

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

TWENTY-SIXTH 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

Wednesday, June 10, 2009

The Senate was called to order at 1:20 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	Heitmeier	Quinn
Appel	Kostelka	Riser
Claitor	Long	Shaw
Donahue	Marionneaux	Smith
Gautreaux B	McPherson	Thompson
Gautreaux N	Michot	Walsworth
Gray Evans	Morrish	
Guillory	Murray	
Total - 22		

ABSENT

Adley	Dorsey	LaFleur
Alario	Duplessis	Martiny
Amedee	Dupre	Morrell
Broome	Erdey	Mount
Cheek	Hebert	Nevers
Crowe	Jackson	
Total - 17		

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

Prayer

The prayer was offered by Dr. Charles J. Southall, 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 Dorsey, the reading of the Journal was dispensed with and the Journal of June 9, 2009, was adopted.

**Privilege Report of the
Legislative Bureau**

June 10, 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. 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 320 by Representative Gallot

AMENDMENT NO. 1

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Revenue and Fiscal Affairs, and adopted by the Senate on June 9, 2009, on page 1, line 6, change "retroactive," to ", retroactive,"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

June 10, 2009

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 without amendments.

HOUSE BILL NO. 756—
BY REPRESENTATIVE MONTUCET
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 without amendments.

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.

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 Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 117—
BY SENATOR RISER AND REPRESENTATIVE ELLINGTON
A CONCURRENT RESOLUTION

To recognize and commend Kenneth Blackson for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Heitmeier Murray
Appel Kostelka Quinn
Claitor Long Riser
Crowe Marionneaux Shaw

Donahue Martiny Smith
Dorsey McPherson Thompson
Gautreaux B Michot Walsworth
Guillory Morrish

Total - 23

NAYS

Total - 0

ABSENT

Adley Dupre LaFleur
Alario Erdey Morrell
Amedee Gautreaux N Mount
Broome Gray Evans Nevers
Cheek Hebert
Duplessis Jackson

Total - 16

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

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATOR RISER AND REPRESENTATIVE CHANDLER
A CONCURRENT RESOLUTION

To recognize and commend Brett Jones for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Morrish
Appel Heitmeier Murray
Claitor Kostelka Quinn
Crowe Long Riser
Donahue Marionneaux Shaw
Dorsey Martiny Smith
Gautreaux B McPherson Thompson
Gray Evans Michot Walsworth

Total - 24

NAYS

Total - 0

ABSENT

Adley Duplessis Jackson
Alario Dupre LaFleur
Amedee Erdey Morrell
Broome Gautreaux N Mount
Cheek Hebert Nevers

Total - 15

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

Senate Resolutions on
Second Reading

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.

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

Senate Concurrent Resolutions on Second Reading

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. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Appel	Heitmeier	Quinn
Claitor	Kostelka	Riser
Crowe	Long	Shaw
Donahue	Marionneau	Smith
Dorsey	Martiny	Thompson
Dupre	McPherson	Walsworth
Gautreaux N	Michot	
Gray Evans	Morrish	
Total - 25		

NAYS

Total - 0

ABSENT

Adley	Duplessis	LaFleur
Alario	Erdey	Morrell
Amedee	Gautreaux B	Mount
Broome	Hebert	Nevers
Cheek	Jackson	
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 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 Bills and Joint Resolutions:

HOUSE BILL NO. 352—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To enact R.S. 32:387.12(C), relative to annual noncritical off-road equipment permit; to provide for a permit to be issued to authorize noncritical off-road equipment to tow a vehicle; and to provide for related matters.

HOUSE BILL NO. 367—
BY REPRESENTATIVES DOVE, BALDONE, AND HARRISON AND SENATORS DUPRE AND B. GAUTREAU
AN ACT

To enact R.S. 33:2481.3, relative to the municipal police civil service; to provide relative to the position of police chief in the city of Houma; to provide that such position is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to qualifications; to provide relative to

resignation from and return to the classified service; and to provide for related matters.

HOUSE BILL NO. 828—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 47:820.5.6 and to repeal R.S. 47:820.5.3, relative to the Crescent City Connection; to create the Crescent City Connection Commission; to provide for membership, powers, and duties of the commission; to abolish the Crescent City Connection Oversight Authority; and to provide for related matters.

