

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

FOURTEENTH 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

Wednesday, May 23, 2007

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

ROLL CALL

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

PRESENT

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

ABSENT

Jones	Mount
Total - 2	

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

Prayer

The prayer was offered by Father Gerard F. Young, 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 Adley, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

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

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

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

BY SENATORS DUPLESSIS, CHAISSON, HINES, KOSTELKA, MICHOT, MOUNT, NEVERS, DUPRE, N. GAUTREAUX AND MURRAY 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 car 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.

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

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, SHEPHERD AND DUPLESSIS

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.

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

Messages from the House

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

Message from the House

**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. 490—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 33:9091.11, relative to the Hurstville Security and Neighborhood Improvement District in Orleans Parish; to create and provide relative to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide relative to liability of board members and officers; and to provide for related matters.

HOUSE BILL NO. 491—

BY REPRESENTATIVE BARROW

AN ACT

To enact R.S. 33:2740.67, relative to economic development in East Baton Rouge Parish; to create and provide for the Greenwell Springs-Airline Economic Development District within such parish; to provide for the governance, powers, duties, and plans of the district; and to provide for related matters.

HOUSE BILL NO. 694—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 33:4720.58.1, relative to the New Orleans Redevelopment Authority; to authorize the authority to initiate an expedited quiet title and foreclosure action; to provide relative to the procedures for any such action; to provide relative to the rights of property owners; to provide relative to due process; and to provide for related matters.

May 23, 2007

HOUSE BILL NO. 832—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1514 and 1553(B)(6), (7), (8), (9), (10), and (11), to enact R.S. 23:1553(G), and to repeal R.S. 23:1553(B)(12), relative to the Incumbent Worker Training Program; to change the name of the Workforce Development Training Account to the Incumbent Worker Training Account; to provide for the funding of the Incumbent Worker Training Program; to provide for training for those employers who incur a state unemployment insurance tax liability; to provide for the types of training; to establish criteria eligibility; to provide for the administration of the program; to provide for the amount of credit based upon the applied trust fund balance; to provide for certain definitions; to provide for reauthorization of the program; and to provide for related matters.

HOUSE BILL NO. 552—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 33:4574.1.1(Q)(1)(b), relative to Vermilion Parish; to provide relative to the Vermilion Parish Tourist Commission; to provide relative to the use of monies levied and collected by the commission; to require the commission to enter into a cooperative endeavor agreement with the sheriff of the parish for certain purposes; to otherwise remove the authority of the commission to enter any such agreements with certain public entities; and to provide for related matters.

HOUSE BILL NO. 846—

BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 13:477(introductory paragraph) and (11), 621.11, and 700.3 and R.S. 16:51(A)(11), 262, 263, 264, and 265 and to enact R.S. 13:477(42), 621.42.1, 621.47, 700.4, and 996.65 and R.S. 16:51(A)(42), 921, 922, 923, 924, and 925, relative to the creation of a new judicial district out of the Eleventh Judicial District; to create the Forty-Second Judicial District Court; to provide that Sabine Parish shall comprise the Eleventh Judicial District; to provide that DeSoto Parish shall comprise the Forty-Second Judicial District; to provide for the transfer of cases; to provide for a judicial expense fund for the Forty-Second Judicial District; to provide for assistant district attorneys for the Eleventh and the Forty-Second Judicial Districts; to provide for salaries; to provide for law clerks; to provide for a referendum election in the parishes of DeSoto and Sabine on approving the split of the Eleventh Judicial District and the creation of the Forty-Second Judicial District; to provide for the office of a judge of the Forty-Second Judicial District, including term of office, election, division of court, and jurisdiction; to provide for the election of a district attorney for the Forty-Second Judicial District; to provide for the clerk of court for the Forty-Second Judicial District; to provide for the sheriff for the Forty-Second Judicial District; and to provide for related matters.

HOUSE BILL NO. 162—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 13:477(22) and 621.22, relative to district judges; to provide for two additional judgeships for the Twenty-Second Judicial District Court; to provide for jurisdiction; to provide for compensation of the additional judges; to provide for elections sections for the Twenty-Second Judicial District Court; to provide for the assignment of judgeships to such election sections; to provide for the election and term of the offices and those of the successors to those offices; and to provide for related matters.

HOUSE BILL NO. 488—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 44:9(F) and (G), relative to criminal arrest and disposition records; to authorize the Louisiana Department of Public Safety and Corrections to provide the

Louisiana Attorney Disciplinary Board, Office of Disciplinary Counsel, and the Louisiana Supreme Court Committee on Bar Admissions access to criminal arrest and disposition records; to provide that the Louisiana Attorney Disciplinary Board, Office of Disciplinary Counsel, and the Louisiana Supreme Court Committee on Bar Admissions may use criminal arrest and disposition records which have been expunged; and to provide for related matters.

HOUSE BILL NO. 547—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:304, relative to the Louisiana Video Draw Poker Devices Control Law; to increase the amount wagered on a game and the maximum amount of money won per game; and to provide for related matters.

HOUSE BILL NO. 712—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2781 through 2796, relative to Medicaid finance; to provide for certain agreements for purposes of enhancing reimbursements to certain providers of Medicaid services; to provide for definitions; to authorize and provide for the certification of certain public health care expenditures for purposes of Medicaid finance; to authorize the payment of certain federal monies to certain public entities; to require the submission of a state Medicaid plan amendment; to provide for a process for effectiveness; and to provide for related matters.

HOUSE BILL NO. 467—

BY REPRESENTATIVE TOWNSEND AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to increase the compensation schedule for assessors; to provide for an effective date; and to provide for related matters.

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

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

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

HOUSE BILL NO. 162—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 13:477(22) and 621.22, relative to district judges; to provide for two additional judgeships for the Twenty-Second Judicial District Court; to provide for jurisdiction; to provide for compensation of the additional judges; to provide for elections sections for the Twenty-Second Judicial District Court; to provide for the assignment of judgeships to such election sections; to provide for the election and term of the offices and those of the successors to those offices; and to provide for related matters.

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

HOUSE BILL NO. 467—

BY REPRESENTATIVE TOWNSEND AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to increase the compensation schedule for assessors; 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. 488—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 44:9(F) and (G), relative to criminal arrest and disposition records; to authorize the Louisiana Department of Public Safety and Corrections to provide the Louisiana Attorney Disciplinary Board, Office of Disciplinary Counsel, and the Louisiana Supreme Court Committee on Bar Admissions access to criminal arrest and disposition records; to provide that the Louisiana Attorney Disciplinary Board, Office of Disciplinary Counsel, and the Louisiana Supreme Court Committee on Bar Admissions may use criminal arrest and disposition records which have been expunged; and to provide for related matters.

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

HOUSE BILL NO. 490—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 33:9091.11, relative to the Hurstville Security and Neighborhood Improvement District in Orleans Parish; to create and provide relative to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide relative to liability of board members and officers; and to provide for related matters.

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

HOUSE BILL NO. 491—

BY REPRESENTATIVE BARROW

AN ACT

To enact R.S. 33:2740.67, relative to economic development in East Baton Rouge Parish; to create and provide for the Greenwell Springs-Airline Economic Development District within such parish; to provide for the governance, powers, duties, and plans of the district; and to provide for related matters.

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

HOUSE BILL NO. 547—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:304, relative to the Louisiana Video Draw Poker Devices Control Law; to increase the amount wagered on a game and the maximum amount of money won per game; and to provide for related matters.

