

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

**EIGHTH DAY'S PROCEEDINGS**

Thirty-Fifth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Monday, May 11, 2009

The Senate was called to order at 4:40 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	Duplessis	Murray
Adley	Hebert	Nevers
Alario	Jackson	Quinn
Amedee	LaFleur	Smith
Appel	Martiny	Thompson
Broome	Michot	Walsworth
Claitor	Morrell	
Donahue	Mount	
Total - 22		

**ABSENT**

Cheek	Gautreaux N	McPherson
Crowe	Gray Evans	Morrish
Dorsey	Heitmeier	Riser
Dupre	Kostelka	Shaw
Erdey	Long	
Gautreaux B	Marionneaux	
Total - 16		

The President of the Senate announced there were 22 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Lynn Malone, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Adley, the reading of the Journal was dispensed with and the Journal of May 7, 2009, was adopted.

**Petitions, Memorials and  
Communications**

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

**SENATE**  
STATE OF LOUISIANA  
May 11, 2009

Louisiana State Senate  
State Capitol  
Baton Rouge, Louisiana

RE: Select Committee on Veteran Affairs

Members of the Senate:

In accordance with Senate Rule 13.20 the Select Committee on Veterans Affairs is created. Senator Ed Murray is appointed to serve on the select committee.

Sincerely,  
JOEL T. CHAISSON II  
Senate President

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 7, 2009

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 32—**

BY SENATOR B. GAUTREUX AND REPRESENTATIVE ROBIDEAUX AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, N. GAUTREUX, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To urge and request the Honorable Bobby Jindal, Governor of Louisiana, to endorse the 25 x 25 national initiative.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 36—**

BY SENATOR LAFLEUR

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to refrain from reducing or repealing tax incentives for domestic production of natural gas or oil.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 38—**

BY SENATOR DONAHUE AND REPRESENTATIVE CROMER

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Wildlife and Fisheries to evaluate and study the scenic Bayou Liberty located

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in St. Tammany Parish for inclusion in the Louisiana Natural and Scenic Rivers System.

Reported without amendments.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 7, 2009

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 283—

BY SENATORS WALSWORTH AND THOMPSON AND REPRESENTATIVES ANDERS, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GALLOT, GISCLAIR, ELBERT GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LAFONTA, LAMBERT, LEBAS, LIGI, LITTLE, MCVEA, MILLS, MONICA, MORRIS, PEARSON, PUGH, RITCHIE, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WHITE, WILLMOTT AND WOOTON

AN ACT

To amend and reenact R.S. 51:2365(F), relative to the Louisiana Mega-Project Development Fund; to provide for the definition of a mega-project; and to provide for related matters.

Reported without amendments.

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

Introduction of Senate Resolutions

Senator Broome asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.

SENATE RESOLUTION NO. 13—

BY SENATORS BROOME AND MOUNT
A RESOLUTION

To proclaim May 19, 2009, as Junior League of Louisiana Day.

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

SENATE RESOLUTION NO. 14—

BY SENATOR HEITMEIER
A RESOLUTION

To urge and request the state of Louisiana and all levels of state government to work in conjunction with all public and private hospitals within the state to ensure that the citizens of the state are prepared to handle a possible outbreak of the influenza A (H1N1) virus in the state of Louisiana.

The resolution was read by title and placed on the Calendar for a second reading.

Introduction of Senate Concurrent Resolutions

Senator N. Gautreaux asked for and obtained a suspension of the rules to read Senate Concurrent Resolutions a first and second time.

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR N. GAUTREUX
A CONCURRENT RESOLUTION

To designate May 20, 2009, as Louisiana Housing Council Day.

The resolution was read by title and placed on the Calendar for a second reading.

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR SMITH
A CONCURRENT RESOLUTION

To recognize May 10 through 16, 2009, as "Christian Heritage Week in Louisiana."

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

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To highly and sincerely commend Sandra Bullock for her significant, substantial, and ongoing support of Warren Easton Senior High School in New Orleans, Louisiana.

The resolution was read by title. Senator Murray 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, Amedee, Appel, Broome, Cheek, Claitor, Donahue, Dorsey, Duplessis, Total - 32.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEAS, NAYS. Lists names like Crowe, Dupre, Total - 6.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 11, 2009

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. 355—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 32:408(B)(2)(a)(ii), relative to Class "A" commercial driver's licenses; to provide a tractor-trailer combination gross vehicle weight rating; and to provide for related matters.

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE PETERSON AND SENATOR GRAY EVANS  
AN ACT

To amend and reenact R.S. 47:463.103, relative to motor vehicle prestige license plates; to provide for the Louisiana Delta Sigma Theta Sorority, Inc., prestige license plate; to provide for the issuance; to provide for the color and design; to provide relative to the fees; to provide for the use of such fees; and to provide for related matters.

**HOUSE BILL NO. 522—**

BY REPRESENTATIVES BOBBY BADON, ARMES, AUBERT, BILLIOT, HENRY BURNS, DIXON, GISCLAIR, GUINN, HOWARD, SAM JONES, MONTTOUCET, AND POPE

AN ACT

To enact R.S. 47:463.139, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 601—**

BY REPRESENTATIVE AUBERT  
AN ACT

To amend and reenact R.S. 48:250, relative to electronic signatures; to provide relative to electronic signatures on contracts; to provide for the acceptance of electronically signed documents by the recorder of mortgages; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 625—**

BY REPRESENTATIVE SAM JONES  
AN ACT

To amend and reenact R.S. 38:291(A)(1) and (2)(introductory paragraph) and to enact R.S. 38:291(A)(2)(h), relative to levee districts; to provide for St. Mary Parish and the Atchafalaya Basin Levee District; and to provide for related matters.

**HOUSE BILL NO. 854—**

BY REPRESENTATIVE HILL  
AN ACT

To designate Louisiana Highway 26 from Mittie, Louisiana, to the intersection of Highway 377 as the Cecil B. Tramel Memorial Highway; and to provide for related matters.

**HOUSE BILL NO. 575—**

BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact R.S. 48:2078(B) and (C), relative to the state-designated projects undertaken by the Louisiana Transportation Authority; to remove the requirement that the Louisiana Transportation Authority reimburse the Department of Transportation and Development for certain projects' costs expended by the department; to remove the requirement that the department serve as the agent for a project; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(A) and (G), relative to sentencing in criminal cases; to provide with respect to home incarceration; to authorize home incarceration either in lieu of imprisonment or in addition to a term of imprisonment; to increase the maximum number of years a defendant may be sentenced to home incarceration for a felony; and to provide for related matters.

**HOUSE BILL NO. 310—**

BY REPRESENTATIVE HAZEL  
AN ACT

To amend and reenact R.S. 14:81.3(A), relative to computer-aided solicitation of a minor; to amend the elements of the crime of computer-aided solicitation of a minor; and to provide for related matters.

**HOUSE BILL NO. 385—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To amend and reenact R.S. 22:1091(B)(13), relative to health insurance; to define a small employer for the purposes of the rate limitation provisions for health benefit plans providing coverage for small employers; and to provide for related matters.

**HOUSE BILL NO. 386—**

BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 22:821(B)(3)(e), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for renewal of surplus lines broker licenses; and to provide for related matters.

