

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

THIRTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 20, 2008

The Senate was called to order at 2:10 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour
CONVENING ROLL CALL**

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

PRESENT

Mr. President	Gray	Mount
Amedee	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	LaFleur	Smith
Duplessis	Long	Thompson
Dupre	Martiny	Walsworth
Gautreaux B	Michot	
Total - 26		

ABSENT

Adley	Dorsey	McPherson
Alario	Erdey	Morrish
Cassidy	Gautreaux N	Quinn
Cravins	Marionneaux	Shepherd
Total - 12		

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

The prayer was offered by Co-Pastors Karen and George Lee Glass, Jr., 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 Cassidy, the reading of the Journal was dispensed with and the Journal of May 19, 2008, was adopted.

**Privilege Report of the
Legislative Bureau**

May 20, 2008

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills and concurrent resolutions are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAUX
A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to three percent for LASERS retirees, survivors, and beneficiaries, effective July 1, 2008.

Reported without amendments.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:852.1 through 852.22, relative to titling of vessels in the state of Louisiana.

Reported without amendments.

HOUSE BILL NO. 318—
BY REPRESENTATIVES KLECKLEY, ARNOLD, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CARMODY, DANAHAY, EDWARDS, FRANKLIN, GALLOT, GEYMAN, HAZEL, HENDERSON, HINES, HONEY, MICHAEL JACKSON, JOHNSON, SAM JONES, LAFONTA, LEBAS, LEGER, MARCHAND, MONTOUCET, MORRELL, MORRIS, NORTON, PERRY, PETERSON, RICHARDSON, ROY, SIMON, PATRICIA SMITH, ST. GERMAIN, TALBOT, WILLIAMS, AND WILLMOTT

AN ACT

To enact R.S. 22:215.26, relative to health insurance; to require health insurance policies, contracts, and plans, including health maintenance contracts and agreements, to provide coverage of prosthetic devices and prosthetic services; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 318 by Representative Kleckley

AMENDMENT NO. 1

On page 3, line 5, following "Orthotics" and before "(ABC)" change "and Prosthetics, Inc." to "Prosthetics and Pedorthics"

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 19, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 1290—

BY REPRESENTATIVE LEBAS
AN ACT

To enact R.S. 22:250.52(10), (11), and (12) and 250.56(C), relative to pharmacy claims; to require a remittance advice on each pharmacy claim; to require attachment of payment and to specify the contents of the remittance advice; and to provide for related matters.

HOUSE BILL NO. 1336—

BY REPRESENTATIVE AUBERT
AN ACT

To enact R.S. 42:1123(40), relative to the Code of Governmental Ethics; to provide for an exception to the Code of Governmental Ethics to allow a person to obtain a permit, and enter into certain incidental transactions, under the state uniform construction code; and to provide for related matters.

HOUSE BILL NO. 1337—

BY REPRESENTATIVE AUBERT
AN ACT

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

HOUSE BILL NO. 1341—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 40:2179(B), relative to direct service workers; to provide for minimum mandatory criteria for relatives serving as direct service workers; and to provide for related matters.

HOUSE BILL NO. 73—

BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 14:95.1.2, relative to offenses affecting the public safety; to create the crime of illegally supplying a felon with ammunition; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 176—

BY REPRESENTATIVES ABRAMSON, GREENE, AND HENRY
AN ACT

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

HOUSE BILL NO. 303—

BY REPRESENTATIVE HAZEL
AN ACT

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

HOUSE BILL NO. 786—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 14:98(D)(1)(a) and (b)(introductory paragraph) and (E)(1)(a) and (b)(introductory paragraph), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; to provide relative to community service; and to provide for related matters.

HOUSE BILL NO. 1105—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:3995(A)(1)(introductory paragraph) and (4), relative to charter schools; to provide relative to charter school funding, including for Type 5 charter schools; to authorize the imposition of certain fees by chartering authorities; to provide relative to charges for the purchase of certain services by a charter school; to provide limitations; to provide for certain reports to a charter school; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1153—

BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 14:95.9, relative to wearing or possessing body armor; to prohibit wearing or possessing body armor on school property, school-sponsored functions, or firearm-free zones; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1198—

BY REPRESENTATIVES TIM BURNS AND MORRELL
AN ACT

To enact Part II-A of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1130.1 through 1130.6, relative to the code of ethics; to provide relative to unethical election practices; to prohibit certain false statements by candidates; to prohibit push polling that contains any false statement or question or contains or conveys any information or insinuation; to prohibit authorizing, approving, or causing calls to be made with certain deceptive caller identification information; to provide for definitions, enforcement, and applicability; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1224—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 40:2120.8, relative to home- and community-based service providers; to place a moratorium on licensure of new home- and community-based service providers that provide personal care attendant services, respite care services, and supervised independent living program services, with certain exceptions; to provide that the Department of Health and Hospitals may license new or additional home- and community-based service providers if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide a special effective date; and to provide for related matters.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE TUCKER
AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2781 and 2782, relative to long-term care services; to provide for legislative findings; to direct the Department of Health and Hospitals to develop and implement cost control mechanisms for the Long-Term Personal Care Services program and the New Opportunities Waiver; to provide for the convening of a stakeholder group; to allow the department to promulgate and adopt rules and regulations to implement cost control mechanisms; to provide for a presentation to the Joint Legislative Committee on the Budget and the House and Senate committees on health and welfare relative to implementation of such mechanisms; and to provide for related matters.

HOUSE BILL NO. 1312—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 32:861(B)(2), (C)(1)(a) and (b), 866(A)(1) and (F), 894(A), and 900(B)(2)(a), (b), and (c), relative to motor vehicle liability policies; to provide for increased minimum liability limits in motor vehicle liability policies for damages resulting from bodily injury, death, or destruction of property; to provide for increased minimum

motor vehicle bonds to be secured with the state treasurer for damages resulting from bodily injury, death, or destruction of property; to provide for limited recovery by an uninsured motorist involved in a nonfault motor vehicle accident; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 73—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 14:95.1.2, relative to offenses affecting the public safety; to create the crime of illegally supplying a felon with ammunition; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary C.

HOUSE BILL NO. 176—
BY REPRESENTATIVES ABRAMSON, GREENE, AND HENRY
AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 303—
BY REPRESENTATIVE HAZEL
AN ACT

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

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 786—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 14:98(D)(1)(a) and (b)(introductory paragraph) and (E)(1)(a) and (b)(introductory paragraph), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; to provide relative to community service; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary C.

HOUSE BILL NO. 1105—
BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:3995(A)(1)(introductory paragraph) and (4), relative to charter schools; to provide relative to charter school funding, including for Type 5 charter schools; to authorize the imposition of certain fees by chartering authorities; to provide relative to charges for the purchase of certain services by a charter school; to provide limitations; to provide for certain

reports to a charter school; to provide an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Education.

HOUSE BILL NO. 1153—
BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 14:95.9, relative to wearing or possessing body armor; to prohibit wearing or possessing body armor on school property, school-sponsored functions, or firearm-free zones; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

HOUSE BILL NO. 1198—
BY REPRESENTATIVES TIM BURNS AND MORRELL
AN ACT

To enact Part II-A of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1130.1 through 1130.6, relative to the code of ethics; to provide relative to unethical election practices; to prohibit certain false statements by candidates; to prohibit push polling that contains any false statement or question or contains or conveys any information or insinuation; to prohibit authorizing, approving, or causing calls to be made with certain deceptive caller identification information; to provide for definitions, enforcement, and applicability; to provide for penalties; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1224—
BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 40:2120.8, relative to home- and community-based service providers; to place a moratorium on licensure of new home- and community-based service providers that provide personal care attendant services, respite care services, and supervised independent living program services, with certain exceptions; to provide that the Department of Health and Hospitals may license new or additional home- and community-based service providers if a need is determined to exist; to provide for the promulgation of rules and regulations; to provide a special effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

HOUSE BILL NO. 1273—
BY REPRESENTATIVE TUCKER
AN ACT

To enact Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2781 and 2782, relative to long-term care services; to provide for legislative findings; to direct the Department of Health and Hospitals to develop and implement cost control mechanisms for the Long-Term Personal Care Services program and the New Opportunities Waiver; to provide for the convening of a stakeholder group; to allow the department to promulgate and adopt rules and regulations to implement cost control mechanisms; to provide for a presentation to the Joint Legislative Committee on the Budget and the House and Senate committees on health and welfare relative to implementation of such mechanisms; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE LEBAS

AN ACT

To enact R.S. 22:250.52(10), (11), and (12) and 250.56(C), relative to pharmacy claims; to require a remittance advice on each pharmacy claim; to require attachment of payment and to specify the contents of the remittance advice; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Insurance.

HOUSE BILL NO. 1312—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 32:861(B)(2), (C)(1)(a) and (b), 866(A)(1) and (F), 894(A), and 900(B)(2)(a), (b), and (c), relative to motor vehicle liability policies; to provide for increased minimum liability limits in motor vehicle liability policies for damages resulting from bodily injury, death, or destruction of property; to provide for increased minimum motor vehicle bonds to be secured with the state treasurer for damages resulting from bodily injury, death, or destruction of property; to provide for limited recovery by an uninsured motorist involved in a nonfault motor vehicle accident; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1336—

BY REPRESENTATIVE AUBERT

AN ACT

To enact R.S. 42:1123(40), relative to the Code of Governmental Ethics; to provide for an exception to the Code of Governmental Ethics to allow a person to obtain a permit, and enter into certain incidental transactions, under the state uniform construction code; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1337—

BY REPRESENTATIVE AUBERT

AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1341—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 40:2179(B), relative to direct service workers; to provide for minimum mandatory criteria for relatives serving as direct service workers; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

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 20, 2008

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 135—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Legislature to proclaim May 17 through 23, 2008, as Safe Boating Week in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVES WHITE AND MCVEA AND SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Lonny A. Myles upon being named Zachary Citizen of the Year.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON

A CONCURRENT RESOLUTION

To commend and welcome the staffers from the Virginia Division of Legislative Services who are participating in the first Southern Legislative Conference legislative staff exchange program.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To commend the citizens of Lake Charles, Louisiana, and Cobh in County Cork, Ireland, as they become twin communities and to welcome the visitors from Cobh to the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVES MICHAEL JACKSON, GALLOT, AND WILLIAMS

A CONCURRENT RESOLUTION

To commend the members of Kappa Alpha Psi Fraternity, Inc., for their achievements upon their legislative day at the Louisiana State Capitol on Tuesday, May 20, 2008.

HOUSE CONCURRENT RESOLUTION NO. 148—

BY REPRESENTATIVE LAFONTA AND SENATORS ADLEY, BROOME, CASSIDY, CHAISSON, CRAVINS, DORSEY, DUPLESSIS, DUPRE, B. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MOUNT, MURRAY, SHAW, SHEPHERD, SMITH, AND THOMPSON

A CONCURRENT RESOLUTION

To commend Karen Bass upon being sworn in as the first female African American speaker of the California Assembly.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Dupre 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. 135—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Legislature to proclaim May 17 through 23, 2008, as Safe Boating Week in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Alario	Gautreaux N	Quinn
Erdey	McPherson	

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVES WHITE AND MCVEA AND SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Lonny A. Myles upon being named Zachary Citizen of the Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Alario	Gautreaux N	Quinn
Erdey	McPherson	

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 142—
BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON
A CONCURRENT RESOLUTION

To commend and welcome the staffers from the Virginia Division of Legislative Services who are participating in the first Southern Legislative Conference legislative staff exchange program.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Alario	Gautreaux N	Quinn
Erdey	McPherson	

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE KLECKLEY
A CONCURRENT RESOLUTION

To commend the citizens of Lake Charles, Louisiana, and Cobh in County Cork, Ireland, as they become twin communities and to welcome the visitors from Cobh to the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

May 20, 2008

ABSENT

Alario
Erdey
Total - 5
Gautreaux N
McPherson
Quinn

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

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVES MICHAEL JACKSON, GALLOT, AND WILLIAMS

A CONCURRENT RESOLUTION

To commend the members of Kappa Alpha Psi Fraternity, Inc., for their achievements upon their legislative day at the Louisiana State Capitol on Tuesday, May 20, 2008.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Total - 33
Dupre
Gautreaux B
Gray
Hebert
Heitmeier
Jackson
Kostelka
LaFleur
Long
Marionneaux
Martiny
Michot
Morrish
Mount
Murray
Nevers
Riser
Shaw
Shepherd
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Alario
Erdey
Total - 5
Gautreaux N
McPherson
Quinn

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

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVE LAFONTA AND SENATORS ADLEY, BROOME, CASSIDY, CHAISSON, CRAVINS, DORSEY, DUPLESSIS, DUPRE, B. GAUTREAU, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MOUNT, MURRAY, SHAW, SHEPHERD, SMITH, AND THOMPSON

A CONCURRENT RESOLUTION

To commend Karen Bass upon being sworn in as the first female African American speaker of the California Assembly.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Broome
Cassidy
Dupre
Gautreaux B
Gray
Hebert
Heitmeier
Michot
Morrish
Mount
Murray
Nevers

Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Total - 33
Jackson
Kostelka
LaFleur
Long
Marionneaux
Martiny
Riser
Shaw
Shepherd
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Alario
Erdey
Total - 5
Gautreaux N
McPherson
Quinn

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

ENVIRONMENTAL QUALITY

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

May 20, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 196—
BY SENATOR HEBERT AND REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 30:2159, relative to landfill sites; to provide for siting restrictions on certain landfills; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 528—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2366(C) and (D), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; to provide for the one-call notification system for release notifications; to provide for notification requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 539—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 30:2066(B) and to enact R.S. 30:2066(D), relative to fees paid in severe and extreme ozone nonattainment zones; to provide for fees to be paid with respect to the one-hour ozone national ambient air quality standard; to require the Department of Environmental Quality to adopt rules and regulations in response to certain actions by congress, the Environmental Protection Agency, or a court; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 567—

BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 40:1149(B), relative to operators of water systems; to provide for the presence of certified operators while certain systems are in operation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 788—

BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 48:235 and to repeal R.S. 30:2534, relative to the adopt-a-road program; to transfer the adopt-a-road program to the Department of Transportation and Development; to repeal the adopt-a-road program within the Department of Environmental Quality; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1196—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2113(D), relative to the Louisiana Nuclear Energy and Radiation Control Law; to provide for prohibitions on transportation of certain radioactive waste; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TROY HEBERT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 20, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 399—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 27:25(B)(1) and (E), 26, 88, 310(E) and 363(D), relative to the Louisiana Gaming Control Law; to provide with respect to the Louisiana Gaming Control Board; to provide with respect to the duties of hearing officers; to provide for a procedure to appeal decisions of the hearing officers; to provide for a procedure to appeal decisions of the Louisiana Gaming Control Board; to provide for a procedure to appeal decisions of the division in the office of state police, Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 749—

BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 15:902.3(A) and R.S. 46:2755(B)(3) and to enact R.S. 15:902.4 and R.S. 46:2755(B)(4) and (C)(6), relative to the Juvenile Justice Reform Act Implementation Commission; to provide for powers, duties, and functions of the Juvenile Justice Reform Act Implementation Commission; to

provide for the closure of Jetson Youth Center-East Baton Rouge Parish Unit; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 23—

BY REPRESENTATIVES GREENE AND NORTON
AN ACT

To amend and reenact Code of Criminal Procedure Article 271(A)(1), relative to bail in extradition cases; to provide for the court's authority to admit a person arrested for extradition to another state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 46—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:964(Schedule I)(A), (B)(14), (C), (D)(1) and (2), and (E), (Schedule II)(A)(1)(introductory paragraph) and (i) through (q), (B), (C)(introductory paragraph) and (1) and (2), (D)(introductory paragraph) and (2) through (4), and (E), and (Schedule III)(A)(introductory paragraph), (B), (D)(2), and (E), and to enact R.S. 40:964(Schedule II)(A)(1)(r) and (6), (C)(3), (D)(5) and (6), and (F) and (Schedule V)(A)(6), (C), and (D), and to repeal R.S. 40:964(Schedule III)(A)(5), relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedules I, II, III, and V to be consistent with the federal controlled substances designations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 93—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:2531, relative to rights of police employees during investigations; to apply the rights of certain law enforcement officers under investigation to police employees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 118—

BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To amend and reenact R.S. 14:402(D)(5) and to enact R.S. 14:402(D)(9), relative to contraband; to amend the definition of "contraband" with respect to alcoholic beverages and certain pieces of communication equipment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 126—

BY REPRESENTATIVES BALDONE AND WOOTON
AN ACT

To enact R.S. 46:1844(N)(4), relative to crime victims and witnesses; to provide with respect to duties of the Department of Public Safety and Corrections, corrections services; to provide with respect to providing a crime victim with a recent photograph of an inmate prior to his release; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 631—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 15:440.5(C), relative to videotapes of protected persons in criminal prosecutions; to provide for the discovery, delivery, custody, and retention of videotaped statements of protected persons; to provide for damages for unauthorized disclosures; and to provide for related matters.

Reported favorably.

May 20, 2008

HOUSE BILL NO. 632—
BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 14:81.5, relative to new crimes; to create the crime of unlawful possession of videotapes of protected persons under R.S. 15:440.1 et seq.; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 634—
BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 46:1846, relative to crime victims; to prohibit communication between an offender or an immediate family member of an offender and a victim of a crime of violence or his immediate family member; to provide for exceptions; to provide for a definition; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1136—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and to enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole or probation; to provide that as a condition of parole or probation a person on parole or probation agrees to searches of his person or property by law enforcement officers with or without an arrest or search warrant; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1146—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:2405(C), relative to peace officer training requirements; to exempt certain part-time and reserve officers from peace officer training requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1148—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2531(D) and 2533(D), relative to the investigation of law enforcement officers; to provide for expungement of certain records; to provide for the investigative report; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 20, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 28—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for a crime of violence shall not be released on his own recognizance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 137—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 14:70.7, relative to misappropriation without violence; to create the crime of the unlawful production, manufacturing, distribution, or possession of fraudulent documents for identification purposes; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 292—
BY REPRESENTATIVES WHITE, BOBBY BADON, BALDONE, HENRY BURNS, GALLOT, GISCLAIR, ELBERT GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HINES, LAFONTA, MARCHAND, NORTON, NOWLIN, PETERSON, RICHARDSON, RICHMOND, ROY, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, TUCKER, WADDELL, AND WILLIAMS
AN ACT

To enact Code of Criminal Procedure Article 893(E)(3), relative to the drug court division probation program; to provide for the dismissal of prosecutions upon successful completion; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 418—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 14:134.3(C), relative to the crime of abuse of office; to provide for an exception in the case of an elected official responding to his constituency; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 662—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 14:202.1, relative to crimes; to create the crime of home improvement fraud; to define the crime; to provide for penalties; to provide for defenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 757—
BY REPRESENTATIVES TRAHAN, ELBERT GUILLORY, HOWARD, NORTON, AND SCHRODER
AN ACT

To amend and reenact R.S. 14:34.3(B) and 38.2(B), relative to crimes against a school teacher; to provide for penalties for the crimes of battery of and assault on a school teacher; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 867—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:81.3(A) and (C) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to defenses; to provide that a person convicted of computer-aided solicitation of a minor shall be ineligible for diminution of sentence for good behavior; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1123—
BY REPRESENTATIVES LITTLE AND NORTON
AN ACT

To amend and reenact R.S. 14:103.1(C), relative to the crime of emanation of excessive sound or noise; to provide for increased penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1126—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 14:67.16(A)(1) and to enact R.S. 14:67.16(A)(3), relative to identity theft; to amend the definition of "disabled person"; to provide for the definition of "person"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1352— (Substitute for House Bill No. 44 by Representative Mickey Guillory)
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 14:56(A) and to enact R.S. 14:56(B)(4), relative to criminal damage to property; to provide that the crime of simple criminal damage to property shall include the intentional damaging to rental property; to authorize the court to order restitution in cases of simple criminal damage to property; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

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

May 20, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 84—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact R.S. 14:75(C)(5), relative to failure to pay child support obligation; to provide for an increase in the penalty provision when the amount of support owed is more than twenty-five thousand dollars; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 116—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 130—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 13:587.2(A), relative to divisions of court

of the Fourth Judicial District; to authorize the judges of the court to designate a division of court as a specialty division; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 322—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact the heading of Chapter 4 of Title VII of Book I of the Civil Code and Civil Code Article 214, Code of Civil Procedure Article 10(A)(1), and R.S. 9:461 and 462 and to enact Civil Code Articles 212 and 213, Code of Civil Procedure Article 74.5, and R.S. 9:463, 464, and 465, relative to adult adoption; to provide for the form for an adult adoption; to provide for the recordation; to provide for jurisdiction; to provide for venue; to provide for the effects of an adult adoption; to provide for the effective date of an adult adoption; to provide for birth certificates; to provide for the change of a name; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1120—
BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact Section 2 of Act No. 38 of the First Extraordinary Session of 2006, relative to contracts let by the adjutant general and the Military Department; to extend the termination date of provisions authorizing the utilization of design-build; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JULIE QUINN
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. 7—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 47:1992, relative to ad valorem property tax; to provide for procedures and time periods in Orleans Parish related to inspection of assessment lists, review and complaints concerning assessments, certifications of such lists, and hearings of appeals of assessments; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed Senate Bill No. 7 by Senator Murray

AMENDMENT NO. 1
On page 3, line 2, delete "Subsection G of"

AMENDMENT NO. 2
On page 4, line 11, delete "(1)"

AMENDMENT NO. 3
On page 4, line 13, change "(a)" to "(1)"

AMENDMENT NO. 4
On page 4, line 20, change "(b)" to "(2)"

AMENDMENT NO. 5

On page 4, line 22, change "(i)" to "(a)"

AMENDMENT NO. 6

On page 4, line 25, change "(ii)" to "(b)"

AMENDMENT NO. 7

On page 4, line 27, change "(iii)" to "(c)"

AMENDMENT NO. 8

On page 4, line 29, change "Item (ii) of this Subparagraph" to "Subparagraph (b) of this Paragraph"

AMENDMENT NO. 9

On page 5, line 1, change "(iv)" to "(d)"

AMENDMENT NO. 10

On page 5, line 3, change "(c)" to "(3)"

AMENDMENT NO. 11

On page 5, line 5, change "(d)" to "(4)"

AMENDMENT NO. 12

On page 5, line 13, change "(e)" to "(5)"

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

SENATE BILL NO. 42—

BY SENATORS B. GAUTREAUX AND NEVERS AND REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:102(B)(3)(introductory paragraph) and (d)(introductory paragraph), (i), (ii), (iii), and (iv) and to enact R.S. 11:102(B)(3)(d)(viii), relative to employer contributions for the State Police Pension and Retirement System; to provide for the annual amortization payments to the system; to specify that the amortization period for certain changes, gains, and losses shall be thirty years from the year in which the change, gain, or loss occurs; to provide for amortization of outstanding balances of previously established amortization bases; to provide for level dollar payments; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 42 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 3, line 9 change "2008" to "2009"

AMENDMENT NO. 2

On page 3, line 16 change "2008" to "2009"

AMENDMENT NO. 3

On page 3, line 17 change "2008" to "2009"

AMENDMENT NO. 4

On page 3, line 18 change "2008" to "2009"

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

SENATE BILL NO. 50—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 11:1757(B), relative to the Municipal Employees' Retirement System; to provide for benefit payment options; to provide for designation of beneficiary; to allow change of such designation; to provide conditions for such

change; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 50 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 13 delete "only" and change "all" to "either"

AMENDMENT NO. 2

On page 1, line 11 change "Paragraph (2)" to "Paragraphs (2) and (3)"

AMENDMENT NO. 3

On page 1, at the end of line 15 change the period to a semicolon and insert "or"

AMENDMENT NO. 4

On page 1, at the end of line 17 change the period to a semicolon and insert "and"

AMENDMENT NO. 5

On page 2, line 1 delete "(c)" and change "He" to "he"

AMENDMENT NO. 6

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

"(3) The retiree shall file the change of beneficiary designation authorized pursuant to Paragraph (2) of this Subsection with the system on or before July 31, 2008."