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

HOUSE BILL NO. 552—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 33:4574.1.1(Q)(1)(b), relative to Vermilion Parish; to provide relative to the Vermilion Parish Tourist Commission; to provide relative to the use of monies levied and collected by the commission; to require the commission to enter into a cooperative endeavor agreement with the sheriff of the parish for certain purposes; to otherwise remove the authority of the commission to enter any such agreements with certain public entities; and to provide for related matters.

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

HOUSE BILL NO. 694—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 33:4720.58.1, relative to the New Orleans Redevelopment Authority; to authorize the authority to initiate an expedited quiet title and foreclosure action; to provide relative to the procedures for any such action; to provide relative to the rights of property owners; to provide relative to due process; and to provide for related matters.

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

HOUSE BILL NO. 712—

BY REPRESENTATIVE TOOMY

AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2781 through 2796, relative to Medicaid finance; to provide for certain agreements for purposes of enhancing reimbursements to certain providers of Medicaid services; to provide for definitions; to authorize and provide for the certification of certain public health care expenditures for purposes of Medicaid finance; to authorize the payment of certain federal monies to certain public entities; to require the submission of a state Medicaid plan amendment; to provide for a process for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 832—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1514 and 1553(B)(6), (7), (8), (9), (10), and (11), to enact R.S. 23:1553(G), and to repeal R.S. 23:1553(B)(12), relative to the Incumbent Worker Training Program; to change the name of the Workforce Development Training Account to the Incumbent Worker Training Account; to provide for the funding of the Incumbent Worker Training Program; to provide for training for those employers who incur a state unemployment insurance tax liability; to provide for the types of training; to establish criteria eligibility; to provide for the administration of the program; to provide for the amount of credit based upon the applied trust fund balance; to provide for certain definitions; to provide for reauthorization of the program; and to provide for related matters.

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

HOUSE BILL NO. 846—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 13:477(introductory paragraph) and (11), 621.11, and 700.3 and R.S. 16:51(A)(11), 262, 263, 264, and 265 and to enact R.S. 13:477(42), 621.42.1, 621.47, 700.4, and 996.65 and R.S. 16:51(A)(42), 921, 922, 923, 924, and 925, relative to the creation of a new judicial district out of the Eleventh Judicial District; to create the Forty-Second Judicial District Court; to provide that Sabine Parish shall comprise the Eleventh Judicial District; to provide that DeSoto Parish shall comprise the Forty-Second Judicial District; to provide for the transfer of cases; to provide for a judicial expense fund for the Forty-Second Judicial District; to provide for assistant district attorneys for the Eleventh and the Forty-Second Judicial Districts; to provide for salaries; to provide for law clerks; to provide for a referendum election in the parishes of DeSoto and Sabine on approving the split of the Eleventh Judicial District and the creation of the Forty-Second Judicial District; to provide for the office of a judge of the Forty-Second Judicial District, including term of office, election, division of court, and jurisdiction; to provide for the election of a district attorney for the Forty-Second Judicial District; to provide for the clerk of court for the Forty-Second Judicial District; to provide for the sheriff for the Forty-Second Judicial District; 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:

May 23, 2007

Message from the House
ASKING CONCURRENCE IN
HOUSE 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 passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE GALLOT AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To record and acknowledge the extraordinary accomplishments and singular contributions of Frederick C. Hobdy, former head basketball coach and athletic director at Grambling State University, and to urge and request Grambling State University and the University of Louisiana System to recognize his accomplishments and contributions and consider naming the university's basketball arena in his honor.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE GALLOT AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To record and acknowledge the extraordinary accomplishments and singular contributions of Frederick C. Hobdy, former head basketball coach and athletic director at Grambling State University, and to urge and request Grambling State University and the University of Louisiana System to recognize his accomplishments and contributions and consider naming the university's basketball arena in his honor.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Cravins Malone
Adley Dupre McPherson
Amedee Ellington Michot
Barham Fields Murray
Broome Heitmeier Nevers
Cain Jackson Quinn
Cassidy Jones Smith
Chaisson Kostelka Uilo
Cheek Lentini

Total - 26

NAYS

Total - 0

ABSENT

Bajoie Gautreaux N Schedler
Boasso Hollis Shepherd
Duplessis Marionneaux Theunissen

Fontenot Mount
Gautreaux B Romero
Total - 13

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

House Bills and Joint Resolutions
on 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. 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.

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

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.

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

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.

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

HOUSE BILL NO. 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

HOUSE BILL NO. 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
 RETIREMENT**

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 22, 2007

To the President and Members of the Senate:

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

SENATE BILL NO. 118—
 BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 29:412 and 414, relative to credit in retirement systems for service in the uniformed services; to provide for payment of contributions to public retirement systems for such service credit; to provide for time periods for payment of such contributions; to specify that any employee of the city of Shreveport or the city of Bossier City who is a member of the Firefighters' Retirement System or the Municipal Police Employees' Retirement System shall have certain employee contributions funded by his employer; to provide for refunds of certain previously paid amounts; to prohibit the use of certain assessments against insurers for payment of such contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 254—
 BY REPRESENTATIVES ERDEY, MONTGOMERY, ARNOLD, CURTIS, GEYMAN, HARRIS, KLECKLEY, ROBIDEAUX, SCHNEIDER, AND TRAHAN

AN ACT

To enact R.S. 11:2173(C), relative to the Sheriffs' Pension and Relief Fund; to provide for advance education for candidates for membership on the board of trustees; to provide for educational requirements; to provide for place and manner of educational sessions; to provide for costs of such educational sessions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 439—
 BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 11:788(B)(2), to enact R.S. 11:449(E), and to repeal R.S. 11:788(B)(3), relative to the Teachers' Retirement System of Louisiana and the Louisiana State

Employees' Retirement System; to provide with respect to eligibility to redeposit all or any part of an eligible rollover distribution by retirees who received a qualified distribution pursuant to the Katrina Emergency Tax Relief Act of 2005 or the Gulf Opportunity Zone Act of 2005; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 457—
 BY REPRESENTATIVE ARNOLD AND SENATOR B. GAUTREAUX
 AN ACT

To amend and reenact R.S. 11:2260(A)(9) and R.S. 24:513(C)(1), relative to the Firefighters' Retirement System; to provide relative to audits of employers conducted by the system's board of trustees or the legislative auditor; to provide relative to the powers and duties of the board and the legislative auditor with respect to such audits; to provide for access by the legislative auditor to system and employer books, records, documents, and accounts; to provide penalties for failure of an employer to provide access to records; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
 D.A. "BUTCH" GAUTREAUX
 Chairman

**REPORT OF COMMITTEE ON
 HEALTH AND WELFARE**

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 23, 2007

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 74—
 BY SENATOR DUPRE

AN ACT

To enact R.S. 40:2116(D)(4), relative to nursing facilities in Lafourche Parish; to except the relocation of nursing facilities in the parish from the moratorium on any additional nursing facilities or additional beds in nursing facilities under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 97—
 BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2116(D)(4), relative to nursing facilities; to except nursing facilities from the moratorium on additional beds for nursing facilities under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 98—
 BY SENATOR SCHEDLER

AN ACT

To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 39:100.42, relative to special funds; to create the New Opportunities Waiver Fund as a special fund in the state treasury; to provide for the dedication of certain revenues and

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

Reported with amendments.

SENATE BILL NO. 226—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(ii), (iii), (iv), and (v) and to enact R.S. 40:4(A)(2)(b)(vi) and (vii), relative to the sanitary code; to provide for home-generated sharps waste; to provide for the packaging, storage, treatment, and transportation of home-generated sharps waste; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 241—
BY SENATOR BOASSO

AN ACT

To enact R.S. 40:1300.143(3)(a)(xiii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to give tax relief to small businesses which provide health insurance for their employees.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE DURAND AND SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to engage in a cooperative effort with other public and private organizations and institutions in establishing the Louisiana Health Care Quality Forum.