**HOUSE BILL NO. 437—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 22:1319 and 1332(B)(introductory paragraph) and (2) and to enact R.S. 22:1332(B)(6) and (C), relative to property insurance; to require disclosure of separate hurricane, wind, or named-storm deductibles on homeowners' and fire insurance policies; to otherwise provide with respect to all disclosures on such policies, including providing that such disclosures are for informational purposes only; and to provide for related matters.

**HOUSE BILL NO. 539—**

BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To repeal R.S. 30:2014(A)(3), relative to permits, licenses, registrations, variances, or compliance schedules granted by the Department of Environmental Quality; to repeal the prohibition on granting a permit, license, registration, variance, or compliance schedule to construct or modify certain facilities handling sulphur in a solid state.

**HOUSE BILL NO. 682—**

BY REPRESENTATIVE CHANDLER  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Concordia Parish to Ira and Brenda Fontenot from the division of administration; and to provide for related matters.

**HOUSE BILL NO. 453—**

BY REPRESENTATIVE PUGH  
AN ACT

To enact R.S. 32:361.2(E), relative to tinting of motor vehicle windows; to provide for a decal to be issued to persons with medical exemptions; to provide for a fee to be imposed; and to provide for related matters.

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 48:1671(C)(1), relative to the Southern Rapid Rail Transit Commission; to change the name of the commission; and to provide for related matters.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVES CHANEY, EDWARDS, ROSALIND JONES, MILLS, AND TEMPLET

AN ACT

To enact Civil Code Articles 178, 179, 199, and 200, relative to filiation; to authorize the Louisiana State Law Institute to provide comments to Civil Code Article 186 and to include those comments in this Act; to authorize the Louisiana State

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Law Institute to redesignate and rename the headings of Chapters 1 through 4 of Title VII of Book I of the Civil Code and the headings of the Sections and Subsections within those Chapters; to provide for the establishment of filiation; to provide for the effect of adoption; to provide for the adoption of minors; to provide for retroactive application; to provide a special effective date; and to provide for related matters.

**HOUSE BILL NO. 265—**  
BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 32:393(A) and (C)(1)(b) and 853(A)(1)(a) and (c)(iii), relative to operator's records; to provide for the time in which convictions be sent to the Department of Public Safety and Corrections; to provide for the authority to add conviction to driver's operating record; and to provide for related matters.

**HOUSE BILL NO. 353—**  
BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(introductory paragraph), relative to public contracts; to increase the contract limit for public works projects undertaken by the public entity's own employees; and to provide for related matters.

**HOUSE BILL NO. 499—**  
BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 32:295.1(B), relative to seat belts; to require that all motor vehicle occupants wear a seat belt; and to provide for related matters.

**HOUSE BILL NO. 608—**  
BY REPRESENTATIVE MICKEY GUILLORY  
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to exclude Acadia Parish from the list of parishes where the assessor is required to pay the premiums for group insurance for certain retirees of the assessor's office; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 628—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Code of Civil Procedure Article 3945(C)(1) and (2) and (D), relative to child custody; to provide relative to orders of temporary custody; to extend the period for the setting of the hearing of the rule to show cause; to provide relative to the expiration of temporary custody and visitation; and to provide for related matters.

**HOUSE BILL NO. 629—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact R.S. 46:2135(B) and (E) and Children's Code Article 1569(B) and (E), relative to temporary restraining orders in domestic abuse cases; to extend the period for the setting of the hearing of the rule to show cause; to extend the period for continuances of the rule to show cause; and to provide for related matters.

**HOUSE BILL NO. 704—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 22:821(B)(28) and Part X of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1806.1 through 1806.9, relative to home service contracts; to provide for scope and purpose; to provide for definitions; to provide for regulation by the commissioner of insurance, including the requirement for registration by home service contract providers; to provide for the application for registration; to provide for expiration and renewal of registration; to provide

for required disclosures in contracts; to provide relative to cancellation by the consumer; to provide for required recordkeeping; to provide for fees; to provide for enforcement, including authorizing examination of providers by the commissioner; to provide relative to prohibited acts; to provide for suspension or revocation of registration; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 757—**  
BY REPRESENTATIVE DIXON  
AN ACT

To enact R.S. 14:126.3.1, relative to the unauthorized participation in medical assistance programs; to create the crime of unauthorized participation in medical assistance programs; to provide for definitions; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 144—**  
BY REPRESENTATIVE HOWARD  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), relative to assessment districts; to create an assessment district in Red River Parish to fund the office of the assessor; and to provide for related matters.

**HOUSE BILL NO. 858— (Substitute for House Bill No. 547)**  
BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 47:6030(A) and (B)(2), relative to individual and corporate income tax; to provide for eligibility for the wind or solar energy systems tax credit; to limit to one the number of tax credits which may be taken with respect to a wind or solar energy system; to require the disclosure of certain information related to the taking of a tax credit 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  
on First Reading**

Senator Hebert asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.

**HOUSE BILL NO. 74—**  
BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 48:1671(C)(1), relative to the Southern Rapid Rail Transit Commission; to change the name of the commission; 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. 140—**  
BY REPRESENTATIVES CHANEY, EDWARDS, ROSALIND JONES,  
MILLS, AND TEMPLET  
AN ACT

To enact Civil Code Articles 178, 179, 199, and 200, relative to filiation; to authorize the Louisiana State Law Institute to provide comments to Civil Code Article 186 and to include those comments in this Act; to authorize the Louisiana State Law Institute to redesignate and rename the headings of Chapters 1 through 4 of Title VII of Book I of the Civil Code and the headings of the Sections and Subsections within those Chapters; to provide for the establishment of filiation; to provide for the effect of adoption; to provide for the adoption of minors; to provide for retroactive application; 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 Judiciary A.

**HOUSE BILL NO. 144—**

BY REPRESENTATIVE HOWARD  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), relative to assessment districts; to create an assessment district in Red River Parish to fund the office of the assessor; 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. 225—**

BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(A) and (G), relative to sentencing in criminal cases; to provide with respect to home incarceration; to authorize home incarceration either in lieu of imprisonment or in addition to a term of imprisonment; to increase the maximum number of years a defendant may be sentenced to home incarceration for a felony; 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. 265—**

BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 32:393(A) and (C)(1)(b) and 853(A)(1)(a) and (c)(iii), relative to operator's records; to provide for the time in which convictions be sent to the Department of Public Safety and Corrections; to provide for the authority to add conviction to driver's operating record; 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. 310—**

BY REPRESENTATIVE HAZEL  
AN ACT

To amend and reenact R.S. 14:81.3(A), relative to computer-aided solicitation of a minor; to amend the elements of the crime of computer-aided solicitation of a minor; 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. 353—**

BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(introductory paragraph), relative to public contracts; to increase the contract limit for public works projects undertaken by the public entity's own employees; 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. 355—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 32:408(B)(2)(a)(ii), relative to Class "A" commercial driver's licenses; to provide a tractor-trailer combination gross vehicle weight rating; 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. 385—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To amend and reenact R.S. 22:1091(B)(13), relative to health insurance; to define a small employer for the purposes of the rate limitation provisions for health benefit plans providing

coverage for small employers; 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. 386—**

BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 22:821(B)(3)(e), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for renewal of surplus lines broker licenses; 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. 437—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 22:1319 and 1332(B)(introductory paragraph) and (2) and to enact R.S. 22:1332(B)(6) and (C), relative to property insurance; to require disclosure of separate hurricane, wind, or named-storm deductibles on homeowners' and fire insurance policies; to otherwise provide with respect to all disclosures on such policies, including providing that such disclosures are for informational purposes only; 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. 453—**

BY REPRESENTATIVE PUGH  
AN ACT

To enact R.S. 32:361.2(E), relative to tinting of motor vehicle windows; to provide for a decal to be issued to persons with medical exemptions; to provide for a fee to be imposed; 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. 490—**

BY REPRESENTATIVE PETERSON AND SENATOR GRAY EVANS  
AN ACT

To amend and reenact R.S. 47:463.103, relative to motor vehicle prestige license plates; to provide for the Louisiana Delta Sigma Theta Sorority, Inc., prestige license plate; to provide for the issuance; to provide for the color and design; to provide relative to the fees; to provide for the use of such fees; 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. 499—**

BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 32:295.1(B), relative to seat belts; to require that all motor vehicle occupants wear a seat belt; 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. 522—**

BY REPRESENTATIVES BOBBY BADON, ARMES, AUBERT, BILLIOT, HENRY BURNS, DIXON, GISCLAIR, GUINN, HOWARD, SAM JONES, MONTOUCET, AND POPE  
AN ACT

To enact R.S. 47:463.139, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide

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relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; 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. 539—**  
BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To repeal R.S. 30:2014(A)(3), relative to permits, licenses, registrations, variances, or compliance schedules granted by the Department of Environmental Quality; to repeal the prohibition on granting a permit, license, registration, variance, or compliance schedule to construct or modify certain facilities handling sulphur in a solid state.

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

**HOUSE BILL NO. 575—**  
BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact R.S. 48:2078(B) and (C), relative to the state-designated projects undertaken by the Louisiana Transportation Authority; to remove the requirement that the Louisiana Transportation Authority reimburse the Department of Transportation and Development for certain projects' costs expended by the department; to remove the requirement that the department serve as the agent for a project; 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. 601—**  
BY REPRESENTATIVE AUBERT  
AN ACT

To amend and reenact R.S. 48:250, relative to electronic signatures; to provide relative to electronic signatures on contracts; to provide for the acceptance of electronically signed documents by the recorder of mortgages; 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. 608—**  
BY REPRESENTATIVE MICKEY GUILLORY  
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to exclude Acadia Parish from the list of parishes where the assessor is required to pay the premiums for group insurance for certain retirees of the assessor's office; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 625—**  
BY REPRESENTATIVE SAM JONES  
AN ACT

To amend and reenact R.S. 38:291(A)(1) and (2)(introductory paragraph) and to enact R.S. 38:291(A)(2)(h), relative to levee districts; to provide for St. Mary Parish and the Atchafalaya Basin Levee District; 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. 628—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Code of Civil Procedure Article 3945(C)(1) and (2) and (D), relative to child custody; to provide relative to orders of temporary custody; to extend the period for the setting

of the hearing of the rule to show cause; to provide relative to the expiration of temporary custody and visitation; 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. 629—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact R.S. 46:2135(B) and (E) and Children's Code Article 1569(B) and (E), relative to temporary restraining orders in domestic abuse cases; to extend the period for the setting of the hearing of the rule to show cause; to extend the period for continuances of the rule to show cause; 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. 682—**  
BY REPRESENTATIVE CHANDLER  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Concordia Parish to Ira and Brenda Fontenot from the division of administration; 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 BALDONE  
AN ACT

To enact R.S. 22:821(B)(28) and Part X of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1806.1 through 1806.9, relative to home service contracts; to provide for scope and purpose; to provide for definitions; to provide for regulation by the commissioner of insurance, including the requirement for registration by home service contract providers; to provide for the application for registration; to provide for expiration and renewal of registration; to provide for required disclosures in contracts; to provide relative to cancellation by the consumer; to provide for required recordkeeping; to provide for fees; to provide for enforcement, including authorizing examination of providers by the commissioner; to provide relative to prohibited acts; to provide for suspension or revocation of registration; 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 Insurance.

**HOUSE BILL NO. 757—**  
BY REPRESENTATIVE DIXON  
AN ACT

To enact R.S. 14:126.3.1, relative to the unauthorized participation in medical assistance programs; to create the crime of unauthorized participation in medical assistance programs; 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. 854—**  
BY REPRESENTATIVE HILL  
AN ACT

To designate Louisiana Highway 26 from Mittie, Louisiana, to the intersection of Highway 377 as the Cecil B. Tramel Memorial Highway; 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. 858— (Substitute for House Bill No. 547)**  
BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 47:6030(A) and (B)(2), relative to individual and corporate income tax; to provide for eligibility for the wind or solar energy systems tax credit; to limit to one the number of tax credits which may be taken with respect to a wind or solar energy system; to require the disclosure of certain information related to the taking of a tax credit under certain circumstances; 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.

**Message from the House**

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

May 11, 2009

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. 694—**  
BY REPRESENTATIVE HOWARD  
AN ACT

To require the Department of Transportation and Development to include Hornbeck-Plainview Road in Sabine and Vernon parishes in the state highway system.

**HOUSE BILL NO. 718—**  
BY REPRESENTATIVE HENRY BURNS  
AN ACT

To enact R.S. 38:214.1, relative to drainage systems; to authorize governing authorities to adopt ordinances with respect to blocking of drainage systems under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 761—**  
BY REPRESENTATIVE BILLIOT  
AN ACT

To amend and reenact Section 2 of Act No. 300, Section 2 of Act No. 516, Section 3 of Act No. 594, Section 3 of Act No. 645, Section 3 of Act No. 667, Section 3 of Act No. 688, and Section 2 of Act No. 757, all of the 2008 Regular Session of the Louisiana Legislature, relative to motor vehicles; to provide relative to driving; to provide relative to traffic violations; to provide relative to penalties; and to provide for related matters.

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

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

Senator Long asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.

**HOUSE BILL NO. 694—**  
BY REPRESENTATIVE HOWARD  
AN ACT

To require the Department of Transportation and Development to include Hornbeck-Plainview Road in Sabine and Vernon parishes in the state highway system.

