For the purposes of this Section, "quasi-public entity" shall mean an entity that is recognized as a tax exempt organization under the provisions of the Internal Revenue Code. In addition, quasi-public entities shall demonstrate that the entity is in good standing with the Louisiana secretary of state; public entities shall demonstrate compliance with audit requirements provided by law. In the event"

AMENDMENT NO. 3

On page 3, delete lines 2 through 10 and insert the following:

"Section 2. This Act shall become effective on July 1, 2007; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2007, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 305—
BY SENATOR DUPLESSIS

AN ACT

To enact Part I of Chapter 29-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9098 through 9098.9, relative to establish and provide for the membership, duties, powers and functions of advisory neighborhood commissions in Orleans Parish; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 305 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line, delete line 3, and insert the following: "Chapter 30 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9100.1 through 9100.14, relative to establishing and providing for the"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line, delete lines 9 through 17 in their entirety, delete pages 2 through 4 in their entirety, and on page 5, delete lines 1 through 16 in their entirety and insert the following: "Chapter 30 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:9100.1 through 9100.14, is hereby enacted to read as follows:

**CHAPTER 30. ADVISORY
NEIGHBORHOOD COMMISSIONS
PART I. EAST NEW ORLEANS
ADVISORY NEIGHBORHOOD COMMISSION
§9100.1. Definitions**

Whenever used in this Part, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall be given the following interpretations:

(1) "Governing authority" means the governing authority of

the city of New Orleans.

(2) "Commission" means the East New Orleans Advisory Neighborhood Commission.

(3) "Area" means the neighborhoods in New Orleans East that are represented on the commission membership.

§9100.2. East New Orleans Advisory Neighborhood Commission established

The East New Orleans Advisory Neighborhood Commission is hereby created. The commission shall constitute a body corporate in law, with all the powers of a corporation, and with all the powers and rights of a political subdivision of the state as provided by the constitution and laws of this state.

§9100.3. Commission's neighborhood area; domicile

A. The commission area shall include each neighborhood in New Orleans East that is represented on the commission by the chief executive officer and appointed representative of the neighborhood organization or association as provided in this Part.

B. The commission shall designate its domicile at a place within that area.

§9100.4. Purposes

A. The commission is established for the primary object and purpose of advising the appropriate governmental entities on matters of government policy.

B. Within the commission's area, the commission shall:

(1) Present and further the interest of the individual homeowners in the area to aid in the preservation of property values and to improve the character and integrity of individual residential neighborhoods.

(2) Educate and inform member neighborhood organizations and associations on matters and issues of general interest.

(3) Participate in planning and improvement.

(4) Participate with community-based organizations which seek to improve the community environment.

§9100.5. Commission membership

A. The commission shall consist of the chief executive officer and one representative, appointed by the chief executive officer, from each duly organized nonprofit organization or association representing single-family homeowners in New Orleans East which requests membership on the commission.

B. Each representative appointed by a chief executive officer for membership on the commission shall be an elector and be domiciled within the respective neighborhood.

C. Commission members shall serve without compensation.

D.(1) The term of each commission member who is an appointed representative of an organization or association shall be two years. A member may be appointed for a succeeding term; however, no such member shall serve more than three consecutive terms.

(2) A commissioner shall serve until his successor has been appointed and qualified.

(3)(a) Any appointed representative member of the commission who ceases to be domiciled in his respective neighborhood shall be considered to have resigned and the position shall be declared vacant.

(b) A vacancy on the commission shall be filled in the manner of the original appointment for the remainder of the unexpired term.

(4) No elected public official may serve as a member of the commission.

E. Each commission member shall have a vote at commission meetings.

§9100.6. Commission officers

A. Annually, the commission shall elect from its membership a chairman, vice chairman, secretary, and such other officers as it deems appropriate.

B. The chairman shall be the chief executive officer of the commission, shall manage its affairs and operation, subject to the rules and regulations and bylaws adopted by the commission and the executive board, and shall preside at meetings of the commission and of the executive board.

C. The vice chairman shall perform the duties of the chairman in his absence.

D. The secretary shall be responsible for ensuring appropriate notice of meetings of the commission and the executive board is provided and recording the proceedings of the meetings of the commission and the executive board. He shall also maintain the minute books and archives of the commission and the executive board.

E. Additional officer duties may be fixed by bylaws adopted by the commission.

§9100.7. Commission meetings

A. The commission shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such times and places within the commission's area designed to reasonably accommodate the residents of the area attending the meeting as may be provided in the bylaws. Special meetings may be called by the chairman or by the executive board and shall be called by the chairman upon written request of at least ten percent of the total commission membership.

B. Notice of a regular or special commission meeting shall be provided to each commission member at two days prior to the meeting.

C. The presence of at least twenty-five percent of the total commission membership shall constitute a quorum for the transaction of business.

D. The commission shall keep and maintain minutes of all meetings and shall make a copy of such minutes available through the commission's secretary.

E. At any meeting, the commission may consider and make recommendations on matters before it, including actions or proposed actions of the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local, state, or federal government.

F. A portion of each commission meeting shall be set aside to hear the views of area residents and other affected persons on problems or issues of concern within the area and on proposed actions that affect the area.

G. The commission shall establish a method to ensure the broadest dissemination of information with respect to commission meetings, positions, and actions.

§9100.8. Commission powers and duties

A. The commission shall:

(1) Adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. The rules and regulations relative to public notice and conduct of public meetings shall all conform with the Open Meetings Law.

(2) Have official custody of all monies, funds, and accounts of the commission.