Reported favorably.

HOUSE BILL NO. 355—
BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 37:766 and 780(B)(1), relative to the practice of dentistry; to provide for employment of dental hygienists; to provide for operations of dental hygienists; to provide for the committee's authority relative to administrative hearings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 387—
BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 37:2805(B)(1)(d), 2808(2), 2809(A)(9), and 2810(B), relative to the procedures of the Louisiana Board of Chiropractic Examiners; to provide for licensing requirements; to provide for fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 23, 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:

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request every mayor, sheriff and chief of police for the state of Louisiana to make available the opportunity for every person who has been arrested, but not convicted of a crime, the right to vote absentee in the fall 2007 election.

Reported with amendments.

SENATE BILL NO. 22—
BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 18:1300.2(B) and 1300.3(A), relative to recall elections; to provide for the collection of electors' signatures on recall petitions; to provide for registrar of voters certification; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHARLES D. JONES
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. 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 208 by Senator Mount

AMENDMENT NO. 1
On page 3, line 40, delete "(a)"

AMENDMENT NO. 2
On page 4, line 2, after "experience" delete the semicolon and "or" and insert a period

AMENDMENT NO. 3
On page 4, delete line 3

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

SENATE BILL NO. 288—

BY SENATORS B. GAUTREAUX AND ULLO
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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 288 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 30:2522(7) and to"

AMENDMENT NO. 2

On page 1, at the end of line 2, delete "relative to the" and insert "for"

AMENDMENT NO. 3

On page 1, line 3, after "reduction" delete the remainder of the line and insert a semi-colon ";

AMENDMENT NO. 4

On page 1, delete line 4 and on line 5, delete "section;"

AMENDMENT NO. 5

On page 1, line 5, delete "Parish Study Groups" and insert "regional litter abatement study groups"

AMENDMENT NO. 6

On page 1, at the beginning of line 9, after "Section 1.", insert "R.S. 30:2522(7) is hereby amended and reenacted and"

AMENDMENT NO. 7

On page 1, between lines 9 and 10, insert:
"§2522. Definitions

As used in this Part, the following words have the meanings ascribed to them unless the context requires otherwise:

* * *

(7) "Section" means the litter reduction and public action section located within and acting through the Department of Environmental Quality **or department personnel assigned by the secretary of the department to perform any powers and functions allocated to the section pursuant to this Part.**

* * *

AMENDMENT NO. 8

On page 1, delete lines 16 and 17, and insert the following:

"(20)(a) Establish six regional litter abatement study groups, with regional boundaries conforming to the department's regional service areas, to include representatives of each parish of the state. Each study group shall be composed of the following members, as determined by the secretary of the department:"

AMENDMENT NO. 9

On page 2, line 1, delete "section" and insert "department"

AMENDMENT NO. 10

On page 2, delete lines 4 and 5 and insert **"(iii) A member of the governing authority of each parish within the region, or a designee thereof."**

AMENDMENT NO. 11

On page 2, delete line 7, and insert **"the region, or a designee thereof."**

AMENDMENT NO. 12

On page 2, delete line 8 and insert **"(v) One member from the chamber of commerce of each parish within the region."**

AMENDMENT NO. 13

On page 2, line 9, after "sheriff" delete the remainder of the line and insert **"of each parish within the region, or a designee thereof."**

AMENDMENT NO. 14

On page 2, delete line 11 and insert **"region, or a designee thereof."**

AMENDMENT NO. 15

On page 2, between lines 11 and 12, insert:

"(viii) A representative of Keep Louisiana Beautiful or of a local Keep Louisiana Beautiful affiliate.

(ix) The attorney general, or a designee thereof.

(x) A representative of the Governor's Office of Environmental Education.

(xi) A representative of the solid waste industry engaged in business within the region.

(xii) A justice of the peace or constable with jurisdiction within the region, or a designee thereof.

(xiii) A representative of an environmental nonprofit organization or civic group concerned about environmental quality who resides within the region or a designee thereof."

AMENDMENT NO. 16

On page 2, line 12, delete "Parish Study Group" and insert **"study group"**

AMENDMENT NO. 17

On page 2, line 15, delete **"The employee of the section"** and insert **"The representative of Keep Louisiana Beautiful or its affiliate"**

AMENDMENT NO. 18

On page 2, line 19, delete **"monthly"** and insert **"bi-monthly"**

AMENDMENT NO. 19

On page 2, delete lines 24 through 28 and insert the following:

"(e)(i) Each regional litter abatement study group shall submit a written report to the department at least sixty days prior to the convening of the 2008 Regular Session of the Legislature.

(ii) The department shall compile the recommendations and findings of each regional litter abatement study group in a written report and shall submit such report to the House Committee on Environment and the Senate Committee on Environmental Quality at least thirty days prior to the convening of the 2008 Regular Session of the Legislature."

AMENDMENT NO. 20

On page 2, at the beginning of line 29, delete **"(ii)"** and insert **"(iii)"**

AMENDMENT NO. 21

On page 3, line 1, change **"parish"** to **"region"**

AMENDMENT NO. 22

On page 3, line 6, delete **"Any"**, delete lines 7 through 15, and insert the following:

"(iv) Each study group shall monitor the pilot program in its region and shall provide a written report of recommendations for a permanent program for litter control and reduction to the department at least sixty days prior to the convening of the 2009 Regular Session of the Legislature.

(v) The department shall compile and provide a written report of recommendations for a permanent program for litter control and reduction to the House Committee on Environment and the Senate Committee on Environmental Quality at least thirty days prior to the convening of the 2009 Regular Session of the Legislature."

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. 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 315 by Senator Ellington

AMENDMENT NO. 1

On page 1, delete line 4 and insert "legatees; to provide certain notice requirements for legatees"

AMENDMENT NO. 2

On page 1, line 8, delete "**beneficiaries**" and insert "**legatees**"

AMENDMENT NO. 3

On page 1, delete lines 9 through 11 and insert: "**Notification shall be sent by appropriate means to a particular legatee prior to rendition of a judgment of possession. Failure to give such notice shall not invalidate a judgment of possession in the succession.**"

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

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

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

HOUSE BILL NO. 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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and recommitted to the Committee on Finance.

**Senator Fields in the Chair
Special Order of the Day**

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 1—

BY SENATORS MCPHERSON, CHEEK, BAJOIE, CHAISSON AND N. GAUTREAUX AND REPRESENTATIVES JACKSON AND GRAY AND SENATORS BROOME, CASSIDY, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, B. GAUTREAUX, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, NEVERS, ROMERO, SHEPHERD, SMITH AND ULLO AND REPRESENTATIVE DURAND

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.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

One page 1, line 3, delete "978.4" and insert "979"

AMENDMENT NO. 2

On page 1, line 11, delete "978.4" and insert "979"

AMENDMENT NO. 3

On page 2, line 26, after "**facilities**" deleted "**preventative**" and insert "**preventive**"

AMENDMENT NO. 4

On page 5, line 5, delete "~~§979. Department responsibility~~" and insert "§979. Department responsibility"

AMENDMENT NO. 5

On page 7, delete lines 8 through 15 and insert the following:
"E. The department shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act that provide for maximizing Medicaid funding and rates for those hospitals that provide either of the following:

(1) Inpatient services to fragile newborns or critically ill children in either a Level III Regional Neonatal Intensive Care Unit or a Level I Pediatric Intensive Care Unit, which units have been in operation on or before January 1, 2003.

(2) A Medicaid utilization rate of twenty-five percent of total inpatient days or greater."

