

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

TWENTY-FIFTH 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

Tuesday, June 9, 2009

The Senate was called to order at 1:45 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	Dorsey	Murray
Alario	Gautreaux B	Nevers
Amedee	Guillory	Riser
Appel	Kostelka	Shaw
Broome	LaFleur	Smith
Claitor	Long	Thompson
Crowe	Morrell	
Donahue	Morrish	
Total - 22		

ABSENT

Adley	Gray Evans	McPherson
Cheek	Hebert	Michot
Duplessis	Heitmeier	Mount
Dupre	Jackson	Quinn
Erdey	Marionneaux	Walsworth
Gautreaux N	Martiny	
Total - 17		

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

Prayer

The prayer was offered by Pastor A.J. Heine, 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 B. Gautreaux, the reading of the Journal was dispensed with and the Journal of June 8, 2009, was adopted.

**Privilege Report of the
Legislative Bureau**

June 9, 2009

To the President and Members of the Senate:

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

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

HOUSE BILL NO. 39—

BY REPRESENTATIVES HENRY BURNS, BOBBY BADON, FOIL, GISCLAIR, GUINN, HARRISON, HENDERSON, LAMBERT, MORRIS, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:116.1(B)(4) and to enact R.S. 56:116.1(A)(8), relative to use of a laser when hunting; to authorize certain persons to use a laser device when hunting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 55—

BY REPRESENTATIVE LAFONTA

AN ACT

To enact R.S. 32:378.3, relative to motor vehicles; to prohibit installation of sound amplification systems on the exterior of a vehicle; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 47:1992(A)(1)(a) and (2), (B), and (F), relative to the inspection period for tax assessment lists in Jefferson Parish; to provide for the time period during which assessment lists shall be open for inspection; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 159—

BY REPRESENTATIVES HENRY BURNS, BOBBY BADON, BILLIOT, BURFORD, CARMODY, CHAMPAGNE, CHANEY, DOWNS, GISCLAIR, GUINN, HENDERSON, HOWARD, LAMBERT, LITTLE, MILLS, MONICA, MONTOUCET, PUGH, AND SIMON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:28(B), relative to drilling permits; to provide for the validity of drilling permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 162—

BY REPRESENTATIVES SAM JONES AND CHAMPAGNE

AN ACT

To enact R.S. 30:2000.13 and R.S. 36:359(B) and 917, relative to the Atchafalaya Basin Program; to create an advisory board in the Department of Natural Resources to advise the secretary regarding the Lake Fausse Point and Grand Avoille Cove area; to provide relative to board composition, meetings, and functions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 168—

BY REPRESENTATIVE MICKEY GUILLORY

AN ACT

To amend and reenact R.S. 40:384(16), relative to local housing authorities; to provide relative to the scope and nature of local housing authorities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 187—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:3973(2)(b)(iii) and (iv), relative to the creation of Type 3 and Type 4 charter schools; to provide relative to the approval by certain persons of a proposal to create a Type 3 or Type 4 charter school by means of converting a preexisting public school; to provide relative to attendance at such schools; to provide an effective date; and to provide for related matters.

Reported without amendments.

June 9, 2009

HOUSE BILL NO. 233—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 56:578.2(A)(1), relative to the Louisiana Seafood Promotion and Marketing Board; to place the board under the jurisdiction of the office of fisheries of the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 234—

BY REPRESENTATIVES DOVE AND ST. GERMAIN AND SENATORS DUPRE AND MORRISH
AN ACT

To enact R.S. 56:1849(D), relative to decisions of the Department of Wildlife and Fisheries; to provide for legal proceedings against the department when a permit is denied; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 288—

BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 33:2212(I), relative to the salaries of certain members of the Pineville police department; to require an increase in salary for certain members; to provide for the calculation of such increases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 299—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:497(C)(1), relative to bait shrimp; to increase the fee for a bait shrimp permit; to provide for a beginning date for when bait shrimp may be taken; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 334—

BY REPRESENTATIVE CROMER
AN ACT

To authorize and provide for the sale of certain state property in St. Tammany Parish to the St. Tammany Parish School Board from the division of administration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 349—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 32:663(A) and (C), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 349 by Representative Hazel

AMENDMENT NO. 1

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways and Public Works, and adopted by the Senate on June 8, 2009, on line 6, change "out of state" to "out-of-state"

HOUSE BILL NO. 410—

BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 56:116.1(C)(2)(a) and to enact R.S. 56:116.1(C)(2)(c), relative to nuisance quadrupeds; to provide for the taking of certain quadrupeds destroying crawfish on

private ponds or such ponds; to provide relative to the firearms which may be used to take nuisance quadrupeds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 423—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 49:214.24(C), relative to the coastal zone boundary; to include Ascension Parish within that zone; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 468—

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Melrose East Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 504—

BY REPRESENTATIVES LIGI, BILLIOT, CONNICK, GISCLAIR, HENRY, LABRUZZO, SCHRODER, TALBOT, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND QUINN
AN ACT

To enact R.S. 17:60.3, relative to term limits for the Jefferson Parish School Board; to provide that a person who will have served as a member of the board for more than two and one-half terms in three consecutive terms shall not be elected to the board for the succeeding term; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 545—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 17:112(A)(1) and (B), relative to student education records; to require principals of certain schools to provide for the transfer of certain student education records; to require that such records include certain information relative to the suspension of students; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 570—

BY REPRESENTATIVES HOFFMANN, HENRY BURNS, CHAMPAGNE, CORTEZ, DOVE, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH
AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), to require the governing authority of a public elementary or secondary school to formulate, develop, adopt, and implement policies, procedures, and practices applicable to school employees relative to electronic communications by an employee at a school to a student at that school; to provide policy guidelines and requirements; to provide limitations and exceptions; to provide that the occurrence of certain electronic communications be reported by the school employee; to provide for immunity from

civil liability; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 576—
BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 17:24.3, relative to the state superintendent of education; to authorize the superintendent to set certain rates and fees for the Cecil J. Picard Educational and Recreational Center; to provide that the setting of such rates and fees by the superintendent shall be subject to approval by the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 602—
BY REPRESENTATIVE LEBAS AND SENATOR LAFLEUR
AN ACT

To enact R.S. 17:436.1(J), relative to the administration of medication to public school students; to require public school governing authorities to permit students with certain conditions to self-administer certain medications; to provide relative to authorization and documentation; to provide a limitation of liability and indemnification of schools and school employees; to provide for definitions; to provide for duration of permission granted to self-administer medications; to provide relative to disciplinary actions for misuse of permitted medications; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 604—
BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 33:4711, relative to surplus property of police juries; to provide for the exchange of surplus property to private persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 609—
BY REPRESENTATIVES ROSALIND JONES AND KATZ
AN ACT

To enact Subpart D of Part IV of Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2238.1 through 2238.8, relative to property adjudicated to the city of Monroe; to provide for the authorization of the city of Monroe to sell or transfer adjudicated property; to provide for notice to the owner and other interested parties; to provide for a deposit of monies sufficient to cover the expenses of the sale, advertisement, taxes due, and other costs associated with the sale; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 612—
BY REPRESENTATIVES FANNIN, ANDERS, CHAMPAGNE, CHANDLER, CHANEY, ELLINGTON, GALLOT, GEYMAN, HOFFMANN, SAM JONES, LAMBERT, LEBAS, LEGER, LITTLE, MCVEA, MORRIS, NOWLIN, POPE, RITCHIE, GARY SMITH, JANE SMITH, AND ST. GERMAIN AND SENATORS KOSTELKA, LONG, RISER, AND WALSWORTH
AN ACT

To amend and reenact R.S. 17:183.1, 183.2, and 183.3 and to repeal R.S. 17:183.4, 183.6, 183.7, 183.8, and 183.9, relative to curricula; to provide relative to high school career option programs; to provide relative to career major programs; to provide relative to a career diploma; to provide relative to

program, course, and curriculum approval; to provide for waivers; to provide relative to program participation eligibility criteria; to provide relative to individual graduation plans; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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

To authorize and provide for the transfer or lease of certain state and other public properties; to provide for the property descriptions; to amend and reenact Section 7(introductory paragraph) of Act No. 264 of the 2007 Regular Session of the Legislature; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 624—
BY REPRESENTATIVES GIROD JACKSON, BOBBY BADON, HENRY BURNS, GISCLAIR, GUINN, LAMBERT, MONTOUCET, AND ST. GERMAIN
AN ACT

To enact R.S. 3:4674.1, relative to biodiesel fuel manufacturing; to provide for collection and use of waste fats, oils, and grease; to provide for monitoring; to provide for notices; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 624 by Representative Girod Jackson

AMENDMENT NO. 1
On page 2, line 20, following "Association" delete ", Inc"

HOUSE BILL NO. 636—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 32:415.1(A)(1)(a) and (B) and R.S. 34:851.24(F)(2) and 851.36(A) and to enact R.S. 32:414(V) and 667(B)(5) and R.S. 34:851.8 and 851.31(B), relative to boat safety; to provide for suspension of the privilege and prohibition to operate a watercraft upon certain waterways; to provide for suspension of driver's license; to provide for hardship appeal; to provide for boating safety equipment; to provide for boating safety education; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1
On page 3, line 18, change "32:378.2(A)(2)" to "32:378.2(B)"

AMENDMENT NO. 2
On page 3, line 27, following "to" and before "the" insert ";

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.

Reported without amendments.

HOUSE BILL NO. 686—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 17:3981(4) and 3982(A)(1)(a), relative to the review of proposed school charters by authorizing entities; to provide for an application review process that complies with specified principles and standards; to provide for an independent evaluation of a charter proposal by a qualified third party; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 699—
BY REPRESENTATIVE ERNST
AN ACT

To amend and reenact R.S. 33:9091.1(F)(2)(a), relative to the Lakeview Crime Prevention District; to provide relative to the parcel fee imposed within the district; to require the governing authority of the city of New Orleans to impose the fee on all parcels located within the district, subject to voter approval; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 725—
BY REPRESENTATIVES MICHAEL JACKSON, GEYMANN, HINES, AND LEGER
AN ACT

To enact R.S. 32:76.1 and 201, relative to bicycles; to provide a method by which drivers of vehicles shall pass bicyclists; to provide for penalties; to provide for publications, signage, and a public awareness campaign; to prohibit certain actions against bicyclists; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 766—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.6, relative to the Upper Hurstville Security District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to the funding of the district, including the levy of a parcel fee; to provide for the merger of the district or a part thereof with another district or a part thereof; to provide for indemnification and exculpation of board members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 779—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 34:1(A) through (H) and 21(A), relative to the Board of Commissioners of the Port of New Orleans; to provide relative to the members of the Board of Commissioners; to provide for their appointment and term of office; to provide relative to the territorial jurisdiction of the Port of New Orleans; to provide for financial disclosure; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 779 by Representative Tucker

AMENDMENT NO. 1

In Senate Committee Amendment No. 16, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 8, 2009, on page 2, line 8, change "(I)" to "(i)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 17, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 8, 2009, on page 2, line 10, change "(I)" to "(i)"

AMENDMENT NO. 3

In Senate Committee Amendment No. 34, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 8, 2009, on page 6, line 5, change "B(5)" to "(B)(5)"

HOUSE BILL NO. 785—
BY REPRESENTATIVE SAM JONES
AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.12, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 785 by Representative Sam Jones

AMENDMENT NO. 1

On page 4, line 8, following "be" change "an" to "a"

AMENDMENT NO. 2

On page 5, line 7, following "of" change "real and personal" to "immovable and movable"