B. The commission may:

(1) Sue or be sued.

(2) Adopt, use, and alter at will a seal and bylaws.

(3) Receive and expend funds collected pursuant to R.S. 33:9100.12 or otherwise made available to the commission and in accordance with a budget adopted as provided by R.S. 33:9100.13.

(4) Enter into contracts or agreements with individuals or entities, private or public, to carry out its powers and duties and accomplish its purposes.

(5) Purchase items and supplies which it deems instrumental to achieving its purposes.

(6) Employ an executive director and staff.

(7) Acquire, purchase, lease as lessee and hold and use any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out its purposes and to sell, lease as lessor, transfer, or dispose of any property or interest therein acquired by it.

(8) Construct, improve, maintain, repair, and operate facilities which it deems necessary or convenient to carry out its purposes.

(9) Pledge all or any part of its revenues.

(10) Perform or have performed any other function or activity necessary or appropriate to carry out its purposes.

§9100.9. Executive board

A. There shall be an executive board of the commission consisting of the commission's officers. The board shall manage the affairs of the commission. The board shall exercise the

powers and have general supervision over the affairs of the commission during the interim between meetings of the commission. However, the board shall exercise no policy-making function, nor incur any indebtedness nor obligate under contract, nor make any disbursement of funds of the commission, except as may have been specifically authorized by the commission.

B. The board shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such times and places within the area as may be provided in the bylaws. Board meetings may be called by the chairman and shall be called by the chairman upon written request of any two members of the board.

C. A majority of the members of the board shall constitute a quorum for the transaction of business.

D. The board shall keep and maintain minutes of all meetings and shall make a copy of such minutes available through the commission's secretary.

§9100.10. Executive director

The executive director, with the concurrence of the commission, may hire such staff and other necessary personnel as may be necessary to carry out the directions and instructions of the commission, and do other acts as may be directed or authorized by the commission.

§9100.11. Advisory authority of commission; official representation

A. The commission may advise the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local, state, or federal government with respect to all proposed matters of government policy which affect the area including, but not limited to, decisions regarding planning, zoning, streets, recreation, social services programs, education, health, safety, budget, and sanitation.

B. The governing authority, mayor, or applicable agency, department, board, commission, or other entity of local, state, or federal government shall provide at least thirty days written notice to the commission officers and executive director of any intent to acquire or dispose of an interest in immovable property in the area or any intent to change the use of property owned or leased by the respective governmental entity in the area.

C. (1) Proposed government action as covered by this Part, includes but is not limited to, actions of the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local, state, or federal government.

(2) Each local, state, or federal agency, department, board, or commission, prior to transmitting to the governing authority or other respective governmental entity any proposed revenue bond issuance, or before the formation of any final policy, decision, or guidelines with respect to grant applications, comprehension plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting the area, the parish budget and goals and priorities, proposed changes in local, state, or federal government services delivery, and opening of any proposed specialty systems, shall provide at least thirty days advance notice of the proposed action to each commission officer and the executive director.

D. The issues and concerns raised in recommendations of the commission shall be given great weight during the deliberations of the governing authority, the mayor, or any other agency, department, board, commission, or other entity of local, state, or federal government. This requires acknowledgment of the commission as the source of the recommendation and reference to each issue and concern.

E. The views of the commission shall only be presented by an officer of the commission or by a commission representative duly selected at a public meeting by the commission to represent its views on the particular issue or proposed action.

§9100.12. Parcel fee

A. The governing authority may levy and collect a parcel fee upon each parcel of taxable real property within the area in accordance with the provisions of this Section. For purposes of this Section, "parcel" means a lot, a subdivided portion of ground, or an individual tract.

B. Such fee shall be levied only as authorized by the commission as provided in this Subsection.

(1) The amount of the fee shall be as requested by duly adopted resolution of the commission. The fee, however, shall not exceed one hundred dollars per parcel per year. The owner of the parcel shall be responsible for payment of the fee.

(2) The fee shall be levied only upon request by the commission to the city of New Orleans and only after the question of its levy has been approved by a majority of the registered voters of the area voting on the proposition at an election held for that purpose in accordance with the Louisiana Election Code at a regularly scheduled election. The commission may increase the amount of the fee, by duly adopted resolution, not to exceed the amount provided in Paragraph (1) of this Subsection without the necessity of an election.

(3) The fee shall be levied initially for a term not to exceed nine years, provided that such term shall expire on December thirty-first of the year of a mayoral election. Subsequent to its initial levy, the fee may be renewed as provided in Paragraph (2) of this Subsection for a term not to exceed eight years. Any election to authorize renewal of the fee shall be held only at the same time as the mayoral primary election.

(4) Such fee shall be levied and collected in the same manner and at the same time as ad valorem taxes on property are levied and collected by the city.

(5) Any unpaid fee will be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as are unpaid ad valorem taxes.

(6) Except for the collection fee authorized in this Subsection, the proceeds of the fee shall be used solely and exclusively for the purposes and benefit of the commission. The proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same proceeds are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. The Board of Liquidation, City Debt, shall remit to the commission payments requested by warrant or draft not more than thirty days after the receipt of the warrant or draft. However, the city may retain one percent of the amount collected as a collection fee.

§9100.13. Budget; audit, applicability of other laws

A. The commission shall adopt an annual budget in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the governing authority.

B. The commission shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

C. Except as otherwise specifically provided in this Part, the commission and executive board shall be subject to the Open Meetings Law, the Public Records Law, and Code of Governmental Ethics.