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 1 by Senator McPherson

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert:
"**(6) Prioritize local access to the continuum of health care services.**"

AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert:
"**F. Reimbursement for health care services for low-income**"

uninsured individuals provided under the medical home system of care shall be allocated to the greatest extent possible based on the disbursement of the low-income uninsured population statewide.

On motion of Senator Cassidy, 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	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Cain	Hollis	Schedler
Cassidy	Jackson	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Duplessis	Marionneau	
Total - 35		

NAYS

Total - 0

ABSENT

Boasso	Jones
Heitmeier	Mount
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.

Mr. President in the Chair

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. 3—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, B. GAUTREAU, N. GAUTREAU, HINES, HOLLIS, JACKSON, MALONE, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

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 on certain days; 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. 3 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 16, following "first" and before "of" insert "day"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneau sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneau to Engrossed Senate Bill No. 3 by Senator Marionneau

AMENDMENT NO. 1

On page 1, at the end of line 8, change "Holiday" to "Holidays"

On motion of Senator Marionneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

SENATE BILL NO. 5—

BY SENATORS MOUNT AND N. GAUTREAU

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.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 5 by Senator Mount

May 23, 2007

AMENDMENT NO. 1

On page 2, line 1, change "less than" to "~~less than~~ up to"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso Jones Mount
Heitmeier Lentini
Total - 5

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

Senator Broome in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Duplessis McPherson
Adley Dupre Michot
Amedee Ellington Murray
Bajoie Fields Nevers
Barham Fontenot Quinn
Broome Gautreaux B Romero
Cain Gautreaux N Schedler
Cassidy Hollis Shepherd
Chaisson Jackson Smith
Cheek Kostelka Theunissen
Cravins Malone Ullo
Total - 33

NAYS

Total - 0

ABSENT

Boasso Jones Marionneaux
Heitmeier Lentini Mount
Total - 6

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

SENATE BILL NO. 9—

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

AN ACT

To amend and reenact R.S. 32:387.7(B), relative to special permits; to provide relative to special permits for vehicles hauling sugarcane; to extend the issuance of such special permits to owners or operators of certain vehicles to August 1, 2015; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso Jones Mount
Heitmeier Lentini
Total - 5

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

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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.

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. 34 by Senator Dupre

AMENDMENT NO. 1

On page 5, line 16, following "**To**" and before "**landowner**" insert "**the**"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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SENATE BILL NO. 37—
BY SENATORS DUPRE AND N. GAUTREUX
AN ACT

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 storm shutter devices from the state sales and use tax; to authorize political subdivisions to provide for such an exclusion; to provide for the promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Mr President, Adley, Amedee, Bajoie, Barham, Broome, Cain, Cassidy, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Hollis, Jackson, Kostelka, Malone, Marionneaux, McPherson, Michot, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table listing absent members: Boasso, Heitmeier, Jones, Lentini, Mount.

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

SENATE BILL NO. 46—
BY SENATORS THEUNISSEN, BROOME, CASSIDY, CHAISSON, MOUNT, QUINN AND ULLO
AN ACT

To amend and reenact R.S. 24:973(A)(6) and 974 and to enact R.S. 24:973(A)(7) and 973.I, 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; 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. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 4, line 1, following "(1)" and before "appointed" change "A member" to "Members"

AMENDMENT NO. 2

On page 4, line 4, following "that" and before "eligible" change "the member is" to "they are"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 20, after "by" delete the remainder of the line and delete lines 21 and 22 and insert "any school administrator, guidance counselor, teacher, or representative of an approved home study program or a general education development skills program. The"

AMENDMENT NO. 2

On page 2, line 25, change "affiliated with" to "nominated by certain" and at the end of the line change "Seven" to "Up to seven"

AMENDMENT NO. 3

On page 2, line 26, change "designated" to "nominated" and change "state-level," to "state level"

AMENDMENT NO. 4

On page 3, line 5, change "application" to "a request"

AMENDMENT NO. 5

On page 3, line 8, change "state-level" to "state level"

AMENDMENT NO. 6

On page 3, line 11, after "serve" delete the remainder of the line and insert "as advisory members of the"

AMENDMENT NO. 7

On page 4, line 1, after "appointed" insert "by the commission"

AMENDMENT NO. 8

On page 4, line 2, after "term" delete the remainder of the line and on line 3, delete "Paragraph (2) of this Subsection."

AMENDMENT NO. 9

On page 4, line 4, delete "their"

AMENDMENT NO. 10

On page 4, delete lines 5 and 6, and insert as follows:

"(2) A member representing an eligible club or organization pursuant to Subparagraph (B)(1)(b) of this Section shall serve a term of one year."

AMENDMENT NO. 11

On page 4, line 17, after "year" insert "for the purpose of receiving youth comment"

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Mr President, Adley, Amedee, Bajoie, Barham, Broome, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Michot, Murray, Nevers, Quinn, Romero, Schedler.

Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Kostelka	Theunissen
Cheek	Malone	Ullo
Cravins	Marionneaux	
Duplessis	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

Senator Ellington in the Chair

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.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 50 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 5, change "Educational and Recreational Center" to "educational and recreational center"

AMENDMENT NO. 2

On page 1, line 14, change "**Educational and Recreational Center**" to "**educational and recreational center**"

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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.

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

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ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones	Mount
Heitmeier	Lentini	
Total - 5		

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

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.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 65 by Senator Adley

AMENDMENT NO. 1

On page 2, line 11, after "**C.(1)**" insert "**(a)**"

AMENDMENT NO. 2

On page 2, between lines 14 and 15, insert:

"(b) Qualified charitable institutions must be approved for the exemption prior to being eligible to retain sales tax collected as a restricted refund.

"(c) Once approved, the charitable institution shall file sales tax returns as required reporting the total state sales tax it has collected and take a deduction therefrom for the amount of state sales tax collected on qualifying exempt sales of donated tangible personal property or items made from donated tangible personal property."

AMENDMENT NO. 3

On page 3, line 5, change "July 1, 2007" to "January 1, 2008"

AMENDMENT NO. 4

On page 3, line 6, change "July 1," to "January 1,"

AMENDMENT NO. 5

On page 3, line 7, change "2007" to "2008"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Murray
Bajoie	Fields	Nevers
Barham	Fontenot	Quinn
Broome	Gautreaux B	Romero
Cain	Gautreaux N	Schedler
Cassidy	Hollis	Shepherd
Chaisson	Kostelka	Smith
Cheek	Malone	Theunissen
Cravins	Marionneaux	Ullo
Total - 33		

NAYS

Jackson
Total - 1

ABSENT

Boasso Jones Mount
 Heitmeier Lentini
 Total - 5

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

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.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed Senate Bill No. 86 by Senator Quinn

AMENDMENT NO. 1
 On page 2, between lines 2 and 3, insert "**Notwithstanding any other provision of law to the contrary, the provisions of this Subsection shall not apply to school bus operators.**"

On motion of Senator Shepherd, 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

Mr President	Ellington	Michot
Adley	Fontenot	Nevers
Amedee	Gautreaux B	Quinn
Barham	Gautreaux N	Romero
Cain	Hollis	Schedler
Cassidy	Kostelka	Smith
Chaisson	Lentini	Theunissen
Cheek	Malone	Ullo
Cravins	Marionneaux	
Dupre	McPherson	
Total - 28		

NAYS

Bajoie	Fields	Shepherd
Duplessis	Murray	
Total - 5		

ABSENT

Boasso	Heitmeier	Jones
Broome	Jackson	Mount
Total - 6		

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.