AMENDMENT NO. 3

On page 7, line 10, following "the" change "foregoing powers" to "powers provided in this Section"

AMENDMENT NO. 4

On page 7, line 12, following "all" change "real and personal" to "immovable and movable"

AMENDMENT NO. 5

On page 8, line 27, following "resident" and before "owners" insert "property"

AMENDMENT NO. 6

On page 8, line 28, following "the" and before "owner" insert "property"

AMENDMENT NO. 7

On page 11, line 26, following "insurance" change "moneys" to "monies"

AMENDMENT NO. 8

On page 12, line 7, following "outstanding" and before "it" change "hereunder" to "under this Section"

AMENDMENT NO. 9

On page 14, line 28, following "expressly" change "so made" to "made"

AMENDMENT NO. 10

On page 15, line 9, following "board" change "thereafter" to "held following the audit"

AMENDMENT NO. 11

On page 15, line 13, before "intended" change ", being" to "is"

AMENDMENT NO. 12

On page 15, line 14, following "state" and before "affected" change "hereby," to "by this Chapter, and"

HOUSE BILL NO. 821—

BY REPRESENTATIVES CARTER, HENRY BURNS, CHAMPAGNE, CORTEZ, FOIL, LITTLE, PUGH, ROBIDEAUX, SIMON, SMILEY, AND JANE SMITH AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To enact R.S. 17:7(2)(f), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide for the use of certain funding by public school boards provided through the minimum foundation program formula; to provide reporting requirements; to provide guidelines and standards for such reports; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 829—

BY REPRESENTATIVE CORTEZ

AN ACT

To amend and reenact R.S. 38:3092(6), 3093, 3094(A)(introductory paragraph) and (1) through (5), (B)(introductory paragraph) and (7), (C)(introductory paragraph) and (1), 3097.3(C)(4)(a) and (F)(1) and (2)(introductory paragraph), 3098(A)(introductory paragraph) and (B), 3098.1(4), 3098.2(A)(introductory paragraph), (2), and (5) and (B), 3098.4(7), 3098.5, 3098.6, and 3098.7(B), to enact R.S. 38:3092(7) and 3097.3(F)(2)(h) and (i) and to repeal R.S. 38:3096, 3097, 3098.3, and 3098.7(C), relative to ground water resources, water wells and drillers; to transfer duties and responsibilities relative to ground water resources, water wells and drillers from the Department of Transportation and Development, office of public works, to the office of conservation, Department of Natural Resources; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 829 by Representative Cortez

AMENDMENT NO. 1

On page 1, line 14, following "3097.3(C)(4)(a)" and before "and" insert "(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 16, following "3097.3(C)(4)(a)" and before "and" insert "(introductory paragraph)"

AMENDMENT NO. 3

On page 6, line 16, following "fee." delete the remainder of the line and delete lines 17 through 19 in their entirety.

HOUSE BILL NO. 859—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 33:226, relative to the Central Thruway; to grant East Baton Rouge Parish the authority to name a bridge after a living person; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 87—

BY SENATOR LAFLEUR

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 5, 2009, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 111—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request each city, parish, and other local public school board and school superintendent to encourage all schools under their jurisdiction and administration to support the formation and ongoing activities of a Parent-Teacher Association unit.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Mount
Alario	Erdey	Murray
Amedee	Guillory	Nevers
Appel	LaFleur	Riser
Broome	Long	Shaw
Cheek	McPherson	Smith
Claitor	Michot	Thompson
Crowe	Morrell	
Donahue	Morrish	
Total - 25		

NAYS

Total - 0

June 9, 2009

ABSENT

Adley	Gray Evans	Marionneaux
Duplessis	Hebert	Martiny
Dupre	Heitmeier	Quinn
Gautreaux B	Jackson	Walsworth
Gautreaux N	Kostelka	
Total - 14		

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

June 8, 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. 3— BY REPRESENTATIVE GREENE AN ACT

To enact the Omnibus Bond Authorization Act of 2009, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

HOUSE BILL NO. 33— BY REPRESENTATIVES LEGER, WHITE, BROSSETT, ABRAMSON, BALDONE, BARROW, BURFORD, HENRY BURNS, DOVE, GISCLAIR, HARDY, HARRISON, HAZEL, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, LIGL, LITTLE, LOPINTO, PETERSON, RICHMOND, ROY, SCHRODER, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, TUCKER, AND WILLMOTT AN ACT

To amend and reenact R.S. 44:4.1(B)(7), to enact Chapter 15 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1601 through 1614, and R.S. 36:4(O), and to repeal R.S. 15:262, relative to witness protection; to enact the Witness Protection Services Act; to provide for the development and administration of the witness protection services program; to provide for definitions; to provide for legislative findings; to create the Witness Protection Services Board within the office of the governor; to provide for the membership of the board; to provide for the powers and duties of the board; to authorize the receipt of per diem by certain members of the board; to provide for the purposes of the program; to provide for the components of the program; to provide procedures for obtaining witness protection services; to provide for applicability; to provide for immunity from lawsuits resulting from the delivery or failure to deliver witness protection services; to provide that no right or cause of action is created by the provisions of this Act; to provide for implementation; to provide public records exceptions; to provide exceptions to the open meetings laws; and to provide for related matters.

HOUSE BILL NO. 215— BY REPRESENTATIVES HUTTER AND LEGER AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the

certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records and to provide for related matters.

HOUSE BILL NO. 402— BY REPRESENTATIVE TIM BURNS AN ACT

To amend and reenact Sections 1(A), 2(C), and 4(3) of Act No. 164 of the 1984 Regular Session of the Legislature and to enact Sections 2(G) and 4.1 of Act No. 164 of the 1984 Regular Session of the Legislature, relative to the Municipal Police Employees Civil Service in the city of Mandeville; to provide that the position of chief of police shall not be in the classified service; to provide relative to the right of selection, appointment, supervision, and discharge for such position; to provide relative to the Municipal Police Employees Civil Service Board; to provide relative to the appointment, terms, and duties and responsibilities of board members; to provide relative to the political activities of board members and certain employees of the city; and to provide for related matters.

HOUSE BILL NO. 523— BY REPRESENTATIVE ERNST AN ACT

To amend and reenact R.S. 14:95.2.1(A), to enact R.S. 14:95.2.1(D), and to repeal R.S. 40:1379.3(N)(9), relative to illegal carrying of a firearm at a parade; to provide for increased penalties for illegal carrying of a firearm at a parade; to remove element of the crime requiring that the firearm be used in the commission of a crime of violence; to provide for exceptions; to repeal prohibition regarding a concealed weapon being carried at a parade or demonstration; and to provide for related matters.

HOUSE BILL NO. 582— BY REPRESENTATIVE BURRELL AN ACT

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 630— BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

HOUSE BILL NO. 685— BY REPRESENTATIVE DIXON AN ACT

To enact Chapter 34 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2151 through 2162, relative to the Central Louisiana Regional Infrastructure Beltway Commission; to create and provide with respect to the Central Louisiana Regional Infrastructure Beltway Commission; to provide for the territorial boundaries, governance, plans, powers, and duties of the board of commissioners; to authorize the board to contract for certain projects to be performed; to authorize the board to acquire land and utilities; to provide with respect to bonds and other revenue for funding; and to provide for related matters.

HOUSE BILL NO. 832— BY REPRESENTATIVE GUINN AN ACT

To amend and reenact the first undesignated paragraph of Section 1 and Section 2 of Act No. 177 of the 2007 Regular Session of the Louisiana Legislature, relative to the transfer of certain state property located in Plaquemines Parish; to specify what shall be used to determine the appraised value of such property.

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HOUSE BILL NO. 887—

BY REPRESENTATIVES BARRAS, BOBBY BADON, BALDONE, BILLIOT, BURRELL, CHAMPAGNE, GISCLAIR, GUINN, HARDY, HARRISON, SAM JONES, MILLS, AND RICHARD

AN ACT

To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the New Iberia Redevelopment Authority; to provide for the formation of a program or programs in the city of New Iberia for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the city of New Iberia; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

HOUSE BILL NO. 898— (Substitute for House Bill No. 142 by Representative Henry)

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:6007, relative to tax credits; to provide relative to the motion picture investor tax credit; to provide for issuance of the tax credit for state-certified productions; to provide for the amount of the tax credit; to provide relative to certain definitions; to provide for certain requirements and limitations; to provide relative to the promulgation of rules; to delete certain provisions relative to the tax credit for state-certified infrastructure projects; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 902— (Substitute for House Bill No. 38 by Representative Arnold)

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1705(B)(1) and (2)(a) and (b), relative to ad valorem taxes; to limit the ability of a taxing authority to increase ad valorem tax millages; to provide for limitations on millage increases by taxing authorities with governing authorities whose membership is not elected; and to provide for related matters.

HOUSE BILL NO. 904— (Substitute for House Bill No. 684 by Representative Franklin)

BY REPRESENTATIVE FRANKLIN

AN ACT

To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the Lake Charles North Redevelopment Authority; to provide for the formation of a program or programs in the city of Lake Charles for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the city of Lake Charles; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

HOUSE BILL NO. 901— (Substitute for House Bill No. 206 by Representative Lopinto)

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 33:2002(B), relative to state supplemental pay for fire protection officers; to provide for qualifications of

individuals eligible for such supplemental pay; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

Senator Nevers 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. 3—

BY REPRESENTATIVE GREENE

AN ACT

To enact the Omnibus Bond Authorization Act of 2009, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; 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. 33—

BY REPRESENTATIVES LEGER, WHITE, BROSSETT, ABRAMSON, BALDONE, BARROW, BURFORD, HENRY BURNS, DOVE, GISCLAIR, HARDY, HARRISON, HAZEL, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, LIGI, LITTLE, LOPINTO, PETERSON, RICHMOND, ROY, SCHRODER, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, TUCKER, AND WILLMOTT

AN ACT

To amend and reenact R.S. 44:4.1(B)(7), to enact Chapter 15 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1601 through 1614, and R.S. 36:4(O), and to repeal R.S. 15:262, relative to witness protection; to enact the Witness Protection Services Act; to provide for the development and administration of the witness protection services program; to provide for definitions; to provide for legislative findings; to create the Witness Protection Services Board within the office of the governor; to provide for the membership of the board; to provide for the powers and duties of the board; to authorize the receipt of per diem by certain members of the board; to provide for the purposes of the program; to provide for the components of the program; to provide procedures for obtaining witness protection services; to provide for applicability; to provide for immunity from lawsuits resulting from the delivery or failure to deliver witness protection services; to provide that no right or cause of action is created by the provisions of this Act; to provide for implementation; to provide public records exceptions; to provide exceptions to the open meetings laws; and to provide for related matters.

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

HOUSE BILL NO. 215—

BY REPRESENTATIVES HUTTER AND LEGER

AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and

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recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records 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. 402—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact Sections 1(A), 2(C), and 4(3) of Act No. 164 of the 1984 Regular Session of the Legislature and to enact Sections 2(G) and 4.1 of Act No. 164 of the 1984 Regular Session of the Legislature, relative to the Municipal Police Employees Civil Service in the city of Mandeville; to provide that the position of chief of police shall not be in the classified service; to provide relative to the right of selection, appointment, supervision, and discharge for such position; to provide relative to the Municipal Police Employees Civil Service Board; to provide relative to the appointment, terms, and duties and responsibilities of board members; to provide relative to the political activities of board members and certain employees of the city; 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. 523—
BY REPRESENTATIVE ERNST
AN ACT

To amend and reenact R.S. 14:95.2.1(A), to enact R.S. 14:95.2.1(D), and to repeal R.S. 40:1379.3(N)(9), relative to illegal carrying of a firearm at a parade; to provide for increased penalties for illegal carrying of a firearm at a parade; to remove element of the crime requiring that the firearm be used in the commission of a crime of violence; to provide for exceptions; to repeal prohibition regarding a concealed weapon being carried at a parade or demonstration; and to provide for related matters.