§9100.14. Cooperation with other entities

A. The governing authority, the mayor, or any other agency, department, board, commission, or other entity of local, state, or federal government may provide the commission with staff support and assistance to enable each commission to perform its duties.

B. The commission shall cooperate and may contract with local, state, or federal government or any agency, department, board, commission or other entity thereof and may accept gifts, grants, and donations of property and money therefrom.

Section 2. The East New Orleans Advisory Neighborhood Commission shall hold an organizational meeting no later than September 1, 2007."

AMENDMENT NO. 3

On page 5, line 17, change "Section 2." to "Section 3."

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

SENATE BILL NO. 311—
BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:17, relative to education; to provide for a physical education coordinator in the Department of Education; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 311 by Senator Cassidy)

BY SENATORS CASSIDY, BOASSO, BROOME, CHEEK, CRAVINS, ELLINGTON, FONTENOT, MICHOT, MOUNT, QUINN, ROMERO AND SHEPHERD

AN ACT

To enact R.S. 17:17.4, relative to health and physical education; to provide for a health and physical education coordinator in the Department of Education, to provide relative to qualifications and duties; to provide for monitoring and reporting requirements; to provide relative to implementation; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:17.4 is hereby enacted to read as follows:

§17.4. Health and physical education coordinator; duties; qualifications

A.(1) The state Department of Education shall employ a health and physical education coordinator who shall be responsible for the development, implementation, and monitoring of health and physical education curricula for all grade levels in the public elementary and secondary schools in the state.

(2) At a minimum, the health and physical education coordinator shall possess at least one of the following qualifications:

(a) A doctorate in health and physical education, kinesiology, or a highly related field, and at least three years of classroom experience teaching health or physical education.

(b) A master's degree in health and physical education, kinesiology, or a highly related field, and at least five years of classroom experience teaching health or physical education.

B. The health and physical education coordinator shall:

(1) Coordinate the development and implementation of health and physical education curricula in all public elementary and secondary schools in the state.

(2) Monitor each city, parish, or other public school system for compliance with health and physical education curricular requirements established by law or by rules, regulations, and policies adopted by the State Board of Elementary and Secondary Education. Such monitoring shall include on-site monitoring.

(3) Provide technical assistance to public schools and school systems as needed.

C. The health and physical education coordinator shall seek input and guidance from the following agencies and entities regarding the development and implementation of health and physical education curricula in public schools:

(1) Governor's Council on Physical Fitness and Sports.

(2) Louisiana Council on Obesity Prevention and Management.

(3) American Heart Association.

(4) Louisiana Association for Health, Physical Education, Recreation and Dance.

(5) Louisiana State University Agriculture Center, Department of Family and Consumer Sciences.

(6) Louisiana Chapter, American Academy of Pediatrics.

D. The State Board of Elementary and Secondary Education shall adopt such rules and regulations as are necessary to implement the provisions of this Section in accordance with the Administrative Procedure Act.

E. The state Department of Education shall submit a written report to the Senate and House committees on education and the Senate and House committees on health and welfare no later than March fifteenth of each year regarding the status of health and physical education in the public elementary and secondary schools in the state, including findings and recommendations.

F. The state Department of Education shall hire the health and physical education coordinator provided for in this Section as soon as practicable, but not later than the beginning of the 2008-2009 school year.

G. Implementation of the provisions of this Section shall be subject to the appropriation of funds by the legislature for this purpose.

Section 2. 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 Act shall become effective on the day following such approval.

On motion of Senator Ullo, the committee substitute bill was adopted and becomes Senate Bill No. 362 by Senator Cassidy, substitute for Senate Bill No. 311 by Senator Cassidy.

SENATE BILL NO. 362— (Substitute of Senate Bill No. 311 by Senator Cassidy)

BY SENATORS CASSIDY, BOASSO, BROOME, CHEEK, CRAVINS, ELLINGTON, FONTENOT, MICHOT, MOUNT, QUINN, ROMERO AND SHEPHERD

AN ACT

To enact R.S. 17:17.4, relative to health and physical education; to provide for a health and physical education coordinator in the Department of Education, to provide relative to qualifications and duties; to provide for monitoring and reporting requirements; to provide relative to implementation; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 313—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:302(R), 321(H), and 331(P)(1), and to enact R.S. 47:305.56, relative to the sales and use tax; to exempt from state sales and use tax the purchase of a motor vehicle that has been or will be modified for use by an orthopedically handicapped person; to provide for an effective date; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 313 by Senator Adley

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"(3) The sales tax exemption shall entitle the purchaser to a refund of the state sales tax paid after the vehicle modifications have been completed and the purchaser submits a refund request form and provides the required documentation."

AMENDMENT NO. 2

On page 2, delete lines 27 through 29 and on page 3, delete lines 1 through 3 and insert in lieu thereof the following:

"C.(1) Persons who are purchasing a vehicle that will be modified for operation by or transportation of an orthopedically handicapped person shall submit a refund request and provide documentation of the person's orthopedic handicap and evidence of the qualifying modifications to the Department of Revenue after those modifications have been made.

(2) If the refund is later disallowed because it did not meet the requirements of this Section, the secretary may recover the refund through any collection remedy authorized by R.S. 47:1561 and 1561.2."

AMENDMENT NO. 3

On page 3, delete lines 25 through 27 and insert in lieu thereof the following:

"Section 2. This Act shall become effective on January 1, 2008; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2008, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 326—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:329.2 and 334(A), relative to levees; to provide for the authority, functions and responsibilities of the Lafourche Basin Levee District and the North Lafourche Conservation, Levee and Drainage District; to require the districts to share certain ad valorem taxes levied and received, and mineral revenues in certain tax years; to exclude the parish of Lafourche from the taxing authority of the Lafourche Basin Levee District; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 326 by Senator Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 14, insert "A."