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

**HOUSE BILL NO. 718—**  
BY REPRESENTATIVE HENRY BURNS  
AN ACT

To enact R.S. 38:214.1, relative to drainage systems; to authorize governing authorities to adopt ordinances with respect to blocking of drainage systems under certain circumstances; 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. 761—**  
BY REPRESENTATIVE BILLIOT  
AN ACT

To amend and reenact Section 2 of Act No. 300, Section 2 of Act No. 516, Section 3 of Act No. 594, Section 3 of Act No. 645, Section 3 of Act No. 667, Section 3 of Act No. 688, and Section 2 of Act No. 757, all of the 2008 Regular Session of the Louisiana Legislature, relative to motor vehicles; to provide relative to driving; to provide relative to traffic violations; to provide relative to penalties; 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.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
LOCAL AND MUNICIPAL AFFAIRS**

Senator Cheryl Artise Gray Evans, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 7, 2009

To the President and Members of the Senate:

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

**SENATE BILL NO. 28—**  
BY SENATOR ALARIO  
AN ACT

To enact R.S. 47:1992.1, relative to inspection of assessment lists; to change the inspection period for assessment lists in Jefferson Parish; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 43—**  
BY SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 33:9108(E) and to enact R.S. 33:9106.2(D), relative to the Orleans Parish Communication District; to provide for an extension of the special fixed rate emergency telephone service charge; to provide relative to reestablishing the original charge; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 49—**  
BY SENATOR ERDEY  
AN ACT

To enact R.S. 13:2575.3, relative to administrative adjudication for code and ordinance violations; to provide for procedures for Livingston Parish; and to provide for related matters.

Reported favorably.

May 11, 2009

**SENATE BILL NO. 95—**

BY SENATORS MARTINY AND MORRELL AND REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LIGI, LOPINTO, TALBOT AND WILLMOTT

AN ACT

To amend and reenact R.S. 33:2536.2 and to enact R.S. 33:2476.4, relative to Jefferson Parish; to provide for a secretary for any municipal fire and police civil service board in Jefferson Parish; to provide for the assignment of secretarial duties for the Jefferson Parish Fire Civil Service Board; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 117—**

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 2; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 118—**

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 1; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 119—**

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:4564.7, relative to the Livingston Parish Recreation District No. 3; to increase the per diem of the board of commissioners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 150—**

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9091.1(F)(2)(a), relative to the Lakeview Crime Prevention District; to expand the application of parcel fees to all parcels within the district; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 240—**

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:3811.2 and 3812(H), relative to Calcasieu Parish; to provide for the creation of waterworks districts and subdistricts; to provide for the expansion of the board of waterworks districts and subdistricts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 262—**

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:531(E), relative to commissioners of local housing authority; to remove requirement of landlord commissioner; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHERYL ARTISE GRAY EVANS  
Chairman

**REPORT OF COMMITTEE ON**

**TRANSPORTATION, HIGHWAYS  
AND PUBLIC WORKS**

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 7, 2009

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 14—**

BY SENATORS DUPRE AND MCPHERSON AND REPRESENTATIVES DOVE AND HUTTER

A CONCURRENT RESOLUTION

To approve the annual Coastal Protection Plan for Fiscal Year 2009-2010, as adopted by the Coastal Protection and Restoration Authority.

Reported favorably.

**SENATE BILL NO. 44—**

BY SENATOR MORRISH

AN ACT

To designate the Gibbstown bridge on Louisiana Highway 27 in Cameron Parish as the "Conway LeBleu Memorial Bridge", and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 66—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 38:329.4, relative to levees; to provide relative to the powers and duties of the North Lafourche Conservation, Levee and Drainage District; to provide relative to bonding and taxing authority of the district; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 179—**

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 34:3494(A) and (B)(5) and (9), 3495(A) and (B), and 3504(F), to enact R.S. 34:3494(B)(10) and (11), and 3506(D), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide relative to the jurisdiction of the authority; to increase the membership of the board of commissioners; to remove legislative oversight of rules and regulations for maintenance and operation of the authority; to provide for budgets and financial reports of the authority; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 189—**

BY SENATOR ALARIO

AN ACT

To enact R.S. 32:127, relative to highway right of way crossings; to authorize golf carts and all-terrain vehicles to cross Louisiana Highway 1 within the town of Grand Isle; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 222—**  
BY SENATOR ADLEY AND REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 34:2309(9), relative to powers and authority of the Red River Waterway Commission; to adjust the uses to which the commission's ad valorem property tax is allocated; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 244—**  
BY SENATOR MOUNT  
AN ACT

To amend and reenact R.S. 36:508.3(B), (F) and (G), relative to the assistant secretary of the office of public works, hurricane flood protection, and intermodal transportation; to provide for the qualifications, powers, and duties of the assistant secretary; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

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

May 7, 2009

To the President and Members of the Senate:

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

**SENATE BILL NO. 303—**  
BY SENATOR RISER  
AN ACT

To enact R.S. 23:1203.1, relative to medical treatment in workers' compensation matters; to provide for definitions; to provide a process for adoption of a medical treatment schedule for use in making medical treatment decisions in workers' compensation matters; to provide for the promulgation of rules; to provide that the schedule shall be based on certain guidelines; to provide for appointment of a medical advisory council to be chosen by the director of the office of workers' compensation administration; to provide regarding the membership of such a council; to provide for the powers and duties of the council; to provide for an expression of legislative intent; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NEIL RISER  
Chairman

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

Senator Reggie P. Dupre, Jr., Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 7, 2009

To the President and Members of the Senate:

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

**SENATE BILL NO. 55—**  
BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES DOVE AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 56:699.1 and 699.2, relative to issuance of hunting licenses; to require completion of a firearm and hunter education course by certain persons; to provide with respect to persons authorized to issue hunting licenses; to prohibit certain actions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 64—**  
BY SENATOR DONAHUE  
AN ACT

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

Reported without action.

**SENATE BILL NO. 127—**  
BY SENATOR THOMPSON  
AN ACT

To authorize and provide for the transfer of Quebec Road in Madison Parish; to provide for terms and conditions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 182—**  
BY SENATOR CROWE  
AN ACT

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

Reported without action.

Respectfully submitted,  
REGGIE P. DUPRE, JR.  
Chairman

**REPORT OF COMMITTEE ON**

**EDUCATION**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

May 7, 2009

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 9—**  
BY SENATOR NEVERS  
A CONCURRENT RESOLUTION

To urge and request each city, parish, and other local public school board to select a high school student from among the students in the school district to serve as a student representative to the school board in an informative, advisory, and nonvoting capacity.

Reported favorably.

May 11, 2009

**SENATE CONCURRENT RESOLUTION NO. 13—**  
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request Southern University and Agricultural and Mechanical College to establish a plan and recommend local, state and federal policies that support university-private sector partnerships in renewable energy through research and development, public and private partnerships, and tax credit incentives that position Louisiana as a leader in clean energy research, workforce development, and economic development.

Reported with amendments.