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

HOUSE BILL NO. 582—
BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 630—
BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER
AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

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

HOUSE BILL NO. 685—
BY REPRESENTATIVE DIXON
AN ACT

To enact Chapter 34 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2151 through 2162, relative to the Central Louisiana Regional Infrastructure Beltway Commission; to create and provide with respect to the Central Louisiana Regional Infrastructure Beltway Commission; to provide for the territorial boundaries, governance, plans, powers,

and duties of the board of commissioners; to authorize the board to contract for certain projects to be performed; to authorize the board to acquire land and utilities; to provide with respect to bonds and other revenue for funding; 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. 832—
BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact the first undesignated paragraph of Section 1 and Section 2 of Act No. 177 of the 2007 Regular Session of the Louisiana Legislature, relative to the transfer of certain state property located in Plaquemines Parish; to specify what shall be used to determine the appraised value of such property.

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

HOUSE BILL NO. 887—
BY REPRESENTATIVES BARRAS, BOBBY BADON, BALDONE, BILLIOT, BURRELL, CHAMPAGNE, GISCLAIR, GUINN, HARDY, HARRISON, SAM JONES, MILLS, AND RICHARD
AN ACT

To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the New Iberia Redevelopment Authority; to provide for the formation of a program or programs in the city of New Iberia for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the city of New Iberia; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; 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. 898— (Substitute for House Bill No. 142 by Representative Henry)

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 47:6007, relative to tax credits; to provide relative to the motion picture investor tax credit; to provide for issuance of the tax credit for state-certified productions; to provide for the amount of the tax credit; to provide relative to certain definitions; to provide for certain requirements and limitations; to provide relative to the promulgation of rules; to delete certain provisions relative to the tax credit for state-certified infrastructure projects; 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. 901— (Substitute for House Bill No. 206 by Representative Lopinto)

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 33:2002(B), relative to state supplemental pay for fire protection officers; to provide for qualifications of individuals eligible for such supplemental pay; 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 Finance.

HOUSE BILL NO. 902— (Substitute for House Bill No. 38 by Representative Arnold)
 BY REPRESENTATIVE ARNOLD
 AN ACT

To amend and reenact R.S. 47:1705(B)(1) and (2)(a) and (b), relative to ad valorem taxes; to limit the ability of a taxing authority to increase ad valorem tax millages; to provide for limitations on millage increases by taxing authorities with governing authorities whose membership is not elected; 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. 904— (Substitute for House Bill No. 684 by Representative Franklin)
 BY REPRESENTATIVE FRANKLIN
 AN ACT

To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the Lake Charles North Redevelopment Authority; to provide for the formation of a program or programs in the city of Lake Charles for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the city of Lake Charles; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; 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.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 8, 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. 197—
 BY REPRESENTATIVES CORTEZ, MILLS, AND BARRAS AND SENATOR HEBERT

A CONCURRENT RESOLUTION

To commend Calvin Borel of Catahoula upon winning the 2009 Kentucky Derby and Preakness Stakes.

HOUSE CONCURRENT RESOLUTION NO. 198—
 BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To recognize Juneteenth as a day of celebration in Alexandria, Louisiana, in Rapides Parish.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 197—
 BY REPRESENTATIVES CORTEZ, MILLS, AND BARRAS AND SENATOR HEBERT

A CONCURRENT RESOLUTION

To commend Calvin Borel of Catahoula upon winning the 2009 Kentucky Derby and Preakness Stakes.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Guillory	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrell	
Total - 32		

NAYS

Total - 0

ABSENT

Adley	Gray Evans	Martiny
Dupre	Hebert	
Gautreaux N	Marionneaux	
Total - 7		

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

HOUSE CONCURRENT RESOLUTION NO. 198—
 BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To recognize Juneteenth as a day of celebration in Alexandria, Louisiana, in Rapides Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 33		

NAYS

Total - 0

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ABSENT

Adley	Gautreaux N	Marionneaux
Dupre	Hebert	Martiny
Total - 6		

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

AGRICULTURE, FORESTRY, AQUACULTURE, AND RURAL DEVELOPMENT

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

June 9, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 711— BY REPRESENTATIVES RITCHIE, ANDERS, BOBBY BADON, HENRY BURNS, CHANEY, GISCLAIR, MICKEY GUILLORY, GUINN, HOWARD, JOHNSON, LITTLE, PERRY, SIMON, AND ST. GERMAIN AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4425, relative to forestry; to create the Forestry Product Fairness Act; to provide for legislative purpose; to provide relative to incentives to directly support the purchase of forestry products; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted, FRANCIS C. THOMPSON Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

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

June 9, 2009

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 86— BY SENATOR QUINN A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations regarding the feasibility of instituting multidistrict litigation in Louisiana.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 87— BY SENATOR CLAITOR A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to conduct a comprehensive and thorough study of electronic discovery in civil proceedings.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 75— BY REPRESENTATIVE HARDY A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to develop a plan for the distribution of benefits after the occurrence of a natural disaster.

Reported favorably.

HOUSE BILL NO. 221— BY REPRESENTATIVE THIBAUT AN ACT

To amend and reenact Children's Code Article 818(C), relative to juvenile identification procedures; to provide for the maintenance of juvenile fingerprints; to delete the provision applicable to the destruction of fingerprint records of certain juveniles upon reaching the age of seventeen; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 282— BY REPRESENTATIVE CHAMPAGNE AN ACT

To amend and reenact Children's Code Article 793.1(introductory paragraph), 793.2 (introductory paragraph), and 793.3 (A), (B)(introductory paragraph), and (D) and to repeal Children's Code Article 793.3(E), relative to reauthorization of the early intervention program for at-risk children; to make the program permanent; to eliminate a sunset date for the program; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 554— BY REPRESENTATIVES LANDRY, BOBBY BADON, HENRY BURNS, CARTER, CHAMPAGNE, CHANEY, CORTEZ, DOERGE, DOWNS, HUTTER, SAM JONES, KATZ, LABRUZZO, MILLS, ROBIDEAUX, AND WOOTON AN ACT

To enact R.S. 29:735.3.1, relative to homeland security; to provide civil immunity during a declared state of emergency; to provide immunity for gratuitous volunteers providing care in coordination with the state or political subdivisions; to provide an exception for gross negligence or willful misconduct; to provide an exception for care which requires a license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 565— BY REPRESENTATIVE ERNST AN ACT

To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 755— BY REPRESENTATIVES EDWARDS, BURFORD, TIM BURNS, CHANDLER, HINES, JOHNSON, RICHARDSON, AND WILLMOTT AN ACT

To amend and reenact R.S. 14:81.1(F) and to enact Civil Code Article 2315.3, relative to victims of child pornography; to

provide for exemplary damages for children who are victims of child pornography; to provide for the sharing of information between law enforcement, the attorney general, and the National Center for Missing and Exploited Children; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 894— (Substitute for House Bill No. 809 by Representative Peterson)
 BY REPRESENTATIVE PETERSON
 AN ACT

To enact Children's Code Article 896.1 and Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:971 through 974, relative to juvenile delinquency; to provide for the disposition and treatment of juveniles following adjudication; to provide for the creation of the Functional Family Therapy Pilot Program; to provide for the administration of the program by the Department of Public Safety and Corrections, youth services, office of juvenile justice; to authorize the use of cooperative endeavor agreements and contracts to implement the program; to provide for the eligibility of participants in the pilot program; to authorize courts to recommend that eligible juveniles participate in the program; to provide for definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
 JULIE QUINN
 Chairman

**REPORT OF COMMITTEE ON
 FINANCE**

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

June 8, 2009

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 39—
 BY SENATOR CHAISSON
 A RESOLUTION

To urge and request that funds received by the state from the federal government as part of an economic recovery package, including the American Recovery and Reinvestment Act of 2009, be used to maximize the creation of American jobs and restoring economic growth and opportunity by spending such funds on products and services that both create jobs and help keep Americans employed and for purchasing only products and services that are made or performed in the United States of America whenever and wherever possible and that any request to waive these procurement priorities be published.

Reported favorably.

SENATE BILL NO. 42—
 BY SENATOR MURRAY
 AN ACT

To enact Subpart Q of Part II-A of Chapter 1, Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.118, relative to special funds, to establish the Hurricane Recovery Health Insurance Premium Fund as a special fund in the state treasury; to provide for uses of the monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 90—
 BY SENATORS GRAY EVANS AND LAFLEUR
 AN ACT

To enact Part XII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:409.1 through 409.7, and to enact R.S. 36:651(BB), relative to school facilities; to create and provide for the Louisiana Statewide Education Facilities Authority in the Department of Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for rules; to provide relative to program participation; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 226—
 BY SENATOR GRAY
 AN ACT

To enact R.S. 47:870 and R.S. 51:2357, relative to the dedication of certain tobacco proceeds; to establish the Technology Commercialization Fund as a special fund in the state treasury; to provide for the use of monies in the fund; to authorize a grants program related to commercialization of technologies developed at certain institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—
 BY SENATORS CHEEK AND NEVERS
 AN ACT

To enact Part XXIX-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.96.11 through 1299.96.14, relative to the Rural Hospital Information Technology Loan Fund; to provide findings and purpose; to provide definitions; to facilitate access to funding for acquisition and implementation of certified electronic health record technology by rural hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 267—
 BY SENATORS MICHOT, APPEL, CROWE, DUPLESSIS, LONG, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND WILLMOTT
 AN ACT

To enact R.S. 49:308.5, relative to special funds in the state treasury and dedicated money; to provide for an annual performance report of the activities funded by such special funds; to abolish and repeal certain funds and certain statutory dedications; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 316—
 BY SENATORS NEVERS, APPEL, DONAHUE, DORSEY, DUPLESSIS, LAFLEUR AND LONG
 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 R.S. 17:183.4, 183.6, 183.7, 183.8, and 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.

HOUSE BILL NO. 341—

BY REPRESENTATIVES CONNICK AND TUCKER AND SENATOR CHAISSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the legal fees and expenses incurred by Dr. Anna Pou; to provide for payment to the Dr. Anna Pou Defense Fund; to provide for payment to the LSU Healthcare Network; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

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

SENATE BILL NO. 159—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:6007(C)(1) and (2)(c)(v), 6022(D), and 6034(C)(2)(a), relative to tax credits; to provide that the motion picture investor, the digital interactive media, and the musical and theatrical productions credits be certified by the Department of Economic Development or other appropriate authorities before they are earned; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 159 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:6007" delete the remainder of the line and insert "(C)(2)(c)(iv)."

AMENDMENT NO. 2

On page 1, line 3, after "to provide" delete the remainder of the line, delete lines 4 and 5, and on line 6, delete "they are earned;" and insert: "for the kinds of expenditures which qualify an infrastructure project for initial certification on or before December 31, 2008;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 47:6007" delete the remainder of the line and insert "(C)(2)(c)(iv) is hereby"

AMENDMENT NO. 4

On page 1, delete lines 13 through 17, and on page 2, delete lines 1 through 6

AMENDMENT NO. 5

On page 2, delete lines 11 through 29, on page 3, delete lines 1 through 8, and insert:

(iv)(aa) No tax credit shall be allowed for expenditures made for any infrastructure project after December 31, 2008, unless fifty

percent of total base investment provided for in the initial certification of the project pursuant to Subparagraph (D)(2)(d) of this Section has been expended prior to that date. The expenditures may be finally certified at a later date.