AMENDMENT NO. 7

On page 2, at the beginning of line 2 change "(3)" to "(4)"

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

SENATE BILL NO. 106—

BY SENATOR MORRISH

AN ACT

To enact R.S. 39:51.1, relative to the General Appropriation Bill; to provide a procedure for the submission and review of proposed amendments by the legislature; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 106 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 2, after "Appropriation Bill" and before the semicolon ";," insert "and other appropriation bills"

AMENDMENT NO. 2

On page 1, delete line 3 and insert the following: "the submission of certain information by certain nongovernmental entities; to provide for an effective date; and to"

AMENDMENT NO. 3

On page 1, line 7, after "Appropriation" delete the remainder of the line and insert "Bill and other appropriation bills; nongovernmental entity funding request form"

AMENDMENT NO. 4

On page 1, delete lines 8 through 12 and insert the following:

"A.(1)(a) No later than the first day of November each year any nongovernmental entity which is neither a budget unit nor a political subdivision of the state that is requesting funding from

the state through the General Appropriation Bill, capital outlay bill, or any supplemental appropriation bill shall transmit certain information relative to such proposed funding to the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Revenue and Fiscal Affairs in a form and manner as shall be prescribed jointly by the committees.

(b) The provisions of this Section shall not apply to appropriations for the payment of money judgments against the state, including consent judgments, stipulated judgments, judgments rendered by the Board of Tax Appeals, and other judgments against the state.

(2) At the direction of the committees, the clerk of the House of Representatives and the secretary of the Senate shall provide for a mechanism for making all completed forms available to the members of the legislature and for notification to the members of the legislature of the availability of the information.

(3) Each completed form shall be published by the clerk of the House of Representatives and the secretary of the Senate and shall be made available to the public via the Internet. The clerk of the House of Representatives and the secretary of the Senate shall maintain the information contained in the completed forms in an online, searchable database, available to the public via the Internet."

AMENDMENT NO. 5

On page 1, line 13, after "information" delete the remainder of the line and insert "shall include,"

AMENDMENT NO. 6

On page 1, delete line 14

AMENDMENT NO. 7

On page 1, line 15, delete "form," which shall include,"

AMENDMENT NO. 8

On page 1, line 16, after "The" delete the remainder of the line and insert "entity's full legal name, mailing address, and physical address."

AMENDMENT NO. 9

On page 2, at the end of line 1, change "incorporators." to "incorporators of the recipient. If the recipient is a private entity required to register with the secretary of state, the entity shall show evidence of good standing with that office."

AMENDMENT NO. 10

On page 2, line 2, after "The" and before "taxpayer" insert "last four numbers of the" and at the end of the line, after "number" and before the period "." insert "of the entity"

AMENDMENT NO. 11

On page 2, delete line 3 and insert the following:

"(4) The full names and addresses of the governing board and all officers of the recipient entity. Additionally, the entity shall provide the full names and addresses of its executive director, chief executive officer, or other person responsible for the operation of the entity, and the key personnel responsible for the program or functions to be funded through the proposed funding."

AMENDMENT NO. 12

On page 2, delete line 4

AMENDMENT NO. 13

On page 2, at the beginning of line 5, change "(6)" to "(5) The" and change "Dollar" to "dollar" and at the end of the line change "proposal" to "the proposed funding"

AMENDMENT NO. 14

On page 2, delete lines 6 through 27 and insert the following:

"(6) The entity's proposed comprehensive budget showing all anticipated uses of the proposed monies, including additional sources of revenue for the program or project proposed, and amounts budgeted by categories of expenditures, including but not limited to salaries, operating services, professional services, contracts, acquisitions, major repairs, and other charges.

(7) A certification that the entity has no outstanding audit issues or findings or that the entity is working with appropriate governmental agencies to resolve those issues or findings.

(8) The entity's public purpose sought to be achieved through the use of state monies and the goals and objectives to achieve such purpose.

(9) The proposed length of time the entity estimates is needed to accomplish the purpose.

(10) If any elected or appointed official or an immediate family member of such an official is an officer, director, trustee, or employee of the entity who receives compensation or holds any ownership interest therein:

(a) If an elected or appointed official, the name and address of the official and the office held by such person.

(b) If an immediate family member of an elected or appointed official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.

(c) The percentage of the official's or immediate family member's ownership interest in the entity, if any.

(d) The position, if any, held by the official or immediate family member in the entity.

(11) If the entity has a contract with any elected or appointed official or an immediate family member of such an official or with the state or any political subdivision of the state:

(a) If the contract is with an elected or appointed official, the name and address of the official and the office held by such person.

(b) If the contract is with an immediate family member of an elected or appointed official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.

(c) If the contract is with the state or a political subdivision of the state, the name and address of the state entity or political subdivision.

(d) The nature of the contract, including a description of the goods or services provided or to be provided pursuant to the contract."

AMENDMENT NO. 15

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

"C. Requests submitted after November first of each year may be included within an appropriation bill if the late submission is approved by the Joint Legislative Committee on the Budget or the Joint Legislative Committee on Capital Outlay prior to the last day for introduction of a matter intended to have the effect of law by either house of the legislature. Requesting entities shall submit all applicable information prior to such approval."

AMENDMENT NO. 16

On page 3, delete lines 1 through 5

AMENDMENT NO. 17

On page 3, delete lines 6 through 26 and insert the following:

"D. After the last day for introduction of a matter intended to have the effect of law by either house of the legislature, authorization for late submission shall be approved by a favorable vote of two-thirds of the members of the standing committee to which such matter is referred or through an amendment in accordance with the rules of the respective house.

E. A completed nongovernmental entity funding request form shall be submitted for each entity which is neither a budget unit nor a political subdivision of the state and for which funding

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is provided in an appropriation bill either upon introduction or through an amendment in accordance with the rules of the respective house.

F. The term "immediate family" as used in this Section shall have the same meaning as provided in R.S. 42:1102. The term "appointed state official" as used in this Section shall have the same meaning as provided in R.S. 42:1114.3."

AMENDMENT NO. 18

On page 3, after line 26, insert the following:

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

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

SENATE BILL NO. 109— BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 39:128(B)(1) and (2), relative to certain higher education capital outlay projects; to increase the threshold for exclusion of certain higher education projects from the capital outlay budget; to increase the exemption threshold for professional service contracts which are related to certain higher education capital outlay projects; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 109 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 14, change "seven hundred fifty" to "five hundred"

AMENDMENT NO. 2

On page 2, line 8, change "seven hundred fifty" to "five hundred"

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

SENATE BILL NO. 201— BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 11:1002(12), relative to the Louisiana School Employees' Retirement System; to provide for definitions; to include in the definition of earnable compensation for such system any pay received by a school bus driver for school-related extracurricular activities; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 262— BY SENATOR JACKSON

AN ACT

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

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

SENATE BILL NO. 280— BY SENATOR CROWE

AN ACT

To enact Subpart A-2 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3397.7, relative to stimulus to economic and educational development; to create the UNO Slidell Technology Park Fund as a special fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the uses of the monies in the fund; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 337— BY SENATORS MICHOT AND WALSWORTH

AN ACT

To amend and reenact R.S. 46:2761(A), relative to uncompensated care payments; to provide for the type of data to be reported; to provide for reporting; to provide for legislative audits; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 337 by Senator Michot

AMENDMENT NO. 1

On page 2, line 6, after "facility" delete the remainder of the line, delete line 7 and insert "on a quarterly schedule as required by the Department of Health and"

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

SENATE BILL NO. 437— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 39:126, relative to capital outlay projects; to provide for certain change orders to be approved by the Joint Legislative Committee on the Budget; and to provide for related matters.

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

SENATE BILL NO. 465— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 17:270(A) and (B), and R.S. 32:402.1(A)(1), (2)(introductory paragraph), and (C); relative to driver education programs; to require the Louisiana Highway Safety Commission be consulted in the development of the program; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 465 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:270(A) and" delete the remainder of the line and insert "271, and R.S. 32:402.1(A)(1), and (C), and 407(A)(3) and (5), and to enact R.S. 32:402.1(D),"

AMENDMENT NO. 2

On page 1, line 3, delete "paragraph), and (C);" and after "programs;" delete the remainder of the line and delete line 4 in its entirety and insert "to increase the number of hours of driving experience required in a driver education program; to provide for the requirements to obtain a Class "E" learner's license and intermediate license; to require certain applicants with suspended licenses to complete driver education courses under certain circumstances; to provide for effectiveness; and"

AMENDMENT NO. 3

On page 1, line 7, change "(B)" to "271"

AMENDMENT NO. 4

On page 1, line 11, after "**with the**" delete the remainder of the line and on line 12, delete "**Commission,**" and insert in lieu thereof "**Department of Public Safety and Corrections,**"

AMENDMENT NO. 5

On page 1, line 13, change "of secondary school age" to "**who are fifteen years of age and older**"

AMENDMENT NO. 6

On page 1, line 14, change "six" to "**ten**"

AMENDMENT NO. 7

On page 2, delete lines 13 through 23 in their entirety and insert as follows:

* * *

§271. Driver training required for certain adults; same purpose and use of same facilities as in program for children

A.(1) The State Board of Elementary and Secondary Education and the state Department of Education, **in consultation with the Department of Public Safety and Corrections,** shall establish and operate a driver education and training program in each parish of this state for adults. This program shall have the same ends and purposes as the driver education and training program ~~for all children of secondary school age~~ established and operated by the State Board of Elementary and Secondary Education and the state Department of Education **in R.S. 17:270.**

(2) The program shall consist of a course of not less than six hours of actual driving experience and thirty hours of classroom instruction which shall include training on railroad and highway grade crossing safety and on sharing the road with motorcycles and tractor-trailer trucks and at least thirty minutes of instruction relative to organ and tissue donation. The State Board of Elementary and Secondary Education and the state Department of Education shall develop the organ and tissue donation portion of the driver education and training program in conjunction with the federally designated organ procurement organization for the state of Louisiana. However, no student shall be required to take the organ and tissue donation instruction ~~if~~ **provided** he submits a written statement indicating that such instruction conflicts with his religious beliefs.

(3) In order to provide and operate the driver education and training program for adults, the State Board of Elementary and Secondary Education and the state Department of Education shall use, insofar as is possible, the same facilities, instructors, driving simulators, equipment, visual and training aids and devices, and all related materials as are used in the driver education and training program ~~for all children of secondary school age~~ **in R.S. 17:270.**

(4) The State Board of Elementary and Secondary Education shall prescribe such rules and regulations as are necessary and proper to provide for the conduct and operation of ~~the a~~ driver education and training program for adults.

B. The State Board of Elementary and Secondary Education and the state Department of Education shall establish and operate a driver improvement program for the purpose of the rehabilitation of drivers. The drivers who are to participate in this program shall be any driver who has been charged with the violation of any law of this state regulating traffic or of any municipal or parish ordinance regulating traffic, who, in the opinion of the court having jurisdiction over such violation, has indicated a disrespect for such traffic laws and regulations and a disregard for the safety of others, or who, in the opinion of the court, is an habitually reckless or negligent driver and

who is ordered by such court to participate in the driver improvement program. This program shall have the same ends and purposes as the driver education and training program ~~for all children of secondary school age~~ **in R.S. 17:270** provided and operated by the State Board of Elementary and Secondary Education and the state Department of Education and shall include contents required by law for such program. In order to provide for and operate the driver improvement program, the State Board of Elementary and Secondary Education and the state Department of Education shall use the same facilities, instructors, driving simulators, equipment, visual and training aids and devices, and all related materials as are used in the driver education and training program ~~for all children of secondary school age~~ **in R.S. 17:270.** The State Board of Elementary and Secondary Education shall prescribe such rules and regulations as are necessary and proper to provide for the conduct and operation of the driver improvement program. To this end the state Department of Education and the State Board of Elementary and Secondary Education shall cooperate with the courts of this state having jurisdiction over the violation of state laws and parish and municipal ordinances regulating traffic.

C. This section shall take effect and become operative upon the implementation by the State Board of Elementary and Secondary Education and the state Department of Education of the driver education and training program in each parish of this state for all children ~~of secondary school age~~ **who are fifteen years of age or older."**

AMENDMENT NO. 8

On page 2, line 24, after "Section 2." delete the remainder of the line and insert "R.S. 32:402.1(A)(1), and (C), and 407(A)(3) and (5) are hereby"

AMENDMENT NO. 9

On page 2, line 25, between "reenacted" and "to" insert "and R.S. 32:402.1(D) is hereby enacted"

AMENDMENT NO. 10

On page 3, line 3, after "shall" delete "include" and insert "**consist of not less than ten hours of actual driving experience and thirty hours of classroom instruction, including but not limited to**"

AMENDMENT NO. 11

On page 3, line 7, after "Education" delete the remainder of the line and on line 8, delete "**Commission**"

AMENDMENT NO. 12

On page 3, delete lines 9 through 21 in their entirety

AMENDMENT NO. 13

On page 3, line 26, before "education" delete "public"

AMENDMENT NO. 14

On page 4, at the end of line 2, before "Board" insert "**State**"

AMENDMENT NO. 15

On page 4, delete line 4, and insert as follows: "Corrections.

D. No person under the age of fifteen shall be allowed to enroll or participate in any driver education course or driver training program.

* * *

§407. Application of minors; revocation; applications of persons less than twenty-one years of age

A.

* * *

(3) The Class "E" learner's license may be converted to a Class "E" intermediate license upon the applicant being at least sixteen years of age and passing an on-road driving test, provided that the applicant has held the license for at least one hundred eighty days if he is not seventeen years of age. **No applicant shall be issued a Class "E" intermediate license unless a signed statement by the parent or legal guardian is provided to the department attesting that the applicant has a minimum of twenty-five hours of behind the wheel driving experience with a licensed adult driver.** The intermediate license shall restrict those under the age of seventeen

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from driving between 11:00 p.m. and 5:00 a.m. unless otherwise accompanied by a licensed parent or guardian, by a licensed adult at least twenty-one years of age, or by a licensed sibling at least eighteen years of age. In addition to a licensed parent, sibling, guardian, or adult, there may be other members of the permittee's immediate family in the vehicle and when accompanied by a driver's education teacher there may be one or more fellow driver's education students in the vehicle.

* * *

(5) The department may establish rules and regulations to extend the term of the intermediate license if an applicant's license has been suspended, the applicant has been placed on probation by a court due to a driving violation, or the applicant has violated any of the provisions of Paragraph (4) of this Subsection. The term of the extension of the intermediate license shall be for no less than thirty days nor more than one hundred eighty days from the end of any suspension or probation period, or from the date he would otherwise have been eligible to apply for a Class "E" permanent license in the case of a violation of Paragraph (4) of this Subsection. **The applicant shall attend and successfully complete either an approved driver education course or preclicensing training course, regardless of any prior completion of such course, as a condition of reinstatement of the license suspended pursuant to this Paragraph.** The licensee shall have the right to an administrative hearing to appeal the determination of the department to extend the applicant's intermediate license. The provisions of this Paragraph shall apply to any licensee who has not attained the age of eighteen.

* * *

Section 3. Sections 1 and 2 of this Act shall become effective on January 1, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2009, or on the day following such approval by the legislature, whichever is later.

Section 4. Section 3 and this Section shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 520—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 9:1149.4, relative to the immobilization of manufactured homes; to temporarily prohibit certain actions to collect certain state tax on the purchase of manufactured homes used as residences; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 520 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 3, delete "temporarily" and delete "certain state"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, insert "certain"

AMENDMENT NO. 3

On page 1, line 9, after "C." insert "**(1)**"

AMENDMENT NO. 4

On page 1, delete line 10

AMENDMENT NO. 5

On page 1, line 11, delete "**1950, or a state**" and after "**due**" delete the remainder of the line and insert "**or became due on any**"

AMENDMENT NO. 6

On page 1, delete lines 12 and 13, and insert: "**purchase made on or after September 1, 2005 through December 31, 2006 of any manufactured home used solely as residential housing in parishes with the following populations according to the most recent federal decennial census which have been severely impacted by Hurricanes Katrina and Rita shall be initiated or continued**"

AMENDMENT NO. 7

On page 1, line 14, delete "**of this Subsection until July 1, 2009**"

AMENDMENT NO. 8

On page 1, delete line 17, and on page 2, delete lines 1 through 4, and insert the following:

(a) Any parish with a population between nine thousand eight hundred and ten thousand one hundred.

(b) Any parish with a population between twenty-four thousand five hundred and twenty-five thousand four hundred seventy.

(c) Any parish with a population between twenty-six thousand and twenty-eight thousand.

(d) Any parish with a population between thirty-one thousand two hundred and thirty-three thousand one hundred.

(e) Any parish with a population between forty-three thousand five hundred and forty-four thousand five hundred.

(f) Any parish with a population between fifty-three thousand and seventy-five thousand.

(g) Any parish with a population between eighty-eight thousand and ninety thousand five hundred.

(h) Any parish with a population between ninety-nine thousand five hundred and one hundred ten thousand.

(i) Any parish with a population between one hundred sixty thousand and one hundred eighty-five thousand.

(j) Any parish with a population between one hundred ninety thousand eight hundred and two hundred thousand.

(k) Any parish with a population over four hundred forty thousand.

(2) With respect to actions to collect a tax applicable to movables which is purported to be due or became due on those manufactured homes specified in Subsection (C)(1) of this Section, if the basis of such action is the date upon which the declaration of immovability was filed, then the date of immobilization shall relate back to the twentieth day of the month following the month of the delivery of the manufactured home.

Section 2. The provisions of this Act shall be retroactive to September 1, 2005.

Section 3. This Act shall become effective on July 1, 2008; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2008, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 537—
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:3129.8, relative to education; to provide with respect to the Board of Regents; to provide for articulation of college credits; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 537 by Senator Nevers

AMENDMENT NO. 1

On page page 1, line 2, after "education;" delete the remainder of the line, delete line 3 in its entirety, and insert "to provide for the articulation of credits earned in secondary and postsecondary educational institutions; to provide for an effective date; to provide for reporting requirements;"

AMENDMENT NO. 2

On page 1, at the beginning of line 9, insert "A."

AMENDMENT NO. 3

On page 1, line 10, between "provide" and "a" insert "for the adoption and implementation of"

AMENDMENT NO. 4

On page 1, line 12, after "institution." delete the remainder of the line, delete line 13 in its entirety and insert the following:

"B. The Board of Regents shall cause the postsecondary education management boards to collaboratively provide for the adoption and implementation of a comprehensive system of course articulation between all institutions of public higher education for all college credit units earned in such institutions.

C. The articulation plans required in Subsections A and B of this Section shall be implemented not later than July 1, 2010.

D. (1) The Board of Regents and the State Board of Elementary and Secondary Education shall submit a written report to the Senate Committee on Education and the House Committee on Education not later than March fifteenth of each year detailing the progress made in implementing the articulation plan required in Subsection A of this Section.

(2) The Board of Regents shall submit a written report to the Senate Committee on Education and the House Committee on Education not later than March fifteenth of each year detailing the progress made in implementing the articulation plan required in Subsection B of this Section.

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

SENATE BILL NO. 621—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-J of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.151 through 4720.172, relative to the city of Lafayette; to create the North Lafayette and Downtown 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.

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

SENATE BILL NO. —(Substitute of Senate Bill No. 621 by Senator Cravins)
BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-J of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.33:4720.151 and 4720.161,

relative to local redevelopment, to create certain parish redevelopment authorities; to create the North Lafayette and Downtown Redevelopment Authority to provide for the formation of a program or programs for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings needed to address the influx of displaced persons due to the effects of hurricanes Katrina and Rita; to provide for the governing body of such authorities; to provide for the powers, duties, functions, and liabilities of redevelopment authorities; to authorize public bodies to furnish funds, series, facilities, and property in aid of redevelopment projects; to authorize the authorities to initiate expedited quiet title and foreclosure actions; and to provide for related matters. Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 13-J of Title 33 of the Louisiana revised Statutes of 1950, to be comprised of R.S. 33:4720.151 and 4720.161, is hereby enacted to read as follows:

CHAPTER 13-J. LOCAL GOVERNMENT
REDEVELOPMENT

PART I. GENERAL PROVISIONS

§4720.151. Parish redevelopment authority

A. This Part may be referred to as the "Parish Redevelopment Law."

B. It is hereby found and declared that:

(1) There exists in certain parishes areas which have become slums, blighted, and distressed because of the unsafe, unsanitary, inadequate, or overcrowded condition of the structures therein, or because of inadequate planning for the area, or because of physically or functionally obsolete structures, or because of excessive dwelling unit density, or because of the lack of proper light and air and open space, or because of faulty street or lot design, or inadequate public utilities, or community services, or because of failure to adequately maintain and repair structures, or because of the conversion to incompatible types of land usage, or because of environmental conditions and circumstances. Such conditions or a combination of some or all of them have and will continue to result in making such areas economic and social liabilities.

(2) In the wake of hurricanes Katrina and Rita, the resident population of certain parishes in particular has increased dramatically, creating an urgent and immediate need for affordable residential housing. Persons displaced by hurricanes Katrina and Rita should be assisted, should they so desire, in obtaining long-term or permanent housing in such parishes.

(3) The prevention and elimination of slum, blighted, and distressed properties are matters of public policy and concern, as such areas tend to consume a disproportionate amount of parish revenues because of the extra services required for police, fire, accident, and other forms of public protection, services, and facilities.

(4) The salvage, renewal, redevelopment, and reconstruction of such slum, blighted, and distressed areas will promote the public health, safety, morals, and welfare of the public.

(5) The powers conferred by this Part are for public uses, purposes, welfare, and utility for which public money may be expended as necessary and in the public's interest. The provisions herein provided shall apply for residential, recreational, commercial, industrial, or other purposes and otherwise to encourage the provision of healthful homes, safe neighborhoods, a decent living environment, and adequate places of employment for the people. Such purposes are hereby declared as a matter of legislative determination.

(6) The object of this Part is to provide for the following:

(a) A unified and comprehensive response to the housing shortages and other indirect effects of hurricanes Katrina and Rita.

(b) The general and economic welfare of the parish through housing, commercial, office, hospitality, recreation, education, infrastructure and utility capacity, manufacturing, industrial,

research, retail or other activities which will create or retain jobs, maintain or diversify industry, including new or emerging technologies, or maintain or increase the tax base.

(c) The improvement of conditions of deteriorated physical development, slow economic growth, and eroded financial health of the public and private sectors.

(d) The control, abatement, and prevention of pollution to protect public health and safety, and the development and use of indigenous and renewable energy resources.

(e) Assistance to nonprofit and governmental entities in support of health, educational, charitable, community, cultural, agricultural, consumer or other services benefitting the citizens.

C. (1) There is hereby created in the parish a body politic and corporate which shall exist in perpetuity and shall be known as the Parish Redevelopment Authority, referred to in this Part as the "authority."

(2) The authority shall be a special district created pursuant to Article VI, Section 19 of the Constitution of Louisiana and political subdivision of the state as defined in Article VI, Section 44 of the Constitution of Louisiana. The authority, acting through its governing board, is hereby granted all of the rights, powers, privileges, and immunities accorded by the laws and the Constitution of Louisiana to political subdivisions of the state, subject to the limitations provided in this Part.

D. The authority, for the purposes of this Part, may within its jurisdiction, formulate a workable program or programs for using appropriate private and public resources to achieve the purposes identified in Paragraph (B)(6) of this Section.

E. The authority, to the greatest extent it determines to be feasible in carrying out the provisions of this Part, shall seek out cooperative endeavors, including partnerships, joint ventures, and equity participation structures, with nonprofit and private enterprise. The authority shall give consideration to this objective in exercising the powers granted pursuant to this Part.

F. (1) Except as provided in Part II of this Chapter, the Parish Redevelopment Authority shall be comprised of all of the territory located within the parish, including the territory comprising the municipalities within the parish, as constituted on the effective date of this Chapter. However, the governing authority of any such municipality may opt out of being included within the territorial jurisdiction of the authority.

(2) The authority shall be activated and implemented by the appropriate governing authority recognizing and confirming the appointment of the initial members of the board.

G. (1) The Parish Redevelopment Authority shall be governed by a board of commissioners, referred to in this Part as the "board," consisting of members appointed as follows:

(a) The parish governing authority shall appoint as commissioners of the authority one member from each district represented by a member of the parish governing authority and three additional members at large.

(b) The mayor of each municipality within the jurisdiction of the authority shall appoint one commissioner of the authority with the advice and consent of the municipal governing authority, who shall be a citizen who is a qualified elector of the municipality.

(2) All appointments shall be confirmed by the appropriate governing authority.

(3) The appointing authority shall present its appointees to the appropriate governing authority. Such presentations by the appointing authorities shall be in writing, shall be made at an official and open meeting of the appropriate governing authority, and shall include information sufficient to allow the appropriate governing authority to assess the qualifications and fitness of the appointee for his intended duties. Upon receipt of such presentation, the appropriate governing authority shall have the right to confirm or reject said appointment. Such confirmation or rejection shall be made in the manner and under the procedure prescribed by the governing authority. Regardless of the manner and procedure so employed, if the governing authority does not reject said appointment within sixty days after the presentation required by this Paragraph, then the appointment shall be deemed confirmed.