Mr. President in the Chair

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

To enact R.S. 47:297.7, relative to individual income tax; to provide a 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Boasso	Jones
Heitmeier	Mount
Total - 4	

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

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.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 94 by Senator Chaisson

AMENDMENT NO. 1
 On page 1, line 2, after "To" insert "amend and reenact the introductory paragraph of R.S. 17:3048.1(A)(1)(a)(iii)(dd) and to" and between "R.S. 17:3048.1(A)(1)(a)(iii)(ee)" and the comma insert "and (ff)"

AMENDMENT NO. 2
 On page 1, line 8, after "award;" insert "to provide for the eligibility"

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of displaced students who graduate from an out-of-state high school and receive a distance diploma;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1," insert "The introductory paragraph of R.S. 17:3048.1(A)(1)(a)(iii)(dd) is hereby amended and reenacted, and" and before "hereby" change "is" to "and (ff) are"

AMENDMENT NO. 4

On page 2, between lines 10 and 11, insert as follows:

"(dd)(aaa) Notwithstanding the requirements of Subitem (aa) of this Item, any displaced student as defined by R.S. 17:3048.7(A)(2) who graduates from an out-of-state school during the 2006-2007 school year and is awarded a Louisiana Distance Diploma issued by the Department of Education, shall meet the requirements of this Item if he is a citizen of the United States and if such student actually resided in Louisiana during his entire tenth grade year of high school and was enrolled for such time in an eligible Louisiana high school or, for dependent students, if the displaced student has a parent or court-ordered custodian who actually resided in a parish listed in R.S. 17:3048.7(A)(2)(a) for at least the twelve months prior to August 26, 2005, or in a parish listed in R.S. 17:3048.7(A)(2)(b) for at least the twelve months prior to September 20, 2005.

(bbb) Notwithstanding any other provision of this Section, a displaced student who meets the residency requirement of this Subitem shall not be required to have for the respective awards a higher minimum composite score on the American College Test or on the Scholastic Aptitude Test than required for a student who graduates from an eligible Louisiana high school provided such student has, for a TOPS-Tech Award or Opportunity Award, a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for Performance or Honors Award, a cumulative high school grade point average on all courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

~~(dd)~~ (ee) With regard to meeting the requirements of being a citizen of the United States:

* * *

AMENDMENT NO. 5

On page 2, line 11, change "(ee)" to "(ff)"

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Heitmeier	Mount
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Boasso Jones
Total - 5

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

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Jones	Mount
Total - 3		

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

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.

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. 156 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 3, lines 10 and 14, following "R.S. 38:291(P)" and before ",and" change "and (T)" to ",(T)"

On motion of Senator Lentini, the amendments were adopted.

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. 156 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, delete lines 22 and 23, and insert the following: "**However, if a person has been appointed to fill more than one-half of an unexpired term, such person shall be eligible to serve consecutively no more than three terms in addition to such partial term.**"

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	Duplessis	Marionneau
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Cain	Hollis	Schedler
Cassidy	Jackson	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier
Total - 3

Jones

Mount

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.

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.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 160 by Senator Nevers

AMENDMENT NO. 1

On page 2, at the end of line 10, insert "**However, no child shall be screened if his parent or guardian objects to such screening.**"

On motion of Senator Nevers, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier
Total - 3

Jones

Mount

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

May 23, 2007

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 expedited quiet title and foreclosure actions; 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.

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

SENATE BILL NO. 212—
BY SENATORS BAJOEIE, 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.

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. 212 by Senator Bajoeie

AMENDMENT NO. 1
On page 1, line 11, change "court" to "courts"

AMENDMENT NO. 2
On page 3, line 19, change "*" * *" to:
"B. The archivist shall possess a baccalaureate degree in either history, political science, philosophy, anthropology, historical geography, archeology, French, Spanish, or fine arts, and have either:

(1) At least two years of professional level experience in historical research or college level teaching in the above academic fields; or

(2) At least two years of experience in archival operations, records management, records preservation, or other work involving locating, selecting, acquiring, and preserving documents or other valuable papers and materials."

AMENDMENT NO. 3
On page 5, line 18, change "*" * *" to:
"B. He shall diligently, by every means in his power, keep the list accurate and up to date at all times, and shall immediately notify the governor and the secretary of state of each vacancy caused by death, resignation, removal from Orleans Parish, or any other cause, as soon as such facts are ascertained by him."

AMENDMENT NO. 4

On page 6, line 19, change "*" * *" to:
"C. Whenever the notary's commission is revoked for failure to comply with the requirements of this Part, no judgment of any court reinstating the notary, which is rendered after the expiration of thirty days as provided in Subsection B of this Section, shall be valid."

AMENDMENT NO. 5
On page 7, line 1, change "*" * *" to:
"§182.7. Revocation of notary's commission for failure to furnish bond

Failure of any notary to furnish proper surety bond as required by law shall be just cause for revocation of his notarial commission by a court of proper jurisdiction."

AMENDMENT NO. 6
On page 7, line 19, change "*" * *" to :
"§182.10. Misdemeanor to act after expiration of bond or after surety canceled

A notary who knowingly and willfully acts as such after the expiration of his bond, or after the surety on his bond has been canceled as provided by law, is guilty of a misdemeanor, punishable by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment for not less than ten days nor more than six months."

AMENDMENT NO. 7
On page 9, line 2, change "*" * *" to:

"D. Such microfilm copy or other photographic reproduction shall be deemed to be an original record for all purposes and shall be admissible in evidence in all courts or administrative agencies. A facsimile, exemplification, or certified copy thereof shall for all purposes be deemed to be a transcript, exemplification, or certified copy of the original."

AMENDMENT NO. 8
On page 10, line 26, delete "and 268 and R.S. 9:2745 through 2756"

AMENDMENT NO. 9
On page 13, line 2, change "44:191.6" to "44:181.6"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 250—
BY SENATORS MICHOT AND HOLLIS
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.

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. 250 by Senator Michot

AMENDMENT NO. 1
On page 2, line 25, following "of" and before "employees" change "his" to "its"

AMENDMENT NO. 2
On page 2, line 26, delete " * * * "

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

NAYS

Total - 0

ABSENT

Heitmeier	Jones	Mount
Total - 3		

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

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.

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

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.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 269 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "repeal" insert "enact R.S. 13:4524 and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, insert "to provide relative to certain court costs paid by the Department of Social Services; to repeal certain exemptions from payment of court costs by the state and political subdivisions;"

AMENDMENT NO. 3

On page 1, between lines 4 and 5, insert "Section 1. R.S. 13:4524 is hereby enacted to read as follows: **§4524. Payment of certain court costs by Department of Social Services**

The Department of Social Services is required to pay court costs for any proceeding brought by such department, or any district attorney on behalf of such department, to establish paternity or enforce support, when the proceedings are subject to a cooperative agreement between the department and the clerk of court of the appropriate jurisdiction. A cooperative agreement entered into between the clerk of court and the Department of Social Services shall include reimbursement for sheriff's costs and shall be subject to the availability of federal funds to cover the cost of the agreement.

AMENDMENT NO. 4

On page 1, line 5, change "Section 1" to "Section 2"

AMENDMENT NO. 5

On page 1, line 6, change "Section 2" to "Section 3"

On motion of Senator Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Fields	McPherson
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Shepherd
Chaisson	Jackson	Ullo
Cravins	Lentini	
Duplessis	Marionneaux	
Total - 16		

NAYS

Adley	Ellington	Nevers
Barham	Fontenot	Quinn
Boasso	Hollis	Romero
Cassidy	Malone	Smith
Dupre	Michot	
Total - 14		

ABSENT

Amedee	Heitmeier	Mount
Bajoie	Jones	Schedler
Cheek	Kostelka	Theunissen
Total - 9		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Fields, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Notice Regarding Vote

Senator Ullo stated he had voted in error on Senate Bill No. 269. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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.