AMENDMENT NO. 2

On page 2, line 2, change "Section 38(A)" to "Section 39(A)"

AMENDMENT NO. 3

On page 3, between lines 4 and 5, insert the following:

"B. The ad valorem property taxes received annually to be shared as provided for in Subsection (A) of this Section shall be remitted within thirty days of the receipt thereof. The mineral revenues on the lands to be shared as provided for in Subsection (A) of this Section shall be remitted on a quarterly basis."

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

SENATE BILL NO. 330—

BY SENATOR THEUNISSEN AND REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:2758, relative to ad valorem property taxes in Cameron Parish; to provide for the authority of the Cameron Parish governing authority and local tax recipient bodies to enter into certain agreements regarding the collection of ad valorem property taxes and the granting of ad valorem tax credits; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Adley, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 333—

BY SENATOR SHEPHERD

AN ACT

To enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.101 through 4720.117, relative to the parish of Jefferson; to create the Jefferson Parish Redevelopment Authority; to provide for the selection of commissioners and for their terms of office; to provide for annual reports, including financial statements, to the local governing authority; to define terms; to provide for the powers, duties, and functions of the redevelopment authority, including the acquisition of property by purchase, gift, expropriation, or otherwise; to provide for the preparation and adoption of a community improvement plan; to provide with respect to the certification of blighted property and its removal; to provide for the disposition of property in a community improvement area; to provide for the issuance of bonds; to provide for borrowing money and giving security therefor; to provide for tax

exemptions; to authorize the establishment of programs for residential development; to provide for cooperation by public bodies with the authority; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 333 by Senator Shepherd

AMENDMENT NO. 1

On page 13, line 15 after "authority." insert "Notwithstanding any other provisions of this Chapter, the authority may acquire blighted and abandoned property by a declaration of taking in accordance with the procedures set forth in R.S. 19:136 et seq."

AMENDMENT NO. 2

On page 42, at the beginning of line 9 delete "published"

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

**Senate Resolutions
on Second Reading
Reported by Committees**

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

SENATE RESOLUTION NO. 14—

BY SENATOR CHEEK

A RESOLUTION

To urge and request the Department of Transportation and Development to install directional signs at the Jewella Avenue exits on Louisiana Highway 3132 in Shreveport to indicate the location of Ayers Career College.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Internal Revenue Service to take such actions as are necessary to prevent the taxation of rebuilding grants from the state's Road Home program.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

May 22, 2007

Mr President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	

Total - 35

NAYS

Total - 0

ABSENT

Bajoie	Mount
Fontenot	Schedler

Total - 4

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hines asked that Senate Concurrent Resolution No. 37 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATORS HINES, DUPRE, B. GAUTREAUX AND NEVERS
A CONCURRENT RESOLUTION

To approve proposed Amendment No. 2 to Action Plan No. 2 for Twenty Million Dollars in Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo

Total - 33

NAYS

Shepherd
Total - 1

ABSENT

Bajoie	Lentini	Schedler
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Fontenot	Mount
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Total - 5

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 179—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 17:1519.1(2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12), 1519.2(B)(1)(c), (d), (e), (f), (g) and (h) and 3215(7), to enact R.S. 17:1518.1, 1518.2 and 1519.2(B)(3)(c), and to repeal R.S. 17:1519.10, relative to Huey P. Long Medical Center; to merge the Huey P. Long Medical Center, its funds, property, records, obligations, functions, and employees with the Louisiana State University Health Sciences Center at Shreveport; to provide for the administration of Huey P. Long Medical Center; to provide for an advisory council; to provide for a memorandum of understanding; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 179 by Senator McPherson

AMENDMENT NO. 1

On page 1, lines 2 and 11, after "(11)", delete the remainder of the line and insert ", (12), and (13)," and on lines 3 and 12, following "1519.2(B)(1)" and before "and" delete "(c), (d), (e), (f), (g) and (h)"

AMENDMENT NO. 2

On page 1, line 13, following "1518.1" and before "1518.2" change "and" to ","

AMENDMENT NO. 3

On page 1, line 13, following "1518.2" and before "are" insert "and 1519.2(B)(3)(c)"

AMENDMENT NO. 4

On page 2, line 5, following "person" and before "below" insert "whose household income is"

AMENDMENT NO. 5

On page 5, line 16, at the beginning of the line change "affect" to "effect"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 179 by Senator McPherson

AMENDMENT NO. 1

On page 6, delete lines 3 through 8 and insert the following: "The LSU Health Sciences Center at Shreveport, through its"

chancellor, shall enter into a cooperative endeavor agreement with Tulane University Health Sciences Center to include the current residency program in obstetrics offered by Tulane University Health Sciences Center."

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 179 by Senator McPherson

AMENDMENT NO. 1

On page 6, in between lines 1 and 2 insert the following:

"J. Notwithstanding any other law to the contrary, the health sciences center shall in all cases give preference to blind persons, under the administration of the Department of Social Services, and shall with the Department of Social Services jointly work to insure proper operation of vending stands, vending machines, and other small business concessions which are currently in operation on the premises and shall give priority to similar concessions in the future in accordance with R.S. 46:333. No other vending stands, vending machines, or small business concessions shall be operated on the same premises with vending stands, vending machines, or other small business concessions operated under the provisions of this Subsection. No blind person shall be required to pay any fee, service charge, or equivalent thereof in the operation of a vending stand, vending machines, or other small business concessions in hospitals or the premises transferred pursuant to R.S. 17:1518.1, nor shall the blind person be disturbed in the security of the operation of the vending stand, vending machine, or small business concession in any way, without reasonable or just cause. The provisions of the Subsection shall not prevent the health sciences center from permitting the operation of gift shops or similar concessions by voluntary organizations which contribute the proceeds to the hospital or which spend the proceeds on behalf of the hospital."