(4) Each board member shall be a citizen of the United

States, a domiciliary of and a qualified voter in the appropriate jurisdiction for at least one year preceding the date of appointment, and shall remain a domiciliary of and a qualified voter of such jurisdiction during the entirety of the term of office. Furthermore, each board member shall be of good character and shall possess some skill, knowledge, or experience that will prove useful in the accomplishment of the goals of the authority as set forth in Subsection B of this Section.

(5) Each board member shall serve at the pleasure of the appropriate appointing authority for a term of five years, unless removed for cause by the board, as provided in this Part, or removed for any reason by authorized action of the appointing authority.

(6) The board shall establish rules and requirements relative to the attendance and participation of members in its meetings, regular or special. Such rules and regulations may prescribe a procedure whereby, should any member fail to comply with such rules and regulations, such member may be disqualified and removed automatically from office by no less than a majority vote of the remaining members of the board, and that member's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this Paragraph shall be ineligible for reappointment to the board, unless such reappointment is confirmed unanimously by the board.

(7) A vacancy on the board shall be filled in the same manner as the original appointment. In such cases a majority of the remaining board members may appoint an interim member to serve until a new member is confirmed.

(8) Board members shall serve without compensation, however the board may reimburse any member for expenses actually incurred in the performance of duties on behalf of the authority.

(9) The board shall have power to organize and reorganize the executive, administrative, clerical, and other departments and forces of the authority and to fix the duties, powers, and compensation of all employees, agents, and consultants of the authority.

(10) The board shall elect yearly from its number a chairman, a vice chairman, a secretary, and a treasurer and shall establish their duties as may be regulated by rules adopted by the board. The offices of secretary and treasurer may be held by the same person. The board shall meet in regular session once each month and also shall meet in special session as convened by the chairman or upon written notice signed by three members. A majority of the members of the board, not including vacancies, shall constitute a quorum for the conduct of business.

(11) All actions of the board shall be approved by the affirmative vote of a majority of the members of the board present and voting. However, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(a) Adoption of bylaws and other rules and regulations for conduct of the authority's business.

(b) Hiring or firing of any employee or contractor of the authority. This function may by majority vote be delegated by the board to a specified officer or committee of the authority, under such terms and conditions, and to the extent, that the board may specify.

(c) The incurring of debt.

(d) Levy of taxes and call for any tax or other election.

(e) Adoption or amendment of the annual budget.

(f) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

(12) Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the authority.

(13) The board shall cause minutes and a record to be kept of all its proceedings, and it shall select a newspaper of general circulation within its territorial jurisdiction as its official journal in which it shall publish its minutes and in which it shall publish all official notices required by law. Except as otherwise provided in this Paragraph, the authority shall be subject to the Public

Records Law, the Open Meetings Law, and the Code of Governmental Ethics. Notwithstanding the provisions of R.S. 42:5, until thirty days prior to the date the board is scheduled to consummate a final sale or lease of any immovable property owned by the authority, the board may meet in executive session to discuss negotiations between the authority and any prospective seller, purchaser, lessor or lessee of that property. R.S. 44:31 through 35 shall not apply to any records related to the negotiations of or to the terms of such a sale or lease until thirty days prior to the date the board is scheduled to consummate a final sale or lease. The board shall give written public notice of its intention to consummate a final sale or lease at least thirty days prior to the date on which the board intends to take such action. This notice shall comply with the procedural provisions of R.S. 42:7. Notwithstanding any other provision of this Part to the contrary, that portion of documents evidencing proprietary information or trade secrets of either the authority or the seller, purchaser, lessor, or lessee shall not be subject to the Public Records Law for any reason whatsoever.

H. The authority, through the board, shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this Part, including but not limited to the following:

(1) To sue and be sued and as such to stand in judgment.

(2) To adopt, use, and alter at will a corporate seal.

(3) To acquire by gift, grant, purchase, lease, or otherwise and to hold and use any property, real, personal, mixed, tangible, or intangible, or any interest therein, necessary or desirable for carrying out the objects and purposes of the authority, and to engage in any action, such as the purchase of insurance, necessary or desirable for the maintenance or improvement of such property. The authority shall not have any power to expropriate, except that power which is granted by the appropriate governing authority.

(4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of or transfer to or with other political subdivisions of this state or public or private persons at public or private sale any residential, commercial, industrial, or subdivision land, property, improvements, or portions thereof, including real property, which is, in the opinion of the board, appropriate to accomplish the objectives and purposes of the authority.

(b) Prior to any sale, lease, conveyance, disposition, or transfer of property pursuant to this Paragraph, the authority shall fix the price and terms of the sale, lease, exchange, or other contract to be made with reference to the property. Such sale, lease, conveyance, disposition, or transfer shall comply with the terms and provisions of this Part.

(c) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the Louisiana Revised Statutes of 1950, and the statutes referenced therein, shall be in accordance with laws providing for the disposition or transfer of such land.

(d) Other than the requirements of this Part, no other law limiting or regulating the form or manner of the sale, lease, conveyance, disposition, or transfer of property by public bodies, including without limitation R.S. 41:1338, shall apply to the sale, lease, conveyance, disposition, or transfer of property by the authority. All such sales, leases, conveyance, dispositions, or transfers of property remain subject to the limitations imposed by the Constitution of Louisiana.

(5) To convey to the United States, the state, or to any political subdivision of the state any land, property, right-of-way, easement, servitude, or other thing of value, which the authority may own or acquire, for use by such governmental entity to accomplish the objectives and purposes of the authority, pursuant to the terms of any appropriate cooperative endeavor agreement.

(6) To make and collect reasonable charges for the use of property of the authority and for services rendered by the authority and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the authority when such facilities are offered for use by the public or by a private industrial, commercial, research, or other economic development entity or activity.

(7) To enter into contracts and agreements with public

bodies or public and/or private entities to achieve the authority's objectives and purposes, including but not limited to contracts for professional, legal, and other services and for the purchase, lease, acquisition, sale, construction, operation, maintenance, marketing, and improvement of land, public works, and facilities, as the board may deem necessary or convenient to accomplish the objectives and purposes of the authority.

(8) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster creation of new jobs, economic development, industry, health care, general public and social welfare, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, housing development, and conservation.

(9) To acquire land and improvements to construct, operate, and maintain facilities, improvements, and infrastructure, including buildings, roads, bridges, drainage, and utilities, and to perform other functions and activities on property owned or leased by the authority to accomplish the objectives and purposes of the authority. However, the authority is prohibited from constructing, operating, or maintaining any water, electric, or gas utility facilities which duplicate, curtail, impair, or directly compete with a regulated water, electric, or gas utility facility operating in or adjacent to the property owned or leased by the authority.

(10) To require and issue licenses.

(11) To levy annually and cause to be collected ad valorem taxes, provided that the amount, term, and purpose of such taxes, as set out in propositions submitted to a vote in accordance with the Louisiana Election Code, shall be approved by a majority of the qualified electors of the parish voting in an election held for that purpose.

(12)(a) To levy and collect sales and use taxes within the boundaries of the authority for such purposes and at such rate as provided by the propositions authorizing their levy, not to exceed in aggregate one percent, which taxes may not exceed the limitation set forth in the Constitution of Louisiana, provided the proposition submitted to a vote in accordance with the Louisiana Election Code shall be approved by a majority of the qualified electors of the parish voting in an election held for that purpose. In submitting a sales tax proposition to a vote, the board may enter into a cooperative endeavor agreement with the parish governing authority providing for the sales tax to be divided into parts between the parish and the authority for such purposes and in such amounts as may be set forth in the proposition.

(b) The tax shall be levied upon the sale at retail, the use, the lease or rental, the consumption, the distribution, and storage for use or consumption of tangible personal property, and upon the sales of services within the parish, all as defined in R.S. 47:301 et seq.

(c) Except where inapplicable, the procedure established by R.S. 47:301 et seq., shall be followed in the imposition, collection, and enforcement of the tax, and procedural details necessary to supplement those Sections and to make them applicable to the tax herein authorized shall be fixed in the resolution imposing the tax.

(d) The tax shall be imposed and collected uniformly throughout the parish.

(e) Any tax levied under this Paragraph shall be in addition to all other taxes which the parish or any other political subdivision within the parish is now or hereafter authorized to levy and collect.

(13) To develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and grant a security device affecting the movable and immovable property, servitudes, facilities, and works within the parish under such terms and conditions as the board may deem necessary or appropriate for any public purpose, including industrial, residential, subdivision, and commercial development.

(14) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.

(15) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(16) To undertake and carry out redevelopment projects and related activities.

(17) To apply for and accept advances, leases, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public bodies, or from any sources, public or private, for the purposes of this Part, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the federal government such conditions imposed pursuant to federal laws as the board may deem reasonable and appropriate and which are not inconsistent with the purposes of this Part.

(18) To make or have made all surveys and plans necessary to the carrying out of the purposes of this Part and to adopt or approve, modify, and amend such plans, which plans may include but are not limited to:

(a) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

(b) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

(c) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of redevelopment projects and related activities.

(19) To develop, test, and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight, including developing and demonstrating new or improved means of providing housing or continuing care, assisted living, or independent living or other similar type housing for elderly or retired persons or other persons desiring such housing facilities.

(20) To make and from time to time amend and repeal bylaws, orders, rules, and regulations in order to effectuate the provisions of this Part.

(21) To exercise all or any part or combination of powers herein granted by this Part. However, the authority shall not be deemed to be an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

(22) To purchase property at a sale conducted pursuant to enforcement of judicial mortgages created in accordance with R.S. 13:2575(C) by tendering a bid equal to or greater than the minimum bid advertised, which bid may be a credit bid consisting of the obligation of the authority to satisfy the bid by payment to the political subdivision holding the lien being enforced in accordance with intergovernmental agreements between the authority and such political subdivision. Such a bid shall be given priority over all other bids regardless of amount.

I. (1) The authority may incur debt and issue general obligation bonds under the authority of and subject to the provisions of Article VI, Section 33 of the Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation of authority property or to carry out the other public purposes of this Part, and to issue any other bonds permitted by law, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment in accordance with law.

(2) The authority may issue revenue bonds to finance the undertaking of a redevelopment project under this Part, or otherwise to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements authorized in this Part, including energy and pollution abatement and control facilities and necessary property and appurtenances thereto; and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate contract to any enterprise locating or existing within the jurisdiction of an authority such sites, buildings, or facilities and appurtenances thereto, all or severally. The funds derived from the sale of such bonds may be disbursed in whole or in part

upon delivery of the bonds as shall be provided in the contract between an authority and the residential, commercial, research, industrial, or other enterprise to be aided, encouraged, or benefitted subject to the requirements of Paragraph (L)(2) of this Section.

(3) The issuing authority may enter into, amend, or terminate, as it determines to be necessary or appropriate, any ancillary contracts (a) to facilitate the issuance, sale, resale, purchase, repurchase, or payments of bonds, including without limitation bond insurance, letters of credit, and liquidity facilities, or (b) to attempt to hedge risk or achieve a desirable effective interest rate or cash flow, all subject to the approval of the State Bond Commission.

(4) Bonds issued under Paragraph (2) of this Subsection shall be authorized by resolution of the board and shall be limited obligations of the issuing authority; the principal and interest, costs of issuance, and other costs incidental thereto shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the project or facility to be financed by the bonds issued under this Subsection, or from the income and revenue derived from the sale, lease, or other disposition of any existing project or facility acquired, constructed, and improved under the provision of this Subsection, or from any source available for such purpose. However, in the discretion of the issuing authority, the bonds may be additionally secured by mortgage or other security device covering all or part of the project from which the revenues so pledged may be derived. Any refunding bonds issued pursuant to this Subsection shall be payable from any source described above or from the investment of any of the proceeds of the refunding bonds authorized under this Subsection and shall not constitute an indebtedness or pledge of the general credit of the parish or municipality, as appropriate, or the authority within the meaning of any constitutional or statutory limitation of indebtedness and shall contain a recital to that effect. Bonds of the authority issued under this Subsection shall be issued in such form, shall be in such denominations, shall bear interest, shall mature in such manner, and be executed by one or more members of the board as provided in the resolution authorizing the issuance thereof. Such bonds may be subject to redemption at the option of and in the manner determined by the board in the resolution authorizing the issuance thereof.

(5) No bonds or other evidences of indebtedness may be issued under this Subsection without the prior approval of the State Bond Commission of the terms and provisions thereof.

(6) Bonds issued under this Subsection shall be issued, sold, and delivered in accordance with the terms and provisions of a resolution adopted by the board. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the authority, subject to the approval of the State Bond Commission. The resolution issuing bonds shall be published in a newspaper of general circulation within the jurisdiction of the authority, and for a period of thirty days after said publication, any interested citizen may bring an action to contest the bonds and the security therefor, as provided in the Constitution of Louisiana. If, after the expiration of thirty days, no suit has been filed, the issuance, sale, and security of the bonds shall be incontestable, and no court shall have authority to entertain any action questioning or contesting such matters.

(7) Bonds issued by the authority under this Part are deemed to be securities of public entities within the meaning of Chapters 13 and 13-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in accordance with the provisions of Chapter 14 of Title 39 of Subtitle III of the Louisiana Revised Statutes of 1950, shall be subject to the refunding provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as short-term revenue notes of a public entity under Chapter 15-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950.

(8) No bonds, other debt obligations, or contracts of the authority shall be a charge upon the income, property, or

revenue of the parish or municipality, as appropriate, nor shall any obligations of the authority be the obligations of the applicable parish or municipality.

(9) Any bonds issued by the authority shall be subject to the Bond Validation Law (R.S. 13:5121), pursuant to which the issuance of the bonds may be submitted to the courts for validation.

J. (1) The exercise by a board of the powers conferred by virtue of this Part shall be deemed and held to be an essential governmental function of the state and parish. As the exercise of the powers granted by this Part will be in all respects for the benefit of the people of the state and parish, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, the authority shall not be required to pay any taxes, including but not limited to sales and use taxes, ad valorem, occupational licensing, income, or any other taxes of any kind or nature, or fees or assessments upon any property held, acquired or used by the authority under the provisions of this Part, or upon the income therefrom. Any bonds, certificates, or other evidences of indebtedness issued by the authority and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state. The authority shall not be deemed to be a public utility and shall not be subject in any respect to the authority, control, regulation, or supervision of the Louisiana Public Service Commission.

(2) All property of the authority, including funds owned or held by it for the purpose of this Part, shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same, nor shall judgment against the parish or authority be a charge or lien upon such property. However, the provisions of this Subsection shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this Part by the authority on its rents, fees, grants, or revenues.

K. (1) The authority may purchase adjudicated properties within their respective territorial jurisdictions from any political subdivision of the state of Louisiana. No such purchase shall be construed to, or otherwise have the effect of, extending or suspending the period prescribed by law for the redemption of the property by the tax debtor or any other person.

(2) Such purchases by the authority may be in the manner provided for in Chapter 13-A of this Title, or by a direct negotiated purchase and sale agreement between the authority and a political subdivision without any other requirement of a public sale prior to the transfer of such properties to the authority. Such purchases by the authority shall not be considered the sale of surplus property or of property owned by the political subdivision.

(3) Effective upon the recordation of the transfer of an adjudicated property to the authority pursuant to a purchase and sale agreement, the rights of the authority in and to such property shall be the rights of a purchaser at a tax sale as contemplated by R.S. 47:2183, subject only to the rights of redemption of the property set forth in Article VII, Section 25(B) of the Constitution of Louisiana, and the property shall no longer be deemed to be adjudicated property as of such recordation. For purposes of the right of redemption in Article VII, Sec. 25(B) of the Constitution of Louisiana the three year period commences on the date of the recordation of the initial adjudication to the political subdivision and not on the date of transfer to the authority.

(4) Any such purchase and sale agreement shall set forth the total consideration to be paid by the authority and the method and timing of payment of such consideration by the authority.

(5) The state and any political subdivision with liens on the property may, pursuant to intergovernmental agreements with the authority, cancel such liens contemporaneously with or subject to the transfer of the property to the authority.

(6)(a) The authority shall have the right, subject to the provisions of this Section, to purchase properties at tax sales conducted in accordance with R.S. 47:2183, and any and all such purchases shall be a purchase pursuant to R.S. 47:2183 and not an adjudication to a political subdivision.

(b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale which is a credit bid, consisting of the obligation of the authority to satisfy the component parts of the bid by payments to the respective political subdivisions and taxing entities in accordance with intergovernmental agreements between the authority and such political subdivisions and taxing entities.

(c) A bid by the authority at a tax sale for the minimum amount shall take priority over all other bids for the same quantity of property.

L. (1) The authority shall have the power to create and execute redevelopment plans for specified areas within its territorial jurisdiction. The implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. In the execution of such a redevelopment plan, the authority shall have the powers provided in this Subsection. The fact that a certain power is expressed or implied in this Paragraph as pertinent to the authority's execution of a redevelopment plan shall not suggest or imply that such power is otherwise denied to the authority.

(2) A redevelopment plan shall include a definition of the redevelopment area. Except as provided in Part II of this Chapter, this area, or any part thereof, may be further designated as a subdistrict of the authority.

(3) The authority may sell, lease, exchange, or otherwise transfer real property or any interest therein acquired by it for residential, recreational, commercial, industrial, or other uses or for public use, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in carrying out the purposes of this Part. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses as the authority may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property. Such real property or interest shall be sold, leased, or otherwise transferred at not less than its fair value for uses in accordance with the redevelopment plan. In determining the fair value of real property for uses, the authority shall take into account and give consideration to the use provided in such plan; the restrictions upon and the covenants, conditions, and obligations assumed by the purchaser or lessee; and the objectives of such plan. The authority, in any instrument of conveyance to a private purchaser or lessee, may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property without the prior written consent of the authority until such purchaser or lessee has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired in accordance with the provisions of the redevelopment plan shall be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the project plan. Such plan and any substantial modification of such plan shall be filed as a public record in the office of the clerk of the parish, and any conveyances, encumbrances, or other contracts may incorporate the provisions thereof by reference which shall afford notice thereof to all parties.

(4) The authority may dispose of, sell, exchange, or lease real property in a redevelopment area to any private person for the fair market value of the property as determined by a certified and competent appraiser, or to any private person pursuant to reasonable competitive bidding procedures as it shall prescribe subject to the provisions set forth in this Paragraph. Such reasonable bidding procedures must include public notice, by publication once each week for two consecutive weeks in a newspaper having a general circulation in the community, inviting proposals from and making available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a redevelopment area or any part thereof. Such notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those in interest within thirty days after publication of such notice, and

that such further information as is available may be obtained at such office as shall be designated in the notice. The board shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the authority in the redevelopment area. The board may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this Part. Such notice, and all contracts to sell, lease, or otherwise transfer real property under the provisions of this Part, shall be a public record and shall include the name of the redeveloper or purchaser, together with the names of its officers and principal members or shareholders and investors and other interested parties, the redeveloper's estimate of the cost of any residential development and rehabilitations, and the redeveloper's estimate of rentals and sales prices of any proposed housing involved in such redevelopment and rehabilitation. Thereafter, the board may execute such contract in accordance with the provisions of this Part and deliver acts of sale, leases, and other instruments and take all steps necessary to effectuate such contract.

(5) The authority may temporarily operate, maintain, or lease real property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property as authorized in this Part for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

(6) Any real property within a redevelopment area acquired pursuant to Subsection K of this Section may be disposed of without regard to the other provisions of this Part. Real property acquired in accordance with the redevelopment plan may be disposed of to a public body for public reuse without regard to the provisions of this Subsection.

(7) Notwithstanding any other provisions of this Part, where an area within the territorial jurisdiction of the authority is designated as a redevelopment area under the Federal Area Redevelopment Act (Public Law 87-27), or any Act supplementary thereto, land in a redevelopment project area designated under the redevelopment plan for industrial or commercial uses may be disposed of to any public body or nonprofit corporation for subsequent disposition as promptly as practical by the public body or corporation for redevelopment in accordance with the redevelopment plan, and only the purchaser from or lessee of the public body or corporation, and their assignees, shall be required to assume the obligation of beginning the building of improvements within a reasonable time. Any disposition of land to a public body or corporation under this Paragraph shall be at its fair value for uses in accordance with the redevelopment plan.

M. (1) Except as provided in Part II of this Chapter, the authority may, in the implementation of a redevelopment plan, create one or more subdistricts to conduct, oversee, or assist in the implementation of such redevelopment plan. The boundaries of such a subdistrict may include all or part of the redevelopment area. Such a subdistrict shall have and exercise such powers and responsibilities as the authority shall specify in the enabling resolution. The full extent of such powers and responsibilities may include such powers as the authority itself may exercise, and such other powers as are given to the subdistrict by this Paragraph or any other law, but any exercise of such powers by the subdistrict shall be confined solely to the geographical limits of the subdistrict. Such a subdistrict may be established to exist at the pleasure of the authority, or for any period of time, or until the happening of any occurrence or occurrences, that the authority may specify.

(2) The creation of a subdistrict shall in no instance result in the detachment, severance, or loss of any power or responsibility granted to the authority by this Part, and within the confines of any subdistrict, the authority shall have full jurisdiction, concurrent with that of the subdistrict, to exercise said powers and responsibilities. The fact that a certain power is expressed or implied in this Paragraph as pertinent to a subdistrict's conduct, overseeing, or assistance in the implementation of the redevelopment plan shall not suggest or imply that such power is

otherwise denied to the authority. However, the authority and its subdistricts shall not, collectively, have any greater power to tax than that granted, in the first instance, to the authority alone.

(3) Unless otherwise specified in the resolution or other formal act creating the subdistrict, the board members of the authority shall constitute the governing authority of the subdistrict.

(4) Unless otherwise specified in the resolution or other formal act creating the subdistrict, the subdistrict shall be a distinct and separate juridical entity, and the rights, interests, and liabilities of the subdistrict shall not under any circumstances be considered those of the authority.

(5)(a) In addition to the other powers it may be granted, a subdistrict may enjoy, within its geographical boundaries, the powers of tax increment financing, the issuance of revenue bonds, and those other powers that may be exercised by an economic development district created by a local governmental subdivision pursuant to R.S. 33:9038.32. However, the subdistrict shall remain subject to all limitations and reservations applicable to the powers of the authority.

(b) Prior to the dedication of any state sales tax increments to be used for an authorized purpose of a subdistrict, the secretary of the Department of Economic Development shall submit the proposal to the Joint Legislative Committee on the Budget for approval. The submittal shall also include a written evaluation and determination by the department, with input from and certification by the Department of Revenue, of the anticipated increase in state sales tax revenues to be collected within the state over state sales tax revenues that were collected within the state in the year immediately prior to the year in which the proposal is submitted to the committee that would be a direct result of the proposal. In addition, any cooperative endeavor agreement or other agreement providing for the expenditure of funds collected by the state as state sales tax increments and dedicated to a project or for the payment of revenue bonds therefor shall be subject to approval by the State Bond Commission prior to execution by the state.

N. All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the authority pursuant to this Part. Bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this Subsection to authorize any public or private persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any bonds or other obligations. Nothing contained in this Subsection with regard to legal investments shall be construed as relieving any persons of any duty of exercising reasonable care in selecting securities.

O. For the purpose of aiding in the planning, undertaking, or carrying out of a redevelopment project and related activities authorized by this Part, any public body may, upon such terms, with or without consideration as it may determine:

(1) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to the authority.

(2) Incur the entire expense of any public improvements made by such public body.

(3) Do any and all things necessary to aid or cooperate in the planning or carrying out of a redevelopment plan and related activities.

(4) Lend, grant, or contribute funds to an authority in accordance with an appropriate cooperative endeavor agreement and borrow money and apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public body, or from any other source.

(5) Enter into agreements which may extend over any period notwithstanding any provision or rule of law to the contrary with the federal government or other public body respecting action to be taken pursuant to any of the powers granted by this Part, including the furnishing of funds or other assistance in connection with a redevelopment project and related activities.

(6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone, or make exceptions from building regulations.

P. Any instrument executed, in proper form and with proper certification of authority, by the authority purporting to convey any right, title, or interest in any property under this Part shall be conclusively presumed to have been executed in compliance with provisions of this Part insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Q. As used in this Part, the following terms shall have the meaning herein ascribed to them:

(1) "Appropriate governing authority" shall mean the governing authority of the parish.