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. 275 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, following "relative" and before "the transportation" insert "to"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Duplessis, Jones, Mount. Total - 3

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

SENATE BILL NO. 278—

BY SENATOR N. GAUTREAUX

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.

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. 278 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 12, following "shall" and before "to" change "only be allocated" to "be allocated only"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr President, Dupre, McPherson, Adley, Ellington, Michot, Amedee, Fields, Murray, Bajolie, Fontenot, Nevers, Barham, Gautreaux B, Quinn, Boasso, Gautreaux N, Romero, Broome, Heitmeier, Schedler, Cain, Hollis, Shepherd, Cassidy, Jackson, Smith, Chaisson, Kostelka, Theunissen, Cheek, Lentini, Ullo, Cravins, Malone, Duplessis, Marionneaux. Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Jones, Mount. Total - 2

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

SENATE BILL NO. 305—

BY SENATOR DUPLESSIS

AN ACT

To enact Chapter 30 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9100.1 through 9100.14, relative to establishing and providing 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.

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. 305 by Senator Duplessis

AMENDMENT NO. 1

On page 6, line 28, following "other" and before "personnel" delete "necessary"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 305 by Senator Duplessis

AMENDMENT NO. 1

On page 4, line 22, between "at" and "two" insert "least"

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 305 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 3, change "9100.14" to "9100.34"

AMENDMENT NO. 2

On page 1, line 9, change "9100.14" to "9100.34"

AMENDMENT NO. 3

On page 10, between lines 7 and 8, insert the following:

**"PART II. LOWER NINTH WARD ADVISORY
NEIGHBORHOOD COMMISSION**

§9100.21. 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 Lower Ninth Ward Advisory Neighborhood Commission.

(3) "Area" means the neighborhoods in New Orleans' Lower Ninth Ward that are represented on the commission membership.

§9100.22. Lower Ninth Ward Advisory Neighborhood Commission established

The Lower Ninth Ward 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.

§9100.23. Commission's neighborhood area; domicile

A. The commission area shall include each neighborhood in New Orleans' Lower Ninth Ward 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.

§9100.24. 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.

§9100.25. 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 the Lower Ninth Ward 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.

§9100.26. 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.

§9100.27. 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 least 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.

§9100.28. 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. 33:9100.32 or otherwise made available to the commission and in accordance with a budget adopted as provided by R.S. 33:9100.33.

(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.

§9100.29. 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.

§9100.30. Executive director

The executive director, with the concurrence of the commission, may hire such staff and other 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.

§9100.31. 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.

§9100.32. 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.

§9100.33. 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.

§9100.34. 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.

AMENDMENT NO. 4

On page 10, line 8, change "The East New Orleans Advisory Neighborhood Commission" to "Each advisory neighborhood commission created by this Act"

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Cravins	Marionneaux
Adley	Duplessis	Michot
Bajoie	Dupre	Murray
Barham	Ellington	Nevers
Broome	Fields	Romero
Cain	Fontenot	Smith
Cassidy	Gautreaux N	Theunissen
Chaisson	Hollis	Ullo
Cheek	Kostelka	
Total - 26		

NAYS

Jackson	Malone
Lentini	Schedler
Total - 4	

ABSENT

Amedee	Heitmeier	Mount
Boasso	Jones	Quinn
Gautreaux B	McPherson	Shepherd
Total - 9		

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

SENATE BILL NO. 313—

BY SENATORS ADLEY AND CHEEK
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.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 313 by Senator Adley

AMENDMENT NO. 1

On page 3, between lines 9 and 10, insert the following:
"D. This Section shall also apply to hearing aides."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Duplessis	Marionneaux
Total - 37	
	NAYS
Total - 0	
	ABSENT
Jones	Mount
Total - 2	

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

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.

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

Senator N. Gautreaux in the Chair

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

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

HOUSE BILL NO. 24—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 13:783(F)(6), relative to the offices of the clerks of court in Beauregard, Rapides, and Vernon parishes; to require the payment of premium costs for certain life and group medical insurance for certain retired personnel; to provide for eligibility; and to provide for related matters.

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed House Bill No. 24 by Representative John Smith

AMENDMENT NO. 1

On page 1, line 1 after "13:783(F)(6)" and before the comma "," insert "and to enact R.S. 42:851(E)(5)"

AMENDMENT NO. 2

On page 2, after line 6, insert the following:

"Section 2. R.S. 42:851(E)(5) is hereby enacted to read as follows:

§851. Authority for employee benefit programs; payroll deduction for payment of premiums

	*	*	*
E.	*	*	*

"(5) Notwithstanding any provision of law to the contrary, any legislative employee who retired on or after July 1, 2006, and on or before December 31, 2006, who, in making his decision to participate in the early retirement program, relied upon his agency's erroneous calculation of the amount he would pay for family health insurance coverage through the office of group benefits after such early retirement shall pay the premium originally quoted to him by his agency and the agency shall pay any additional premium required by the office of group benefits. Such employee shall be permitted to resume his participation in the office of group benefits insurance program if he has terminated his participation therein on the effective date of this Paragraph."

On motion of Senator Cassidy, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Kostelka	Schedler
Total - 4	

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

HOUSE BILL NO. 33—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 13:961(F)(1)(s), relative to court reporters for the Thirty-Third Judicial District Court in Allen Parish; to provide for the fees to be charged for transcriptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

HOUSE BILL NO. 72—
BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 13:621.21, relative to district judges; to provide for an additional judgeship for the Twenty-First Judicial District Court with subject matter jurisdiction limited to juvenile

matters as provided by law; to provide for compensation of the additional judge; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

HOUSE BILL NO. 121—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 13:621.4, relative to district judges; to provide for two additional judgeships for the Fourth Judicial District Court; to provide for compensation of the two new judges; to provide for their election and term of office and those of their successors in office; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed House Bill No. 121 by Representative Walsworth

AMENDMENT NO. 1

On page 1, delete lines 9 through 22 and on page 2, delete lines 1 through 16 and insert the following: "~~The Fourth Judicial District court shall have nine judges. Three judges shall be elected from election section one and six judges shall be elected from election section two.~~

A. The Fourth Judicial District court shall have eleven judges.

B. Four judges shall be elected from election section one. These judges shall serve in Divisions G, H, I, and J.

C. Seven judges shall be elected from election section two. These judges shall serve in Divisions A, B, C, D, E, F, and K.

Section 2.(A) Of the two additional judgeships created by this Act, one judgeship shall be filled by election from election section one and shall serve in Division J, and one judgeship shall be filled by election from election section two and shall serve in Division K.

(B) The persons to be elected to the two additional judgeships

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created by this Act shall be elected, as provided by Article V, Section 22 of the Constitution of Louisiana, at the regularly scheduled election for judges of the Fourth Judicial District court to be held in 2008. Their term of office shall begin on January 1, 2009, and expire at the same time as is provided by law for the other judges of the court. Thereafter, their successors shall be elected at the same time and in the same manner and shall serve the same term as is now or may be provided hereafter for other judges of the court. The additional judges and their successors shall receive the same compensation and expense allowances, payable from the same sources and in the same manner, as are now or may hereafter be provided for other judges of the district.

(C) The provisions of this Act shall not reduce the term of office of any judge of the Fourth Judicial District court.

Section 3. The provisions of this Act shall become effective on January 1, 2008."