**SENATE BILL NO. 120—**  
BY SENATOR ERDEY

AN ACT

To authorize the Livingston Parish School Board to create new school districts that overlap the boundaries of existing school districts; to provide relative to the continued collection of prior taxes levied upon existing school districts; to provide relative to the taxing authority of new school districts; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 146—**  
BY SENATORS DUPLESSIS, APPEL, CROWE, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, CORTEZ, FOIL, LITTLE, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND THIBAUT

AN ACT

To amend and reenact R.S. 17:3981(4), 3982(A)(1)(a) and (B), 3983(C)(1)(a), and 3991(C)(1)(c)(iii) and (E), relative to charter schools; to provide relative to the review and evaluation of charter school proposals; to provide relative to public school facilities and property made available to charter schools; to provide relative to the vote required to convert an existing public school to a charter school; to provide relative to enrollment preferences; to provide relative to support or affiliation with charter schools by certain religious organizations or institutions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 259—**  
BY SENATORS KOSTELKA, DUPLESSIS, LONG, RISER AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:183.1, 183.2(C), and 183.3, relative to curricula; to provide relative to high school diplomas for the academic major and the career major; to provide for student eligibility for the career major; to provide with respect to dual enrollment; to provide for approval of career major programs and corresponding diplomas by the State Board of Elementary and Secondary Education; to provide relative to course requirements for the career major; to permit certain certification or testing in lieu of the high school graduation exit exam as a requirement for graduation for certain students; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 281—**  
BY SENATOR APPEL AND REPRESENTATIVE ELLINGTON

AN ACT

To enact Chapter 5-S of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.161 through 167 and R.S. 36:744(CC) and 801.23, relative to state museums; to create the Schepis Museum advisory board in the department of state; to provide for powers and duties of the board; to provide for funding; to provide for the disposition of property; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 316—**  
BY SENATOR NEVERS

AN ACT

To enact Chapter 18 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2921 through 2932, to enact R.S. 23:6(15), and to repeal Subpart A-1 of Part III of Chapter 2 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:183.1 through 183.9, relative to college and career readiness; to provide for programs to improve high school graduation rates and prepare students for postsecondary education and careers; to provide for the development of focused programs of study and related courses and curricula; to provide for student development of individual graduation plans; to provide relative to student guidance and counseling; to provide relative to programs for identification of and assistance to students at risk for being underprepared for the next level of study; to establish a high school graduation rate goal; to provide for consideration of improved graduation rates and completion of certain advanced coursework by the state educational accountability system; to provide relative to articulation and transfer of credit; to provide for consultation and collaboration with business and industry and the Louisiana Workforce Commission; to provide relative to the recruitment and training of certain instructional personnel; to provide for reporting and rules; to provide for implementation guidelines and timelines; to provide relative to funding; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
BEN W. NEVERS  
Chairman

**REPORT OF COMMITTEE ON  
FINANCE**

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

May 11, 2009

To the President and Members of the Senate:

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

**SENATE BILL NO. 8—**  
BY SENATOR N. GAUTREAUX  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, relative to state funds; to authorize the allocation or appropriation of money designated in the official forecast as nonrecurring for a tax refund or tax rebate to anyone required to file a Louisiana individual income tax return; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

Respectfully submitted,  
MICHAEL J. "MIKE" MICHOT  
Chairman

**REPORT OF COMMITTEE ON  
RETIREMENT**

Senator Jean-Paul "JP" Morrell, Vice Chairman on behalf of the Committee on Retirement, submitted the following report:

May 11, 2009

To the President and Members of the Senate:

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

SENATE BILL NO. 20— BY SENATOR CHAISSON

AN ACT

To repeal R.S. 11:1601(3)(b), relative to district attorneys; to provide for eligibility into the District Attorneys' Retirement System; to remove certain prohibitions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 124— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 11:3719(A) and 3720, and to repeal R.S. 11:3731(E), relative to the police pension fund for the city of Shreveport; to provide for authority of the board of trustees; to provide relative to the board's authority to invest the pension fund's assets; to allow the board to award benefit increases under certain circumstances; to repeal the requirement that the city use excess proceeds for expenses other than payment of pension fund liabilities; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 264— BY SENATORS KOSTELKA, MORRELL AND B. GAUTREAUX AN ACT

To enact R.S. 11:2175.1, relative to the authority of the board of trustees of the Sheriffs' Pension and Relief Fund; relative to employer contributions; to establish a funding deposit account; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted, Jean-Paul "JP" Morrell Vice Chairman

Rules Suspended

Senator Quinn asked for and obtained a suspension of the rules to recommit a bill.

SENATE BILL NO. 331— BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 22:832(A), relative to insurance license taxes; to provide for a reduction in the tax based upon the amount of admitted assets of an insurer placed in qualifying Louisiana investments; to require that investments be maintained in the state for a period of time in order to qualify for the reduction; and to provide for related matters.

Senator Quinn moved to recommit the bill from the Committee on Revenue and Fiscal Affairs to the Committee on Insurance.

Without objection, so ordered.

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 4— BY SENATOR MARIONNEAUX

A RESOLUTION

To amend and re-adopt Senate Rule No. 9.1(C) of the Rules of Order of the Senate, relative to prefiling of instruments; to provide that

certain requests for legislation to be prefiled may be received by Senate Legislative Services staff after forty-eight hours prior to the prefiling deadline.

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 2— BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States of America to affirm Louisiana's sovereignty under the Tenth Amendment to the Constitution of the United States of America and to demand that the federal government halt the practice of assuming powers and imposing mandates upon the states for purposes which are not enumerated by the Constitution of the United States of America.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux N, Gray Evans, Hebert, Kostelka, LaFleur, Long, Marionneaux, Martiny, Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Mr. President, Adley, Total - 6, Gautreaux B, Heitmeier, Jackson, McPherson

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

SENATE CONCURRENT RESOLUTION NO. 8— BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a federal balanced budget.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

May 11, 2009

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Erdey	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Hebert	Murray
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	Michot	
Total - 32		

**NAYS**

Total - 0

**ABSENT**

Mr. President	Gautreaux B	McPherson
Broome	Heitmeier	Nevers
Total - 6		

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

**SENATE CONCURRENT RESOLUTION NO. 10—**  
BY SENATORS SHAW AND SMITH

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to take whatever actions necessary to enact legislation that establishes the English language as the official language used by the government of the United States.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

**YEAS**

Adley	Dupre	Michot
Alario	Erdey	Morrell
Amedee	Gautreaux N	Morrish
Appel	Gray Evans	Mount
Broome	Hebert	Murray
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Mr. President	Heitmeier	Nevers
Gautreaux B	Jackson	
Total - 5		

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

**SENATE CONCURRENT RESOLUTION NO. 11—**

BY SENATORS SHAW AND SMITH

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to enact legislation requiring domestic business and domestic nonprofit entities that utilize automated telephone systems to offer "English" as the default choice of language communication.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Michot
Alario	Erdey	Morrell
Amedee	Gautreaux N	Morrish
Appel	Gray Evans	Mount
Broome	Hebert	Murray
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Mr. President	Heitmeier	Nevers
Gautreaux B	Jackson	
Total - 5		

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

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

**Bagneris Rule**

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

Without objection, so ordered.