(bb) For purposes of this Item, transactions that will qualify for meeting or exceeding the fifty percent expenditure requirement provided for in this Item shall include, but not be limited to a transaction in which the obligation is secured by the subject of the transaction and the maturity date for such obligation occurs after December 31, 2008, if such transaction was executed prior to December 31, 2008.

AMENDMENT NO. 6

On page 3, line 10, after "shall be" delete the remainder of the line, delete line 11, and insert: "applied retroactively."

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

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

HOUSE BILL NO. 320—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 47:301(16)(m)(i) and (ii) and 337.10(I), to exempt from state and local sales and use taxes certain machinery and equipment used by glass container manufacturers; to authorize the granting of exemptions by a political subdivision; to provide for the duration of the exclusion; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 320 by Representative Gallot

AMENDMENT NO. 1

On page 2, line 8, after "instrument" insert "resolution, vote, or other affirmative action"

AMENDMENT NO. 2

On page 2, line 18, after "instrument" insert "resolution, vote, or other affirmative action"

AMENDMENT NO. 3

On page 3, line 11, after "to be" insert "retroactive,"

On motion of Senator Erdey, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 509—

BY REPRESENTATIVE LEGER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(A)(1) and (E) of the Constitution of Louisiana, relative to tax sales; to provide relative to the procedure for bidding at ad valorem property tax sales; to provide for the payment of penalties by an ad valorem tax sale bidder; to provide for the payment of penalties, interest, and costs by a taxpayer when taxes on movables are delinquent; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 540—
BY REPRESENTATIVES BOBBY BADON AND MONTOUCET AND
SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:103(B)(3)(introductory paragraph) and (e)(introductory paragraph) and (i)(aa) and to enact R.S. 11:103(B)(3)(e)(i)(cc), relative to the Firefighters' Retirement System; to provide with respect to extending the period of amortizing actuarial gains and losses; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 593—
BY REPRESENTATIVE BILLIOT

AN ACT

To enact R.S. 33:2955(A)(1)(j), relative to investments by political subdivisions; to provide for investment in debt instruments issued by the state; to provide for investment in debt instruments issued by other political subdivisions; to provide restrictions on such types of investment; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 593 by Representative Billiot

AMENDMENT NO. 1

On page 2, line 2, after "years" delete the period "." and insert the following: ", except that such three year limitation shall not apply to (a) funds held by a trustee, escrow agent, paying agent, or other third party custodian in connection with a bond issue or (b) investment of funds held by either a hospital service district, a governmental 501(c)(3), or a public trust authority."

On motion of Senator Erdey, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 651—
BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 11:1007(C) and (F), relative to the Louisiana School Employees' Retirement System; to provide relative to the reemployment of retired school bus drivers; to require the submission of certain information relative to such persons; to require certification of a school bus driver shortage by the employer; to provide for actuarial costs associated with reemploying such school bus drivers; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 651 by Representative Armes

AMENDMENT NO. 1

On page 2, line 25, delete "its pro rata" and insert in lieu thereof "the actuarial"

AMENDMENT NO. 2

On page 2, line 26, delete "share of any actuarial"

AMENDMENT NO. 3

On page 2, line 27, after "driver" insert "in excess of the cost that would have been incurred if the employer had reemployed the driver or drivers pursuant to R.S.11:1006"

On motion of Senator B. Gautreaux, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 655—

BY REPRESENTATIVES BOBBY BADON AND MONTOUCET
AN ACT

To amend and reenact R.S. 11:2220(A)(1)(g)(introductory paragraph) and to enact R.S. 11:2220(A)(1)(h), relative to the Municipal Police Employees' Retirement System; to provide for an initial benefit option on a reemployed retiree's additional retirement benefit; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 673—

BY REPRESENTATIVE POPE
AN ACT

To enact R.S. 11:163.1, relative to service credit or benefit accruals in certain state retirement systems for certain public university and college employees; to provide relative to employer and employee contributions during periods of furlough for such members of those systems; to provide for accumulation of service credit during such periods; to provide for calculation of benefits for such furloughed members; to provide for funding; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 756—

BY REPRESENTATIVE MONTOUCET
AN ACT

To amend and reenact R.S. 47:305.25(A)(introductory paragraph), relative to the sales and use tax exemption and exclusion for farm equipment; to require an exemption certificate for eligibility to obtain the tax exemption; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 756 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 12, after "equipment." delete the remainder of the line, delete lines 13 through 18, and insert: "The purchaser or his representative shall provide on any exemption certificate required for this exemption a certification that the purchaser is a bonafide farmer or is purchasing for a bona fide agricultural facility. The department shall hold the purchaser responsible for any taxes due. For"

On motion of Senator Erdey, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

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.

June 9, 2009

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

Special Order of the Day No. 1

SENATE BILL NO. 257— BY SENATOR QUINN

AN ACT

To enact Chapter 5 of Code Title V of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.81 through 2800.88, relative to construction materials; to provide for damages; to provide for toxic materials; to provide for medical monitoring; to provide for legislative findings; to provide for definitions; 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. 257 by Senator Quinn

AMENDMENT NO. 1

On page 3, line 21, following "substandard" delete "per se"

AMENDMENT NO. 2

On page 3, line 24 following "substandard" and before "within" delete "per se"

On motion of Senator Quinn, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 257 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, after "To enact" delete the remainder of the line, delete line 3, and insert "R.S. 47:297.13, relative to"

AMENDMENT NO. 2

On page 1, line 4, after "provide for" delete the remainder of the line, on line 5, delete "provide for" and insert: "an income tax credit for damages as a result of a certain use of substandard construction materials, including a credit for the costs of"

AMENDMENT NO. 3

On page 1, delete lines 8 through 15, and insert: "Section 1. R.S. 47:297.13 is hereby enacted to read as follows: §297.13. Damages from substandard construction materials; income tax credit"

AMENDMENT NO. 4

On page 1, at the beginning of line 16, insert "A."

AMENDMENT NO. 5

On page 2, line 16, after "occupancy" delete the period "." and insert: "and therefore should be provided with some economic relief by the state in the form of this income tax credit."

AMENDMENT NO. 6

On page 2, delete lines 17 through 26, and insert: "B.(1) There shall be a credit against the tax imposed by this Chapter for individuals in an amount equal to damages to such individuals as a result of the incorporation into their residential

dwelling of substandard construction materials as provided for in this Section."

AMENDMENT NO. 7

On page 2, at the beginning of line 27, insert "C." and change "Chapter" to "Section"

AMENDMENT NO. 8

On page 3, line 3, after "losses" insert "not otherwise reimbursed or mitigated"

AMENDMENT NO. 9

On page 3, line 4, after "costs" insert "to the individual"

AMENDMENT NO. 10

On page 3, delete line 5, at the beginning of line 6, delete "and" and insert: "the costs of inspection, remediation, demolition, labor, and replacement construction"

AMENDMENT NO. 11

On page 3, line 7, after "repair and" delete the remainder of the line, delete lines 8 through 29, on page 4, delete line 1, and insert "the cost of medical"

AMENDMENT NO. 12

On page 4, line 4, after "materials" delete the remainder of the line, insert a period "." and delete lines 5 through 14, and insert:

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

E. The secretary of the Department of Revenue may promulgate such rules and regulations pursuant to the Administrative Procedure Act as she determines is necessary for the administration of this Section. Such rules and regulations may contain a requirement that the individual retain or submit to the secretary such documentation as the secretary determines is necessary to accurately calculate the amount of the individual's tax credit.

Section 2. The provisions of this Act shall be applicable to all tax years beginning on and after January 1, 2009.

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

On motion of Senator Quinn, the amendments were adopted.

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

Senate Concurrent Resolutions on Third Reading and Final Passage

Rules Suspended

Senator Nevers asked for and obtained a suspension of the rules to allow staff of the Department of Education on the floor of the Senate.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2009.

The Concurrent Resolution was read by title. Senator Nevers moved the final passage of the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	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

Gautreaux N	Hebert
Total - 2	

ABSENT

Kostelka
Total - 1

The Chair declared the Senate Concurrent Resolution was passed and sent to the House. Senator Nevers moved to reconsider the vote by which the Concurrent Resolution was passed and laid the motion on the table.

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 313 be called from the Calendar.

SENATE BILL NO. 313—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:154, relative to the Open Roads Law; to provide relative to motor vehicle fatalities; and to provide for related matters.

Floor Amendments Sent Up

Senator Shaw sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shaw to Engrossed Senate Bill No. 313 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 9, after "disturbed" delete "or removed"

AMENDMENT NO. 2

On page 1, line 12, after "disturb" delete "or remove"

On motion of Senator Shaw, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Claitor	Heitmeier	Smith
Donahue	Jackson	Walsworth
Dorsey	Marionneaux	
Duplessis	Martiny	
Total - 28		

NAYS

Cheek	Long	Shaw
Crowe	Morrish	Thompson
Gray Evans	Mount	
LaFleur	Riser	
Total - 10		

ABSENT

Kostelka
Total - 1

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

Called from the Calendar

Senator Jackson asked that Senate Bill No. 136 be called from the Calendar.

SENATE BILL NO. 136—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 26:73(B) and 272(B), relative to alcoholic beverage permits; to provide for restaurant "R" permits, applications and fees; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments.

June 9, 2009

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 136 by Senator Jackson

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 2

Delete Senate Floor Amendment No. 1 through 4 proposed by Senator Marionneaux and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 3

Delete Senate Floor Amendment No. 1 through 6 proposed by Senator Martiny and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 4

Delete Senate Floor Amendment No. 1 through 4 proposed by Senator Adley and adopted by the Senate on June 4, 2009.

AMENDMENT NO. 5

On page 1, delete line 2 and insert the following: "To amend and reenact R.S. 26:73, 272, and 583(C), relative to alcoholic beverage permits; to provide for legal sales characteristics in certain parishes; to"

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 1, delete line 6 and insert the following:
"Section 1. R.S. 26:73, 272, and 583(C) are hereby amended and reenacted to read as"

AMENDMENT NO. 8

On page 1, delete lines 8 through 17 and delete page 2, 3, and 4 in their entirety and insert the following:
"§73. Restaurant "R" permit; application; fees

A. The legislature hereby finds and declares that the food service industry is a viable industry in Louisiana with significant economic impact and finds that a restaurant establishment's purpose and primary function is to take orders for and serve food and food items. Such service of food may include the serving of alcoholic beverages in conjunction with meals.

~~A.B.~~(1) The commissioner shall issue, upon proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection ~~B C~~ of this Section which has been issued a state Class A Retail Liquor Permit for the sale of beverages of high alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; ~~however, the requirements and fees for such permits shall not exceed that required by this Section.~~ The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

~~B.C.~~(1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(a) Which operates a place of business whose **average monthly revenue from food and nonalcoholic beverages exceeds fifty percent of its total average monthly revenue from the sale of food, nonalcoholic beverages, and alcoholic beverages.** ~~purpose and primary function is to take orders for and serve food and food items.~~

~~(b) Which serves alcoholic beverages in conjunction with meals.~~

~~(c) Which serves food on all days of operation.~~

~~(d) Which maintains separate sales figures for alcoholic beverages.~~

~~(e) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises **when food is being offered and served.**~~

~~(f) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that apply to or have been licensed to sell or serve~~

alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.