On motion of Senator Ullo, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	Marionneau
Adley	Fields	McPherson
Amedee	Fontenot	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dupre	Malone	

Total - 35

NAYS

Total - 0

ABSENT

Bajoie	Mount
Duplessis	Schedler

Total - 4

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

Rules Suspended

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 216 at this time out of its Regular Order.

SENATE BILL NO. 216—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 22:1430.23, relative to property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to provide that the corporation issue certain policies; to require certain admitted insurers to insure certain homeowners; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Engrossed Senate Bill No. 216 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, change "22:1430.23," to "22:1471.2,"

AMENDMENT NO. 2

On page 1, line 2, after "insurance;" delete the remainder of the line and delete line 3 in its entirety and on line 4, delete "policies;"

AMENDMENT NO. 3

On page 1, line 7, change "22:1430.23" to "R.S. 22:1471.2"

AMENDMENT NO. 4

On page 1, delete lines 8 through 17 in their entirety and insert in lieu thereof the following:

"§1471.2. Homeowner's insurance; compliance with construction code

Every insurer who is admitted to write life insurance, professional liability insurance, automobile insurance, or any other type of insurance in this state and who is also admitted to write homeowner's insurance in this state shall be required to provide homeowner's insurance coverage, including wind storm and hail coverage, on any residential structure that has been constructed or retrofitted in compliance with the State Uniform Construction Code."

AMENDMENT NO. 5

On page 2, delete lines 1 through 9 in their entirety.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Fields	Marionneau
Amedee	Fontenot	Michot
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers

May 22, 2007

Chaisson	Heitmeier	Quinn
Cravins	Hollis	Romero
Duplessis	Jones	Shepherd
Dupre	Lentini	Theunissen
Ellington	Malone	Ullo

Total - 27

NAYS

Adley	Cassidy	Kostelka
Barham	Cheek	Smith

Total - 6

ABSENT

Bajoie	Jackson	Mount
Boasso	McPherson	Schedler

Total - 6

The Chair declared the amended 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.

Notice Regarding Vote

Senator Ellington stated he had voted in error on Senate Bill No. 216. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Regular Order Resumed

SENATE BILL NO. 185—

BY SENATORS QUINN, AMEDEE, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CRAVINS, DUPLESSIS, ELLINGTON, B. GAUTREAU, HOLLIS, JONES, LENTINI, MALONE, MICHOT AND THEUNISSEN
AN ACT

To amend and reenact R.S. 22:636.2(A)(3), 636.4(E)(2)(a), 1210.52(3), 1217(introductory paragraph), 1256(A)(4), 1382(A)(3)(a)(iv), 1401, 1401.1(B), 1403(B)(1) and (D), 1404(3)(c), (d)(i) and (iii), (e), (f), and (5), 1404.1, 1404.2, 1404.3, 1405(A), (B)(2) and (3), (C), (D)(2) and (5), (G), (I)(1)(a) and (2), 1406, 1407(A)(3), (B), (C), (D), (E), (G), (H), (I), (J), and (K), 1408, 1409(A), (B), (D), (E), and (G)(1), 1409.1(A) and (B), 1410, 1411, 1412(B), 1413(B), (C), and (D), 1414(B), 1415, 1416, 1417(A) and (B), 1418, 1419(A)(1), (2), (3)(introductory paragraph), (5), (B), and (C), 1422, 1422.1, 1423(A), (B), (C)(8), and (E), 1430.1(3) and (6)(introductory paragraph), 1430.5(A), 1430.8(A), 1430.9(A), 1430.11(D), 1430.12(C), 1430.13, 1430.14, 1430.16(F), 1441(B), 1441.1(1), (2)(introductory paragraph), and (6), 1441.5(A) and (B), 1441.6(A)(1), (2)(g), and (B), 1441.7(A)(1) and (C), 1441.9 through 1441.13, 1441.15(1), (2)(introductory paragraph), and (6), 1441.16, 1441.19(A), 1441.20, 1441.21(A) and (D), 1441.23 through 1441.25, 1446, 1447, 1450.3(4) and (5), 1805, 1808(2), 2092.5(C)(2) and 2092.5.1(B), R.S. 23:1392(1) and (8)(a), R.S. 32:431(G) and 1043(A) and 40:1308(C)(6), to enact R.S. 22:1426 and to repeal R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7), relative to insurance; to abolish the Louisiana Insurance Rating Commission; to provide for approval of certain rate increases or decreases by the commissioner of insurance; to authorize certain deductibles on wind and hail policies on a regional basis; to require all applications for rate increases to contain a sworn statement signed by certain insurance company officials verifying the information contained in the rate submission; to create a consumer protection officer within the office of the attorney general to advocate for consumers regarding insurance matters; to provide for certain mitigation discounts on rates; to provide for high deductible policies for policyholders who maintain homeowner's savings accounts; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 185 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, and page 2, line 11, following "1210.52(3)," and before "1217(introductory)" insert "1210.56(A)(4),"

AMENDMENT NO. 2

On page 1, line 3, and page 2, line 12, following "paragraph)," and before "1382" delete "1256(A)(4),"

AMENDMENT NO. 3

On page 1, line 16, following "and 1043(A) and" and before "40:1308(C)(6)" insert "R.S."