**SENATE BILL NO. 4—**

BY SENATOR AMEDEE

**AN ACT**

To enact R.S. 15:255(M), relative to the special witness fee funds in each of the parishes in the Twenty-Third Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; 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 listing names of members under YEAS: Mr. President, Dupre, McPherson, Adley, Erdey, Michot, Alario, Gautreaux N, Morrell, Amedee, Gray Evans, Morrish, Appel, Hebert, Mount, Broome, Heitmeier, Murray, Cheek, Jackson, Nevers, Claitor, Kostelka, Quinn, Crowe, LaFleur, Riser, Donahue, Long, Shaw, Dorsey, Marionneau, Smith, Duplessis, Martiny, Thompson, Total - 36

NAYS

Total - 0

ABSENT

Table listing names of members under ABSENT: Gautreaux B, Walsworth, Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 143— BY SENATORS AMEDEE AND MARIONNEAUX AN ACT

To enact R.S. 9:2603.1, relative to electronic transactions; to provide for the authorization and utilization of electronic applications for warrants and for electronic signatures; to provide for the electronic approval of such applications; to provide for processing of warrant applications, approvals of applications and documented returns of completed warrants for the judicial branch of state government; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 143 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 9:2603.1" and insert "amend and reenact R.S. 9:2603(B)(4)(b) and to enact R.S. 9:2603.1 and 2603.2"

AMENDMENT NO. 2

On page 1, line 6, after "government;" insert "to provide for the authorization and utilization of electronic applications for testimony transcripts and electronic signatures; to provide for certification of testimony transcripts with electronic signatures;"

AMENDMENT NO. 3

On page 1, line 9, delete "R.S. 9:2603.1 is" and insert "R.S. 9:2603(B)(4)(b) is hereby amended and reenacted and R.S. 9:2603.1 and 2603.2 are"

AMENDMENT NO. 4

On page 1, between line 9 and 10, insert: "§2603. Scope

- B. This Chapter shall not apply to: (4)(a)

(b) Court orders or notices, or official court documents, including briefs, pleadings, and other writings, required to be executed in connection with court proceedings, except testimony transcripts or as otherwise provided by law.

AMENDMENT NO. 5

On page 2, after line 8, insert:

"2603.2. Electronic applications for all testimony transcripts; signatures; electronic judicial records

A. An application for testimony transcript certification or signature utilized by an officer as defined in Code of Civil Procedure Art. 1434 shall not be denied legal effect or enforceability solely because it is in electronic form. Any such application, signature or record in electronic form shall have the full effect of law.

B. If a law requires a signature, an electronic signature shall satisfy the law."

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 143 by Senator Amedee

AMENDMENT NO. 1

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

"D. Any application used to attach a digital signature to any warrant or affidavit must have security procedures in place that insure the authenticity of the digital signature. The application must also be able to keep an electronic record of the warrant or affidavit, including the time and date of when the signature was attached. The application must also include encryption measures to ensure secure access of the application."

AMENDMENT NO. 2

On page 2, line 2, change "D." to "E."

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members under YEAS: Mr. President, Erdey, Morrell, Adley, Gautreaux N, Morrish, Alario, Gray Evans, Mount, Amedee, Hebert, Murray, Appel, Heitmeier, Nevers, Broome, Jackson, Quinn, Cheek, Kostelka, Riser, Claitor, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneau, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson, Dupre, Michot, Total - 37

NAYS

Total - 0

May 11, 2009

ABSENT

Gautreaux B  
Total - 1

The Chair declared the bill was passed and ordered it sent to the House. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 151—  
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 35:191.4, relative to notaries public and registration of notary instructors; to require the secretary of state to develop and administer a program for the registration and reporting of notary instructors; to provide relative to administration and procedures for registration and reporting; to provide for the duties of the secretary of state; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 151 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 6, before "by" change "prepared" to "provided"

AMENDMENT NO. 2

On page 2, line 24, before "by" change "prepared" to "provided"

AMENDMENT NO. 3

On page 2, line 25, before "by" change "prepared" to "provided"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux N	Morrish
Alario	Gray Evans	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux B  
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 154—

BY SENATORS THOMPSON, LONG, NEVERS, RISER AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:2(A), 80, 131, 302, 303, 415, 556.2(10), 556.7(A), 641, 642, 643, 644, 652, 666(9), 734(B)(1) and (6), 741, 825, 832, 851, 1024, 1025, 1311(3) and (12), 1312(A) and (C), 1313(C)(2)(b) and (E), 1362(9) and (24), 1432(A), 1651, 1652, 1732, 1772, 1891(28), 1892(A)(1) and (F), 1900(A) and (B), 2351, 2352, 2353, 2354, 2358.2(A), 2358.4(C), 3113(A), 3202(11) and (13), 3211(B)(3), 3225(A), 3402(1), (2), (7), (9) and (16), 3403(A)(7) and (H), 3404(B), 3405(B)(5) and (6), 3407(A)(2) and (3) and (E), 3408(A)(9)(c) and (10), 3409 (B), (C), (D) and (F), 3410 (E) and (F), 3410.1(A) and (B), 3410.2(J), 3411(B), (C) and (D), 3411.1(B)(2) and (D), 3412, 3413(A), (B), (C), (E) and (F), 3414(B), 3415(A) and (C), 3416(A), (B) and (C), 3417(D) and (F), 3418(A), 3419(A), (C) and (D), 3424(B), 3802(A), 4224, 4603(B)(7), R.S. 29:726(E)(20)(a)(v) and 729(E)(13)(a)(vi), R.S. 36:4(A)(13), 621(C), 622, 623, the introductory paragraph of 624(B), 625, 626(A) and (B), 628(C), (D) and (E), 629(B), the introductory paragraph of (C), the introductory paragraph of (D), the introductory paragraph of (E), (F), (G), (I), (J), (K) and (L), R.S. 37:2202, R.S. 51:2, the introductory paragraph of 6, 472 and R.S. 54:112; to enact R.S. 3:2(F), 283.1 and 751(E); and to repeal R.S. 3:14, 401 through 409, 414, Part I-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:421 through 426, Part I-D of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:446.1 through 446.7, Part IV of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:521 through 538, Part V of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:541 through 550, 824, 1312(H) and 1906(A) and R.S. 36:627(E), 628(B) and 629(C)(2), and R.S. 39:455, relative to the Department of Agriculture and Forestry; to abolish the State Market Commission; to abolish the Farm Youth Loan Program; to abolish other programs administered by the State Market Commission; to authorize the transfer of duties and obligations to the Louisiana Agricultural Finance Authority; to provide relative to the Fertilizer Commission and submission of tonnage reports; to provide for restrictions on the sale of fertilizer; to provide for the powers and duties of the commissioner of agriculture and forestry; to provide relative to the composition of certain boards and commissions; to provide relative to the Louisiana Agricultural Commodities Commission; to provide relative to the functions of the office of agricultural and environmental sciences; to provide for recovery in receiverships; to change the name of the office of animal health services to the office of animal health and food safety; to provide for definitions; to direct the Louisiana Law Institute to re-designate certain provisions in current law; to provide for technical changes; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 154 by Senator Thompson

AMENDMENT NO. 1

On page 15, line 26, following "the" and before ", may" change "Entomologist" to "entomologist"

AMENDMENT NO. 2

On page 34, line 3 following "following" and before "members" change "nine" to "ten"

AMENDMENT NO. 3

On page 40, line 10, following "Louisiana" and before "the" insert "and"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Walsworth sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 154 by Senator Thompson

AMENDMENT NO. 1

On page 2, at the beginning of line 19, insert "to provide relative to the assessment levied on grain sorghum;"

AMENDMENT NO. 2

On page 46, after line 1, insert the following: "Section 13. The provisions of R.S. 3:551.33(B), relative to the levied assessment only as it applies to grain sorghum grown within the state, shall not be effective from July 1, 2009 until June 30, 2010."

On motion of Senator Walsworth, 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

Table listing names of senators voting YEAS: Mr. President, Dupre, Michot, Adley, Erdey, Morrell, Alario, Gautreaux N, Morrish, Amedee, Gray Evans, Mount, Appel, Hebert, Murray, Broome, Heitmeier, Quinn, Cheek, Kostelka, Riser, Claitor, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson.