(2) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

(3) Notwithstanding any other provision of law to the contrary, a business's trade name shall not disqualify such business as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(4) Notwithstanding any other provision of law to the contrary, a business which provides live entertainment, requires cover charges, offers alcoholic or other beverages at a reduced cost or engages in similar activity shall not be disqualified as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(5) The provisions of this Section shall not prohibit a parish or municipality from enacting ordinances that establish more restrictive requirements for parish or municipal licenses or permits to sell alcoholic beverages at restaurant establishments.

~~D.~~ **E.** For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph B(4) of this Section, the commissioner may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determination.

~~D.~~ **E.**(1) The permit provided for in this Section shall be applied for annually.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain all of the following:

(a) The full name of the applicant.

(b) A complete description and correct street address of the premises in which the restaurant is located.

(c) Proof of issuance of state Class "A" permit.

~~E.~~ **F.** All applications shall be accompanied by an administrative fee, which shall be remitted to the office of alcohol and tobacco control, as follows:

(1) For administrative fees for new or renewal of permit -- twenty-five dollars.

(2) For a temporary permit as provided for in Subsection C -- ten dollars.

~~F.~~ **G.** The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local Alcohol Beverage Control Board for failure to meet or maintain criteria required for the permit.

~~G.~~ **H.** Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or parish governing authority shall issue any and all required local permits to serve high alcohol content beverages for a restaurant establishment, as defined in Subsection B of this Section, if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as a national historic landmark district. The provisions of this Subsection shall be applicable only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

* * *

§272. Restaurant "R" permit; application; fees

A. The legislature hereby finds and declares that the food service industry is a viable industry in Louisiana with significant economic impact and finds that a restaurant establishment's purpose and primary function is to take orders for and serve food and food items. Such service of food may include the serving of alcoholic beverages in conjunction with meals.

~~A.B.~~(1) The commissioner shall issue, on proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection ~~B C~~ of this Section which has been issued a "Retailers, Class A" state permit for the sale of beverages of low alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; ~~however, the requirements and fees for such permits shall not exceed that required by this Section.~~ The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

~~B-C.~~(1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(a) Which operates a place of business whose average monthly revenue from food and nonalcoholic beverages exceeds fifty percent of its total average monthly revenue from the sale of food, nonalcoholic beverages, and alcoholic beverages, purpose and primary function is to take orders for and serve food and food items.

~~(b) Which serves alcoholic beverages in conjunction with meals.~~

~~(c) (b) Which serves food on all days of operation.~~

~~(d) (c) Which maintains separate sales figures for alcoholic beverages.~~

~~(e) (d) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises when food is being offered and served.~~

~~(f) (e) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that have applied to or have been licensed to sell or serve alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.~~

(2) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

(3) Notwithstanding any other provision of law to the contrary, a business's trade name shall not disqualify such business as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(4) Notwithstanding any other provision of law to the contrary, a business which provides live entertainment, requires cover charges, offers alcoholic or other beverages at a reduced cost or engages in similar activity shall not be disqualified as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(5) The provisions of this Section shall not prohibit a parish or municipality from enacting ordinances that establish more restrictive requirements for parish or municipal licenses or permits to sell alcoholic beverages at restaurant establishments.

~~E-D.~~ For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph B(4) of this Section, the commissioner may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determination.

~~E-E.~~(1) The permit provided for in this Section shall be applied for and issued annually as determined by the commissioner.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain the following:

(a) The full name of the applicant.

(b) A complete description and correct address of the premises in which the restaurant is located.

(c) Proof of issuance of a state Class A permit.

~~E-F.~~ All applications shall be accompanied by an administrative fee, which shall be remitted to the commissioner as follows:

(1) For administrative fees for annual new or renewal of permit -- twenty-five dollars.

(2) For a temporary permit as provided for in Subsection C -- ten dollars.

~~F-G.~~ The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local political subdivision for failure to meet or maintain criteria required for the permit.

~~G-H.~~ Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or the parish governing authority shall issue any and all required local permits to serve low alcohol content beverages for a restaurant

establishment, as defined in R.S. 26:73(B), if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as a national historic landmark district. The provisions of this Subsection shall be applicable only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

~~H-I.~~ If proposition five on the local option ballot, as delineated in R.S. 26:588(A), is approved by a majority vote cast in the election, a "Retailers, Class A" state permit shall be authorized for a Class "R" restaurant permittee in the locality for which the local election was held.

* * *
§583. Effect of merger * * *

C. (1) Notwithstanding the provisions of Subsections A and B of this Section, any package house in existence and operating as such on August 15, 1995, in an area that is subsequently annexed into a ward, election district, municipality, or city-parish government that prohibits the sale of alcoholic beverages shall be allowed to continue operation and shall not be subject to the provisions of Subsections A and B of this Section.

(2) Notwithstanding any other provision of law to the contrary, any parish with a population between forty thousand and forty-five thousand, based upon the latest federal decennial census, shall not be subject to the provisions of Subsections A and B of this Section and shall retain the legal sales characteristics as provided for by referendum prior to any annexation or reapportionment.

* * *

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Jackson
Adley	Duplessis	LaFleur
Alario	Dupre	Martiny
Appel	Guillory	Michot
Cheek	Hebert	Morrell
Claitor	Heitmeier	Quinn

Total - 18

NAYS

Amedee	Long	Riser
Broome	Marionneaux	Shaw
Crowe	McPherson	Smith
Donahue	Morrish	Thompson
Erdey	Mount	Walsworth
Gautreaux N	Murray	
Gray Evans	Nevers	

Total - 19

ABSENT

Gautreaux B	Kostelka
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Total - 2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Jackson moved to reconsider on the next legislative day the vote by which the bill failed to pass.

June 9, 2009

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 620—

BY REPRESENTATIVE CORTEZ AN ACT

To amend and reenact R.S. 46:438.3(B), 439.1, 439.2(A)(2)(b), 439.3, and 439.4(A)(1) and (3), (C)(1), (D), and (G), relative to the Medical Assistance Program Integrity Law; to provide for false or fraudulent claims; to provide for qui tam actions; to provide for qui tam procedures; to provide for the recovery awarded to a qui tam plaintiff; to comply with the provisions of section 1909 of the federal Social Security Act to increase by ten percent Louisiana's share of any amounts recovered through a false claims action; and to provide for related matters.

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

Senator Broome in the Chair

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.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 629 by Representative Landry

AMENDMENT NO. 1

On page 1, line 3, after "(E)" insert "Civil Code Article 136(C)" and after "orders" insert "and other orders"

AMENDMENT NO. 2

On page 1, line 5, after "cause" insert "to provide for visitation by grandparents and siblings in certain circumstances;"

AMENDMENT NO. 3

On page 2, after line 21, insert the following: "Section 3. Civil Code Article 136(C) is hereby amended and reenacted and Civil Code Article 136(C) is hereby enacted to read as follows:

Art. 136. Award of visitation rights

* * *

C. In accordance with Paragraph B of this Article, extraordinary circumstances may include when a parent is addicted to a controlled dangerous substance.

D. In the event of a conflict between this Article and R.S. 9:344 or 345, the provisions of the statute shall supersede those of this Article."

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their respective counts for Yeas and Nays.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 62—

BY REPRESENTATIVE BURRELL AN ACT

To amend and reenact R.S. 15:828(B), relative to additional good time; to provide for the awarding of one hundred eighty days of good time for satisfactory participation in approved certified treatment and rehabilitation programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 62 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 15:828(B)" to the following: "R.S. 15:711(G) and (H), 827(A)(4), 828(B), 893.1(1) and 1111(B), (C), (E), (F)(introductory paragraph), (H), (I), (J), and (K), to enact R.S. 15:1111(L), and to repeal R.S. 15:1135"

AMENDMENT NO. 2

On page 1, line 2, change "additional good time" to "incarceration"

AMENDMENT NO. 3

On page 1, line 4, between "programs;" and "and" insert the following: "to provide that inmates convicted of violations of controlled dangerous substances law are eligible to participate in work release programs if otherwise eligible and approved by the sheriff or the department of corrections; to provide that inmates convicted of certain offenses are eligible to participate in work release programs during the last twelve months of their term of incarceration if otherwise eligible and approved by the department or the sheriff; to provide that deductions for work release expenses shall not exceed fifty percent of the wages received by the inmate in work release programs operated by the department; to authorize certain inmates participating in work release programs to depart from the state; to provide for technical changes; to provide relative to the collection and accounting of wages of inmates; to provide that inmates participating in work release programs shall not be permitted

to work on a job or project involved in a labor dispute; to repeal provisions of law providing for work release programs for inmates at a community rehabilitation center; to provide that inmates convicted of controlled dangerous substances violations are eligible to be assigned to the J. Levy Dabadie Correctional Center;"

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 15:828(B) is hereby amended and reenacted" to "R.S. 15:711(G) and (H), 827(A)(4), 828(B), 893.1(1), 1111(B), (C), (E), (F)(introductory paragraph), (H), (I), (J), and (K) are hereby amended and reenacted and R.S. 15:1111(L) is hereby enacted"

AMENDMENT NO. 5

On page 1, between lines 7 and 8, insert the following: "§711. Work release program

* * *

G.(1) Notwithstanding the provisions of Subsection B of this Section or any other law to the contrary, any inmate who has been convicted for first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), attempted aggravated rape (R.S. 14:27 and 42), forcible rape (R.S. 14:42.1), aggravated kidnapping (R.S. 14:44), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in a work release program except during the last six months of their terms. Any inmate who has been convicted of forcible rape (R.S. 14:42.1), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be eligible to participate in a work release program during the last six months of their terms. Notwithstanding the provisions of this Section and unless the inmate is eligible at an earlier date, those inmates who have served a minimum of fifteen years in the custody of the department or the sheriff for those crimes enumerated in this Section, shall be eligible to participate in a work release program during the last twelve months of their term.

(2) No Any inmate convicted of producing, manufacturing, distributing, or dispensing, or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964 shall be prohibited from participation in the work release program eligible to participate in the work release program if the inmate is otherwise in compliance with the standards for work release.

H. No inmate employed in the work release program shall be employed in a position which would necessitate his departure from the state except for those inmates assigned to work release programs who are employed in industries off the coast of Louisiana.

* * *

§827. Duties of Department of Public Safety and Corrections

A. In addition to other duties imposed upon the department it shall be the duty of the department to:

* * *

(4) Establish rules and regulations for the detection of controlled dangerous substances upon the person or in the blood stream of inmates returning from any labor detail, pass, furlough, or emergency leave which required the inmate to leave the grounds of a correctional institution under the jurisdiction of the department. The methods which may be employed for the detection of controlled dangerous substances may include but are not limited to the use of a police dog trained to detect controlled dangerous substances and analysis of the inmate's breath or urine. If an inmate is found to be under the influence or in possession of a controlled dangerous substance upon returning to the facility from any labor detail, pass, furlough, or emergency leave, then the inmate shall be ineligible for Work Training Facility North.

* * *

AMENDMENT NO. 6

On page 2, after line 5, insert the following:

"§893.1. Inmates who may not be assigned to J. Levy Dabadie Correctional Center

The Department of Public Safety and Corrections, corrections services, shall not assign any inmate included in the categories listed below to serve any portion of his term at the correctional institution at J. Levy Dabadie Correctional Center:

(1) Inmates who have been convicted of first or second degree murder, aggravated rape, aggravated kidnapping, or armed robbery; ~~distribution of a controlled dangerous substance other than marijuana;~~ aggravated arson, a sex offense as defined in R.S. 15:541, or ~~distribution of a controlled dangerous substance other than marijuana,~~ except any person convicted of distribution of cocaine where the offense of conviction involves less than twenty-eight grams.