On motion of Senator Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones Mount
Total - 2

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

HOUSE BILL NO. 283—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 13:964.3, relative to the Twenty-First Judicial District Court; to provide for the assessment of court costs to fund court reporter fees prepared for indigents; to authorize additional fees in criminal cases; to authorize an additional filing fee in civil cases; to create an indigent transcript fund for the payment of court reporter fees; to authorize the court administrator to retain certain fees; to provide for rates of payment to court reporters; to provide for an annual audit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones Mount
Total - 2

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

HOUSE BILL NO. 305—
BY REPRESENTATIVES LABRUZZO AND TOOMY AND SENATORS
LENTINI AND ULLO
AN ACT

To enact R.S. 13:3049.1, relative to jury service in the Twenty-Fourth Judicial District; to provide for compensation for jury service; to provide for contempt of court; to provide for a special fund; to provide for a schedule of costs; to require the filing of a bond or a deposit for costs in civil cases requesting a jury trial; to require the clerk of court to keep records; to provide for payment of grand jurors and alternate jurors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones McPherson Mount
Total - 3

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

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the 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 23, 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. 25—
BY SENATORS DUPLESSIS, BAJOIE, BOASSO, BROOME, FIELDS, B. GAUTREAUX, JACKSON, MURRAY AND SCHEDLER
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 without amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 44—
BY SENATOR JONES
A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the untimely death of Judge Daryl Blue.

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

**SENATE RESOLUTION NO. 45—
BY SENATORS MCPHERSON AND ELLINGTON
A RESOLUTION**

To establish a task force to develop and propose a statewide traffic incident management plan for the purpose of proposing a standard of practice for a more efficient management of incidents on all roadways that will serve to minimize delays and the duration of road or lane closures for the traveling public and enhance the safety of emergency responders and victims at the scene of an incident.

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

**SENATE RESOLUTION NO. 46—
BY SENATOR THEUNISSEN
A RESOLUTION**

To declare May 23, 2007, as Louisiana Chemical Industry Day.

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

**SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATORS CHEEK, ADLEY AND MALONE AND
REPRESENTATIVES MONTGOMERY AND JANE SMITH
A CONCURRENT RESOLUTION**

To commend Breanna Spivy for her many extraordinary achievements and her outstanding ability to overcome adversity and physical impediment.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

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 23, 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. 315—
BY REPRESENTATIVE LAFLEUR
AN ACT**

To enact R.S. 47:463.135, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the "Chez nous autres" prestige license plate; to provide relative to the design of the plate; to authorize the promulgation of rules

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and regulations; and to provide for related matters.

HOUSE BILL NO. 409—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 39:1554(D)(7), relative to state procurement; to exempt from the state procurement code certain interinstitutional agreements of accredited Louisiana institutions of higher education; to exempt certain agreements between co-owners of intellectual property; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 182—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:392(B)(5), relative to the collection and disposition of fees and taxes on slot machines at pari-mutuel live racing facilities; to increase the amount dedicated to the Rehabilitation of the Blind and Visually Impaired Fund; to provide for appropriations from the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 194—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 47:302.23(B) and to repeal R.S. 47:302.23(C), relative to state funds; to provide for the use of monies appropriated from the Vermilion Parish Visitor Enterprise Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 388—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 47:332.20(B), relative to the St. Landry Parish Historical Development Fund No. 1; to provide for the use of monies appropriated from the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 430—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 30:2531(I), relative to littering; to provide for simple and intentional littering; to limit exceptions from simple and intentional littering prohibitions for certain commercial vehicles; and to provide for related matters.

HOUSE BILL NO. 778—
BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 47:820.5.2(B)(3) and (4), (C), (E), and (F)(1) and (2) and to enact R.S. 47:820.5.4, relative to the imposition and collection of tolls; to assess and provide for collection of tolls on trailers on the Crescent City Connection; to authorize the Louisiana Transportation Authority to impose and collect tolls on the LA 1 Project; to provide for definitions; to provide enforcement procedures and methods; to provide for liable persons; to provide for hearings and appeals; to provide for use of certain evidence; to provide for methods of collection; to provide for administrative fees and late charges; to provide for the deposit of tolls and fees collected; 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. 182—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:392(B)(5), relative to the collection and disposition of fees and taxes on slot machines at pari-mutuel live racing facilities; to increase the amount dedicated to the Rehabilitation of the Blind and Visually Impaired Fund; to provide for appropriations from the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 194—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 47:302.23(B) and to repeal R.S. 47:302.23(C), relative to state funds; to provide for the use of monies appropriated from the Vermilion Parish Visitor Enterprise Fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 315—
BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 47:463.135, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the "Chez nous autres" prestige license plate; to provide relative to the design of the plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 388—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 47:332.20(B), relative to the St. Landry Parish Historical Development Fund No. 1; to provide for the use of monies appropriated from the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 409—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 39:1554(D)(7), relative to state procurement; to exempt from the state procurement code certain interinstitutional agreements of accredited Louisiana institutions of higher education; to exempt certain agreements between co-owners of intellectual 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. 430—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 30:2531(I), relative to littering; to provide for simple and intentional littering; to limit exceptions from simple and intentional littering prohibitions for certain commercial vehicles; and to provide for related matters.

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

HOUSE BILL NO. 778—
BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 47:820.5.2(B)(3) and (4), (C), (E), and (F)(1) and (2) and to enact R.S. 47:820.5.4, relative to the imposition and collection of tolls; to assess and provide for collection of tolls on trailers on the Crescent City Connection; to authorize the Louisiana Transportation Authority to impose and collect tolls on the LA 1 Project; to provide for definitions; to provide enforcement procedures and methods; to provide for

liable persons; to provide for hearings and appeals; to provide for use of certain evidence; to provide for methods of collection; to provide for administrative fees and late charges; to provide for the deposit of tolls and fees collected; 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 23, 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. 14— BY REPRESENTATIVE HUTTER A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to immediately take the necessary and appropriate actions to provide and distribute individual mitigation measures grants to eligible homeowners.

HOUSE CONCURRENT RESOLUTION NO. 133— BY REPRESENTATIVE JACK SMITH A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to examine the issues involved in allowing attended fishing vessels to anchor in Oyster Bayou.

HOUSE CONCURRENT RESOLUTION NO. 127— BY REPRESENTATIVE BAYLOR A CONCURRENT RESOLUTION

To recognize Thursday, May 24, 2007, as Omega Psi Phi/Purple and Gold Day at the Louisiana State Capitol and to commend Omega Psi Phi Fraternity, Incorporated.

HOUSE CONCURRENT RESOLUTION NO. 128— BY REPRESENTATIVE LAFONTA A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to immediately begin cleaning and removing debris on Interstate 10 in New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 129— BY REPRESENTATIVE HEBERT A CONCURRENT RESOLUTION

To commend Mr. Calvin Borel for his achievements in the sport of horseback racing, particularly his victory in the 133rd Kentucky Derby.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVE HUTTER A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to immediately take the necessary and appropriate actions to provide and distribute individual mitigation measures grants to eligible homeowners.

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

HOUSE CONCURRENT RESOLUTION NO. 127— BY REPRESENTATIVE BAYLOR A CONCURRENT RESOLUTION

To recognize Thursday, May 24, 2007, as Omega Psi Phi/Purple and Gold Day at the Louisiana State Capitol and to commend Omega Psi Phi Fraternity, Incorporated.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of members and their counts for various resolutions.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names of absent members.

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

HOUSE CONCURRENT RESOLUTION NO. 128— BY REPRESENTATIVE LAFONTA A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to immediately begin cleaning and removing debris on Interstate 10 in New Orleans.