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: Gautreaux B, Jackson, Nevers.

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Thompson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 166—

BY SENATORS DUPRE, APPEL, CHEEK, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, LITTLE, MILLS, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY AND JANE SMITH

AN ACT

To enact R.S. 14:98.3, relative to public safety; to create the crime of operating a vehicle while under suspension for certain prior offenses; to provide for elements of the crime; to provide for penalties; to provide for a prior offense involving operation under the influence of an intoxicant; to provide for certain criteria; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: Mr. President, Erdey, Morrell, Adley, Gautreaux N, Morrish, Alario, Gray Evans, Mount, Amedee, Hebert, Murray, Appel, Heitmeier, Nevers, Broome, Jackson, Quinn, Cheek, Kostelka, Riser, Claitor, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson, Dupre, Michot.

Total - 37

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: Gautreaux B.

The Chair declared the bill was passed and ordered it sent to the House. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 184—

BY SENATOR MURRAY

AN ACT

To amend and reenact Code of Civil Procedure Articles 3421, 3431, 3432, and 3434, and to repeal Code of Civil Procedure Article 3433, relative to small successions; to define a small succession; to provide relative to small succession procedure and effects; to authorize recognition and conveyance of an ownership interest in certain immovable property through a small succession; to provide certain definitions, procedures, conditions, and requirements; to provide a prescriptive period for certain actions; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 184 by Senator Murray

AMENDMENT NO. 1

On page 3, line 10, after "cemetery" delete the remainder of the line and delete line 11 and insert "spaces."

May 11, 2009

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrell
Adley Gautreaux N Morrish
Alario Gray Evans Mount
Amedee Hebert Murray
Appel Heitmeier Nevers
Broome Jackson Quinn
Cheek Kostelka Riser
Claitor LaFleur Shaw
Crowe Long Smith
Donahue Marionneaux Thompson
Dorsey Martiny Walsworth
Duplessis McPherson
Dupre Michot
Total - 37

NAYS

Total - 0

ABSENT

Gautreaux B
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 188—
BY SENATORS ALARIO, APPEL, MARTINY AND MORRELL AND REPRESENTATIVES GIRÓD JACKSON, LABRUZZO AND TEMPLET
AN ACT

To amend and reenact R.S. 27:93(A)(4)(a), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for the expenditure of riverboat gaming revenue in the parish of Jefferson; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux N Morrell
Alario Gray Evans Morrish
Amedee Hebert Mount
Appel Heitmeier Murray
Cheek Jackson Nevers
Claitor Kostelka Quinn
Crowe LaFleur Riser
Donahue Long Shaw
Dorsey Marionneaux Smith
Duplessis Martiny Thompson
Dupre McPherson Walsworth
Total - 36

NAYS

Total - 0

ABSENT

Broome Gautreaux B
Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Alario moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 230—
BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 46:236.1.11(A) and (C) and to enact R.S. 46:236.11.1 through 236.11.4, relative to the family and child support program; to provide for certain electronic data matching and cooperation between the Department of Social Services and insurance companies; to provide relative to disclosure of certain information and penalties for intentional or willful unauthorized disclosure; to provide definitions; to provide for procedures and requirements for notice of payment to the state disbursement units; to provide for the redirection of income assignment payments; to provide for the amendment and use of certain records as evidence; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 230 by Senator Shaw

AMENDMENT NO. 1
On page 3, line 3, following "of" and before "shall" change "Paragraph (A)(1) and (2) of this Section" to "Paragraphs (1) and (2) of this Subsection"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 230 by Senator Shaw

AMENDMENT NO. 1
On page 5, delete lines 4 through 7 and insert "E. A certified child support payment record produced by the state disbursement unit shall be admissible as self-authenticating and shall be prima facie proof of such payments."

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Morrell
Adley Erdey Morrish
Alario Gautreaux N Mount
Amedee Gray Evans Murray
Appel Hebert Nevers
Broome Heitmeier Riser

Cheek	LaFleur	Shaw
Claitor	Long	Smith
Crowe	Marionneau	Thompson
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Gautreaux B	Kostelka
Jackson	Quinn
Total - 4	

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Shaw moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 301—**  
BY SENATORS DUPRE AND THOMPSON  
AN ACT

To enact R.S. 14:126.5, relative to perjury; to create the crime of false statements concerning participation in medical assistance programs; to provide for elements of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneau sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneau on behalf of the Legislative Bureau to Engrossed Senate Bill No. 301 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 14, following "**Subsection**" and before "**of**" change "**B(3)**" to "**(B)(3)**"

AMENDMENT NO. 2

On page 1, line 14, following "**for the purpose of**" and before ":", insert "**any of the following**"

AMENDMENT NO. 3

On page 1, line 16, following "**provider**" change "**, or**" to ":",

AMENDMENT NO. 4

On page 2, line 1, following "**provider**" change "**, or**" to ":",

AMENDMENT NO. 5

On page 2, line 5, following "**program**" change "**, or**" to ":",

AMENDMENT NO. 6

On page 2, line 7, following "**provider**" change "**, or**" to ":",

AMENDMENT NO. 7

On page 2, line 13, following "**or**" and before "**part**" insert "**in**"

AMENDMENT NO. 8

On page 2, line 15, following "**federal**" and before "**state**" change "**and/or**" to "**or**"

AMENDMENT NO. 9

On page 2, line 15, following "**funds**" and before ":", insert "**or a combination of both**"

AMENDMENT NO. 10

On page 2, line 18, following "**ownership**" and before "**management**" change "**and/or**" to "**or**"

On motion of Senator Marionneau, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux N	Morrish
Alario	Gray Evans	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneau	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux B  
Total - 1

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 302—**  
BY SENATOR BROOME  
AN ACT

To amend and reenact R.S. 15:902.3(A) and 902.4(A), (B) and (D), relative to the Department of Corrections; to provide relative to juvenile placement; to provide relative to the conversion of Jetson Center for Youth; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneau sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneau to Engrossed Senate Bill No. 302 by Senator Broome

AMENDMENT NO. 1

On page 2, line 3, after "applicable." insert the following:  
"**The provisions of this Section shall be null, void, and of no effect after June 30, 2011.**"

AMENDMENT NO. 2

On page 4, after line 26, insert the following:  
"**E. The provisions of this Section shall be null, void, and of no effect after June 30, 2011.**"

On motion of Senator Marionneau, the amendments were adopted.

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

May 11, 2009

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	Michot	
Total - 35		

**NAYS**

Total - 0

**ABSENT**

Gautreaux B	Kostelka	McPherson
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 24—**  
BY SENATOR AMEDEE

**AN ACT**

To amend and reenact R.S. 37:1432(A) and (B), relative to the Louisiana Real Estate Commission; to add two at-large members to the commission; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Michot
Adley	Erdey	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 36		

**NAYS**

Marionneaux  
Total - 1

**ABSENT**

Gautreaux B  
Total - 1

The Chair declared the bill was passed and ordered it sent to the House. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 38—**  
BY SENATOR MICHOT

**AN ACT**

To amend and reenact R.S. 51:2101(D), relative to the Louisiana Immersive Technologies Enterprise Commission; to provide for the membership of the commission; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Morrell
Adley	Gautreaux N	Morrish
Alario	Gray Evans	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

**NAYS**

Total - 0

**ABSENT**

Gautreaux B  
Total - 1

The Chair declared the bill was passed and ordered it sent to the House. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Riser asked for and obtained a suspension of the rules to revert to the Morning Hour.