* * *

§1111. Work release program

* * *

B. The department shall establish rules for the administration of the work release program and shall determine those inmates who may participate in the release program. Any convict inmate sentenced to imprisonment at hard labor shall be eligible at any time during his sentence to participate in the work release program, subject to the provisions of this Part. If any inmate violates the conditions prescribed by the department, his work release privileges may be withdrawn. Failure to report to or return from the planned employment shall be considered an escape under the provisions of R.S. 14:110. The department may approve as work release privileges, placement in universities, colleges, technical, vocational or trade schools, or in sheltered workshops or in training programs designed to improve the skills and abilities of the inmate.

C. The department shall designate and adapt facilities for the purpose of ~~quartering~~ housing inmates with work release privileges or it may arrange and contract for other facilities, including but not limited to portions of parish jails for inmates employed in the area. No inmate shall be granted work release privileges until: (1) such suitable quarters have been provided in the area of accepted or preferred employment or educational or training placement, and (2) a position of employment or educational or training placement is available for the inmate.

* * *

E. The wages of any inmate so employed shall be collected by the ~~director of institutions or by his designated agent, and the director shall deposit the same agency or organization operating the work release program and deposited in a public banking institution and keep a ledger showing the financial status of each inmate on the program. An accurate account of the financial status of each inmate shall be maintained and shall be subject to the approval of the secretary of the department.~~

F. The wages of any such inmate shall be disbursed by the department for the following purposes and in the order stated, subject to the approval of the secretary of the department:

* * *

H. ~~No provision of this Act shall be construed to repeal the provisions of R.S. 15:855.1 or of R.S. 15:855.2. Deductions for room, board, and other administrative costs resulting from participation in a work release program authorized by this Section shall not exceed fifty percent of the wages received by the inmate.~~

I.(1) Notwithstanding the provisions of Subsection B of this Section or any other law to the contrary, any inmate who has been convicted of first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), attempted aggravated rape (R.S. 14:27 and 42), forcible rape (R.S. 14:42.1), aggravated kidnapping (R.S. 14:44), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in the work release program except during the last six months of their terms. Any inmate who has been convicted of

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forcible rape (R.S. 14:42.1), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be eligible to participate in a work release program during the last six months of their terms. Notwithstanding the provisions of this Section and unless the inmate is eligible at an earlier date, those inmates who have served a minimum of fifteen years in the custody of the department for those crimes enumerated in this Section, shall be eligible to participate in a work release program during the last twelve months of their term.

(2) No Any inmate convicted of producing, manufacturing, distributing, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedule I or Schedule II of R.S. 40:964 shall be prohibited from participation in the work release program eligible to participate in the work release program if the inmate is otherwise in compliance with the standards for work release.

J. No inmate employed in the work release program shall be employed in a position which would necessitate his departure from the state, except for those inmates assigned to work release programs who are employed in industries off the coast of Louisiana.

K. The Department of Corrections department shall compile statistical data on the incidence of work release violations by participating inmates. Violations shall include the commission of new offenses as well as any transgressions that result in disciplinary action or removal from the program. The data shall indicate the nature of the incident, the age of the offender, his original offense, the length of his sentence, his prior criminal record, and any other characteristic found to be predictive of success or failure. This information shall be used by the department to guide it in formulating program policies and eligibility standards and shall be available to the legislature upon request.

L. In no case shall inmates participating in a work release program be authorized or permitted to work or to continue to work on a project or job involved in a labor dispute.

Section 2. R.S. 15:1135 is hereby repealed in its entirety.

Section 3. If any provision or item of an act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the act which can be given effect without the invalid provision, item, or application."

Senator Guillory moved adoption of the amendments.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Guillory McPherson
Crowe Heitmeier Michot
Dorsey Jackson Morrell
Duplessis Kostelka Murray
Gautreaux B LaFleur Quinn
Gray Evans Martiny
Total - 17

NAYS

Adley Erdey Riser
Alario Gautreaux N Shaw
Amedee Hebert Smith
Cheek Long Thompson
Claitor Marionneaux Walsworth
Donahue Morrish
Dupre Nevers
Total - 19

ABSENT

Mr. President Broome Mount
Total - 3

The Chair declared the amendments were rejected.

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

HOUSE BILL NO. 207— BY REPRESENTATIVE LEBAS AN ACT

To amend and reenact R.S. 40:1006(C), relative to the Prescription Monitoring Program Act; to provide the Louisiana Board of Pharmacy authority to exempt certain dispensers from the reporting of prescription monitoring information; to provide the board authorization to rescind exemptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 551— BY REPRESENTATIVES MILLS, ABRAMSON, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOERGE, DOVE, EDWARDS, FANNIN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, SAM JONES, KATZ, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LIGI, LITTLE, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, STIAES, THIBAUT, WADDELL, WILLIAMS, AND WILLMOTT AN ACT

To amend and reenact R.S. 40:4(A)(1)(b) and to enact R.S. 40:5.2 and 5.3, relative to seafood products; to create a seafood safety campaign regarding the risk of consumption of Chinese seafood; to grant the state health officer rulemaking authority; to encourage the labeling of certain seafood products; to encourage the posting of signs; to create the Seafood Safety Task Force; to provide for the membership of the task force; to provide for the purpose and duties of the task force; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 551 by Representative Mills

AMENDMENT NO. 1

On page 3, line 20, after "a statement" delete "to include" and insert in lieu thereof "that may be included"

AMENDMENT NO. 2

On page 4, line 14, after "A member" insert "appointed by chairman"

AMENDMENT NO. 3

On page 4, line 16, after "A member" insert "appointed by chairman"

AMENDMENT NO. 4

On page 4, between lines 26 and 27, insert the following:
 "(11) A representative of the Louisiana Restaurant Association.
 (12) A public health nutritionist."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Murray
Alario	Gray Evans	Nevers
Amedee	Guillory	Quinn
Broome	Hebert	Riser
Cheek	Heitmeier	Shaw
Crowe	Jackson	Smith
Donahue	LaFleur	Thompson
Dorsey	Long	Walsworth
Duplessis	Marionneau	
Dupre	McPherson	
Total - 31		

NAYS

Appel	Kostelka
Claitor	Martiny
Total - 4	

ABSENT

Gautreaux N	Morrish
Morrell	Mount
Total - 4	

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

HOUSE BILL NO. 777—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 42:1113(A)(1), relative to public servants and prohibited contractual arrangements; to authorize a municipal or parish governing authority to appoint one of its members to fill certain vacancies and to certain boards or commissions; to provide relative to the eligibility as a candidate in the next election of any governing authority member appointed to fill a vacancy; and to provide for related matters.

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

HOUSE BILL NO. 333—

BY REPRESENTATIVES KLECKLEY, ANDERS, CORTEZ, MONICA, PEARSON, ROY, GARY SMITH, AND TALBOT AND SENATORS DUPRE, HEBERT, MORRISH, AND QUINN

AN ACT

To enact R.S. 22:1337, relative to homeowners' insurance and certain fire and allied lines insurance; to provide for limitations on named-storm, hurricane, and wind and hail deductibles; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N	Marionneau
Hebert	Morrell
Total - 4	

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

Rules Suspended

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 9, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 439 by Representative Ellington, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Ellington, Anders and McVea.

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

June 9, 2009

Message from the House
PASSED SENATE BILLS AND
JOINT RESOLUTIONS

June 9, 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. 18—
BY SENATOR ALARIO

AN ACT

To enact R.S. 49:191(5) and to repeal R.S. 49:191(2)(e), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 44—
BY SENATORS MORRISH, ERDEY, MCPHERSON, MOUNT AND SHAW
AND REPRESENTATIVE PERRY

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 without amendments.

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 without amendments.

SENATE BILL NO. 211—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 36:801(introductory paragraph), and to enact R.S. 36:109(U) and Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2401, relative to economic development; to create the Louisiana Innovation Council within the Department of Economic Development; to provide for the membership; to provide for the duties and responsibilities; to provide for reporting; and to provide for related matters.

Reported without amendments.

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

Message from the House
CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

June 9, 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. 100—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations regarding the awarding of child custody or visitation rights to grandparents.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation to prohibit fetal torture and dismemberment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request President Barack Obama to use the full extent of his executive authority and take all executive action necessary to prohibit fetal torture and dismemberment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATORS HEBERT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, EVANS, GUILLORY, 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 commend Raymond "Coach" Blanco for a long and successful career in education.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To recognize and commend Southern, Inc., for continuing a fifty-two year tradition of producing and distributing quality barbeque and other sauces, and to designate June 17, 2009, as Southern Bar-B-Que Sauce Day.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations regarding the feasibility of instituting the Uniform Transfer on Death Security Registration Act in Louisiana.

Reported without amendments.

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

Mr. President in the Chair

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 88—
BY SENATOR HEITMEIER

A RESOLUTION

To urge and request United States Army Corps of Engineers to exercise all options in maintaining the current location of Coconut Beach Volleyball Complex in New Orleans.

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

SENATE RESOLUTION NO. 89—
BY SENATOR MOUNT

A RESOLUTION

To urge and request the Department of Health and Hospitals and the Louisiana State Board of Medical Examiners to ensure that patient safety and choice of treatment remain central concerns for treating physicians and that quality of care remains at the highest level possible by preventing physician self-referrals for radiation therapy within non-radiation oncology group practices.

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

SENATE RESOLUTION NO. 90—
BY SENATOR GRAY EVANS

A RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate June 10, 2009, as Delta Sigma Theta Sorority "Red and White" Day at the Senate of the Legislature of Louisiana.

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

SENATE RESOLUTION NO. 91—
BY SENATOR AMEDEE

A RESOLUTION

To memorialize the Congress of the United States to address the issue of global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for citizens, and maintains America's global competitiveness.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Archbishop Alfred C. Hughes, the leader of the Archdiocese of New Orleans, for his outstanding devotion to his faith, for his many contributions of spiritual leadership and tireless community service, and for his solace rendered to the citizens of the state of Louisiana in their time of need.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux N	Morrish
Alario	Gray Evans	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers

Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Dupre	Long
Gautreaux B	Marionneaux
Total - 4	

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

SENATE CONCURRENT RESOLUTION NO. 113—
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To commend US Airways and Doug Parker for their commitment to Louisiana Honor Air.

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

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To memorialize the United States Congress to maintain the private, dual charter banking system as well as to preserve the thrift charter and mutuality.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrell
Alario	Gray Evans	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Gautreaux B
Total - 1

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

June 9, 2009

SENATE CONCURRENT RESOLUTION NO. 115—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To commend the Belle Chasse High School Lady Cardinals on winning the Class 4A girls softball state championship title.

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

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

Total - 38

NAYS

Total - 0

ABSENT

Gautreaux B

Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 116—

BY SENATORS DONAHUE, ADLEY, ALARIO, AMEDEE, APPEL, CHAISSON, CLAITOR, CROWE, DORSEY, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY EVANS, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MORRELL, MORRISH, MURRAY, NEVERS, QUINN, SHAW AND SMITH

A CONCURRENT RESOLUTION

To authorize and direct that savings generated from cost effective practices in the NOW program be maintained in the NOW program and applied to new slots for those on the waiting list and to provide that the Department of Health and Hospitals report to the Joint Legislative Committee on the Budget the savings achieved and the number of waiver slots for people with developmental disabilities offered, filled, and served on a quarterly basis, beginning July 1, 2009.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 9, 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. 199—

BY REPRESENTATIVES HARDY, CHAMPAGNE, CORTEZ, LANDRY, AND MILLS AND SENATOR MICHOT

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Luna McDaniel of Ville Platte.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and the Governor's Office of Coastal Activities to jointly develop policy proposals to be submitted to the legislature for reducing or eliminating flooding and for providing funding for these proposals to prevent continuous flooding of Bundicks Lake.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 199—

BY REPRESENTATIVES HARDY, CHAMPAGNE, CORTEZ, LANDRY, AND MILLS AND SENATOR MICHOT

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Luna McDaniel of Ville Platte.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Claitor

Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and the Governor's Office of Coastal Activities to jointly develop policy proposals to be submitted to the legislature for reducing or eliminating flooding and for

providing funding for these proposals to prevent continuous flooding of Bundicks Lake.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

Rules Suspended

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

HOUSE BILL NO. 202—
BY REPRESENTATIVES RICHARDSON, HENRY BURNS, LEGER, AND WHITE AND SENATOR ADLEY
AN ACT

To amend and reenact R.S. 46:1844(W)(1)(a) and (3), relative to the basic rights of crime victims; to provide for the confidentiality of crime victims who are minors and victims of sex offenses regardless of the date of the offense; and to provide for related matters.