(2) "Appropriate jurisdiction" shall mean the parish.

(3) "Bonds" means any bonds, notes, interim certificates, certificates of indebtedness, debenture, or other obligation.

(4) "Federal government" means any department, agency, or instrumentality, corporate or otherwise, of the United States of America.

(5) "Parish" means each parish with a population of not less than one hundred eighty-five thousand persons and not more than one hundred ninety-one thousand persons, according to the latest federal decennial census.

(6) "Public body" means the state and any parish and any board, authority, agency, district, subdivision, department, or instrumentality, corporate or otherwise, of the state or any parish.

(7) "Real property" means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right, or use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

R. Insofar as the provisions of this Part are inconsistent with the provisions of any other law, the provisions of this Part shall be controlling. However, the authority shall be subject to the provisions of the Local Government Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Part shall be in addition and supplemental to the powers conferred by any other law.

S.(1) In addition to the powers granted to the authority pursuant to this Part, the authority may initiate an expedited quiet title and foreclosure action under this Subsection to quiet title to real property held by the authority, interests in property purchased by the authority at tax sales, or in formerly adjudicated properties acquired by the authority from a political subdivision, by recording with the register of conveyances a notice of pending expedited quiet title and foreclosure action. The notice shall include a legal description of the property; the street address of the property if available; the name, address, and telephone number of the authority; a statement that the property is subject to expedited quiet title proceedings and foreclosure under this Section; and a statement that any legal interests in the property may be extinguished by a district court order vesting title to the property in the authority. The right of redemption from tax sales in Article VII, Section 25(B) of the Constitution of Louisiana shall be terminated by these proceedings only if the time period for expiration of the right of redemption has expired. If a notice is recorded in error, the authority may correct the error by recording a certificate of correction with the register of conveyances. A notice or certificate under this Subsection need not be notarized and may be authenticated by a digital signature

or other electronic means. If an authority has reason to believe that a property subject to an expedited quiet title and foreclosure action under this Subsection may be the site of environmental contamination, the authority shall provide the Department of Environmental Quality with any information in the possession of the authority that suggests the property may be the site of environmental contamination.

(2) After recording the notice under Paragraph (1) of this Subsection, the authority shall initiate a search of records identified in this Paragraph to identify the owners of a property interest in the property who are entitled to notice of the quiet title and foreclosure hearing under this Subsection. The authority may enter into a contract with or may request from one or more authorized representatives a title search or other title product to identify the owners of a property interest in the property as required under this Paragraph or to perform the other functions set forth in this Subsection required for the quieting of title to property under this Paragraph. The owner of a property interest is entitled to notice under this Section if that owner's interest was identifiable by reference to any of the following sources before the date that the authority records the notice under Paragraph (1) of this Subsection:

(a) Land title records in the office of the recorder of mortgages and the register of conveyances.

(b) Tax records in the office of the assessor.

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

(4) The district court in which a petition is filed under Paragraph (3) of this Subsection, shall immediately set the date, time, and place for a hearing on the petition for foreclosure. The date shall be set by the court and shall not be more than ten days after the date requested by the authority in the petition. In no event may the court schedule the hearing later than ninety days after the filing of a petition by the authority under Paragraph (3) of this Subsection.

(5) After completing the records search under Paragraph (2) of this Subsection, the authority shall determine the address or addresses reasonably calculated to inform those owners of a property interest in property subject to expedited foreclosure under this Paragraph of the pendency of the quiet title and foreclosure hearing under Paragraph (1) of this Subsection. If, after conducting the title search, the authority is unable to determine an address reasonably calculated to inform persons with a property interest in property subject to expedited tax foreclosure, or if the authority discovers a deficiency in notice under Paragraph (10) of this Subsection, the following shall be considered reasonable steps by the authority to ascertain the addresses of persons with a property interest in the property subject to expedited foreclosure or to ascertain an address necessary to correct a deficiency in notice under Paragraph (10) of this Subsection:

(a) For an individual, a search of records of the recorder of mortgages and the register of conveyances.

(b) For a business entity a search of business entity records filed with the commercial division of the Department of State.

(6) Not less than thirty days before the quiet title and foreclosure hearing under Paragraph (1) of this Subsection, the authority shall send notice by certified mail, return receipt requested, of the hearing to the persons identified under Paragraph (4) of this Subsection with a property interest in

property subject to expedited foreclosure. The authority shall also send a notice via regular mail addressed to the "Occupant" for each property subject to expedited foreclosure if an address for the property is ascertainable.

(7)Not less than thirty days before the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, the authority or its authorized representative or authorized agent shall visit each parcel of property subject to expedited foreclosure and post conspicuously on the property notice of the hearing. In addition to the requirements of Paragraph (8) of this Subsection, the notice shall also include the following statement: "This Property has been transferred to the Parish Redevelopment Authority and is subject to an expedited quiet title and foreclosure action. Persons with information regarding the prior owner of the property are requested to contact the Parish Redevelopment Authority."

(8)The notice required under Paragraphs (6) and (7) of this Subsection shall include:

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

(b) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the quiet title and foreclosure hearing under Paragraph (1) of this Subsection.

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

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

(e) The date and time of the hearing on the petition for foreclosure under Paragraph (1) of this Subsection, and a statement that the judgment of the court may result in title to the property vesting in the authority.

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

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

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

(9)If the authority is unable to ascertain the address reasonably calculated to inform the owners of a property interest entitled to notice under this Section, or is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the authority shall provide notice by publication. Prior to the hearing, a notice shall be published for three successive weeks, once each week, in the official newspaper published and circulated in the parish. The published notice shall include all of the following:

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

(b) The name of any person not notified under Paragraphs (6) and (7) of this Subsection, that the authority reasonably believes may be entitled to notice under this Section of the quiet title and foreclosure hearing under Paragraph (11) of this Subsection.

(c) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the foreclosure proceeding under Paragraph (11) of this Subsection.

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

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

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

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

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

(10)If prior to the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, the authority discovers any deficiency in the provision of notice under this Section, the authority shall take reasonable steps in good faith to correct the

deficiency before the hearing. The provisions of this Subsection relating to notice of the quiet title and foreclosure hearing are exclusive and exhaustive. Other requirements relating to notice and proof of service under other law, rule, or other legal requirement are not applicable to notice or proof of service under this Subsection.

(11)If a petition for expedited quiet title and foreclosure is filed under Paragraph (3) of this Subsection, before the hearing, the authority shall file with the clerk of the district court proof of notice by certified mail under Paragraph (5) of this Subsection, proof of notice by posting on the property under Paragraph (6) of this Subsection, and proof of notice by publication, if applicable. A person claiming an interest in a parcel of property set forth in the petition for foreclosure who desires to contest that petition shall file written objections with the clerk of the district court and serve those objections on the authority before the date of the hearing. The district court may appoint and utilize as the court considers necessary a curator for assistance with the resolution of any objections to the foreclosure or questions regarding the title to property subject to foreclosure. If the court withholds property from foreclosure, the authority's ability to include the property in a subsequent petition for expedited quiet title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited quiet title and foreclosure action under this Subsection. The district court shall enter judgment on a petition to quiet title and foreclosure filed under Paragraph (3) of this Subsection, not more than ten days after the conclusion of the hearing or contested case, and the judgment shall be effective ten days after the conclusion of the hearing or contested case. The district court's judgment shall specify all of the following:

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

(b) That title to property foreclosed by the judgment is vested absolutely in the authority, except as otherwise provided in Paragraphs (3) and (5) of this Subsection, without any further rights of redemption.

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

(d) That, except as otherwise provided in Subparagraph (e) of this Paragraph, the authority has good and marketable title to the property.

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

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

(i) The person had constructive notice of the hearing by acquiring an interest in the property after the date of the recording under Paragraph (1) of this Subsection, of the notice of pending expedited quiet title and foreclosure action.

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

(iii) Prior to the hearing under this Subparagraph, the person had actual notice of the hearing.

(12)Except as otherwise provided in Subparagraph (11)(e) of this Subsection, title to property set forth in a petition for foreclosure filed under Paragraph (3) of this Subsection shall vest absolutely in the authority upon the effective date of the judgment by the district court and the authority shall have absolute title to the property. The authority's title is not subject to any recorded or unrecorded lien, except as provided in Paragraph(11) of this Subsection and shall not be stayed or held invalid except as provided in Paragraph (13) of this Subsection. A judgment entered under this Subsection is a final order with respect to the property affected by the judgment and shall not be

modified, stayed, or held invalid after the effective date of the judgment, except as provided in Paragraph (13) of this Subsection.

(13) The authority or a person claiming to have a property interest under Paragraph (2) of this Subsection, in property foreclosed under this Subsection may, within twenty-one days of the effective date of the judgment under Paragraph (12) of this Subsection, appeal the district court's order or the district court's judgment foreclosing property to the court of appeals. An appeal under this Paragraph is limited to the record of the proceedings in the district court under this Subsection. The district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment. If an appeal under this Paragraph stays the district court's judgment foreclosing property, the district court's judgment is stayed only as to the property that is the subject of that appeal and the district court's judgment foreclosing other property that is not the subject of that appeal is not stayed. To appeal the district court's judgment foreclosing property, a person appealing the judgment shall pay to the authority any taxes, interest, penalties, and fees due on the property and provide notice of the appeal to the authority within twenty-one days after the district court's judgment is effective. If the district court's judgment foreclosing the property is affirmed on appeal, the amount determined to be due shall be refunded to the person who appealed the judgment. If the district court's judgment foreclosing the property is reversed or modified on appeal, the authority shall refund the amount determined to be due to the person who appealed the judgment, if any, and forward the balance to the appropriate taxing jurisdictions in accordance with the order of the court of appeals.

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

(a) The description of the property used in the expedited quiet title and foreclosure proceeding was so indefinite or erroneous that the foreclosure of the property was void.

(b) An owner of an interest in the property entitled to notice of the expedited quiet title and proceedings against the property under this Subsection was not provided notice sufficient to satisfy the minimum due process requirements of the constitution of this state and the constitution of the United States.

(c) A judgment of foreclosure was entered under this Subsection in violation of an order issued by a United States bankruptcy court.

(15) If a judgment of foreclosure is entered under Paragraph (12) of this Subsection, and all existing recorded and unrecorded interests in a parcel of property are extinguished as provided in Subsection L of this Section, the owner of any extinguished recorded or unrecorded interest in that property who claims that he or she did not receive notice of the expedited quiet title and foreclosure action shall not bring an action for possession of the property against any subsequent owner, but may only bring an action to recover monetary damages from the authority as provided in this Subsection. The district court has original and exclusive jurisdiction in any action to recover monetary damages under this Paragraph. An action to recover monetary damages under this Subsection shall not be brought more than two years after a judgment for foreclosure is entered under Paragraph (12) of this Subsection. Any monetary damages recoverable under this Subsection shall be determined as of the date a judgment for foreclosure is entered under Paragraph (12) of this Subsection and shall not exceed the fair market value of the interest in the property held by the person bringing the action under this Subsection on that date, less any taxes, interest, penalties, and

fees owed on the property as of that date. The right to sue for monetary damages under this Subsection shall not be transferable except by testate or intestate succession.

(16) The owner of a property interest with notice of the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, may not assert any of the following:

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

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

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

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

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

(20) As used in this Subsection, "authorized representative" includes one or more of the following:

(a) A title insurance company or agent licensed to conduct business in this state.

(b) An attorney licensed to practice law in this state.

(c) A person accredited in land title search procedures by a nationally recognized organization in the field of land title searching.

(d) A person with demonstrated experience in the field of searching land title records, as determined by the authority.

(21) As used in this Subsection, "district court" shall mean the district court for the parish.

PART II. NORTH LAFAYETTE AND DOWNTOWN REDEVELOPMENT AUTHORITY

§4720.161. North Lafayette and Downtown Redevelopment Authority

A. This Part may be referred to as the "North Lafayette and Downtown Redevelopment Law."

B. It is hereby found and declared that:

(1) There exists in the city of Lafayette areas which have become slums, blighted, and distressed because of the unsafe, unsanitary, inadequate, or overcrowded condition of the structures therein, or because of inadequate planning for the area, or because of physically or functionally obsolete structures, or because of excessive dwelling unit density, or because of the lack of proper light and air and open space, or because of faulty street or lot design, or inadequate public utilities, or community services, or because of failure to adequately maintain and repair structures, or because of the conversion to incompatible types of land usage, or because of environmental conditions and circumstances. Such conditions or a combination of some or all of them have and will continue to result in making such areas economic and social liabilities.

(2) In the wake of hurricanes Katrina and Rita, the resident population of the city of Lafayette in particular has increased dramatically, creating an urgent and immediate need for affordable residential housing. Persons displaced by hurricanes Katrina and Rita should be assisted, should they so desire, in obtaining long-term or permanent housing in the city.

(3) The prevention and elimination of slum, blighted, and

distressed properties are matters of public policy and concern, as such areas tend to consume a disproportionate amount of city revenues because of the extra services required for police, fire, accident, and other forms of public protection, services, and facilities.

(4) The salvage, renewal, redevelopment, and reconstruction of such slum, blighted, and distressed areas will promote the public health, safety, morals, and welfare of the public.

(5) The powers conferred by this Part are for public uses, purposes, welfare, and utility for which public money may be expended as necessary and in the public's interest. The provisions herein provided shall apply for residential, recreational, commercial, industrial, or other purposes and otherwise to encourage the provision of healthful homes, safe neighborhoods, a decent living environment, and adequate places of employment for the people. Such purposes are hereby declared as a matter of legislative determination.

(6) The object of this Part is to provide for the following:

(a) A unified and comprehensive response to the housing shortages and other indirect effects of Hurricane Katrina and Hurricane Rita upon the city of Lafayette.

(b) The general and economic welfare of the city through housing, commercial, office, hospitality, recreation, education, infrastructure and utility capacity, manufacturing, industrial, research, retail or other activities which will create or retain jobs, maintain or diversify industry, including new or emerging technologies, or maintain or increase the tax base.

(c) The improvement of conditions of deteriorated physical development, slow economic growth, and eroded financial health of the public and private sectors.

(d) The control, abatement, and prevention of pollution to protect public health and safety, and the development and use of indigenous and renewable energy resources.

(e) Assistance to nonprofit and governmental entities in support of health, educational, charitable, community, cultural, agricultural, consumer or other services benefitting the citizens.

C. (1) There is hereby created in the city a body politic and corporate which shall exist in perpetuity and shall be known as the North Lafayette and Downtown Redevelopment Authority, referred to in this Part as the "authority."

(2) The authority shall be a special district created pursuant to Article VI, Section 19 of the Constitution of Louisiana and political subdivision of the state as defined in Article VI, Section 44 of the Constitution of Louisiana. The authority, acting through its governing board, is hereby granted all of the rights, powers, privileges, and immunities accorded by the laws and the Constitution of Louisiana to political subdivisions of the state, subject to the limitations provided in this Part.

D. The authority, for the purposes of this Part, may within its jurisdiction, formulate a workable program or programs for using appropriate private and public resources to achieve the purposes identified in Paragraph (B)(6) of this Section.

E. The authority, to the greatest extent it determines to be feasible in carrying out the provisions of this Part, shall seek out cooperative endeavors, including partnerships, joint ventures, and equity participation structures, with nonprofit and private enterprise. The authority shall give consideration to this objective in exercising the powers granted pursuant to this Part.

F. (1) The North Lafayette and Downtown Redevelopment Authority shall be comprised of Councilmanic Districts 3 and 4 of the city of Lafayette as geographically drawn on the effective date of this Part.

(2) The authority shall be activated and implemented by the appropriate governing authority recognizing and confirming the appointment of the initial members of the board.

G. (1)(a) The North Lafayette and Downtown Redevelopment Authority shall be governed by a board of commissioners, referred to in this Part as the "board," comprised of nine citizens, of which the seven appointed members shall be qualified electors of the city as follows:

(i) Three commissioners shall be appointed by the Louisiana state senator representing Senate District 24 or in case of reapportionment, the state senator representing the majority of the northern portion of the city.

(ii) Two commissioners shall be appointed by the Louisiana state representative representing House District 44 or in case of reapportionment, the state representative representing the majority of the northern portion of the city.

(iii) One commissioner shall be appointed by the councilperson representing Council District 3 of the Lafayette City-Parish Council.

(iv) One commissioner shall be appointed by the councilperson representing Council District 4 of the Lafayette City-Parish Council.

(v) One commissioner shall be the director for the Department of Community Development of the Lafayette Consolidated Government.

(vi) One commissioner shall be the superintendent of the Lafayette Parish School Board or his designee.

(b) The elected officials referred to above shall meet within thirty days of the effective date of this legislation and shall appoint the commissioners as prescribed above. Of the seven commissioners to be appointed by the elected officials, one commissioner shall be a member of the Greater Lafayette Chamber of Commerce, one shall be a member of the Greater Southwest Louisiana Black Chamber of Commerce, one commissioner shall be a member of a citizen's neighborhood association, one commissioner shall be an attorney with seven years or more of legal experience in land and title issues, one commissioner shall be an accountant, one commissioner shall be a representative of the banking industry and one commissioner shall be a representative of the real estate industry.

(c) Appointment of a commissioner at the expiration of the term of an appointed commissioner, or appointment of a commissioner to fill the unexpired term of a position vacated by a commissioner, shall be made by the elected official who appointed the commissioner whose term expired.

(d) A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the city-parish council for Lafayette Parish, and such certificate shall be conclusive evidence of the proper appointment of such commissioner.

(2) The commissioners who are first appointed shall serve for terms as follows: one for one year, one for two years, one for three years, two for four years, and two for five years, respectively, from the date of their appointment as shall be specified at the time of their appointment the respective terms to be determined by lot. Thereafter the term of office shall be five years. A commissioner shall hold office until his successor has been appointed and qualified.

(3) Each board member shall be a citizen of the United States, a domiciliary of and a qualified voter in the appropriate jurisdiction for at least one year preceding the date of appointment, and shall remain a domiciliary of and a qualified voter of such jurisdiction during the entirety of the term of office. Furthermore, each board member shall be of good character and shall possess some skill, knowledge, or experience that will prove useful in the accomplishment of the goals of the authority as set forth in Subsection B of this Section.

(4) The board shall establish rules and requirements relative to the attendance and participation of members in its meetings, regular or special. Such rules and regulations may prescribe a procedure whereby, should any member fail to comply with such rules and regulations, such member may be disqualified and removed automatically from office by no less than a majority vote of the remaining members of the board, and that member's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this Paragraph shall be ineligible for reappointment to the board, unless such reappointment is confirmed unanimously by the board.

(5) A vacancy on the board shall be filled in the same manner as the original appointment. In such cases a majority of the remaining board members may appoint an interim member to serve until a new member is confirmed.

(6) Board members shall serve without compensation,

however the board may reimburse any member for expenses actually incurred in the performance of duties on behalf of the authority.

(7) The board shall have power to organize and reorganize the executive, administrative, clerical, and other departments and forces of the authority and to fix the duties, powers, and compensation of all employees, agents, and consultants of the authority.

(8) The board shall elect yearly from its number a chairman, a vice chairman, a secretary, and a treasurer and shall establish their duties as may be regulated by rules adopted by the board. The offices of secretary and treasurer may be held by the same person. The board shall meet in regular session once each month and also shall meet in special session as convened by the chairman or upon written notice signed by three members. A majority of the members of the board, not including vacancies, shall constitute a quorum for the conduct of business.

(9) All actions of the board shall be approved by the affirmative vote of a majority of the members of the board present and voting. However, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(a) Adoption of bylaws and other rules and regulations for conduct of the authority's business.

(b) Hiring or firing of any employee or contractor of the authority. This function may by majority vote be delegated to the board to a specified officer or committee of the authority, under such terms and conditions, and to the extent, that the board may specify.

(c) The incurring of debt.

(d) Levy of taxes and call for any tax or other election.

(e) Adoption or amendment of the annual budget.

(f) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

(10) Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the authority.

(11) The board shall cause minutes and a record to be kept of all its proceedings, and it shall select a newspaper of general circulation within its territorial jurisdiction as its official journal in which it shall publish its minutes and in which it shall publish all official notices required by law. Except as otherwise provided in this Paragraph, the authority shall be subject to the Public Records Law, the Open Meetings Law, and the Code of Governmental Ethics. Notwithstanding the provisions of R.S. 42:5, until thirty days prior to the date the board is scheduled to consummate a final sale or lease of any immovable property owned by the authority, the board may meet in executive session to discuss negotiations between the authority and any prospective seller, purchaser, lessor or lessee of that property. R.S. 44:31 through 35 shall not apply to any records related to the negotiations of or to the terms of such a sale or lease until thirty days prior to the date the board is scheduled to consummate a final sale or lease. The board shall give written public notice of its intention to consummate a final sale or lease at least thirty days prior to the date on which the board intends to take such action. This notice shall comply with the procedural provisions of R.S. 42:7. Notwithstanding any other provision of this Part to the contrary, that portion of documents evidencing proprietary information or trade secrets of either the authority or the seller, purchaser, lessor, or lessee shall not be subject to the Public Records Law for any reason whatsoever.

H. The authority, through the board, shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this Part, including but not limited to the following:

(1) To sue and be sued and as such to stand in judgment.

(2) To adopt, use, and alter at will a corporate seal.

(3) To acquire by gift, grant, purchase, lease, or otherwise and to hold and use any property, real, personal, mixed, tangible, or intangible, or any interest therein, necessary or desirable for carrying out the objects and purposes of the authority, and to engage in any action, such as the purchase of insurance,

necessary or desirable for the maintenance or improvement of such property. The authority shall not have any power to expropriate, except that power which is granted by the appropriate governing authority.

(4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of or transfer to or with other political subdivisions of this state or public or private persons at public or private sale any residential, commercial, industrial, or subdivision land, property, improvements, or portions thereof, including real property, which is, in the opinion of the board, appropriate to accomplish the objectives and purposes of the authority.

(b) Prior to any sale, lease, conveyance, disposition, or transfer of property pursuant to this Paragraph, the authority shall fix the price and terms of the sale, lease, exchange, or other contract to be made with reference to the property. Such sale, lease, conveyance, disposition, or transfer shall comply with the terms and provisions of this Part.

(c) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the Louisiana Revised Statutes of 1950 and the statutes referenced therein, shall be in accordance with laws providing for the disposition or transfer of such land.

(d) Other than the requirements of this Part, no other law limiting or regulating the form or manner of the sale, lease, conveyance, disposition, or transfer of property by public bodies, including without limitation R.S. 41:1338, shall apply to the sale, lease, conveyance, disposition, or transfer of property by the authority. All such sales, leases, conveyance, dispositions, or transfers of property remain subject to the limitations imposed by the Constitution of Louisiana.

(5) To convey to the United States, the state, or to any political subdivision of the state any land, property, right-of-way, easement, servitude, or other thing of value, which the authority may own or acquire, for use by such governmental entity to accomplish the objectives and purposes of the authority, pursuant to the terms of any appropriate cooperative endeavor agreement.

(6) To make and collect reasonable charges for the use of property of the authority and for services rendered by the authority and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the authority when such facilities are offered for use by the public or by a private industrial, commercial, research, or other economic development entity or activity.

(7) To enter into contracts and agreements with public bodies or public and/or private entities to achieve the authority's objectives and purposes, including but not limited to contracts for professional, legal, and other services and for the purchase, lease, acquisition, sale, construction, operation, maintenance, marketing, and improvement of land, public works, and facilities, as the board may deem necessary or convenient to accomplish the objectives and purposes of the authority.

(8) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster creation of new jobs, economic development, industry, health care, general public and social welfare, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, housing development, and conservation.

(9) To acquire land and improvements to construct, operate, and maintain facilities, improvements, and infrastructure, including buildings, roads, bridges, drainage, and utilities, and to perform other functions and activities on property owned or leased by the authority to accomplish the objectives and purposes of the authority. However, the authority is prohibited from constructing, operating, or maintaining any water, electric, or gas utility facilities which duplicate, curtail, impair, or directly compete with a regulated water, electric, or gas utility facility operating in or adjacent to the property owned or leased by the authority.

(10) To require and issue licenses.

(11) To levy annually and cause to be collected ad valorem taxes, provided that the amount, term, and purpose of such taxes, as set out in propositions submitted to a vote in accordance with

the Louisiana Election Code, shall be approved by a majority of the qualified electors of the jurisdiction of the authority voting in an election held for that purpose.