AMENDMENT NO. 4

On page 4, line 11, following "practice," and before "he" delete "**including but not limited to violations of R.S. 22:1407(L),**"

AMENDMENT NO. 5

On page 4, line 23, change "Paragraph" to "Subparagraph"

AMENDMENT NO. 6

On page 14, line 10, following "for" and before "under" change "**by him**" to "**his use**"

AMENDMENT NO. 7

On page 15, line 9, following "consist of" and before "members" change "seventeen" to "sixteen"

AMENDMENT NO. 8

On page 18, line 13 delete " * * * "

AMENDMENT NO. 9

On page 18, line 22 following "may" and before "by" change "only be filed" to "be filed only"

AMENDMENT NO. 10

On page 23, line 4, following "filing" and before "." delete "with it"

AMENDMENT NO. 11

On page 32, line 1, following "B." and before "governing" change "Effective on August 15, 1993, the" to "The"

AMENDMENT NO. 12

On page 36, line 10, following "**which**" and before "**with**" change "**comply**" to "**complies**"

AMENDMENT NO. 13

On page 36, line 25, following "**in**" and before ":" change "**deducible**" to "**deductible**"

AMENDMENT NO. 14

On page 36, line 27, following "**State**" and before "**Construction**" insert "**Uniform**"

AMENDMENT NO. 15

On page 37, line 5, following "**provided**" and before "**Paragraph**" insert "**in**"

AMENDMENT NO. 16

On page 40, line 21, following "**Commission and**" and before "office" delete "the"

AMENDMENT NO. 17

On page 40, line 24, following "fulfill" and before "responsibilities" change "its" to "his"

AMENDMENT NO. 18

On page 44, line 5, following "time" and before "deems" change "it" to "he"

AMENDMENT NO. 19

On page 44, line 26, following "out" and before "duties" change "its" to "his"

AMENDMENT NO. 20

On page 46, line 20, following "furnish to" and before "any" change "it" to "him"

AMENDMENT NO. 21

On page 46, line 22, following "assist" and before "in evaluating" change "it" to "him"

AMENDMENT NO. 22

On page 49, line 19, following "out" and before "duties" change "its" to "his"

AMENDMENT NO. 23

On page 51, line 29, following "before the" and before "day" change "15th" to "fifteenth"

AMENDMENT NO. 24

On page 52, between lines 26 and 27, insert " * * * "

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 185 by Senator Quinn

AMENDMENT NO. 1

On page 1, lines 2 and 3, delete "1217 (introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 15, between "(8)(a)" and the comma "," insert "and 1395(A)"

AMENDMENT NO. 3

On page 1, line 16, change "40:1308(C)(6)" to "R.S. 40:1299.44(A)(2)(b), (c), and (f), and 1308(C)(6)"

AMENDMENT NO. 4

On page 1, line 17, between "(G)(7)" and the comma "," insert "and R.S. 36:686(C)(1)"

AMENDMENT NO. 5

On page 2, lines 11 and 12, delete "1217 (introductory paragraph),"

AMENDMENT NO. 6

On page 4, delete lines 8 through 16 in their entirety.

AMENDMENT NO. 7

On page 53, line 7, between "(8)(a)" and "are" insert "and 1395(A)"

AMENDMENT NO. 8

On page 53, at the end of line 20, add "limited liability company,"

AMENDMENT NO. 9

On page 53, after line 29, add the following:
"\$1395. Exemptions; rate regulation; surplus; reserves; guaranty funds

A. The corporation shall be exempt from rate regulation by the Louisiana Insurance Rating Commission commissioner of insurance.

AMENDMENT NO. 10

On page 55, line 5, change "R.S. 40:1308(C)(6) is" to "R.S. 40:1299.44(A)(2)(b), (c), and (f), and 1308(C)(1) are"

AMENDMENT NO. 11

On page 55, between lines 5 and 6, insert the following:
"\$1299.44. Patient's Compensation Fund

A. * * *
(2) * * *

(b) The surcharge shall be determined by the Louisiana Insurance Rating Commission commissioner of insurance based upon actuarial principles and in accordance with an application for rates or rate changes, or both, filed by the Patient's Compensation Fund Oversight Board, established and authorized pursuant to Subsection D of this Section.

(c) The application for rate changes filed by the board shall be submitted to the Louisiana Insurance Rating Commission commissioner of insurance at least annually on the basis of an annual actuarial study of the patient's compensation fund.

(f) The surcharge for self-insureds shall be the amount determined by the board in accordance with regulations promulgated under the Administrative Procedure Act and in accordance with the rate set by the Louisiana Insurance Rating Commission commissioner of insurance to be the amount of surcharge which the health care provider would reasonably be required to pay were his qualification based upon filing a policy of malpractice liability insurance.

AMENDMENT NO. 12

On page 55, line 21, between "(G)(7)" and "are" insert "and R.S. 36:686(C)(1)"

AMENDMENT NO. 13

On page 55, between lines 22 and 23, insert the following:
"Section 6. The Louisiana State Law Institute is hereby directed to change any reference in law to the "Louisiana Insurance Rating Commission", "rating commission", or "commission" as appropriate to reflect the change to the commissioner of insurance."

AMENDMENT NO. 14

On page 55, line 23, change "Section 6." to "Section 7."