**Introduction of Senate Resolutions**

Senator Gray Evans asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.

**SENATE RESOLUTION NO. 15—**  
BY SENATOR GRAY EVANS

**A RESOLUTION**

To commend Walter L. Cohen High School faculty and staff along with Tulane University School of Medicine, Department of Pediatrics, Section of Adolescent Medicine, on behalf of the opening of Walter L. Cohen's School-Based Health Center on Tuesday, May 12, 2009 and to commend and congratulate Walter L. Cohen High School on its Academy of Health Sciences program.

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

**SENATE RESOLUTION NO. 16—**  
BY SENATOR MARIONNEAUX

**A RESOLUTION**

To commend Baton Rouge Metropolitan Airport Director Anthony Marino for his vital assistance to the Louisiana HonorAir World War II mission.

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

**SENATE RESOLUTION NO. 17—**  
BY SENATOR MARIONNEAUX

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon death of George Joseph Charlet, Jr., of Clinton.

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

**SENATE RESOLUTION NO. 18—**  
BY SENATOR MARIONNEAUX

**A RESOLUTION**

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of Louisiana Army National Guard Sergeant Brandon Boudreaux upon his death on active duty.

The resolution was read by title and placed on the Calendar for a second reading.

**Introduction of  
Senate Concurrent Resolutions**

Senator Donahue asked for and obtained a suspension of the rules to read Senate Concurrent Resolutions a first and second time.

**SENATE CONCURRENT RESOLUTION NO. 42—**  
BY SENATORS LAFLEUR, DONAHUE AND BROOME  
**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals in collaboration with the division of administration to develop and implement a plan for the reorganization of Louisiana's supports and services centers.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Michot
Adley	Erdey	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 35		

**NAYS**

Total - 0

**ABSENT**

Gautreaux B	Jackson	Nevers
Total - 3		

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

**Rules Suspended**

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time:

**Senate Resolutions Just Advanced to a  
Second Reading**

**SENATE RESOLUTION NO. 14—**  
BY SENATOR HEITMEIER

**A RESOLUTION**

To urge and request the state of Louisiana and all levels of state government to work in conjunction with all public and private hospitals within the state to ensure that the citizens of the state are prepared to handle a possible outbreak of the influenza A (H1N1) virus in the state of Louisiana.

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 11, 2009

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. 104—**  
BY REPRESENTATIVE TIM BURNS

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Tax Commission to accept the property tax assessments contained in the 2008 Tax Roll for St. Tammany Parish with regard to compliance with the requirements for uniform assessments.

**HOUSE CONCURRENT RESOLUTION NO. 106—**

BY REPRESENTATIVE BARROW AND SENATORS BROOME AND JACKSON

**A CONCURRENT RESOLUTION**

To recognize Tuesday, May 12, 2009, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

**House Concurrent Resolutions**

Senator Donahue asked for and obtained a suspension of the rules to read House Concurrent Resolutions a first and second time.

**HOUSE CONCURRENT RESOLUTION NO. 104—**  
BY REPRESENTATIVE TIM BURNS

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Tax Commission to accept the property tax assessments contained in the 2008 Tax Roll for St. Tammany Parish with regard to compliance with the requirements for uniform assessments.

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

May 11, 2009

ROLL CALL

The roll was called with the following result:

YEAS

Adley Erdey Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Cheek Kostelka Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Dupre Michot
Total - 35

NAYS

Total - 0

ABSENT

Mr. President Gautreaux B Jackson
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 106— BY REPRESENTATIVE BARROW AND SENATORS BROOME AND JACKSON

A CONCURRENT RESOLUTION

To recognize Tuesday, May 12, 2009, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Erdey Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Cheek Jackson Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Total - 36

NAYS

Total - 0

ABSENT

Gautreaux B Kostelka
Total - 2

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Robert M. Marionneaux, Jr., Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 11, 2009

To the President and Members of the Senate:

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

SENATE BILL NO. 241—

BY SENATOR MOUNT

AN ACT

To enact Subpart K of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.33, relative to state individual income tax checkoffs; to provide for the income tax checkoff for donations to the National Lung Cancer Partnership; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 333—

BY SENATORS BROOME, DORSEY AND ERDEY AND REPRESENTATIVES BARROW, CARTER, FOIL, HONEY, MICHAEL JACKSON, PONTI, POPE, PATRICIA SMITH AND WHITE

AN ACT

To enact R.S. 33:9038.63, relative to East Baton Rouge Parish; to create the Bluebonnet Convention Hotel Taxing District; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district and to engage in tax increment financing; and to provide for related matters.

Reported favorably.

Respectfully submitted, ROBERT M. MARIONNEAUX, JR. Chairman

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 11, 2009

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATORS BROOME AND DORSEY AND REPRESENTATIVES BARROW, PATRICIA SMITH AND HONEY

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Leverenz Stevenson "LV" Hall.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

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 11, 2009

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bill has been properly enrolled:

SENATE BILL NO. 283—

BY SENATORS WALSWORTH AND THOMPSON AND REPRESENTATIVES ANDERS, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GALLOT, GISCLAIR, ELBERT GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LAFONTA, LAMBERT, LEBAS, LIGI, LITTLE, MCVEA, MILLS, MONICA, MORRIS, PEARSON, PUGH, RITCHIE, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WHITE, WILLMOTT AND WOOTON

AN ACT

To amend and reenact R.S. 51:2365(F), relative to the Louisiana Mega-Project Development Fund; to provide for the definition of a mega-project; and to provide for related matters.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

The foregoing Senate Bill was signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 11, 2009

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

SENATE BILL NO. 283—

BY SENATORS WALSWORTH AND THOMPSON AND REPRESENTATIVES ANDERS, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GALLOT AND GISCLAIR AND SENATOR GUILLORY AND REPRESENTATIVES GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LAFONTA, LAMBERT, LEBAS, LIGI, LITTLE, MCVEA, MILLS, MONICA, MORRIS, PEARSON, PUGH, RITCHIE, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WHITE, WILLMOTT AND WOOTON

AN ACT

To amend and reenact R.S. 51:2365(F), relative to the Louisiana Mega-Project Development Fund; to provide for the definition of a mega-project; and to provide for related matters.

and it is hereby presented for executive approval.

Respectfully submitted, GLENN A. KOEPP Secretary of the Senate

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Present, Absent. Lists names like Mr. President, Erdey, Morrell, etc.

ABSENT

Gautreaux B Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Gautreaux B. 1 Day

Adjournment

On motion of Senator Crowe, at 5:50 o'clock P.M. the Senate adjourned until Tuesday, May 12, 2009, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Tuesday, May 12, 2009.

GLENN A. KOEPP Secretary of the Senate

DIANE O' QUIN Journal Clerk