(12)(a) To levy and collect sales and use taxes within the boundaries of the authority for such purposes and at such rate as provided by the propositions authorizing their levy, not to exceed in aggregate one percent, which taxes may not exceed the limitation set forth in the Constitution of Louisiana, provided the proposition submitted to a vote in accordance with the Louisiana Election Code shall be approved by a majority of the qualified electors of the jurisdiction of the authority voting in an election held for that purpose. In submitting a sales tax proposition to a vote, the board may enter into a cooperative endeavor agreement with the parish governing authority providing for the sales tax to be divided into parts between the parish and the authority for such purposes and in such amounts as may be set forth in the proposition.

(b) The tax shall be levied upon the sale at retail, the use, the lease or rental, the consumption, the distribution, and storage for use or consumption of tangible personal property, and upon the sales of services within the parish, all as defined in R.S. 47:301 et seq.

(c) Except where inapplicable, the procedure established by R.S. 47:301 et seq. shall be followed in the imposition, collection, and enforcement of the tax, and procedural details necessary to supplement those Sections and to make them applicable to the tax herein authorized shall be fixed in the resolution imposing the tax.

(d) The tax shall be imposed and collected uniformly throughout the jurisdiction of the authority.

(e) Any tax levied under this Paragraph shall be in addition to all other taxes which the parish or any other political subdivision within the parish is now or hereafter authorized to levy and collect.

(13) To develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and grant a security device affecting the movable and immovable property, servitudes, facilities, and works within Councilmanic Districts 3 and 4 of the city under such terms and conditions as the board may deem necessary or appropriate for any public purpose, including industrial, residential, subdivision, and commercial development.

(14) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.

(15) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(16) To undertake and carry out redevelopment projects and related activities.

(17) To apply for and accept advances, leases, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public bodies, or from any sources, public or private, for the purposes of this Part, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the federal government such conditions imposed pursuant to federal laws as the board may deem reasonable and appropriate and which are not inconsistent with the purposes of this Part.

(18) To make or have made all surveys and plans necessary to the carrying out of the purposes of this Part and to adopt or approve, modify, and amend such plans, which plans may include but are not limited to:

(a) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

(b) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

(c) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of redevelopment projects and related activities.

(19) To develop, test, and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight, including developing and demonstrating new or improved means of providing housing or continuing care, assisted living, or independent living or other similar type housing for elderly or retired persons or other persons desiring such housing facilities.

(20) To make and from time to time amend and repeal bylaws, orders, rules, and regulations in order to effectuate the provisions of this Part.

(21) To exercise all or any part or combination of powers herein granted by this Part. However, the authority shall not be deemed to be an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

(22) To purchase property at a sale conducted pursuant to enforcement of judicial mortgages created in accordance with R.S. 13:2575(C) by tendering a bid equal to or greater than the minimum bid advertised, which bid may be a credit bid consisting of the obligation of the authority to satisfy the bid by payment to the political subdivision holding the lien being enforced in accordance with intergovernmental agreements between the authority and such political subdivision. Such a bid shall be given priority over all other bids regardless of amount.

L (1) The authority may incur debt and issue general obligation bonds under the authority of and subject to the provisions of Article VI, Section 33 of the Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation of authority property or to carry out the other public purposes of this Part, and to issue any other bonds permitted by law, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment in accordance with law.

(2) The authority may issue revenue bonds to finance the undertaking of a redevelopment project under this Part, or otherwise to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements authorized in this Part, including energy and pollution abatement and control facilities and necessary property and appurtenances thereto; and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate contract to any enterprise locating or existing within the jurisdiction of an authority such sites, buildings, or facilities and appurtenances thereto, all or severally. The funds derived from the sale of such bonds may be disbursed in whole or in part upon delivery of the bonds as shall be provided in the contract between an authority and the residential, commercial, research, industrial, or other enterprise to be aided, encouraged, or benefited subject to the requirements of Paragraph (L)(2) of this Section.

(3) The issuing authority may enter into, amend, or terminate, as it determines to be necessary or appropriate, any ancillary contracts (a) to facilitate the issuance, sale, resale, purchase, repurchase, or payments of bonds, including without limitation bond insurance, letters of credit, and liquidity facilities, or (b) to attempt to hedge risk or achieve a desirable effective interest rate or cash flow, all subject to the approval of the State Bond Commission.

(4) Bonds issued under Paragraph (2) of this Subsection shall be authorized by resolution of the board and shall be limited obligations of the issuing authority; the principal and interest, costs of issuance, and other costs incidental thereto shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the project or facility to be financed by the bonds issued under this Subsection, or from the income and revenue derived from the sale, lease, or other disposition of any existing project or facility acquired, constructed, and improved under the provision of this Subsection, or from any source available for such purpose. However, in the discretion of the issuing authority, the bonds may be additionally secured by mortgage or other security device covering all or part of the project from which the revenues so

pledged may be derived. Any refunding bonds issued pursuant to this Subsection shall be payable from any source described above or from the investment of any of the proceeds of the refunding bonds authorized under this Subsection and shall not constitute an indebtedness or pledge of the general credit of the parish or municipality, as appropriate, or the authority within the meaning of any constitutional or statutory limitation of indebtedness and shall contain a recital to that effect. Bonds of the authority issued under this Subsection shall be issued in such form, shall be in such denominations, shall bear interest, shall mature in such manner, and be executed by one or more members of the board as provided in the resolution authorizing the issuance thereof. Such bonds may be subject to redemption at the option of and in the manner determined by the board in the resolution authorizing the issuance thereof.

(5) No bonds or other evidences of indebtedness may be issued under this Subsection without the prior approval of the State Bond Commission of the terms and provisions thereof.

(6) Bonds issued under this Subsection shall be issued, sold, and delivered in accordance with the terms and provisions of a resolution adopted by the board. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the authority, subject to the approval of the State Bond Commission. The resolution issuing bonds shall be published in a newspaper of general circulation within the jurisdiction of the authority, and for a period of thirty days after said publication, any interested citizen may bring an action to contest the bonds and the security therefor, as provided in the Constitution of Louisiana. If, after the expiration of thirty days, no suit has been filed, the issuance, sale, and security of the bonds shall be incontestable, and no court shall have authority to entertain any action questioning or contesting such matters.

(7) Bonds issued by the authority under this Part are deemed to be securities of public entities within the meaning of Chapters 13 and 13-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in accordance with the provisions of Chapter 14 of Title 39 of Subtitle III of the Louisiana Revised Statutes of 1950, and may also be issued as short-term revenue notes of a public entity under Chapter 15-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950.

(8) No bonds, other debt obligations, or contracts of the authority shall be a charge upon the income, property, or revenue of the parish or municipality, as appropriate, nor shall any obligations of the authority be the obligations of the applicable parish or municipality.

(9) Any bonds issued by the authority shall be subject to the Bond Validation Law (R.S. 13:5121), pursuant to which the issuance of the bonds may be submitted to the courts for validation.

J. (1) The exercise by a board of the powers conferred by virtue of this Part shall be deemed and held to be an essential governmental function of the state and city. As the exercise of the powers granted by this Part will be in all respects for the benefit of the people of the state and parish, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, the authority shall not be required to pay any taxes, including but not limited to sales and use taxes, ad valorem, occupational licensing, income, or any other taxes of any kind or nature, or fees or assessments upon any property held, acquired or used by the authority under the provisions of this Part, or upon the income therefrom. Any bonds, certificates, or other evidences of indebtedness issued by the authority and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state. The authority shall not be deemed to be a public utility and shall not be subject in any respect to the authority, control, regulation, or supervision of the Louisiana Public Service Commission.

(2) All property of the authority, including funds owned or held by it for the purpose of this Part, shall be exempt from levy and sale by virtue of an execution, and no execution or other

judicial process shall issue against the same, nor shall judgment against the parish or authority be a charge or lien upon such property. However, the provisions of this Subsection shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this Part by the authority on its rents, fees, grants, or revenues.

K. (1) The authority may purchase adjudicated properties within its territorial jurisdictions from any political subdivision of the state of Louisiana. No such purchase shall be construed to, or otherwise have the effect of, extending or suspending the period prescribed by law for the redemption of the property by the tax debtor or any other person.

(2) Such purchases by the authority may be in the manner provided for in Chapter 13-A of this Title, or by a direct negotiated purchase and sale agreement between the authority and a political subdivision without any other requirement of a public sale prior to the transfer of such properties to the authority. Such purchases by the authority shall not be considered the sale of surplus property or of property owned by the political subdivision.

(3) Effective upon the recordation of the transfer of an adjudicated property to the authority pursuant to a purchase and sale agreement, the rights of the authority in and to such property shall be the rights of a purchaser at a tax sale as contemplated by R.S. 47:2183, subject only to the rights of redemption of the property set forth in Article VII, Section 25(B) of the Constitution of Louisiana, and the property shall no longer be deemed to be adjudicated property as of such recordation. For purposes of the right of redemption in Article VII, Sec. 25(B) of the Constitution of Louisiana the three year period commences on the date of the recordation of the initial adjudication to the political subdivision and not on the date of transfer to the authority.

(4) Any such purchase and sale agreement shall set forth the total consideration to be paid by the authority and the method and timing of payment of such consideration by the authority.

(5) The state and any political subdivision with liens on the property may, pursuant to intergovernmental agreements with the authority, cancel such liens contemporaneously with or subject to the transfer of the property to the authority.

(6)(a) The authority shall have the right, subject to the provisions of this section, to purchase properties at tax sales conducted in accordance with R.S. 47:2183, and any and all such purchases shall be a purchase pursuant to R.S. 47:2183 and not an adjudication to a political subdivision.

(b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale which is a credit bid, consisting of the obligation of the authority to satisfy the component parts of the bid by payments to the respective political subdivisions and taxing entities in accordance with intergovernmental agreements between the authority and such political subdivisions and taxing entities.

(c) A bid by the authority at a tax sale for the minimum amount shall take priority over all other bids for the same quantity of property.

L. (1) The authority shall have the power to create and execute redevelopment plans for specified areas within its territorial jurisdiction. The implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. In the execution of such a redevelopment plan, the authority shall have the powers provided in this Subsection. The fact that a certain power is expressed or implied in this Paragraph as pertinent to the authority's execution of a redevelopment plan shall not suggest or imply that such power is otherwise denied to the authority.

(2) A redevelopment plan shall include a definition of the redevelopment area. This area, or any part thereof, may be further designated as a subdistrict of the authority.

(3) The authority may sell, lease, exchange, or otherwise transfer real property or any interest therein acquired by it for residential, recreational, commercial, industrial, or other uses or for public use, subject to such covenants, conditions, and

restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in carrying out the purposes of this Part. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses as the authority may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property. Such real property or interest shall be sold, leased, or otherwise transferred at not less than its fair value for uses in accordance with the redevelopment plan. In determining the fair value of real property for uses, the authority shall take into account and give consideration to the use provided in such plan; the restrictions upon and the covenants, conditions, and obligations assumed by the purchaser or lessee; and the objectives of such plan. The authority, in any instrument of conveyance to a private purchaser or lessee, may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property without the prior written consent of the authority until such purchaser or lessee has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired in accordance with the provisions of the redevelopment plan shall be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the project plan. Such plan and any substantial modification of such plan shall be filed as a public record in the office of the clerk of the city, and any conveyances, encumbrances, or other contracts may incorporate the provisions thereof by reference which shall afford notice thereof to all parties.

(4) The authority may dispose of, sell, exchange, or lease real property in a redevelopment area to any private person for the fair market value of the property as determined by a certified and competent appraiser, or to any private person pursuant to reasonable competitive bidding procedures as it shall prescribe subject to the provisions set forth in this Paragraph. Such reasonable bidding procedures must include public notice, by publication once each week for two consecutive weeks in a newspaper having a general circulation in the community, inviting proposals from and making available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a redevelopment area or any part thereof. Such notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those in interest within thirty days after publication of such notice, and that such further information as is available may be obtained at such office as shall be designated in the notice. The board shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the authority in the redevelopment area. The board may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this Part. Such notice, and all contracts to sell, lease, or otherwise transfer real property under the provisions of this Part, shall be a public record and shall include the name of the redeveloper or purchaser, together with the names of its officers and principal members or shareholders and investors and other interested parties, the redeveloper's estimate of the cost of any residential development and rehabilitations, and the redeveloper's estimate of rentals and sales prices of any proposed housing involved in such redevelopment and rehabilitation. Thereafter, the board may execute such contract in accordance with the provisions of this Part and deliver acts of sale, leases, and other instruments and take all steps necessary to effectuate such contract.

(5) The authority may temporarily operate, maintain, or lease real property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property as authorized in this Part for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

(6) Any real property within a redevelopment area acquired pursuant to Subsection K of this Section may be disposed of without regard to the other provisions of this Part. Real property

acquired in accordance with the redevelopment plan may be disposed of to a public body for public reuse without regard to the provisions of this Subsection.

(7) Notwithstanding any other provisions of this Part where an area in the parish is designated as a redevelopment area under the Federal Area Redevelopment Act (Public Law 87-27), or any Act supplementary thereto, land in a redevelopment project area designated under the redevelopment plan for industrial or commercial uses may be disposed of to any public body or nonprofit corporation for subsequent disposition as promptly as practical by the public body or corporation for redevelopment in accordance with the redevelopment plan, and only the purchaser from or lessee of the public body or corporation, and their assignees, shall be required to assume the obligation of beginning the building of improvements within a reasonable time. Any disposition of land to a public body or corporation under this Paragraph shall be at its fair value for uses in accordance with the redevelopment plan.

M. All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the authority pursuant to this Part. Bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this Subsection to authorize any public or private persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any bonds or other obligations. Nothing contained in this Subsection with regard to legal investments shall be construed as relieving any persons of any duty of exercising reasonable care in selecting securities.

N. For the purpose of aiding in the planning, undertaking, or carrying out of a redevelopment project and related activities authorized by this Part, any public body may, upon such terms, with or without consideration as it may determine:

(1) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to the authority.

(2) Incur the entire expense of any public improvements made by such public body.

(3) Do any and all things necessary to aid or cooperate in the planning or carrying out of a redevelopment plan and related activities.

(4) Lend, grant, or contribute funds to an authority in accordance with an appropriate cooperative endeavor agreement and borrow money and apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public body, or from any other source.

(5) Enter into agreements which may extend over any period notwithstanding any provision or rule of law to the contrary with the federal government or other public body respecting action to be taken pursuant to any of the powers granted by this Part, including the furnishing of funds or other assistance in connection with a redevelopment project and related activities.

(6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone, or make exceptions from building regulations.

O. Any instrument executed, in proper form and with proper certification of authority, by the authority purporting to convey any right, title, or interest in any property under this Part shall be conclusively presumed to have been executed in compliance with provisions of this Part insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is

concerned.

P. As used in this Part, the following terms shall have the meaning herein ascribed to them:

(1) "Appropriate governing authority" shall mean the governing authority of the city of Lafayette.

(2) "Appropriate jurisdiction" shall mean the jurisdiction of the North Lafayette and Downtown Redevelopment Authority.

(3) "Bonds" means any bonds, notes, interim certificates, certificates of indebtedness, debenture, or other obligation.

(4) "City" means the city of Lafayette.

(5) "Federal government" means any department, agency, or instrumentality, corporate or otherwise, of the United States of America.

(6) "Public body" means the state and any parish and any board, authority, agency, district, subdivision, department, or instrumentality, corporate or otherwise, of the state or any parish.

(7) "Real property" means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right, or use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

Q. Insofar as the provisions of this Part are inconsistent with the provisions of any other law, the provisions of this Part shall be controlling. However, the authority shall be subject to the provisions of the Local Government Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Part shall be in addition and supplemental to the powers conferred by any other law.

R.(1) In addition to the powers granted to the authority pursuant to this Part, the authority may initiate an expedited quiet title and foreclosure action under this Subsection to quiet title to real property held by the authority, interests in property purchased by the authority at tax sales, or in formerly adjudicated properties acquired by the authority from a political subdivision, by recording with the register of conveyances a notice of pending expedited quiet title and foreclosure action. The notice shall include a legal description of the property; the street address of the property if available; the name, address, and telephone number of the authority; a statement that the property is subject to expedited quiet title proceedings and foreclosure under this Section; and a statement that any legal interests in the property may be extinguished by a district court order vesting title to the property in the authority. The right of redemption from tax sales in Article VII, Section 25(B) of the Constitution of Louisiana shall be terminated by these proceedings only if the time period for expiration of the right of redemption has expired. If a notice is recorded in error, the authority may correct the error by recording a certificate of correction with the register of conveyances. A notice or certificate under this Subsection need not be notarized and may be authenticated by a digital signature or other electronic means. If an authority has reason to believe that a property subject to an expedited quiet title and foreclosure action under this Subsection may be the site of environmental contamination, the authority shall provide the Department of Environmental Quality with any information in the possession of the authority that suggests the property may be the site of environmental contamination.

(2) After recording the notice under Paragraph (1) of this Subsection, the authority shall initiate a search of records identified in this Paragraph to identify the owners of a property interest in the property who are entitled to notice of the quiet title and foreclosure hearing under this Subsection. The authority may enter into a contract with or may request from one or more authorized representatives a title search or other title product to identify the owners of a property interest in the property as required under this Paragraph or to perform the other functions set forth in this Subsection required for the quieting of title to property under this Paragraph. The owner of a property interest is entitled to notice under this Section if that owner's interest was identifiable by reference to any of the following sources before the date that the authority records the notice under Paragraph (1) of this Subsection:

(a) Land title records in the office of the recorder of mortgages and the register of conveyances.

(b) Tax records in the office of the assessor.

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

(4) The district court in which a petition is filed under Paragraph (3) of this Subsection, shall immediately set the date, time, and place for a hearing on the petition for foreclosure. The date shall be set by the court and shall not be more than ten days after the date requested by the authority in the petition. In no event may the court schedule the hearing later than ninety days after the filing of a petition by the authority under Paragraph (3) of this Subsection.

(5) After completing the records search under Paragraph (2) of this Subsection, the authority shall determine the address or addresses reasonably calculated to inform those owners of a property interest in property subject to expedited foreclosure under this Paragraph of the pendency of the quiet title and foreclosure hearing under Paragraph (11) of this Subsection. If, after conducting the title search, the authority is unable to determine an address reasonably calculated to inform persons with a property interest in property subject to expedited tax foreclosure, or if the authority discovers a deficiency in notice under Paragraph (10) of this Subsection, the following shall be considered reasonable steps by the authority to ascertain the addresses of persons with a property interest in the property subject to expedited foreclosure or to ascertain an address necessary to correct a deficiency in notice under Paragraph (10) of this Subsection:

(a) For an individual, a search of records of the recorder of mortgages and the register of conveyances.

(b) For a business entity a search of business entity records filed with the commercial division of the Department of State.

(6) Not less than thirty days before the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, the authority shall send notice by certified mail, return receipt requested, of the hearing to the persons identified under Paragraph (4) of this Subsection with a property interest in property subject to expedited foreclosure. The authority shall also send a notice via regular mail addressed to the "Occupant" for each property subject to expedited foreclosure if an address for the property is ascertainable.

(7) Not less than thirty days before the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, the authority or its authorized representative or authorized agent shall visit each parcel of property subject to expedited foreclosure and post conspicuously on the property notice of the hearing. In addition to the requirements of Paragraph (8) of this Subsection, the notice shall also include the following statement: "This Property has been transferred to the North Lafayette and Downtown Redevelopment Authority and is subject to an expedited quiet title and foreclosure action. Persons with information regarding the prior owner of the property are requested to contact the North Lafayette and Downtown Redevelopment Authority."

(8) The notice required under Paragraphs (6) and (7) of this Subsection shall include:

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

(b) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the quiet title and foreclosure hearing under Paragraph (1) of this Subsection.

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

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

(e) The date and time of the hearing on the petition for foreclosure under Paragraph (1) of this Subsection, and a statement that the judgment of the court may result in title to the property vesting in the authority.

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

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

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

(9) If the authority is unable to ascertain the address reasonably calculated to inform the owners of a property interest entitled to notice under this Section, or is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the authority shall provide notice by publication. Prior to the hearing, a notice shall be published for three successive weeks, once each week, in the official newspaper published and circulated in the parish. The published notice shall include all of the following:

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

(b) The name of any person not notified under Paragraphs (6) and (7) of this Subsection, that the authority reasonably believes may be entitled to notice under this Section of the quiet title and foreclosure hearing under Paragraph (11) of this Subsection.

(c) A statement that a person with a property interest in the property may lose his or her interest, if any, as a result of the foreclosure proceeding under Paragraph (11) of this Subsection.

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

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

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

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

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

(10) If prior to the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, the authority discovers any deficiency in the provision of notice under this Section, the authority shall take reasonable steps in good faith to correct the deficiency before the hearing. The provisions of this Subsection relating to notice of the quiet title and foreclosure hearing are exclusive and exhaustive. Other requirements relating to notice and proof of service under other law, rule, or other legal requirement are not applicable to notice or proof of service under this Subsection.

(11) If a petition for expedited quiet title and foreclosure is filed under Paragraph (3) of this Subsection, before the hearing, the authority shall file with the clerk of the district court proof of notice by certified mail under Paragraph (5) of this Subsection, proof of notice by posting on the property under Paragraph (6) of this Subsection, and proof of notice by publication, if applicable. A person claiming an interest in a parcel of property set forth in the petition for foreclosure who desires to contest that petition shall file written objections with the clerk of the district court and serve those objections on the authority before the date of the hearing. The district court may appoint and utilize as the court considers necessary a curator for assistance with the resolution of any objections to the foreclosure or questions regarding the title to property subject to foreclosure. If the court withholds property from foreclosure, the authority's ability to

include the property in a subsequent petition for expedited quiet title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited quiet title and foreclosure action under this Subsection. The district court shall enter judgment on a petition to quiet title and foreclosure filed under Paragraph (3) of this Subsection, not more than ten days after the conclusion of the hearing or contested case, and the judgment shall be effective ten days after the conclusion of the hearing or contested case. The district court's judgment shall specify all of the following:

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

(b) That title to property foreclosed by the judgment is vested absolutely in the authority, except as otherwise provided in Paragraphs (3) and (5) of this Subsection, without any further rights of redemption.

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

(d) That, except as otherwise provided in Subparagraph (e) of this Paragraph, the authority has good and marketable title to the property.

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

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

(i) The person had constructive notice of the hearing by acquiring an interest in the property after the date of the recording under Paragraph (1) of this Subsection, of the notice of pending expedited quiet title and foreclosure action.

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

(iii) Prior to the hearing under this Subparagraph, the person had actual notice of the hearing.

(12) Except as otherwise provided in Subparagraph (11)(e) of this Subsection, title to property set forth in a petition for foreclosure filed under Paragraph (3) of this Subsection shall vest absolutely in the authority upon the effective date of the judgment by the district court and the authority shall have absolute title to the property. The authority's title is not subject to any recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection and shall not be stayed or held invalid except as provided in Paragraph (13) of this Subsection. A judgment entered under this Subsection is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as provided in Paragraph (13) of this Subsection.

(13) The authority or a person claiming to have a property interest under Paragraph (2) of this Subsection, in property foreclosed under this Subsection may, within twenty-one days of the effective date of the judgment under Paragraph (12) of this Subsection, appeal the district court's order or the district court's judgment foreclosing property to the court of appeals. An appeal under this Paragraph is limited to the record of the proceedings in the district court under this Subsection. The district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment. If an appeal under this Paragraph stays the district court's judgment foreclosing property, the district court's judgment is stayed only as to the property that is the subject of that appeal and the district court's judgment foreclosing other property that is not the subject of that appeal is not stayed. To appeal the district court's judgment foreclosing property, a person appealing the judgment shall pay to the authority any taxes, interest, penalties, and fees due on the property and provide notice of the appeal to the authority within twenty-one days after the district court's judgment is effective. If the district court's judgment foreclosing

the property is affirmed on appeal, the amount determined to be due shall be refunded to the person who appealed the judgment. If the district court's judgment foreclosing the property is reversed or modified on appeal, the authority shall refund the amount determined to be due to the person who appealed the judgment, if any, and forward the balance to the appropriate taxing jurisdictions in accordance with the order of the court of appeals.

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

(a) The description of the property used in the expedited quiet title and foreclosure proceeding was so indefinite or erroneous that the foreclosure of the property was void.

(b) An owner of an interest in the property entitled to notice of the expedited quiet title and proceedings against the property under this Subsection was not provided notice sufficient to satisfy the minimum due process requirements of the constitution of this state and the constitution of the United States.