On motion of Senator Quinn, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 185 by Senator Quinn

AMENDMENT NO. 1

On page 37, line 3, after "insured" add a period "." and delete the remainder of the line and delete lines 4 and 5.

On motion of Senator Quinn, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Name. Lists names of members present for the roll call, including Mr President, Cravins, Duplessis, Malone, etc.

May 22, 2007

Cheek Total - 30	Lentini	Ullo
	NAYS	
Fields Gautreaux N Total - 6	Heitmeier Kostelka	Marionneaux McPherson
	ABSENT	
Bajoie Total - 3	Mount	Schedler

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

SENATE BILL NO. 196—
BY SENATOR MICHOT

AN ACT

To enact R.S. 32:1261(1)(w), relative to the distribution and sale of motor vehicles; to prohibit coercion of retail motor vehicle dealers by certain motor vehicle manufacturers or distributors regarding the sale of certain items; to provide for certain actions by manufacturers or distributors which will be considered coercive; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Duplessis	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie Gautreaux B Total - 5	Mount Quinn	Schedler
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The Chair declared the 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.

SENATE BILL NO. 227—
BY SENATOR LENTINI

AN ACT

To enact 22:636.2(E), 636.3(E), and Part XVIII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2151 through 2154, relative to insurance; to authorize local governmental subdivisions to form alliances or execute cooperative endeavor agreements to purchase affordable insurance; to clarify that certain actions do not constitute grounds for cancellation; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 227 by Senator Lentini

AMENDMENT NO. 1

On page 2, between lines 13 & 14, insert " * * * "

AMENDMENT NO. 2

On page 2, line 22, following "**financial**" and before "**for**" change "**crisis**" to "**crises**"

AMENDMENT NO. 3

On page 3, line 16, following "**cooperative**" change "**endeavors**" to "**endeavor**"

AMENDMENT NO. 4

On page 4, line 11, following "**an**" and before "**commission**" change "**agents**" to "**agent's**"

AMENDMENT NO. 5

On page 5, line 2, following "**required**" and before "**R. S.**" change "**with**" to "**by**"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 227 by Senator Lentini

AMENDMENT NO. 1

On page 1, lines 2 and 9, change "636.3(E)" to "636.3(F)"

AMENDMENT NO. 2

On page 2, line 8, change "**E.**" to "**F.**"

AMENDMENT NO. 3

On page 4, lines 7 and 8, change "**as follows:**" to "**by one of the following methods:**"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 227 by Senator Lentini

AMENDMENT NO. 1

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

"(5) Placing or transferring the policyholder's coverage with a subsidiary or parent company of the insurer."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Mount
Gautreaux B	Schedler
Total - 4	

The Chair declared the amended 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.

SENATE BILL NO. 282—
BY SENATOR SCHEDLER

AN ACT

To enact Part VII-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1745.2 through 1745.8 and R.S. 37:2372.1, relative to health care providers; to include legislative findings; to provide definitions; to provide for reporting of certain actions by health care entities; to provide with respect to the entities to which such reporting is required; to provide for confidentiality of mandatory reports; to provide for the limitation of liability for mandatory reporters; to provide relative to the use of information provided by mandatory reporters; to provide for criminal background checks by the State Board of Examiners of Psychologists; to provide for an investigation fee; and to provide for related matters.

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

SENATE BILL NO. 290—
BY SENATOR SMITH

AN ACT

To enact Chapter 6-A of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1271 through 1282, relative to motor vehicles; to provide for the Louisiana Vehicle Protection Product Act; to provide for definitions; to provide for the scope; to provide for registration and filing requirements; to provide requirements for licensure; to provide for warranty conditions and requirements; to provide for disclosure; to provide for prohibitions; to provide for record keeping; to provide for sanctions; to provide for rulemaking; to provide for applicability; to provide for severability; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 290 by Senator

Smith

AMENDMENT NO. 1

On page 2, line 17, following "**the**" and before "**Insurance**" insert "**Louisiana**"

AMENDMENT NO. 2

On page 6, line 16, following "**warranty**" and before "**is**" insert "**and such payment**"

On motion of Senator Lentini, 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

Mr President	Dupre	Marionneau
Adley	Ellington	Michot
Amedee	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Duplessis	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	McPherson	Schedler
Gautreaux B	Mount	
Total - 5		

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.

SENATE BILL NO. 180—
BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 180 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 13, following "an" and before "of forty-" change "acre" to "area"

On motion of Senator Lentini, the amendments were adopted.

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

May 22, 2007

SENATE BILL NO. 321—
BY SENATOR HEITMEIER

AN ACT

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

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

Mr President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Mount
Gautreaux B	Schedler
Total - 4	

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.

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

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

Called from the Calendar

Senator Shepherd asked that Senate Bill No. 162 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 162—
BY SENATOR SHEPHERD AND REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:312(5) and 312.1(E), relative to courts; to provide relative to courts of appeal; to provide relative to the Fifth Circuit Court of Appeal; to provide relative to election of judges; to provide relative to filling of certain vacancies; to create election sections in the first district and provide for their composition; to provide certain terms, conditions, and procedures; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 162 by Senator Shepherd

AMENDMENT NO. 1

On page 4, line 10, following "Section" and before "of" change "3(A)" to "(3)"

AMENDMENT NO. 2

On page 4, line 15, following "Henry Williams," change "et al" to "et al." and following "Fox McKeithen" change "et al" to "et al."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	McPherson
Boasso	Ellington	Murray
Broome	Fields	Nevers
Cain	Fontenot	Romero
Cassidy	Heitmeier	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Malone	Ullo
Duplessis	Marionneau	
Total - 26		