Senator Quinn moved to recommit the bill from the Committee on Judiciary A to the Committee on Judiciary C.

Without objection, so ordered.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 9, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 91—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 13:996.66, relative to judicial expense funds; to provide for an additional fee to be collected as court costs by the clerk of court; to fund a judicial expense fund for the Twenty-Fifth Judicial District Court; to provide that the additional funds collected shall be placed into a separate account; to provide for uses of the fund; to require an annual audit of the fund; to provide for restrictions on use of the fund; to provide for a contingent effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 147—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 37:2160(C) and 2162(I) and to enact R.S. 37:2158(E) and 2160(D), relative to the business of contracting; to provide for increased criminal penalties for engaging in the business of contracting without authority; to provide for an increase in civil penalties which may be assessed for a violation of provisions of law regulating the business of contracting; to provide for the remission of fines to the contractor's educational trust fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 150—
BY REPRESENTATIVE MONTOUCET AND SENATOR HEBERT
AN ACT

To enact R.S. 13:783(D)(7), relative to expenses of the clerk's office; to authorize the clerks of the district courts in Acadia Parish and in Iberia Parish to receive an automobile expense allowance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 186—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:587(D), (E), and (F) and to enact R.S. 15:587(G), relative to criminal history information; to provide for the remission of fees charged for providing this information; to provide for the use of some of those fees; to authorize the sheriff to conduct screening functions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 264—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 44:9(A)(3)(a) and to enact R.S. 44:9(A)(4) and (K), relative to expungement of arrest records in misdemeanor and felony cases; to increase the fee that the Bureau of Criminal Identification and Information may charge for processing an expungement when ordered to do so by the court; to provide that no fee shall be charged in certain cases; to require the expungement fees to be imposed in all other cases; to authorize the sheriff and the district attorney to charge a processing fee for expungement of arrest records when ordered to do so by the court; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 279—
BY REPRESENTATIVES RICHARDSON AND WHITE
AN ACT

To amend and reenact R.S. 13:910, relative to clerks of court; to provide for the appointment of certain deputy clerks of court in East Baton Rouge Parish; to provide relative to the powers and authority of the deputy clerks of court; and to provide for related matters.

Reported with amendments.

June 9, 2009

HOUSE BILL NO. 399—
BY REPRESENTATIVES GEYMAN AND WOOTON
AN ACT

To enact R.S. 40:964(Schedule IV)(B)(52), relative to controlled dangerous substances; to add Carisoprodol to Schedule IV; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 703—
BY REPRESENTATIVES KATZ, HENRY BURNS, CHAMPAGNE, CORTEZ, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, THIBAUT, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH AND REPRESENTATIVES BALDONE, BARRAS, BARROW, BURFORD, CHANDLER, CROMER, DOERGE, DOWNS, GISCLAIR, HARDY, HOFFMANN, HOWARD, JOHNSON, LIGI, NOWLIN, POPE, SCHRODER, GARY SMITH, ST. GERMAIN, TUCKER, AND WOOTON

AN ACT

To amend and reenact R.S. 15:587(A)(2)(a) and (b) and 587.1(A)(1)(a), (B), and (D) and R.S. 46:51.2(A)(1), (D), and (F)(introductory paragraph) and to enact R.S. 15:587.1(I) and R.S. 46:51.2(G) and (H), relative to criminal background checks; to authorize the release of certain criminal history information to the Department of Social Services; to provide the department with the authority to receive such information; to mandate that national criminal history checks be requested on certain individuals; to expand hiring prohibitions for certain individuals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 880—
BY REPRESENTATIVES TEMPLET, ARMES, AUBERT, HENRY BURNS, GISCLAIR, GUINN, HOWARD, NORTON, AND POPE
AN ACT

To amend and reenact R.S. 40:1322(B), relative to convenience fees; to authorize the Department of Public Safety and Corrections to charge a convenience fee when a customer pays for a transaction in certain ways; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

Senator Yvonne Dorsey, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 9, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 36—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 14:34.1, relative to second degree battery; to amend the definition of second degree battery; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 43—
BY REPRESENTATIVES GEYMAN AND KATZ
AN ACT

To enact R.S. 40:991 and Code of Criminal Procedure Article 532(10), relative to controlled dangerous substances; to provide for proof of a valid prescription as a defense against a violation of the Uniform Controlled Dangerous Substances Act; to

provide for a time period for claiming the prescription as a defense; to provide that a valid prescription is a ground for a motion to quash in criminal prosecution; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 58—
BY REPRESENTATIVES CHANDLER AND BALDONE
AN ACT

To amend and reenact R.S. 14:72.4(B), relative to offenses against property; to amend the criminal penalty for the crime of disposal of property with fraudulent or malicious intent; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 69—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 40:964(Schedule I)(C)(5.1) and (E)(5.1), relative to the Controlled Dangerous Substances Law; to add drugs to Schedule I classification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 82—
BY REPRESENTATIVES BILLIOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCKET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
AN ACT

To enact R.S. 14:95.1(D), relative to the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to provide for the definition of a firearm relative to that crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 87—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 14:81(A)(2), (C), and (E), relative to indecent behavior with juveniles; to amend the elements of the crime with regard to the type and method of delivery of lewd or lascivious communications to include textual, visual, written, or oral communications; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 132—
BY REPRESENTATIVE GEYMAN
AN ACT

To amend and reenact R.S. 14:30.1(A)(3) and (4), relative to second degree murder; to modify the definition of second degree murder to include the unlawful distribution or dispensing of all controlled dangerous substances and combinations of those substances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 155—

BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 14:32(A) and 39 and to enact R.S. 14:32(C)(3), (D), and (E), relative to certain crimes involving criminal negligence; to amend the definition of negligent homicide to include the killing of a human being by a dog or other animal; to amend the definition of negligent criminal injuring to include an injury caused by a dog or other animal; to provide for exceptions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 157—

BY REPRESENTATIVES AUSTIN BADON AND LEGER
AN ACT

To amend and reenact R.S. 14:112.1(B) and to enact R.S. 14:112.1(A)(4) and (C), relative to false personation of a peace officer; to provide for definitions of "badge" and "peace officer"; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 312—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 14:95.1(A), relative to the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to add a conviction for possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance as a predicate offense for the crime of unlawful possession of a firearm by persons convicted of certain felonies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 476—

BY REPRESENTATIVES CONNICK, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, LEGER, LIGI, LITTLE, MILLS, PERRY, POPE, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:81.4(A), (B)(2) and (4), and (E)(1), 91.1(A)(2), 91.2(A)(3) and (4), and R.S. 15:538(A), (D)(1)(b) and (c), and (6)(b) and (c), and to enact R.S. 14:91.3 and 91.4, relative to the protection of children; to amend the crime of prohibited sexual conduct between educator and student; to amend the crime of unlawful presence of a sexually violent predator to apply to child care facilities and family child day care homes; to amend the crime of unlawful presence of a sex offender to apply to certain locations; to create the crime of unlawful participation in a child-related business and to provide for criminal penalties; to create the crime of contributing to the endangerment of a minor and to provide for criminal penalties; to provide relative to conditions of probation, parole, or suspension of sentence for convicted sex offenders with respect to volunteer work activities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 564—

BY REPRESENTATIVES ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHANEY, FOIL, GISCLAIR, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LAFONTA, LEGER, LIGI, PEARSON, PETERSON, POPE, RICHARDSON, RICHMOND, ROY, SMILEY, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, AND WILLMOTT AND SENATOR BROOME
AN ACT

To enact R.S. 14:46.3, relative to trafficking of children for sexual purposes; to create the crime of trafficking of children for sexual purposes; to provide for definitions; to prohibit the use of certain defenses; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 688—

BY REPRESENTATIVE MONTOUCEZ
AN ACT

To enact R.S. 14:40.6, relative to the unlawful disruption of the operation of a school; to create the crime of the unlawful disruption of the operation of a school; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 707—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact Code of Criminal Procedure Articles 881.1(A)(4), 893(E)(4), and 895(B)(3) and R.S. 15:574.4.1(J), relative to criminal sentencing; to authorize the court to sentence a defendant to not more than six months in the intensive incarceration program; to provide for the procedure to set aside the conviction and dismiss prosecution in certain cases; to provide for the expungement of criminal records in certain cases; to provide for applicability; to authorize the filing of a motion to reconsider sentence in certain cases; to provide for resentencing in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 710—

BY REPRESENTATIVES ERNST AND FOIL
AN ACT

To amend and reenact R.S. 29:26(A), 28.1(B), and 148, relative to the Military Department; to provide for benefits paid to members of the military forces of the state; to authorize the operation of certain morale, welfare, and recreational activities; to provide for contempts of court for certain courts-martial; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 8, 2009

To the Honorable President and Members of the Senate:

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

June 9, 2009

HOUSE CONCURRENT RESOLUTION NO. 103—
BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to study the disparities in the amounts of co-payments between orally and intravenously administered chemotherapy medications.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVES TUCKER, BURFORD, DOERGE, HILL, HINES, KATZ, LABRUZZO, NOWLIN, POPE, AND SIMON
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to study whether Louisiana health care providers should be mandated to adopt the VistA electronic medical record system technology utilized by the United States Department of Veterans Affairs.

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To declare that the Legislature of Louisiana will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed and will commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to Louisiana by the American taxpayers.

HOUSE CONCURRENT RESOLUTION NO. 137—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To direct the office of financial institutions to promulgate rules regarding notices and educational materials for the payday loan industry.

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVES WHITE AND RICHARDSON AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

To direct the Office of Financial Institutions to report to the joint committees on commerce updates regarding the investigations into the Stanford Financial Group.

HOUSE CONCURRENT RESOLUTION NO. 183—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the Louisiana State University School of Veterinary Medicine to study its current practices relating to recruiting, admissions, training, and career counseling and placement in an effort to find ways to increase the number of large animal veterinarians practicing in Louisiana, and to report its findings and recommendations to the House Committee on Education and Senate Committee on Education prior to the convening of the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 184—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Department of Education to study jointly the feasibility and advisability of funding more school nurse positions through the Medicaid program and to report their study findings to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the beginning of the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 185—
BY REPRESENTATIVE TIM BURNS
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Department of Insurance, in consultation with the Louisiana State Licensing Board for Contractors, to investigate the health risks associated with living in homes that contain drywall imported from China, to study the potential homeowners

insurance coverage issues, including triggers, endorsements, and exclusions to policies that are related to drywall imported from China, and to determine whether such material should be identified as a substandard, unsafe building material and report findings and recommendations to the legislature prior to the convening of the 2010 Regular Session.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 8, 2009

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 59—
BY REPRESENTATIVES RICHARDSON, AUBERT, BARROW, BILLIOT, BURRELL, CARMODY, CARTER, CHAMPAGNE, DANAHAY, HILL, GIROD JACKSON, SAM JONES, AND NORTON
AN ACT

To amend and reenact R.S. 25:1001(A) and (D), relative to the Louisiana Naval War Memorial Commission; to change the membership composition of the commission; to provide relative to the use of commission funds; and to provide for related matters.