(c) A judgment of foreclosure was entered under this Subsection in violation of an order issued by a United States bankruptcy court.

(15) If a judgment of foreclosure is entered under Paragraph (12) of this Subsection, and all existing recorded and unrecorded interests in a parcel of property are extinguished as provided in Subsection L of this Section, the owner of any extinguished recorded or unrecorded interest in that property who claims that he or she did not receive notice of the expedited quiet title and foreclosure action shall not bring an action for possession of the property against any subsequent owner, but may only bring an action to recover monetary damages from the authority as provided in this Subsection. The district court has original and exclusive jurisdiction in any action to recover monetary damages under this Paragraph. An action to recover monetary damages under this Subsection shall not be brought more than two years after a judgment for foreclosure is entered under Paragraph (12) of this Subsection. Any monetary damages recoverable under this Subsection shall be determined as of the date a judgment for foreclosure is entered under Paragraph (12) of this Subsection and shall not exceed the fair market value of the interest in the property held by the person bringing the action under this Subsection on that date, less any taxes, interest, penalties, and fees owed on the property as of that date. The right to sue for monetary damages under this Subsection shall not be transferable except by testate or intestate succession.

(16) The owner of a property interest with notice of the quiet title and foreclosure hearing under Paragraph (11) of this Subsection, may not assert any of the following:

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

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

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

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

(19) It is the intent of the legislature that the provisions of this Section relating to the expedited quiet title and foreclosure of property by the authority satisfy the minimum requirements of

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

(20) As used in this Subsection, "authorized representative" includes one or more of the following:

(a) A title insurance company or agent licensed to conduct business in this state.

(b) An attorney licensed to practice law in this state.

(c) A person accredited in land title search procedures by a nationally recognized organization in the field of land title searching.

(d) A person with demonstrated experience in the field of searching land title records, as determined by the authority.

(21) As used in this Subsection, "district court" shall mean the Fifteenth Judicial District Court.

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

On motion of Senator Gray, the committee substitute bill was adopted and becomes Senate Bill No. 811 by Senator Cravins, substitute for Senate Bill No. 621 by Senator Cravins.

SENATE BILL NO. 811— (Substitute of Senate Bill No. 621 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To enact Chapter 13-J of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.33:4720.151 and 4720.161, relative to local redevelopment, to create certain parish redevelopment authorities; to create the North Lafayette and Downtown Redevelopment Authority to provide for the formation of a program or programs for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings needed to address the influx of displaced persons due to the effects of hurricanes Katrina and Rita; to provide for the governing body of such authorities; to provide for the powers, duties, functions, and liabilities of redevelopment authorities; to authorize public bodies to furnish funds, series, facilities, and property in aid of redevelopment projects; to authorize the authorities to initiate expedited quiet title and foreclosure actions; and to provide for related matters.

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

SENATE BILL NO. 743—

BY SENATOR CHEEK

AN ACT

To enact R.S. 32:299.1 relative to the operation of off-road vehicles; to require reports of accidents of certain persons; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 743 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 6, change "All-terrain" to "Off-road"

AMENDMENT NO. 2

On page 1, line 9, change "all-terrain" to "off-road"

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

SENATE BILL NO. 748—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9038.31 and to enact R.S. 33:9038.43, relative to the Thomas H. Delpit Area Special District; to create the district and provide for its authority; to grant to the district certain tax increment finance and tax authority; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 748 by Senator Dorsey

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:9038.31" to "R.S. 33:9038.31(3)"

AMENDMENT NO. 2

On page 1, between lines 5 and 6, insert the following: "Notice of intention to introduce this Act has been published."

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 33:9038.31" to "R.S. 33:9038.31(3)"

AMENDMENT NO. 4

On page 4, line 13, between "district" and "to" insert a comma " , "

AMENDMENT NO. 5

On page 4, line 17, change "Appoint" to "To appoint"

AMENDMENT NO. 6

On page 4, line 22, between "behalf" and "to" insert a comma " , "

AMENDMENT NO. 7

On page 6, line 21, change "Construction" to "construction"

On motion of Senator Gray, the committee amendment was adopted. The amended bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 755—
BY SENATOR HEBERT

AN ACT

To enact R.S. 40:600.66(B), relative to the Louisiana Road Home Housing Corporation Act; to provide for the powers and responsibilities of the Road Home Corporation; to provide for the binding effect on certain appraisals; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 755 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 3, between "Corporation" and the semi-colon ";," insert "and the Louisiana Land Trust"

AMENDMENT NO. 2

On page 1, line 4, between "appraisals;" and "and to provide" insert the following: "to prohibit certain forced sales of property; to provide for retroactive application;"

AMENDMENT NO. 3

On page 1, at the end of line 8 add "and the Louisiana Land Trust"

AMENDMENT NO. 4

On page 1, delete lines 10 through 13 in their entirety and insert in lieu thereof the following:

"B. Housing assistance rendered by the Road Home Corporation or the Louisiana Land Trust or rendered through any other housing assistance program under the provisions of this Chapter shall be subject to the following:

(1) Any property appraisal or market analysis conducted by the Road Home Corporation or the Louisiana Land Trust shall be binding on the corporation. If more than one property appraisal or market analysis is rendered, the property owner shall receive assistance based upon the higher appraisal value or the analysis most favorable to the property owner.

(2) No individual shall be required to sell property in excess of five acres if the property was regularly used in farming operations immediately prior to hurricanes Katrina or Rita.

(3) No individual shall be required to sell property in which the individual holds an undivided ownership interest with family members as legal heirs to such property and the property has been in the individual's family in excess of twenty years.

Section 2. The provisions of this Act shall be retroactive in application.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Gray, the committee amendment was adopted. The amended bill was read by title, 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. 49—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 46:1053(C)(2)(f), relative to hospital service districts in St. Charles Parish; to provide relative to the per diem that members of hospital service district commissions receive; and to provide for related matters.

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

HOUSE BILL NO. 50—

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 33:2711.24, relative to municipal sales and use taxes; to authorize the governing authority of the city of Winnsboro to levy and collect an additional sales and use tax; to provide for voter approval; to provide for the use of the proceeds of such tax; and to provide for related matters.

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

HOUSE BILL NO. 51—
BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 33:2740.18.3, relative to the city of Winnsboro; to authorize the governing authority of the city to levy and collect a hotel occupancy tax subject to voter approval; to provide for the use of such tax; and to provide for related matters.

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

HOUSE BILL NO. 54—
BY REPRESENTATIVE MICKY GUILLORY
AN ACT

To amend and reenact R.S. 40:539(C)(1), relative to local housing authorities; to provide relative to the executive director of a local housing authority; to require a local housing authority to enter into an employment contract with the executive director; to provide relative to the term of the contract; to provide relative to the compensation of the executive director and other terms of employment; and to provide for related matters.

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

HOUSE BILL NO. 170—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact Section 3 of Act No. 222 of the 2005 Regular Session of the Legislature, as amended by Act No. 21 of the 2007 Regular Session of the Legislature, relative to the transfer of certain state property in Jefferson Parish; to extend the termination date of the Act; and to provide for related matters.

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

HOUSE BILL NO. 171—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 56:421(D), relative to the Louisiana Oyster Task Force; to authorize reimbursement of expenses associated with serving on the task force; and to provide for related matters.

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

HOUSE BILL NO. 184—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 17:170(D), relative to immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time; to provide for the electronic transmission of immunization compliance reports; to provide for the promulgation of rules and regulations by the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 186—
BY REPRESENTATIVE HONEY
AN ACT

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

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 203—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To repeal R.S. 25:1225, relative to the Atchafalaya Trace Commission; to repeal the sunset of the Atchafalaya Trace Commission.

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

HOUSE BILL NO. 227—
BY REPRESENTATIVES ROBIDEAUX, ARNOLD, DOERGE,
MONTUCET, PEARSON, AND POPE AND SENATORS CASSIDY, B.
GAUTREAUX, AND HEBERT
AN ACT

To amend and reenact R.S. 11:2258(C), relative to the Firefighters' Retirement System; to provide for survivor's benefits; to provide for continuation of benefits for a surviving spouse of a disability retiree; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 228—
BY REPRESENTATIVES ROBIDEAUX AND DOERGE AND SENATOR B.
GAUTREAUX AND REPRESENTATIVES ARNOLD, MONTUCET,
PEARSON, AND POPE AND SENATOR HEBERT
AN ACT

To amend and reenact R.S. 11:2260(A)(5) and (6), relative to the Firefighters' Retirement System; to provide with respect to the quorum and voting requirements of the board of trustees; to provide relative to the oath taken by trustees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 228 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 15 change "~~appointment or~~" to "appointment or"

AMENDMENT NO. 2

On page 2, line 4 change "must" to "**must shall**"

On motion of Senator B. Gautreaux, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 231—
BY REPRESENTATIVES DOERGE, ARNOLD, MONTUCET, PEARSON,
AND POPE AND SENATORS B. GAUTREAUX AND HEBERT
AN ACT

To amend and reenact R.S. 11:314(A)(introductory paragraph), 315(A)(introductory paragraph), and 2261(A), relative to the Firefighters' Retirement System; to provide with respect to the management of system funds; to exempt the system from the

requirement of constructively engaging certain companies with facilities or employees or both in prohibited nations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 252—
BY REPRESENTATIVE PUGH
AN ACT

To enact R.S. 33:423.19, relative to the city of Ponchatoula; to provide with respect to the powers of the chief of police; to authorize the chief of police to take certain personnel actions; and to provide for related matters.

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

SENATE BILL NO. 305—
BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:30.3, to provide relative to certain leases granted by the Department of Wildlife and Fisheries; to provide for the powers and duties of the secretary; to provide that certain lessees have the option to match the highest bid; to provide for terms, conditions, and exceptions; and to provide for related matters.

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

HOUSE BILL NO. 306—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 17:91, relative to certain supervisory duties and responsibilities of the superintendent of a city, parish, or other local public school system, including but not limited to duties pertaining to the office of the secretary of the school board; to remove certain exceptions, prohibitions, and requirements applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 309—
BY REPRESENTATIVE POPE AND SENATOR NEVERS
AN ACT

To amend and reenact R.S. 11:1302(B), relative to the State Police Pension and Retirement System; to provide for the length of terms of elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 311—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 33:103(C)(1)(a), relative to the zoning commission in St. Charles Parish; to authorize an increase in the per diem paid to commission members for attending meetings; and to provide for related matters.

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

HOUSE BILL NO. 354—
BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessors' employees; and to provide for related matters.

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

HOUSE BILL NO. 355—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 11:1162(A)(6), relative to the Louisiana School Employees' Retirement System; to provide with respect to districts from which certain members of the board of trustees are elected by system members; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 360—
BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BALDONE, BARROW, BILLIOT, CHAMPAGNE, CORTEZ, CROMER, FRANKLIN, GALLOT, GISCLAIR, HARDY, HENDERSON, SAM JONES, LAMBERT, LEBAS, PERRY, POPE, RICHARD, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, AND WILLIAMS
AN ACT

To amend and reenact R.S. 36:610(I) and R.S. 56:266(A), (B), (C), (D)(1), (E)(3), and (F) and 279(B)(2) and (3), (C)(1), (D)(3), and (E) and to enact R.S. 36:610(L) and R.S. 56:278, relative to alligators; to remove alligators from the jurisdiction of the Fur and Alligator Council; to create the Louisiana Alligator Advisory Council; to provide the council's membership, functions, duties, and responsibilities; to provide relative to funding for the council; and to provide for related matters.

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

HOUSE BILL NO. 373—
BY REPRESENTATIVES HAZEL, ARMES, BILLIOT, HENRY BURNS, DIXON, DOERGE, FRANKLIN, GISCLAIR, GUINN, HILL, HOWARD, HUTTER, LITTLE, LORUSSO, MONTOUCET, NORTON, POPE, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 47:490.19(A), (B), and (D) and to enact R.S. 47:490.19(E) and (F), 490.20, and 490.21, relative to military honor license plates; to provide for the U.S. Army Airborne license plate; to provide for the establishment of a military honor license plate for recipients of the Iraq Campaign Medal; to provide for the establishment of a military honor license plate for the recipients of the Afghanistan Campaign Medal; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 373 by Representative Hazel

AMENDMENT NO. 1

On page 4, line 24, after "finalized" insert ", or January 1, 2009, whichever is earlier."

On motion of Senator Erdey, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 378—
BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 17:436(A)(2) and to enact R.S. 17:436(E), relative to school employees performing noncomplex health procedures; to remove certain procedures from the definition of noncomplex health procedure; to prohibit school employees, except certain health professionals, from being required to perform certain procedures; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 378 by Representative Armes

AMENDMENT NO. 1

On page 1, line 6, between "procedures;" and "and to" insert "to allow employees who volunteer to perform certain procedures to do so under certain circumstances;"

AMENDMENT NO. 2

On page 2, at the end of line 5, insert the following: "However, a school employee who volunteers to perform such procedures and who complies with the training and demonstration requirements as provided in Paragraphs (B)(2) and (3) of this Section shall be allowed to perform a tracheostomy or oral pharyngeal suctioning procedure on a child in an educational setting."

On motion of Senator Nevers, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 402—
BY REPRESENTATIVES FOIL AND HARDY

AN ACT

To enact R.S. 32:289, relative to driving school buses; to prohibit the use of a cellular radio telecommunication device while driving a school bus; to provide for penalties; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 402 by Representative Foil

AMENDMENT NO. 1

On page 1, line 9, change "talk" to "engage in a call"

On motion of Senator Erdey, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 433—
BY REPRESENTATIVE WILLIAMS

AN ACT

To amend and reenact R.S. 11:1942.1(C), relative to the Parochial Employees' Retirement System; to provide relative to court reporters employed by Caddo Parish who are paid separately for transcriptions; to provide for computation of benefits for such reporters; to provide for contributions; and to provide for related matters.

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

HOUSE BILL NO. 439—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:905(B)(2) and (14), 905.1, 905.3(A) and (D), and 905.4(A)(1)(a) and (c) and (2), (B), (C), (D), (E)(2), (F), (G), (H), and (J)(2) and to repeal R.S. 30:905.2 and 905.4(K), relative to abandoned mine reclamation; to provide for the authority to participate and to promulgate rules and regulations; to provide for funding sources and appropriation for reclamation of mining operations; to provide for an implementation plan; to provide for notice; to provide for exemptions and exclusions; and to provide for related matters.

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

HOUSE BILL NO. 488—
BY REPRESENTATIVE GISCLAIR

AN ACT

To enact R.S. 56:579.1(C)(4), relative to mariculture; to require review by or cooperation with certain marine biologists for mariculture projects located offshore in state waters; and to provide for related matters.

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE MONTOUCEW

AN ACT

To amend and reenact R.S. 11:208 and 2223(B)(4), relative to the Municipal Police Employees' Retirement System; to provide with respect to disability retirement; to provide for non-service disability retirement eligibility; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 544—
BY REPRESENTATIVES HUTTER AND DOWNS

AN ACT

To amend and reenact R.S. 48:250.2, relative to design-build contracts; to expand the authority of the Department of Transportation and Development for design-build contracts; to authorize the secretary to select projects or combine a program of projects utilizing the design-build method; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 557—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:215(A), to enact R.S. 30:123.1, and to repeal R.S. 30:125(B), relative to mineral lease applications; to provide for information required to be submitted to the State Mineral Board; to provide for liquidated damages; to provide for the determination of the fee for seismic, geophysical, or geological surveying; and to provide for related matters.

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

May 20, 2008

HOUSE BILL NO. 566—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 48:205(A), relative to general administrative functions of the Department of Transportation and Development; to authorize a notice when the purchase exceeds twenty-five thousand dollars to persons who furnish commodities by notice sent through an electronic interactive environment; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 576—

BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(d), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 581—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:170(A)(1) and (D) and to enact R.S. 17:170(A)(4), relative to immunizations; to provide for the enforcement of immunization requirements for students; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 581 by Representative Trahan

AMENDMENT NO. 1

On page 1, line 2, after "(A)(1)" delete the remainder of the line and insert ", relative"

AMENDMENT NO. 2

On page 1, line 6, after "(A)(1)" delete "and (D) are" and insert "is" and at the end of the line delete "and R.S."

AMENDMENT NO. 3

On page 1, at the beginning of line 7, delete "17:170(A)(4) is hereby enacted"

AMENDMENT NO. 4

On page 1, at the end of line 9, insert "for the first time; immunization of persons entering sixth grade"

AMENDMENT NO. 5

On page 1, line 10, after "A.(1)" insert "(a)"

AMENDMENT NO. 6

On page 1, between lines 16 and 17, insert the following:
"(b) Beginning with the 2009-2010 school year and thereafter, each person entering the sixth grade in any school within the state shall present satisfactory evidence of immunity to or immunization against vaccine-preventable diseases according to a schedule approved by the office of public health, Department of Health and Hospitals, or shall present evidence of an immunization program in progress."

AMENDMENT NO. 7

On page 1, delete lines 18 and 19 and on page 2, delete lines 1 through 8

On motion of Senator Nevers, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 590—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 34:1708(A), relative to the St. Bernard Port, Harbor, and Terminal District; to provide relative to the authority of the board of commissioners to acquire certain property; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 590 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 15, delete "pipelines" and insert "except those pipelines in operation on May 1, 2008"

On motion of Senator Erdey, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 620—

BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 36:802.22(E)(1)(d), relative to New Orleans City Park and the New Orleans City Park Improvement Association and its board of commissioners; to provide relative to audits of the park, the association, and its board and for the responsibility of the park, the association, and its board, and of the Department of Culture, Recreation and Tourism relative to such audits; and to provide for related matters.

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

HOUSE BILL NO. 656—

BY REPRESENTATIVE SIMON AND SENATOR NEVERS
AN ACT

To amend and reenact R.S. 48:1805(A), relative to the Zachary Taylor Parkway Commission; to provide relative to the appointment of commission members; to provide that members shall be appointed by the presidents of their respective parishes; to provide for exceptions; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 656 by Representative Simon

AMENDMENT NO. 1

On page 1, line 2, after "1805(A)" insert "and (B)"

AMENDMENT NO. 2

On page 1, line 5, after "exceptions;" insert "to provide for term limits;"

AMENDMENT NO. 3

On page 1, line 7, change "is" to "and (B) are"

AMENDMENT NO. 4

On page 1, between lines 19 and 20, insert:

"B.(1) The initial term of members appointed from the parishes of Avoyelles, Pointe Coupee, St. Helena, and Washington shall be one year. The initial term of members appointed from the parishes of East Feliciana, Rapides, Tangipahoa, and West Feliciana shall be two years. All terms after the initial terms shall be for a period of two years. The initial term of each member shall commence on the effective date of that member's appointment. All terms shall end on the thirty-first day of August. All terms other than the initial terms shall commence on the first day of September.

(2) Members of the commission shall not serve more than twelve consecutive years. The provisions of this Paragraph shall not apply to any member who was appointed to the commission prior to the effective date of this Paragraph unless and until that person is re-appointed to the commission following the expiration of his current term."

On motion of Senator Erdey, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 668—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 33:5161(A)(2) and (B)(3) and to enact R.S. 33:5161(B)(2)(c) and 5162, relative to post-employment benefits funds established by political subdivisions; to provide relative to the management and investment of such funds; to provide for authorized and prohibited investments; to provide relative to asset allocation; to authorize the retention of investment managers or advisors; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 672—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:416.18, relative to the rights of teachers; to rename the list of provisions providing for the rights of teachers; to provide for the immunity and legal defense of teachers; to provide for the rights of beginning teachers; to provide for the distribution of such list of rights to schools and to parents and legal guardians; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 672 by Representative Trahan

AMENDMENT NO. 1

On page 1, line 5, between "guardians" and the semicolon ";" insert "and for the posting of same on school and school system websites"

AMENDMENT NO. 2

On page 3, at the end of line 13, insert "Each city, parish, or other local school board and every school under its jurisdiction that maintains an Internet website shall post on such website a copy of the Teacher Bill of Rights required by this Section."

On motion of Senator Nevers, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 719—

BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:437.1, relative to training for certain public school employees; to provide for in-service training for teachers, school counselors, principals, and certain other school administrators in suicide prevention; to provide for the responsibilities of the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 719 by Representative Carmody

AMENDMENT NO. 1

On page 1, line 5, between "Education;" and "and to" insert "to provide for limitation on liability;"

AMENDMENT NO. 2

On page 1, at the end of line 9, insert "; limitation on liability"

AMENDMENT NO. 3

On page 1, after line 19, insert the following:

"C.(1) No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of the provisions of this Section or resulting from any training, or lack thereof, required by this Section, unless such loss or damage was caused by willful or wanton misconduct.

(2) The training, or lack thereof, required by the provisions of this Section shall not be construed to impose any specific duty of care.

D. This Section shall be known and may be cited as the "Jason Flatt Act."

On motion of Senator Nevers, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 784—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 32:408(A)(8)(introductory paragraph) and (b)(introductory paragraph), (B)(2)(e), and (3)(introductory paragraph) and (d) and to repeal R.S. 32:408(B)(4)(c), relative to the requirements of applicants for certain classes of commercial driver's licenses; to provide for exemptions from the requirements; to provide for the issuance of endorsements; to provide for restrictions to the classes of commercial driver's licenses; and to provide for related matters.

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 32:427(A)(4) and (5), relative to the operation of commercial motor vehicles; to provide for willful violations of the operation of commercial motor vehicles; and to provide for related matters.

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

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HOUSE BILL NO. 791—
BY REPRESENTATIVE HUTTER
AN ACT

To repeal R.S. 48:221(C), relative to expropriation, to repeal provisions requiring the Department of Transportation and Development to offer to sell excess expropriated property.

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

HOUSE BILL NO. 797—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks' of Court Retirement and Relief Fund; to provide for the length of terms of elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 839—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 32:361.2(D) and 361.3(C), relative to the tinting of motor vehicle windows; to prohibit holders of security and medical exemptions from tinting the area below the top six inches of the windshield; and to provide for related matters.

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

HOUSE BILL NO. 848—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 56:433(B) and to reenact R.S. 56:433(G), relative to taking oysters from public seed grounds; to provide for a period of time for harvest of seed oysters; to provide for a period of time for the harvest of oysters generally from the seed grounds; to provide for a sacking only area east of the Mississippi River in Plaquemines Parish; and to provide for related matters.

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

HOUSE BILL NO. 1014—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 11:1461, 1761(B), and 2225(A)(7)(c), relative to the Assessors' Retirement Fund, Municipal Employees' Retirement System, and Municipal Police Employees' Retirement System; to provide for a cost-of-living adjustment; to provide legislative exemption for the purpose thereof; to provide for recipients of the cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1026—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:153, relative to mineral leases; to provide for administration of certain leases by the State Mineral Board; and to provide for related matters.

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

HOUSE BILL NO. 1032—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 33:9091.12, relative to Orleans Parish; to create the Mid-City Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 1047—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To authorize the secretary of the Department of Public Safety and Corrections to exchange certain properties in Iberville Parish with First Louisiana Resource, L.L.C.; to provide for property descriptions; to provide for the reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

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

HOUSE BILL NO. 1054—
BY REPRESENTATIVE PETERSON AND SENATOR GRAY
AN ACT

To enact R.S. 17:100.10, relative to authorizing city, parish, and other local public school boards to create public benefit corporations and enter into contracts with such public benefit corporations for the planning, renovation, construction, leasing, subleasing, management, and improvement of school properties; to exempt such school boards from certain limitations relative to property dispositions under certain circumstances; to authorize such school boards to enter into financing arrangements with their public benefit corporations and certain other private parties to construct new schools and to renovate existing school properties; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1054 by Representative Peterson

AMENDMENT NO. 1

On page 2, at the end of line 21, between "may" and "and" delete "loan" and insert "make loans"

AMENDMENT NO. 2

On page 2, line 24, between "loans and" and "guarantees" insert "loan"

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

HOUSE BILL NO. 1081—
BY REPRESENTATIVES SCHRODER AND PEARSON AND SENATOR DONAHUE
AN ACT

To enact R.S. 48:942, relative to state bridges; to authorize the sale of state bridges under certain circumstances; to provide for exceptions; to provide for the approval of the legislature; and to provide for related matters.