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

Table with 3 columns: Name, Yeas, Nays. Lists names of members and their counts for various resolutions.

May 23, 2007

Cain	Hollis	Shepherd
Cassidy	Jackson	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 129—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To commend Mr. Calvin Borel for his achievements in the sport of horseback racing, particularly his victory in the 133rd Kentucky Derby.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to examine the issues involved in allowing attended fishing vessels to anchor in Oyster Bayou.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Mount
Total - 2	

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

INSURANCE

Senator James David Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 23, 2007

To the President and Members of the Senate:

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

SENATE BILL NO. 93—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 22:215.5(A) and to enact R.S. 22:215.5(C) and (D), relative to health insurance, to provide for health insurance coverage for mental illness, to require coverage for treatment for drugs and alcoholism under the same coverages and terms as those which are provided for the treatment of other illnesses; to exempt certain individual and limited benefit policies from mandated coverage; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 191—

BY SENATOR MURRAY

AN ACT

To enact Subpart N of Part II-A of Subtitle I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.51, relative to special funds; to establish the Hurricane Recovery Health Insurance Premium Fund as a special fund in the state treasury; to provide for uses of the monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 223—
BY SENATOR MICHOT

AN ACT

To amend and reenact R. S. 32:861(B)(2), (C)(1)(a) and (b), and 900(B)(2)(a), (b) and (c), relative to motor vehicle insurance; to provide for compulsory motor vehicle liability insurance limits; to provide for security and proof of financial responsibility; to increase the amount of insurance or security required; to increase the amount of deposit required in lieu of liability bond or policy, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 273—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 9:3550(G)(2) and (3)(a), relative to insurance premium finance; to provide for actions to be taken by an premium finance company to cancel an insurance contract when the loan payments are not made; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS**

Senator J. "Ken" Hollis, Jr., Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 23, 2007

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE BILL NO. 104—
BY SENATOR JACKSON

AN ACT

To enact Chapter 53 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3101 through 3109, relative to banks and banking; to establish banking development districts in certain areas; to authorize the commissioner of the Office of Financial Institutions to promulgate certain rules and regulations; to provide criteria for establishing banking services in the proposed district; to provide for an application process; to allow for the deposit of certain public funds in certain financial institutions; to authorize the abatement of taxes for a financial institution located in the district; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 124—
BY SENATOR BROOME

AN ACT

To enact Subpart B-37 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.731 through 130.737 and R.S. 47:6026, relative to community economic development entities and tax credits relating to these entities; to provide for community development corporations and community development financial institutions; to provide definitions; to provide for the duties and responsibilities of the Department of Economic Development relative to such entities; to provide for the establishment of criteria for such entities; to provide for community economic development tax credits; to provide for the expiration of such

credits; to provide for audit and performance review procedures for such entities; to provide for the expiration of such provisions; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 240—
BY SENATOR AMEDEE

AN ACT

To enact R.S. 40:1730.49, relative to commercial regulations; to provide for energy efficiency and conservation requirements for state-funded major facility projects; to provide for the design, construction, and certification of certain major facility projects; to provide for rules and regulations; to provide for inspections; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 285—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2453(1), (2), (5), 2454(B), (C), 2455(E)(2), 2457(A)(2)(b), (c), and (f)(i), 2461(B), and 2462, and to enact R.S. 51:2453(6), and 2457(A)(2)(h), relative to the Louisiana Quality Job Program; to provide for the benefit rate; to provide for wages; to designate certain distressed regions in this state; to provide for health care benefits; to extend the deadline to accept applications for the program; to provide for the applicability of existing contracts; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVES HUTTER AND GARY SMITH
A CONCURRENT RESOLUTION

To authorize and direct the State Licensing Board for Contractors to consult with the attorney general in order to develop proposed legislation creating a homeowner's bill of rights to protect the rights of homeowners when building or repairing their homes, particularly in those areas impacted by Hurricane Katrina and Hurricane Rita.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 84—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to prepare a report with respect to any known business studies that rank Louisiana's economy or its businesses against the economies or businesses of other states.

Reported favorably.

HOUSE BILL NO. 303—
BY REPRESENTATIVE TRAHAN

AN ACT

To amend and reenact R.S. 6:1094(C)(1), relative to licensees under the Residential Mortgage Lending Act; to provide for continuing professional education for persons seeking to reinstate or renew their license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 307—
BY REPRESENTATIVES DAMICO AND PINAC
AN ACT

To amend and reenact R.S. 37:1442(B), (C), and (D), 1443(4)(a) and (b), and 1462(A), relative to the Louisiana Real Estate Commission; to provide for a delinquent renewal time period for active or inactive license or registration; to provide an increase in delinquent renewal fees; to provide for conditions for recovery relative to consent judgments; and to provide for

May 23, 2007

related matters.

Reported favorably.

HOUSE BILL NO. 314—

BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 6:1088(F)(4), to enact R.S. 6:103(B)(16), 1083(3.2), and 1088.1, and to repeal R.S. 6:1092(J), relative to the Office of Financial Institutions; to provide for the disclosure of information in connection with an online licensing system; to provide for a definition of licensing system; to provide for rejection of a renewal application for licensure; to provide for the establishment and implementation of a licensing system; to provide for collection and imposition of fees by a third party; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 317—

BY REPRESENTATIVES GEYMAN AND SCHNEIDER
AN ACT

To enact R.S. 6:1090(I), relative to the Residential Mortgage Lending Act; to provide for a restriction on licensees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
J. "KEN" HOLLIS, JR.
Chairman

Motion to Recommit

Senator Amedee asked for and obtained a suspension of the rules and recommitted House Concurrent Resolution No. 42 from the Committee on Judiciary A to the Committee on Judiciary B.

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 23, 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. 65—

BY SENATORS SCHEDLER, BOASSO, NEVERS, QUINN, ADLEY, AMEDEE, BAJOIE, BARHAM, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, ROMERO, SHEPHERD, SMITH, THEUNISSEN AND ULLO 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.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the

President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 23, 2007

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 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. 119—

BY REPRESENTATIVES DORSEY, ALARIO, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, MICKEY GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAU, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WILLIAMS, WINSTON, AND WOOTON AND SENATOR FIELDS

A CONCURRENT RESOLUTION

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

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. 23—

BY REPRESENTATIVES MCDONALD, DOWNS, AND WALSWORTH

A CONCURRENT RESOLUTION

To designate the inaugural D'Arbonne BBQ Festival as an official Louisiana State BBQ Cook-Off.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATORS KOSTELKA AND MALONE

A CONCURRENT RESOLUTION

To express the condolences of the legislature upon the death of Jo Anne Maxwell of Ruston.

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATORS KOSTELKA AND MALONE

A CONCURRENT RESOLUTION

To express the condolences of the legislature upon the death of Pat Ray Cardwell of Ruston.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House
SIGNED 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 Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 633—

BY REPRESENTATIVES TOWNSEND, ALARIO, ALEXANDER, ANDERS, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEBERT, HILL, HONEY, HUNTER, HUTTER, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAMBERT, LORUSSO, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRIS, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WILLIAMS, WINSTON, AND WOOTON AND SENATORS ADLEY, DUPLESSIS, MALONE, MOUNT, NEVERS, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, HINES, HOLLIS, JACKSON, LENTINI, MCPHERSON, MICHOT, MURRAY, QUINN, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

AN ACT

To enact R.S. 47:301(16)(m), relative to state and local sales and use taxes; to provide for an exclusion for machinery and equipment used by certain motor vehicle manufacturers; to provide for an effective date; and to provide for related matters.

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

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Jones 1 Day Mount 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, May 24, 2007, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Thursday, May 24, 2007.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