NAYS

Adley	Kostelka
Barham	Michot
Total - 4	

ABSENT

Amedee	Gautreaux N	Mount
Bajoie	Hollis	Quinn
Gautreaux B	Lentini	Schedler
Total - 9		

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

Called from the Calendar

Senator Jackson asked that Senate Bill No. 103 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 103—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 18:55(A)(2) and 59(B)(2) and (C)(2), relative to registrars of voters; to provide for a salary increase for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	McPherson
Adley	Ellington	Michot

Amedee	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Lentini	Schedler
Gautreaux B	Mount	
Total - 5		

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

Called from the Calendar

Senator Fields asked that Senate Bill No. 266 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 266—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 24:653(F), R.S. 39:73(C)(2) and 82(C), and R.S. 49:220.5(C)(1)(a), and to enact R.S. 24:653(K), relative to the authority of the Joint Legislative Committee on the Budget; to clarify that the committee has the authority to amend BA-7s and certain proposals of the Louisiana Recovery Authority; to provide for application; to provide for an effective date; 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	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Mount
Gautreaux B	Schedler
Total - 4	

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.

Called from the Calendar

Senator Cheek asked that Senate Bill No. 77 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 77—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 37:2503(A) and (E) and to repeal R.S. 37:2503(A)(2)(h), (A)(2)(i) and (A)(2)(j), relative to the Board of Examiners for Nursing Facility Administrators; to provide for the composition of the board; to provide for board appointments; and to provide for related matters.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed Senate Bill No. 77 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 7, delete "is" and insert "are"

AMENDMENT NO. 2.

On page 2, line 6, after "**Aging**" insert comma "," and after "**designee**" insert "**who shall reside in Louisiana**"

AMENDMENT NO. 3

On page 2, line 9, after "**Aging**" insert comma "," and after "**designee**" insert "**who shall reside in Louisiana**"

AMENDMENT NO. 4

On page 2, line 27, after "administrators" insert "**, at least one of whom shall be a minority. Two of the administrators shall have a college degree or a nursing degree. Each administrator shall have a minimum of five years experience as a nursing facility administrator**"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Duplessis	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Mount	Schedler
Gautreaux B	Quinn	
Total - 5		

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

Rules Suspended

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 22, 2007

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. 284—
BY REPRESENTATIVES PINAC AND ARNOLD
AN ACT

To amend and reenact R.S. 9:3530(A)(1), relative to consumer credit; to change the origination fee on a consumer loan or revolving loan account; and to provide for related matters.

HOUSE BILL NO. 484—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 27:403, relative to promotional poker tournaments; to authorize certain licensed premises to make available tables and certain areas of the licensed premises for the purpose of the conducting of promotional poker tournaments; to provide for limitations; to provide for applicability; to provide for definitions; to provide with respect to advertising promotional poker tournaments; to provide for an exception for Orleans Parish; and to provide for related matters.

HOUSE BILL NO. 771—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:9091.9(F)(2)(b) and (c), relative to the Twinbrook Security District; to provide relative to the parcel fee imposed within the district; to provide relative to the definition of "parcel" with respect to condominiums; to provide relative to the payment of the parcel fee; and to provide for related matters.

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

House Bills and Joint Resolutions on First Reading

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

HOUSE BILL NO. 284—
BY REPRESENTATIVES PINAC AND ARNOLD
AN ACT

To amend and reenact R.S. 9:3530(A)(1), relative to consumer credit; to change the origination fee on a consumer loan or revolving loan account; and to provide for related matters.

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

HOUSE BILL NO. 484—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 27:403, relative to promotional poker tournaments; to authorize certain licensed premises to make available tables and certain areas of the licensed premises for the purpose of the conducting of promotional poker tournaments; to provide for limitations; to provide for applicability; to provide for definitions; to provide with respect to advertising promotional poker tournaments; to provide for an exception for Orleans Parish; and to provide for related matters.

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

HOUSE BILL NO. 771—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:9091.9(F)(2)(b) and (c), relative to the Twinbrook Security District; to provide relative to the parcel fee imposed within the district; to provide relative to the definition of "parcel" with respect to condominiums; to provide relative to the payment of the parcel fee; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY A

Senator Arthur J. "Art" Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 22, 2007

To the President and Members of the Senate:

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

SENATE BILL NO. 208—
BY SENATOR MOUNT
AN ACT

To enact Children's Code Article 603(13)(h) and Subpart G of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:358.1 through 358.9, relative to parenting coordinators; to provide for the appointment of a parenting coordinator in child custody cases; to provide for the qualifications of persons who may act as a parenting coordinator; to provide for the duties of the parenting coordinator; to provide for the payment of costs; to provide for the reporting of child abuse; to provide definitions, terms, procedures, and requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 315—
BY SENATOR ELLINGTON
AN ACT

To enact Code of Civil Procedure Article 3036, relative to successions, testament, and probate; to provide certain terms, conditions, and procedures; to provide relative to beneficiaries; to provide certain notice requirements for beneficiaries and others under certain circumstances, and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Motion to Recommit

Senator Duplessis asked for and obtained a suspension of the rules and recommitted House Bill No. 350 from the Committee on Judiciary B to the Committee on Judiciary C.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 22, 2007

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To proclaim May 22, 2007, as Junior League of Louisiana Day.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie	1 Day	Mount	1 Day
Schedler	1 Day		

Adjournment

Senator McPherson moved that the Senate adjourn until Wednesday, May 23, 2007, 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, May 23, 2007.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