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

HOUSE BILL NO. 1110—
BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 11:2262(D)(1) and (2), relative to the Firefighters' Retirement System; to provide with respect to the pension accumulation fund, employer contributions, and the interest rate applicable to collection of delinquent employee and employer contributions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1117—
BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 30:22, 23, 148.1, 148.2, 148.3, 148.4, 148.5, 148.6, 148.8, and 148.9(A) and (B)(introductory paragraph) and to repeal R.S. 30:148.9(B)(1), (2), and (3), relative to mineral leases; to provide for leases for storage; to provide for application, advertising, bids, public hearings, and selection for certain leases; to provide for the authority of the State Mineral Board and the commissioner of conservation; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 1117 by Representative Morris

AMENDMENT NO. 1

On page 1, line 5, after "advertising," insert "notice,"

AMENDMENT NO. 2

On page 3, between lines 12 and 13, insert
"(4) That after consideration the use of surface water is not feasible."

AMENDMENT NO. 3

On page 9, line 4, after "A." insert "(1)"

AMENDMENT NO. 4

On page 9, between lines 22 and 23, insert
"(2) In addition to Paragraph (1), the lessor shall provide notice by regular or certified mail of the application of the lease to any residence or business located within one-half mile of the land and bodies of lakes, bays, or coves, sea, arms of the sea, or other navigable waters and beds to be leased."

On motion of Senator Dupre, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1119—
BY REPRESENTATIVE CHANEY

AN ACT

To amend and reenact R.S. 40:1843, relative to the Liquefied Petroleum Gas Commission; to increase the per diem for members of the commission; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 1119 by Representative Chaney

AMENDMENT NO. 1

On page 1, line 2, after "1843" insert "and to enact R.S. 40:1841(C)(3)"

AMENDMENT NO. 2

On page 1, line 3, after "commission;" insert "to provide for term limits for members of the commission;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 40:1841(C)(3) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert:
"§1841. Creation of commission; domicile; membership; terms; officers of commission

* * *

C. * * *

(3) Appointed members of the commission shall be subject to term limitations in accordance with the provisions of that Act which originated as Senate Bill 233 of the 2008 Regular Session of the Legislature."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 30:10(A)(2)(b)(i), relative to drilling units; to provide for a landowner's election to participate in a drilling unit; to provide for the risk charge for a nonparticipant or an owner who fails to participate as elected; and to provide for related matters.

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

HOUSE BILL NO. 1138—

BY REPRESENTATIVE GISCLAIR

AN ACT

To amend and reenact R.S. 56:495.1(A)(1)(b), relative to trawling vessels; to provide relative to the legal size of trawl doors; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1138 by Representative Gisclair

AMENDMENT NO. 1

On page 1, line 2, after "56:495.1(A)(1)(b)" insert "and (c)"

AMENDMENT NO. 2

On page 1, line 5, delete "is" and insert "and (c) are"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert
"(c) Two trawls which shall not exceed twenty-five feet along the corkline, thirty-three feet along the lead line, and have no more than two outer trawl doors no larger than eight feet in length and ~~forty~~ forty-three inches in height and no more than two inner sled doors, and in addition, one test trawl."

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AMENDMENT NO. 4

On page 1, after line 14, insert "Section 2. This Act shall become effective on August 1, 2008."

On motion of Senator Dupre, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1165—

BY REPRESENTATIVES HONEY, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BURFORD, HENRY BURNS, BURRELL, CHANEY, DIXON, DOWNS, EDWARDS, GALLOT, GISCLAIR, GREENE, HARRISON, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, MONTOUCET, MORRELL, MORRIS, NORTON, PERRY, PUGH, RICHARD, RICHARDSON, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, AND WILLIAMS AND SENATOR SCALISE AN ACT

To amend and reenact R.S. 23:1474(I), 1592(E), and 1595(A) and to enact R.S. 23:1536(E)(4), relative to unemployment compensation weekly benefit amounts; to provide with respect to the unemployment trust fund balance; to provide for an increase in the weekly benefit amount paid; to provide for the duration of benefits; to provide for a reduction in contributions; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 1165 by Representative Honey

AMENDMENT NO. 1

On page 4, line 5 after "If" insert a comma ",."

AMENDMENT NO. 2

On page 4, delete lines 18 and 19 and insert the following: "weekly benefit amount as determined pursuant to R.S. 23:1592 (3), or twenty-seven percent of his wages for insured work paid during the base period; provided that such"

On motion of Senator Riser, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1220—

BY REPRESENTATIVE HENRY BURNS AN ACT

To enact R.S. 30:209(4)(e), relative to the State Mineral Board; to provide for the authority of the State Mineral Board; to provide for operating agreements for certain underground storage; and to provide for related matters.

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

Motion to Recommit

Senator Jackson asked for and obtained a suspension of the rules and recommitment Senate Bill No. 615 from the Committee on Judiciary A to the Committee on Finance.

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to follow the recommendations of the board of commissioners of the Cypress-Black Bayou Recreation and Water Conservation District when promulgating rules and regulations pertaining to fishing and boating.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To create the Louisiana Recreational Saltwater Fishing Task Force to advise the Department of Wildlife and Fisheries and other entities on various recreational saltwater fishing issues.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 611—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4720.56(19), 4720.59(A),(B)(1),(C),(D), and (E)(1),(4),(5), and (6), and 4720.60.1 and to enact R.S. 33:4720.56(20) and R.S. 33:4720.59(E)(7), relative to the New Orleans Redevelopment Authority; to provide authorization for the transfer of adjudicated properties from the city of New Orleans to the authority; to provide authorization for the purchase of properties by the authority at tax sales; to provide for the purchase of properties by the authority at code lien enforcement proceedings; to amend relative to the authority of the New Orleans Redevelopment Authority to conduct expedited quiet title and foreclosure proceedings; to provide for the removal of abandoned property; to provide of an effective date; 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. 649—
BY SENATOR HEBERT

AN ACT

To enact Subpart B-39 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.761 through 130.771, relative to economic development; to create and provide with respect to the Iberia Economic Development Authority; to provide relative to the board of commissioners for the authority; to provide for the powers, duties, and functions of the authority; to authorize various financial activities by the board of commissioners, including the authority to levy taxes, incur debt, and issue bonds to accomplish the purposes of the authority; to exempt the authority from all state taxation, and to provide for related matters.

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

SENATE BILL NO. 672—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 24:31, 31.1(A) and (E), 502(A), 504(B), 506(A), and 507(B), relative to compensation of members of the legislature and per diem; to provide for per diem during regular and extraordinary sessions; to provide for an increase in the compensation paid to legislators; to provide for an increase in compensation paid to the speaker of the House of Representatives and the president of the Senate; to provide for an increase in the compensation paid to the speaker pro tempore of the House of Representatives and the president pro tempore of the Senate; to provide for an increase in compensation paid

to the chairman of the Senate Finance Committee, the chairman of the Senate Revenue and Fiscal Affairs Committee, the chairman of the House Appropriations Committee, and the chairman of the House Ways and Means Committee; and to provide for related matters.

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

SENATE BILL NO. 776—
BY SENATOR MICHOT

AN ACT

To enact Chapter 2-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2345 and R.S. 36:259(N), relative to trusts created for a public purpose; to create such a trust and provide for its powers and duties; to provide for use of money received by the trust; and to provide for related matters.

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

SENATE BILL NO. 46—

BY SENATORS QUINN, MURRAY AND THOMPSON

AN ACT

To enact R.S. 24:209, relative to courts and judicial procedure; to require the Louisiana State Law Institute to establish a committee to make certain recommendations on the feasibility of creating family courts or domestic relations sections in certain judicial districts; to provide for membership of the committee; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneau sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneau on behalf of the Legislative Bureau to Engrossed Senate Bill No. 46 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 2, following "Louisiana" and before "Law" insert "State"

On motion of Senator Marionneau, 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	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Amedee	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	
Total - 37		

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NAYS

Total - 0

ABSENT

Broome
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Quinn moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 186—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Civil Code Articles 3492, 3493 and 3497, and to enact R.S. 3:4278.1(G) and 4278.2(G), relative to liberative prescription; to increase the prescription period for certain delictual actions from one year to two years; to increase the prescriptive period for certain actions for harvesting and sale of timber without the consent of the owner; to provide relative to an action for damages caused by the harvesting of timber without the consent of the owner; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Martiny
Alario	Gray	Mount
Amedee	Hebert	Murray
Broome	Heitmeier	Shaw
Cravins	LaFleur	Shepherd
Dorsey	Marionneaux	
Total - 17		

NAYS

Adley	Gautreaux B	Nevers
Cassidy	Gautreaux N	Quinn
Cheek	Kostelka	Riser
Crowe	Long	Smith
Donahue	McPherson	Thompson
Duplessis	Michot	Walsworth
Erdey	Morrish	
Total - 20		

ABSENT

Jackson
Total - 1

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Marionneaux, 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.

SENATE BILL NO. 400—

BY SENATOR GRAY

AN ACT

To enact Children's Code Article 857(C), relative to parole of juveniles; to provide for the eligibility for consideration for parole of a juvenile convicted as an adult upon reaching his thirty-fifth birthday; and to provide for related matters.

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

SENATE BILL NO. 430—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2363 and 2373(B)(4) and (5), and to enact R.S. 30:2373(B)(6) and (7), relative to the "Right-to-Know" Law; to provide for definitions; to provide for reporting requirements; to provide for penalties; to provide for certain exceptions; and to provide for related matters.

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

SENATE BILL NO. 461—

BY SENATOR GRAY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 795, relative to challenges in jury trials; to provide relative to time for challenges and method; to provide relative to peremptory challenges based on race or gender and restrictions; and to provide for related matters.

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

SENATE BILL NO. 699—

BY SENATOR QUINN

AN ACT

To amend and reenact Children's Code Articles 1106(A) and (C), and R.S. 40:34(B)(1)(h) and (D), and to enact R.S. 40:34(F), relative to vital records forms; to provide for the recordation of acknowledgment by authentic act for children born in Louisiana and judgments of filiation; to provide for voluntary acknowledgments to be signed by both parents; to provide for amendments to birth records; to designate the office of vital records as the central repository for all paternity acknowledgments and adjudications; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 699 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, and on page 2, line 12, following "and" change "R.S. 40:34(B)(1)(h)" to "R.S. 40:34(B)(1)(h)(i)"

AMENDMENT NO. 2

On page 1, line 3, following "and (D)," and before "relative" change "and to enact R.S. 40:34(F)," to "to enact R.S. 40:34(F), and to repeal R.S. 40:34(B)(1)(h)(v) and (vi),"

AMENDMENT NO. 3

On page 2, delete lines 28 through 29 in their entirety

AMENDMENT NO. 4

On page 3, delete lines 1 through 8 in their entirety

AMENDMENT NO. 5

On page 3, after line 17, insert "Section 3. R.S. 40:34(B)(1)(h)(v) and (vi) are hereby repealed."

On motion of Senator Marionneaux, 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Quinn moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 773—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 26:80(A)(3) and 280(A)(3), relative to alcohol permits; to provide for the issuance of alcohol permits to certain facilities which are leased for the purpose of conducting charitable games of chance; to provide for permits for dealers in beverages of low alcoholic content to certain facilities which are leased for the purposes of conducting charitable games of chance; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 773 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 17, following "**for**" and before "**the**" delete "**and for**"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 773 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 9, after "**et seq.**," delete the remainder of the line and insert the following: "**exclusively for and for the sole purpose of conducting charitable gaming.** In cases where"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jackson
Adley	Dupre	LaFleur
Alario	Gautreaux B	Marionneaux
Amedee	Gautreaux N	Martiny
Cheek	Gray	Michot
Cravins	Hebert	Morrish
Dorsey	Heitmeier	Murray
Total - 21		

NAYS

Broome	McPherson	Shepherd
Crowe	Mount	Smith
Donahue	Nevers	Thompson
Erdey	Riser	Walsworth
Long	Shaw	
Total - 14		

ABSENT

Cassidy	Kostelka	Quinn
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 809— (Substitute of Senate Bill No. 507 by Senator Mount)

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4547.1(E) and (F), all relative to performance-based energy efficiency contracts; to provide for contract provisions; to provide for contract evaluation requirements; to provide for the cost of evaluation; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 809 by Senator Mount

AMENDMENT NO. 1

On page 1, line 14, change "**(a)**" to "**(2)**"

AMENDMENT NO. 2

On page 1, line 17, change "**(b)**" to "**(3)**"

AMENDMENT NO. 3

On page 2, line 5, change "**(c)**" to "**(4)**"

AMENDMENT NO. 4

On page 2, line 11, change "**(d)**" to "**(5)**"

On motion of Senator Mount, the amendments were adopted.

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

SENATE BILL NO. 499—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 24:51(5), 52, and 56(F), relative to lobbying; to clarify the definition of lobbyist; to provide exception to the requirement of certain individuals to register as lobbyists; to clarify the definition of lobbyist; and to provide for related matters.

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

SENATE BILL NO. 633—
BY SENATOR CHEEK

AN ACT

To enact Chapter 29-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2423.1 through 2423.24 and to repeal Chapter 29 of Title 37 of the Louisiana Revised Statutes, comprised of R.S. 37:2401 through 2422, relative to physical therapists; to provide for the practice of physical therapy; to provide for the physical therapy board; to provide for powers and duties of the board; to provide for immunity; to provide for definitions; to provide licensure; to provide for qualifications for a license; to provide for reciprocity; to provide for exemptions; to provide for uses of titles and terms; to provide for disciplinary actions; to provide for violations; to provide for injunction; to provide for the authorization of fees; and to provide for related matters.

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

SENATE BILL NO. 718—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 42:1124.2(A) and 1124.3(A), and to enact 42:1124.6, relative to financial disclosure; to require certain disclosures by appointed members of boards and commissions; and to provide for related matters.

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

SENATE BILL NO. 810— (Substitute of Senate Bill No. 694 by Senator Mount)

BY SENATORS MOUNT, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GRAY, HEBERT, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 40:2162 and Part XIV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2200.1 through 2200.5, relative to dementia training; to provide for dementia training for certain persons; to provide for definitions; to provide for rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Original Senate Bill No. 810 by Senator Mount

AMENDMENT NO. 1

On page 2, line 5 after "of" and before "adult" insert "an" in lieu thereof

AMENDMENT NO. 2

On page 2, line 16 after "face-to-face" and before "shall" delete "contact" and insert "care" in lieu thereof

AMENDMENT NO. 3

On page 3, line 7 after "By" and before "1," delete "January" and insert "April" in lieu thereof

AMENDMENT NO. 4

On page 3, at the beginning of line 21 change "home" to "provider" and after "40:2166.3," and before "that" insert "or nursing home, as defined in R.S. 40:2009.2,"

AMENDMENT NO. 5

On page 4, line 1 delete "or an adult residential care provider, as defined in R.S. 40:2166.3"

AMENDMENT NO. 6

On page 4, delete lines 6 and 7 in their entirety and insert the following in lieu thereof: "in R.S. 40:2009.2, who provide care on a regular basis to a resident in an Alzheimer's special care"

AMENDMENT NO. 7

On page 4, line 9 after "provide" and before "care" delete "direct face-to-face" and insert "nursing and nursing assistance" in lieu thereof

AMENDMENT NO. 8

On page 4, line 16 after "regular" and before "contact" insert "communicative"

AMENDMENT NO. 9

On page 4, line 17 after "provide" and before "shall" delete "direct face-to-face contact" and insert "nursing and nursing assistance care" in lieu thereof

AMENDMENT NO. 10

On page 4, between lines 23 and 24 insert the following: "C. Training requirements for employees of a nursing home who provide care to residents not in an Alzheimer's special care unit shall be the following:

(1) Employees who provide nursing assistance care shall be required to obtain four hours of dementia training within ninety days of employment and two hours of dementia training annually thereafter.

(2) Employees who are not licensed and who have regular communicative contact with residents but who do not provide nursing assistance care shall be required to obtain four hours of dementia specific training within ninety days of employment and one hour of dementia training annually. The training shall include an overview of dementias and communicating with persons with dementia.

(3) Employees who have only incidental contact with residents shall receive general written information provided by the facility on interacting with residents with dementia."

AMENDMENT NO. 11

On page 4, line 24 change "C." to "D."

AMENDMENT NO. 12

On page 4, delete lines 27 through 29 in their entirety and insert the following in lieu thereof:

"§2200.3. Dementia training for adult residential care providers licensed by the Department of Health and Hospitals

A. All persons employed by an adult residential care provider, as defined in R.S. 40:2166.3, shall be trained, in accordance with the provisions of this Section, in dementia training issues and practices that include or are informed by evidence-based care practices.

B. Training requirements for employees of an adult residential care provider who provide care to residents in an Alzheimer's special care unit shall be the following.

(1) Employees who provide direct face-to-face care to

residents shall be required to obtain at least eight hours of dementia specific training within ninety days of employment and eight hours of dementia specific training annually. The training shall include an overview of Alzheimer's disease and related dementias, communicating with persons with dementia, behavior management, promoting independence in activities of daily living, and understanding and dealing with family issues.

(2) Employees who have regular contact with residents but who do not provide direct face-to-face care shall be required to obtain at least four hours of dementia specific training within ninety days of employment and two hours of dementia training annually. This training shall include an overview of dementias and communicating with persons with dementia.

(3) Employees who have only incidental contact with residents shall receive general written information provided by the facility on interacting with residents with dementia.

C. Training requirements for employees of an adult residential care provider who do not work with residents in an Alzheimer's special care unit shall be the following:

(1) Employees who provide direct face-to-face care to residents shall be required to obtain at least two hours of dementia specific training annually. This training shall include an overview of Alzheimer's disease and related dementias and communicating with persons with dementia.

(2) All other employees shall receive general written information provided by the facility on interacting with residents with dementia."

AMENDMENT NO. 13

On page 5, delete lines 1 through 13 in their entirety

AMENDMENT NO. 14

On page 5, line 20 after "By" and before "1," change "January" to "April"

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gray	Murray
Amedee	Hebert	Nevers
Broome	Heitmeier	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Shaw
Cravins	LaFleur	Shepherd
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux N
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

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

Called from the Calendar

Senator Mount asked that Senate Bill No. 809 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 809— (Substitute of Senate Bill No. 507 by Senator Mount)

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4547.1(E) and (F), all relative to performance-based energy efficiency contracts; to provide for contract provisions; to provide for contract evaluation requirements; to provide for the cost of evaluation; 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. 809 by Senator Mount

AMENDMENT NO. 1

On page 2, line 6, after the words "shall have no" delete "direct"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

May 20, 2008

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 12— BY REPRESENTATIVES HILL AND PERRY A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority and the United States Army Corps of Engineers to give proportionate attention to Louisiana's Chenier Plain in the development and implementation of the state's coastal protection and restoration efforts.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson. Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 332— BY REPRESENTATIVE PERRY AN ACT

To enact R.S. 14:118(D), (E), and (F), relative to forfeiture proceedings; to provide with respect to the forfeiture of property given, offered, or accepted during the commission of the crime of public bribery; to provide for a forfeiture procedure; to provide for the disposition of the property; to provide for the return of the property to the owner if the case is dismissed or the accused is acquitted; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux B, Morrish, Adley, Gautreaux N, Mount, Alario, Gray, Murray, Amedee, Hebert, Nevers, Broome, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson, Erdey, Michot. Total - 37

NAYS

Total - 0

ABSENT

Cassidy Total - 1

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

HOUSE BILL NO. 175— BY REPRESENTATIVE MILLS AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Martin Parish from the division of administration to the adjacent landowners, and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux B, Morrish, Adley, Gautreaux N, Mount, Alario, Gray, Murray, Amedee, Hebert, Nevers, Broome, Heitmeier, Quinn, Cassidy, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson, Erdey, Michot. Total - 37

NAYS

Total - 0

ABSENT

Cheek Total - 1

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

HOUSE BILL NO. 476—
BY REPRESENTATIVES FANNIN AND DIXON
AN ACT

To authorize and provide for the transfer or lease of certain state property in Bienville Parish to the Department of Transportation and Development from the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 477—
BY REPRESENTATIVE DIXON
AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; 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 with 3 columns of names: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 615—
BY REPRESENTATIVE DIXON
AN ACT

To authorize and provide for the transfer or lease of certain state property in Rapides Parish to the Department of Transportation and Development from the Department of Health and Hospitals; 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 with 3 columns of names: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn, Cheek, Jackson, Riser, Cravins, Kostelka, Shaw, Crowe, LaFleur, Shepherd, Donahue, Long, Smith, Dorsey, Marionneaux, Thompson, Duplessis, Martiny, Walsworth, Dupre, McPherson.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 1046—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To authorize and provide for the transfer or lease of certain state properties located in Iberville Parish, from the state of Louisiana, division of administration, office of state lands, to the Department of Transportation and Development; 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 with 3 columns of names: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray.

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

Total - 37

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 1142—
BY REPRESENTATIVES ST. GERMAIN, BILLIOT, AND HENDERSON
AND SENATOR DUPRE

AN ACT

To enact R.S. 56:422(E), relative to harvest of oysters; to authorize the Wildlife and Fisheries Commission to promulgate rules and regulations that allow the operation of oyster cargo vessels; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Dupre	McPherson	

Total - 37

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 163—
BY REPRESENTATIVES LIGI AND LEGER
AN ACT

To enact R.S. 14:56.4 and to repeal R.S. 14:59(A)(10), relative to damage to property; to create the crime of criminal damage to property by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Kostelka	Riser
Cravins	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 32

NAYS

Broome	Gray	Murray
Dorsey	Jackson	

Total - 5

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 801—
BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 3:3414(C), relative to contracts for the sale of grain; to provide for oral contracts or agreements as written evidence; to provide for confirmation notification of a sale; and to provide for related matters.

Floor Amendments Sent Up

Senator Thompson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thompson to Reengrossed House Bill No. 801 by Representative Anders

AMENDMENT NO. 1

Delete committee amendment No.1 proposed by the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the Reengrossed House Bill on May 6, 2008 and adopted by the Senate on May 7, 2008.

AMENDMENT NO. 2

On page 1, line 12, after "mailed" and before "to" insert "or electronically transmitted" and after "grain" and before "shall" insert "within five business days" and between "deemed a" and "contract" insert "signed"

On motion of Senator Thompson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish

Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 343—

BY REPRESENTATIVES PERRY AND ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:499.4, relative to night shrimping; to make corrections to the night shrimping line; 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	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Broome	Gray	Murray
Cassidy	Hebert	Nevers
Cheek	Heitmeier	Quinn
Cravins	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Kostelka	Shepherd
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Total - 2

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

HOUSE BILL NO. 475—

BY REPRESENTATIVES ST. GERMAIN AND GISCLAIR

AN ACT

To amend and reenact R.S. 56:10(B)(1)(e) and to enact R.S. 56:306(B)(6) and 306.1(B)(7), relative to sales of crabs outside the state of Louisiana; to provide for a wholesale out-of-state crab shipping license and a retail out-of-state crab shipping license; to provide for the cost of such licenses; to provide for deposit and use of revenues from the sale of such licenses; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	

Total - 37

NAYS

Total - 0

ABSENT

Shepherd

Total - 1

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

HOUSE BILL NO. 694—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:116(D), relative to special hunting seasons; to provide for a special open deer hunting season; to provide for eligibility; 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	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Cravins	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Cassidy	Shepherd
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Total - 2

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

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HOUSE BILL NO. 695—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To repeal R.S. 34:851.15(A)(2)(c), relative to personal watercraft; to remove the exemption for personal watercraft from provisions applicable to motorboats towing waterskis or similar contrivance.