HOUSE BILL NO. 117—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 33:4576(A), relative to the West Calcasieu Parish Community Center Authority; to provide that the authority is a political subdivision of the state; 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. 170—
BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 33:4574(B)(44) and (F)(7) and 4574.1.1(A)(46), relative to Caldwell Parish; to create the Caldwell Parish Tourist Commission; to provide for a board of directors, governance, terms, and duties; to provide the commission with taxing authority; and to provide for related matters.

HOUSE BILL NO. 183—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 17:7(6)(f), relative to teacher certification; to require the State Board of Elementary and Secondary Education to establish an appeals process with respect to the denial of teacher certification; to provide for appeals to the Teacher Certification Appeals Council; to provide for the membership of the council; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 184—

BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 33:130.471(A) and 130.472(A), (B), (C), (H), and (I), relative to the Concordia Economic and Industrial Development District; to provide relative to the board of commissioners of the district; to provide relative to board membership and appointments; to provide relative to the terms and powers and duties of board members; and to provide for related matters.

HOUSE BILL NO. 188—

BY REPRESENTATIVES EDWARDS, AUBERT, BILLIOT, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, HILL, GIROD JACKSON, MICHAEL JACKSON, SAM JONES, MCVEA, NORTON, PEARSON, POPE, PUGH, RICHARDSON, RITCHIE, AND SIMON
AN ACT

To enact Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:571 through 576, and to enact R.S. 36:209(AA), relative to creating the West Florida Republic Commission; to provide for appointment of the commission; to provide for the powers and duties of the commission; to provide for funding of the commission; to provide a termination date for the commission; to establish the commission within the Department of Culture, Recreation and Tourism; and to provide for related matters.

HOUSE BILL NO. 273—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 39:551.10(B) and (C), relative to Jackson Parish; to provide relative to the Jackson Parish Industrial District; to provide relative to the board of commissioners; to provide relative to board membership and appointments; to provide relative to terms of board members; and to provide for related matters.

HOUSE BILL NO. 283—

BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Greenwood Crime Prevention and Improvement District; to provide the boundaries of the district; to provide for the governance of the district; to provide for the powers, terms, and duties of the board of directors; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide for dissolution of the district; and to provide for related matters.

HOUSE BILL NO. 358—

BY REPRESENTATIVE ARMES AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 11:1755(A)(2) and to enact R.S. 11:1755(F), relative to the Municipal Employees' Retirement System; to allow for purchases of certain prior service by certain members; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 370—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 22:1124(A)(introductory paragraph) and 1138(D), to enact R.S. 22:821(B)(28), and to repeal R.S. 22:1125, relative to fees collected by the commissioner of insurance; to provide relative to fees collected for Medical Necessity Review Organization licenses; to provide for a fee for filing of annual reports of Medical Necessity Review Organizations; to delete the requirement that Medical Necessity Review Organization licenses are subject to biannual renewal and associated fees; and to provide for related matters.

HOUSE BILL NO. 393—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 22:821(B)(28), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for review of prelicensing or continuing education provider

applications; to provide relative to fees collected for review of prelicensing course or continuing education program applications; and to provide for related matters.

HOUSE BILL NO. 401—

BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 33:4067(B), relative to Cameron Parish Water and Wastewater District No. 1; to provide for a change in the membership of the governing board of the district; and to provide for related matters.

HOUSE BILL NO. 411—

BY REPRESENTATIVE PUGH
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.791, relative to certain economic development districts; to provide relative to the board of commissioners of any such district; to provide relative to the schedule of regular and special meetings held by any such board; and to provide for related matters.

HOUSE BILL NO. 432—

BY REPRESENTATIVE BURFORD
AN ACT

To amend and reenact R.S. 40:1300.51(3), 1300.52(D)(1), and 1300.53(C)(1) and to enact R.S. 40:1300.51(2)(n), relative to criminal history checks on nonlicensed persons and licensed ambulance personnel; to amend the definition of employer to include pediatric day health care facilities; to make all crimes reportable in background checks; to amend the provisions for waiver; to provide that certain convictions cannot be waived by an employer; and to provide for related matters.

HOUSE BILL NO. 437—

BY REPRESENTATIVES MCVEA, ANDERS, ARNOLD, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CHANDLER, DIXON, DOWNS, ELLINGTON, FANNIN, GISCLAIR, HARRISON, HENDERSON, HOFFMANN, HONEY, HOWARD, SAM JONES, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, MONICA, MORRIS, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, TUCKER, WHITE, WILLIAMS, AND WILLMOTT
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. 466—

BY REPRESENTATIVES BILLIOT, BARROW, BURFORD, DOERGE, HILL, HINES, KATZ, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE, SIMON, WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 49:219.2(B)(1) and to enact R.S. 49:219.2(C)(6), relative to the Drug Policy Board; to provide for additional members; to provide for member designees; and to provide for related matters.

HOUSE BILL NO. 503—

BY REPRESENTATIVE MONTOUCEZ
AN ACT

To amend and reenact R.S. 33:4574(B)(1), 4574.1.1(A)(1), and 4574.2(G) and to enact R.S. 33:4574.2(H) and 4574.17, relative to the Acadia Parish Convention and Visitors Bureau; to change the name to the Acadia Parish Convention and Visitors Commission; to provide for additional powers of the commission relative to debt, funds, property, and contracting; to authorize the commission to issue bonds and certificates of indebtedness; and to provide for related matters.

June 9, 2009

HOUSE BILL NO. 526—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact Subpart B-6-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.161 through 130.169, relative to economic development in Grant Parish; to create and provide for the Grant Parish Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; to authorize the district to issue bonds and levy taxes; and to provide for related matters.

HOUSE BILL NO. 527—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact R.S. 33:4570.14, relative to Grant Parish; to create the Grant Parish Recreation Authority; to provide for the powers and duties of the authority; to provide for a commission and its appointment, duties, and terms; to provide for the funding of the authority; to authorize the authority to levy taxes and issue bonds; and to provide for related matters.

HOUSE BILL NO. 558—
BY REPRESENTATIVES BILLIOT, LABRUZZO, LIGI, LOPINTO, TALBOT, AND WILLMOTT AND SENATORS MARTINY AND MORRELL
AN ACT

To amend and reenact R.S. 48:711, relative to immovable property in the parish of Jefferson; to authorize and provide for the disposal of immovable property by the municipalities within such parish; 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. 581—
BY REPRESENTATIVE ELLINGTON AND SENATOR RISER
AN ACT

To amend and reenact R.S. 33:3887, relative to the Columbia Heights Sewerage District No. 1 in Caldwell Parish; to authorize the parish governing authority to authorize the treasurer of the district to increase the per diem paid to members of the district board of supervisors for attending meetings; and to provide for related matters.

HOUSE BILL NO. 583—
BY REPRESENTATIVE ELLINGTON AND SENATOR RISER
AN ACT

To enact R.S. 33:3819(G), relative to the Columbia Heights Water District in Caldwell Parish; to authorize the governing authority of the parish to authorize the treasurer of the district to increase the per diem paid to district commissioners for attending meetings; and to provide for related matters.

HOUSE BILL NO. 597—
BY REPRESENTATIVE LITTLE
AN ACT

To enact R.S. 48:252(C)(2)(e), relative to addenda to advertisement for bids; to provide for the electronic transmission of notice of posting addenda to a bidder's e-mail address; 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. 621—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 17:7(6)(f), relative to the certification of certain teachers; to require the State Board of Elementary and Secondary Education to develop and implement certain policies relative to the certification of foreign associate teachers; and to provide for related matters.

HOUSE BILL NO. 646—
BY REPRESENTATIVES SAM JONES AND BILLIOT
AN ACT

To amend and reenact R.S. 11:1733(D) and (E) and 1864(B) and (C) and to enact R.S. 11:1733(F), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to continuing liability of a participating employer which terminates its agreement for coverage of employees; to provide relative to interest rates on delinquent amounts owed to the system; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 647—
BY REPRESENTATIVE DOWNS
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.791 through 130.797, relative to Lincoln Parish; to authorize the governing authority of the parish to create a geographic information system district; to provide relative to the board of commissioners for the district; to provide for the powers, duties, and functions of the district; to authorize the board to levy certain taxes; and to provide for related matters.

HOUSE BILL NO. 675—
BY REPRESENTATIVE NOWLIN
AN ACT

To amend and reenact R.S. 11:2031(10), relative to the Registrars of Voters Employees' Retirement System; to provide with respect to membership; to provide with respect to the definition of employee; to add employees of the Louisiana Registrar of Voters Association, Inc., to the membership of the system; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 697—
BY REPRESENTATIVE BARROW AND SENATOR BROOME
AN ACT

Solely to reenact Sections 1, 2, and 3 of Act No. 891 of the 2008 Regular Session of the Legislature as that Act was enacted by the legislature, which Act amended and reenacted R.S. 33:4720.151(B)(6), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), (O)(introductory paragraph), (1), and (4), and (Q)(6), and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23), (Q)(7), and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; which provided relative to the purposes and objects and powers and duties of the authority; which provided relative to the members of the governing board of the authority; which authorized the authority to initiate an expedited quiet title and foreclosure action; which provided relative to the procedures for any such action; which provided relative to the rights of property owners; which provided relative to due process; and which provided for related matters.

HOUSE BILL NO. 726—
BY REPRESENTATIVE AUBERT
AN ACT

To enact R.S. 32:387(L), relative to special permits issued by the Department of Transportation and Development; to authorize the governor to delegate authority to the secretary of the Department of Transportation and Development to waive certain permit requirements during certain times; to authorize the Department of Transportation and Development to promulgate rules and regulations; and to provide for related matters.

HOUSE BILL NO. 749—

BY REPRESENTATIVE SCHRODER
AN ACT

To enact R.S. 48:1309.3, relative to road lighting districts in St. Tammany Parish; to provide for assessment of service charges or rates of service charges within the district; to provide for the use of such charges; to provide for the collection of such charges; and to provide for related matters.

HOUSE BILL NO. 784—

BY REPRESENTATIVES KATZ, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BROSSETT, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, GUINN, HILL, HOWARD, SAM JONES, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TEMPLET, THIBAUT, WILLIAMS, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 46:51.2(A) and R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(9), relative to information searches in the central registry of justified abuse or neglect within the Department of Social Services; to prohibit certain individuals from obtaining or maintaining a license; to prohibit certain individuals from employment with the Department of Social Services unless a risk evaluation panel has determined that the individuals do not pose a risk to children; to provide for a system of appeal and judicial review; to provide for an exemption to allow the Department of Social Services to handle certain adjudications; to direct the Department of Social Services to conduct an assessment to determine cost of utilizing information in the central registry to prohibit certain individuals from owning or being employed by child care facilities; and to provide for related matters.

HOUSE BILL NO. 786—

BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 34:322.1 and to repeal R.S. 34:322, relative to the Morgan City Harbor and Terminal District; to provide for the board of commissioners; to provide for certain powers; and to provide for related matters.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrell
Amedee	Gray Evans	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 39		

ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 5:10 o'clock P.M. the Senate adjourned until Wednesday, June 10, 2009, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, June 10, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