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 with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 697—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for definitions; to provide for operation of certain vessels; 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 with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 698—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:143(A), relative to hunting; to provide for the wearing of "hunter orange" during deer season; 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 with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 701—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:8(26), (42), (57), (58), (66), (91), (110), and (112), 320(A), 325(C), 326.1, 327(A)(1)(introductory paragraph) and (2), 332(M), 411, 412, and 413, to enact R.S. 56:8(109.1), and to repeal R.S. 56:327(A)(1)(a), (b), and (c), relative to game fish; to define what fish species are game fish; to define "commercial fishing"; to define "recreational fishing"; to define "aquaculture"; to define "domesticated fish"; to delineate what restrictions apply to game fish, to aquaculturally raised fish, to commercial fishing, and to recreational fishing; to provide relative to transportation of game fish fingerlings; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 702—

BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:322.1(A) and (H) and 322.2(B) and (D) and to repeal R.S. 56:322.1(D), relative to commercial taking of shad and skipjack; to remove provisions for a closed season; to provide relative to the prohibition for nighttime taking of commercial shad; to authorize the keeping of other commercial species of fish; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 1025—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:104(A)(2), (4), and (7) and 302.1(B)(1) and (C)(2)(a), to enact R.S. 56:104(E), and to repeal R.S. 56:104(A)(6), relative to nonresident hunting and fishing licenses; to provide for one-day costs for each nonresident hunting or fishing license; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 33—

BY REPRESENTATIVES GREENE AND NORTON
AN ACT

To enact R.S. 14:108.1(D)(5) and (6), relative to aggravated flight from an officer; to provide with respect to circumstances where human life is endangered; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Heitmeier	Riser
Cheek	Jackson	Shaw
Cravins	Kostelka	Shepherd
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

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NAYS

Total - 0

ABSENT

Marionneaux

Total - 1

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

HOUSE BILL NO. 45—

BY REPRESENTATIVES LEGER, ABRAMSON, ARNOLD, BALDONE, BILLIOT, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HARRISON, HAZEL, HENRY, HINES, HONEY, HOWARD, GIROD JACKSON, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PETERSON, PONTI, RICHARD, RICHARDSON, RICHMOND, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, AND WILLIAMS

AN ACT

To amend and reenact R.S. 14:129.1, relative to intimidating, impeding, or injuring witnesses or officers of the court; to prohibit the intimidation, impeding, or injuring of an immediate family member of a witness or officer of the court; to provide for definitions; to amend the criminal penalties for such offense; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 96—

BY REPRESENTATIVES WHITE, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOVE, ELLINGTON, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MORRELL, NORTON, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WADDELL, WILLMOTT, AND WOOTON AND SENATORS BROOME AND ERDEY

AN ACT

To enact R.S. 14:62.8, relative to home invasion; to create the crime of home invasion; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 121—

BY REPRESENTATIVES BALDONE AND WOOTON

AN ACT

To amend and reenact R.S. 15:571.3(B)(3), relative to diminution of sentence for good behavior; to provide with respect to the maximum number of days an inmate may receive as "good time"; 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 with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

was passed and laid the motion on the table.

HOUSE BILL NO. 148—

BY REPRESENTATIVES HAZEL, LORUSSO, LEGER, AND LIGI AND SENATORS AMEDEE AND DORSEY
AN ACT

To enact R.S. 14:93(A)(3), relative to cruelty to juveniles; to add intentionally or criminally negligently allowing any child under the age of seventeen years by any person over the age of seventeen years to be present during the manufacturing, distribution, or purchasing or attempted manufacturing, distribution, or purchasing of a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Law as an element of the crime of cruelty to juveniles; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

Senator Broome in the Chair

HOUSE BILL NO. 185—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:31(B) and 32(C), relative to homicide; to provide with respect to the criminal penalties for manslaughter and negligent homicide; to amend the criminal penalty provisions applicable when the victim is under the age of ten years; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray

Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	

Total - 37

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 268—

BY REPRESENTATIVES ELBERT GUILLORY, LAFONTA, MARCHAND, AND RICHMOND
AN ACT

To amend and reenact R.S. 15:711(G) and 1111(I), relative to work release programs; to provide for the eligibility of inmates convicted of certain offenses involving controlled dangerous substances to participate in work release programs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Gautreaux N
Total - 2

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

HOUSE BILL NO. 286—

BY REPRESENTATIVES MORRELL, ABRAMSON, ARNOLD, AUBERT, BALDONE, BILLIOT, HENRY BURNS, CHANDLER, CONNICK, DIXON, FANNIN, GISCLAIR, HARDY, HARRISON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, LEGER, LIGI, LOPINTO, LORUSSO, PETERSON, POPE, RICHARDSON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND TEMPLET
AN ACT

To amend and reenact R.S. 14:102.5(C) and (D) and to repeal R.S. 14:102.5(E), relative to dogfighting; to provide for penalties;

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and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Martiny	Shepherd
Total - 2	

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

HOUSE BILL NO. 334—

BY REPRESENTATIVES ELBERT GUILLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LÉGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, AND MURRAY

AN ACT

To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce development; to enact the Inmate Rehabilitation and Workforce Development Act; to provide for the development and administration of the inmate rehabilitation and workforce development program; to provide for definitions; to provide for legislative findings; to create the inmate rehabilitation and workforce development advisory council; to provide for the membership of the council; to provide for the powers and duties of the council; to authorize the receipt of per diem by certain members of the council; to provide for the purposes of the program; to provide for the components of the program; to provide for applicability; to provide for inmate eligibility for participation in the program; to provide for selection of eligible inmates; to provide for the duration of the program; to provide criteria for removal from the program; to provide for rulemaking; to provide for annual reporting; to provide for the powers, duties, and responsibilities of the Department of Public Safety and Corrections regarding the implementation and administration of the program; to authorize and provide for workforce development work release programs; to provide for the collection and distribution of inmate wages; to provide for substance abuse counseling and treatment; to provide for mandatory and random drug testing of inmates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 377—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 15:542(C)(1)(m) and to enact R.S. 15:541(23) through (26) and 542.1.5(G), relative to sex offender registration and notification; to require the Bureau of Criminal Identification and Information to provide for the capability of allowing social networking web sites to compare its users to online identifiers on the State Sex Offender and Child Predator Registry; to require entities operating social networking web sites to provide information to the bureau; to provide for the screening of its registered users; to provide for a defense to claims of liability; to provide for definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

Mr. President in the Chair

HOUSE BILL NO. 642—
BY REPRESENTATIVES SCHRODER AND NORTON
AN ACT

To amend and reenact R.S. 14:43.1(C)(2), 43.2(C)(2), 43.3(C)(2), 78.1(D)(2), 81.1(E)(2), and 81.2(E)(1), relative to criminal penalties for certain sex offenses; to amend the criminal penalties for certain sex offenses when the victim is under the age of thirteen years; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Shepherd
Total - 1

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

HOUSE BILL NO. 643—
BY REPRESENTATIVES SCHRODER AND NORTON
AN ACT

To amend and reenact R.S. 14:98(F)(2), relative to operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to provide with respect to the ten-year cleansing period for purposes of determining when a person has a prior offense; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed House Bill No. 643 by Representative Schroder

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:98(F)(2)" and before "," insert "and to enact R.S. 14:98(C)(1)(c), (d), (e), (f), and (g)"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert "and R.S. 98(C)(1)(c), (d), (e), (f), and (g) are hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 9 and 10 insert the following:
"C.(1) On a conviction of a second offense, notwithstanding any other provision of law to the contrary except as provided in Paragraph (3) of this Subsection, regardless of whether the second offense occurred before or after the first conviction, the offender shall be fined not less than seven hundred fifty dollars, nor more than one thousand dollars, and shall be imprisoned for not less than thirty days nor more than six months. At least forty-eight hours of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. ~~Nothing herein shall prohibit a court from sentencing a defendant to home incarceration, if otherwise allowed under the provisions of Article 894.2 of the Code of Criminal Procedure.~~ Imposition or execution of the remainder of the sentence shall not be suspended unless:

* * *

(c) In addition to the requirements set forth in Subparagraphs (a) and (b) of this Paragraph, any offender placed on probation pursuant to the provisions of this Subsection shall be placed in a home incarceration program approved by the division of probation and parole for a period of six months.

(d) If any offender placed on probation pursuant to the provisions of this Subsection fails to complete the substance abuse treatment required by the provisions of this Paragraph or violates any other condition of probation, including conditions of home incarceration, his probation may be revoked, and he may be ordered to serve the balance of the sentence of imprisonment, without credit for time served under home incarceration.

(e) An offender sentenced to home incarceration during probation shall be subject to special conditions to be determined by the court, which shall include but not be limited to the following:

(i) Electronic monitoring.

(ii) Curfew restrictions.

(iii) Home visitation at least once per month by the Department of Public Safety and Corrections.

(f) The court shall also require the offender to obtain employment and to participate in a court-approved driver improvement program at his expense. The activities of the offender outside of his home shall be limited to traveling to and from work, church services, Alcoholics Anonymous meetings, or a court-approved driver improvement program.

(g) Offenders sentenced to home incarceration required pursuant to the provisions of this Section shall be subject to all other applicable provisions of Code of Criminal Procedure Article 894.2.

* * *

Senator Crowe asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was germane to the bill.

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 770—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 14:81.3(A) and (F) and R.S. 15:537(A), relative to the crime of computer-aided solicitation of a minor; to provide for the elements of the crime; to provide with respect to where the offense occurred; to provide that persons convicted of computer-aided solicitation of a minor shall not be eligible for diminution of sentence for good behavior; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 71—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(2)(j), relative to the Department of Insurance, including provisions to provide for

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 80—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 42:1111(E)(2), relative to the Code of Governmental Ethics; to provide relative to the rendering of certain assistance by elected officials; to provide relative to disclosure requirements regarding such assistance; 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	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 214—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:990.1, relative to foreign and alien insurers; to provide for the notification of the appointment of officers or directors; to provide for the definition of senior officer; to provide for additional information for directors and officers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 274—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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	Erdey	Michot
Adley	Gautreaux B	Morrish

Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 276—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(3)(m) and to repeal R.S. 49:191(2)(i), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 333—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:1243(A) and 1244(A) and to enact R.S. 22:1242(1)(h) and (i), relative to insurance fraud; to define fraudulent insurance acts; to provide for penalties and restitution; and to provide for related matters.

May 20, 2008

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and NAYS. Lists names of senators and their votes.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 380—

BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 51:702(5)(a)(iii), (6.2), and (15)(b)(ii), 703(A)(2)(introductory paragraph), (D), and (F), 704(A)(introductory paragraph) and (6), (B), and (C), and 705(A)(introductory paragraph) and (3) and to enact R.S. 51:704(A)(9), relative to the Louisiana Securities Law; to provide for changes in the definitions of dealer, federal covered security, and security; to provide for registration of investment adviser representatives; to provide for the suspension or revocation of the registration of investment adviser representatives in certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and NAYS. Lists names of senators and their votes.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 481—

BY REPRESENTATIVE ABRAMSON AN ACT

To amend and reenact R.S. 22:1379(3)(f), relative to the Louisiana Insurance Guaranty Association; to provide for the definition of "covered claim"; to provide relative to the net worth exclusion applicable to insureds; and to provide for related matters.

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

HOUSE BILL NO. 584—

BY REPRESENTATIVE DOWNS A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize certain investments for political subdivisions with respect to monies reserved for post-employment benefits; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and NAYS. Lists names of senators and their votes.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 691—

BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact R.S. 22:231(E), 232(2), 234(A)(2), 236(7)(a), 237(B)(1) and (C), 239.1(C)(2) and (3), 240(A) and (F)(3), and 242(B), relative to the Louisiana Health Plan; to provide for definitions; to define eligibility; to establish definitions of rates for nonfederally defined individuals; to establish benefits; to provide with respect to the board of directors; to provide for exemptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 953—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:806 and to enact Part XVII-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:822 through 833, relative to life insurance; to provide relative to the conversion of mutual life insurers and mutual life insurance holding companies; to provide definitions; to require a plan of reorganization; to provide with respect to consideration and dividend protections; to provide for approval by the commissioner of insurance after a public hearing; to provide with respect to approval by qualified voters; to provide limitations; to require the filing of a certificate of compliance; to provide for the effect of reorganization; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 985—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:1032 and 1034 and to enact R.S. 6:1038.1 and 1054, relative to the sale of checks and money transmission; to provide for definitions; to provide for exclusions and exemptions; to provide for temporary licenses; to provide for change of control; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

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

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

Senator Broome 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. 75—
BY SENATOR BROOME
A RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Forrest Pollock, former pastor of Istrouma

May 20, 2008

Baptist Church of Baton Rouge, Louisiana, and his young son, Preston Pollock.

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

SENATE RESOLUTION NO. 76— BY SENATORS CASSIDY AND GRAY

A RESOLUTION

To acknowledge the need for reform of the children's mental health system, the crisis level of unmet need for children and adolescents living with mental illnesses, and the need for leadership at the state and community levels to address the mental health crisis for children and adolescents living with mental illnesses.

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

SENATE RESOLUTION NO. 77—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Jarred S. Fontenot upon his death in combat in Iraq.

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

SENATE RESOLUTION NO. 78—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant First Class John Michael Hennen upon his death in combat in Operation Enduring Freedom.

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

SENATE RESOLUTION NO. 79—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Charles Leonard, Jr., upon his death in combat in Iraq.

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

SENATE CONCURRENT RESOLUTION NO. 79— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend St. Louis High School Girls Track and Field Team for winning the Class 3-A Track and Field State Championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, etc.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 80— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Alzheimer's Disease Task Force to study and make recommendations to the Legislature of Louisiana concerning the current and future impact of Alzheimer's disease and related dementias on Louisiana citizens.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, etc.

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

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 20, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 296—

BY REPRESENTATIVE DANAHAY
AN ACT

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

HOUSE BILL NO. 308—

BY REPRESENTATIVE WHITE AND SENATOR NEVERS
AN ACT

To amend and reenact R.S. 11:1305(D)(1), relative to the State Police Pension and Retirement System; to provide for the purchase of service credit; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 520—

BY REPRESENTATIVE MONTUCET
AN ACT

To repeal R.S. 11:1113, relative to the Louisiana School Employees' Retirement System, to remove the prohibition of being a member of two retirement systems; and to provide for related matters.

HOUSE BILL NO. 704—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 11:2256(B)(1)(a), relative to the Firefighters' Retirement System; to provide with respect to benefits payable to the surviving spouse of a deceased member if the member suffers a line of duty death; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 903—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 33:1373(A), (B)(introductory paragraph), (C)(introductory paragraph), and (D) and to enact R.S. 13:1140.1, relative to Orleans Parish; to grant certain agencies and entities within the parish the authority to enforce health, safety, and welfare statutes or ordinances in any court of competent jurisdiction; to establish a separate environmental docket of the Civil District Court for the parish of Orleans, or the successor to such court, to hear matters related to the enforcement of such statutes and ordinances; and to provide for related matters.

HOUSE BILL NO. 1057—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 33:2740.69, relative to the hotel occupancy tax; to authorize the city of Natchitoches to levy and collect an additional hotel occupancy tax within the city; to provide

relative to the purposes for which the proceeds of the tax may be used; and to provide for related matters.

HOUSE BILL NO. 1276—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 33:3819(E), relative to the Southeast Waterworks District No. 2 of Vermilion Parish; to authorize the Vermilion Parish governing authority to increase the per diem paid to the members of the board of commissioners of the district; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 33:4564(D), relative to the boards of commissioners of recreation districts in certain parishes; to provide for a per diem for members of such boards; and to provide for related matters.

HOUSE BILL NO. 312—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1903.2, relative to the Orleans Parish Assessor; to provide that the assessor shall be responsible for all of the obligations of the Board of Assessors of Orleans Parish; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 592—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1931(A) and to enact R.S. 47:1931(C), relative to ad valorem tax assessments in Orleans Parish; to provide relative to the membership of the board of review in Orleans Parish; and to provide for related matters.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, and as amended by Act No. 932 of the 2003 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 232—

BY REPRESENTATIVES DOERGE, ARNOLD, MONTUCET, PEARSON,
AND POPE AND SENATORS B. GAUTREAUX AND HEBERT
AN ACT

To amend and reenact R.S. 11:233(B)(4) and 2252(9), relative to the Firefighters' Retirement System; to provide with respect to the inclusion of certain deferred compensation in the definition of "earnable compensation"; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 356—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 11:2175(E)(3), relative to the Sheriffs' Pension and Relief Fund; to provide for recalculation of benefits and restoration of service credit for certain rehired retirees; to provide for repayment of benefits to the system upon reemployment; to provide eligibility requirements for recalculation of benefits and restoration of service credit; and to provide for related matters.

HOUSE BILL NO. 525—

BY REPRESENTATIVE ARNOLD
AN ACT

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

HOUSE BILL NO. 1193—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 3:2772(B) and to enact R.S. 3:2772(G), (H), and (I), relative to kennel licenses for dog breeders; to provide for license fees; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1286—

BY REPRESENTATIVE LAMBERT
AN ACT

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

HOUSE BILL NO. 369—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact Part XXX-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1450.51 and 1450.52, relative to insurance product regulation; to provide for the state's participation in the Interstate Insurance Product Regulation Compact; to provide for definitions; to provide for establishment of a commission and venue; to provide for powers of the commission; to provide for organization of the commission; to provide for meetings and acts of the commission; to provide for rules and operating procedures of the commission; to provide for rulemaking functions of the commission and opting out of uniform standards; to provide for commission records and enforcement; to provide for dispute resolution; to provide for product filing and approval; to provide for review of commission filing decisions; to provide for finances; to provide for eligibility of compacting states and effective date and amendments to the compact; to provide for withdrawal, default and termination of compacting states; to provide for severability and construction; to provide for binding effect of compact and other laws; to provide for the designation of the Louisiana compact commission official; and to provide for related matters.

HOUSE BILL NO. 657—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:6(A)(14)(b), relative to school employees; to prohibit school employees from being required to complete certain paperwork under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 699—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To enact Subpart B-2 of Part II of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:69.21 through 69.31, relative to the Wildlife Violator Compact; to provide for findings; to provide for definitions; to provide issuing citations to a resident of a participating state; to provide for home state procedures; to provide for a compact administrator; to provide for entering, amending, and withdrawal of compact; to provide for severability; and to provide for related matters.

HOUSE BILL NO. 901—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 49:995(A)(introductory paragraph) and (B), relative to the division of administrative law; to provide for the appointment of the division director; to provide for the term of the division director; to require certain approval; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1063—

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

AN ACT

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

HOUSE BILL NO. 988—

BY REPRESENTATIVE WADDELL
AN ACT

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

HOUSE BILL NO. 1252—

BY REPRESENTATIVE MONTUCET
AN ACT

To enact R.S. 33:1994.1, relative to hours of work for firemen; to provide relative to the maximum number of consecutive hours firemen may be required to work; to provide exceptions; to provide for the minimum number of consecutive hours off duty to which a fireman shall be entitled under certain circumstances; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 232—

BY REPRESENTATIVES DOERGE, ARNOLD, MONTUCET, PEARSON, AND POPE AND SENATORS B. GAUTREAU AND HEBERT
AN ACT

To amend and reenact R.S. 11:233(B)(4) and 2252(9), relative to the Firefighters' Retirement System; to provide with respect to the inclusion of certain deferred compensation in the definition of "earnable compensation"; to provide an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 296—

BY REPRESENTATIVE DANAHAY
AN ACT

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

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 308—

BY REPRESENTATIVE WHITE AND SENATOR NEVERS
AN ACT

To amend and reenact R.S. 11:1305(D)(1), relative to the State Police Pension and Retirement System; to provide for the purchase of service credit; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 312—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1903.2, relative to the Orleans Parish Assessor; to provide that the assessor shall be responsible for all of the obligations of the Board of Assessors of Orleans Parish; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 356—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 11:2175(E)(3), relative to the Sheriffs' Pension and Relief Fund; to provide for recalculation of benefits and restoration of service credit for certain rehired retirees; to provide for repayment of benefits to the system upon reemployment; to provide eligibility requirements for recalculation of benefits and restoration of service credit; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 369—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact Part XXX-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1450.51 and 1450.52, relative to insurance product regulation; to provide for the state's participation in the Interstate Insurance Product Regulation Compact; to provide for the purposes of the compact; to provide for definitions; to provide for establishment of a commission and venue; to provide for powers of the commission; to provide for organization of the commission; to provide for meetings and acts of the commission; to provide for rules and operating procedures of the commission; to provide for rulemaking functions of the commission and opting out of uniform standards; to provide for commission records and enforcement; to provide for dispute resolution; to provide for product filing and approval; to provide for review of commission filing decisions; to provide for finances; to provide for eligibility of compacting states and effective date and amendments to the compact; to provide for withdrawal, default and termination of compacting states; to provide for severability and construction; to provide for binding effect of compact and other laws; to provide for the designation of the Louisiana compact commission official; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Insurance.

HOUSE BILL NO. 520—

BY REPRESENTATIVE MONTOUCET
AN ACT

To repeal R.S. 11:1113, relative to the Louisiana School Employees' Retirement System, to remove the prohibition of being a member of two retirement systems; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 525—

BY REPRESENTATIVE ARNOLD
AN ACT

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

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 592—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1931(A) and to enact R.S. 47:1931(C), relative to ad valorem tax assessments in Orleans Parish; to provide relative to the membership of the board of review in Orleans Parish; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 657—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 17:6(A)(14)(b), relative to school employees; to prohibit school employees from being required to complete certain paperwork under certain circumstances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Education.

HOUSE BILL NO. 699—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE
AN ACT

To enact Subpart B-2 of Part II of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:69.21 through 69.31, relative to the Wildlife Violator Compact; to provide for findings; to provide for definitions; to provide issuing citations to a resident of a participating state; to provide for home state procedures; to provide for a compact administrator; to provide for entering, amending, and withdrawal of compact; to provide for severability; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Natural Resources.

HOUSE BILL NO. 704—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 11:2256(B)(1)(a), relative to the Firefighters' Retirement System; to provide with respect to benefits payable to the surviving spouse of a deceased member if the member suffers a line of duty death; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

HOUSE BILL NO. 901—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 49:995(A)(introductory paragraph) and (B), relative to the division of administrative law; to provide for the appointment of the division director; to provide for the term of the division director; to require certain approval; to provide for effectiveness; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

May 20, 2008

HOUSE BILL NO. 903—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 33:1373(A), (B)(introductory paragraph), (C)(introductory paragraph), and (D) and to enact R.S. 13:1140.1, relative to Orleans Parish; to grant certain agencies and entities within the parish the authority to enforce health, safety, and welfare statutes or ordinances in any court of competent jurisdiction; to establish a separate environmental docket of the Civil District Court for the parish of Orleans, or the successor to such court, to hear matters related to the enforcement of such statutes and ordinances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 988—

BY REPRESENTATIVE WADDELL
AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1057—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 33:2740.69, relative to the hotel occupancy tax; to authorize the city of Natchitoches to levy and collect an additional hotel occupancy tax within the city; to provide relative to the purposes for which the proceeds of the tax may be used; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1063—

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

AN ACT

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

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, and as amended by Act No. 932 of the 2003 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1193—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 3:2772(B) and to enact R.S. 3:2772(G), (H), and (I), relative to kennel licenses for dog breeders; to provide for license fees; to provide for penalties; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 1252—

BY REPRESENTATIVE MONTTOUCET
AN ACT

To enact R.S. 33:1994.1, relative to hours of work for firemen; to provide relative to the maximum number of consecutive hours firemen may be required to work; to provide exceptions; to provide for the minimum number of consecutive hours off duty to which a fireman shall be entitled under certain circumstances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1276—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 33:3819(E), relative to the Southeast Waterworks District No. 2 of Vermilion Parish; to authorize the Vermilion Parish governing authority to increase the per diem paid to the members of the board of commissioners of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1286—

BY REPRESENTATIVE LAMBERT
AN ACT

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

The bill was read by title and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 33:4564(D), relative to the boards of commissioners of recreation districts in certain parishes; to provide for a per diem for members of such boards; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

Motion to Recommit

Senator Murray asked for a suspension of the rules for the purpose of recommitting a bill.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	B. Gautreaux	Martiny
Cravins	Hebert	McPherson

Dorsey	Jackson	Morrish
Duplessis	LaFleur	Murray
Dupre	Marionneaux	Shepherd
Total - 15		

NAYS

Amedee	Erdey	Shaw
Broome	Kostelka	Smith
Cassidy	Long	Thompson
Crowe	Mount	
Donahue	Riser	
Total - 13		

ABSENT

Mr. President	Gray	Quinn
Adley	Heitmeier	Walsworth
Cheek	Michot	
Gautreaux N	Nevers	
Total - 10		

The Chair declared the Senate refused to suspend the rules.

Notice Regarding Vote

Senator Heitmeier stated he appeared as absent on the vote to suspend the rules for the purpose of recommitting a bill. He had intended to vote nay on the motion. He asked that the Official Journal so state.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 20, 2008

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To declare November 2008 as Lung Cancer Awareness Month in Louisiana and to recognize the importance of understanding lung cancer issues.

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATORS CROWE AND DONAHUE

A CONCURRENT RESOLUTION

To commend the 2007-2008 players, coaches, and volunteers of the Slidell Titans Boys U-14 Soccer Team on winning the Division 1 U-14 Boys Allstate Sugar Bowl State Soccer Championship Title.

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to expedite the reopening of the Arabi branch of the United States Postal Service located in St. Bernard Parish.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

ABSENT

Total - 0

Adjournment

Senator Broome moved that the Senate adjourn until Wednesday, May 21, 2008, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Wednesday, May 21, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