HOUSE BILL NO. 877—
BY REPRESENTATIVES MICHAEL JACKSON, BARROW, CARTER, HONEY, PATRICIA SMITH, AND WHITE AND SENATORS BROOME, DORSEY, AND N. GAUTREAU
AN ACT

To enact R.S. 33:9038.63, relative to cooperative economic development; to create the Bluebonnet/Perkins Conference Hotel Taxing District in East Baton Rouge Parish; to provide relative to the governance, purpose, and powers and duties of the district; to provide relative to district funding, including the power to provide for tax increment financing and to incur debt and issue evidences of indebtedness; and to provide for related matters.

HOUSE BILL NO. 519—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3995(A)(4)(a), relative to the fee that a school chartering authority may charge a charter school during the school's second year of operation and each year thereafter for certain administrative overhead costs; to provide relative to fee amounts; to provide limitations; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 866—
BY REPRESENTATIVES CONNICK, ABRAMSON, RICHMOND, LEGER, HINES, AND ERNST AND SENATORS APPEL, ALARIO, MARTINY, MORRELL, AND MURRAY
AN ACT

To enact R.S. 43:201(D), relative to Jefferson Parish; to provide for judicial advertisements and legal notices in certain publications; to provide for criteria; and to provide for related matters.

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

House Bills and Joint Resolutions on First Reading

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

HOUSE BILL NO. 352—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To enact R.S. 32:387.12(C), relative to annual noncritical off-road equipment permit; to provide for a permit to be issued to authorize noncritical off-road equipment to tow a vehicle; 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. 367—
BY REPRESENTATIVES DOVE, BALDONE, AND HARRISON AND SENATORS DUPRE AND B. GAUTREAU
AN ACT

To enact R.S. 33:2481.3, relative to the municipal police civil service; to provide relative to the position of police chief in the city of Houma; to provide that such position is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position;

June 10, 2009

to provide relative to qualifications; to provide relative to resignation from and return to the classified service; 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. 519—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3995(A)(4)(a), relative to the fee that a school chartering authority may charge a charter school during the school's second year of operation and each year thereafter for certain administrative overhead costs; to provide relative to fee amounts; to provide limitations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 828—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 47:820.5.6 and to repeal R.S. 47:820.5.3, relative to the Crescent City Connection; to create the Crescent City Connection Commission; to provide for membership, powers, and duties of the commission; to abolish the Crescent City Connection Oversight Authority; 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. 866—
BY REPRESENTATIVES CONNICK, ABRAMSON, RICHMOND, LEGER, HINES, AND ERNST AND SENATORS APPEL, ALARIO, MARTINY, MORRELL, AND MURRAY
AN ACT

To enact R.S. 43:201(D), relative to Jefferson Parish; to provide for judicial advertisements and legal notices in certain publications; to provide for criteria; and to provide for related matters.

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

HOUSE BILL NO. 877—
BY REPRESENTATIVES MICHAEL JACKSON, BARROW, CARTER, HONEY, PATRICIA SMITH, AND WHITE AND SENATORS BROOME, DORSEY, AND N. GAUTREAUX
AN ACT

To enact R.S. 33:9038.63, relative to cooperative economic development; to create the Bluebonnet/Perkins Conference Hotel Taxing District in East Baton Rouge Parish; to provide relative to the governance, purpose, and powers and duties of the district; to provide relative to district funding, including the power to provide for tax increment financing and to incur debt and issue evidences of indebtedness; and to provide for related matters.

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

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. 201—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To authorize and request the Louisiana Department of Public Safety and Corrections to study the feasibility and effectiveness of utilizing home incarceration and electronic monitoring in lieu of incarceration for nonviolent first time offenders, and to report its findings to the Louisiana Legislature prior to the convening of the 2010 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 202—
BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of consolidating state office space in Shreveport into a central downtown location.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 201—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To authorize and request the Louisiana Department of Public Safety and Corrections to study the feasibility and effectiveness of utilizing home incarceration and electronic monitoring in lieu of incarceration for nonviolent first time offenders, and to report its findings to the Louisiana Legislature prior to the convening of the 2010 Regular Session.

The resolution was read by title. Senator Walsworth 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	Morrish
Alario	Gray Evans	Murray
Appel	Heitmeier	Quinn
Claitor	Kostelka	Riser
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Dupre	McPherson	
Total - 26		

NAYS

Total - 0

ABSENT

Amedee	Guillory	Mount
Broome	Hebert	Nevers
Cheek	Jackson	Shaw
Duplessis	LaFleur	
Erdey	Morrell	
Total - 13		

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

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of consolidating state office space in Shreveport into a central downtown location.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 10, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES DANAHAY, ARNOLD, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, FOIL, GREENE, HOFFMANN, LABRUZZO, LIGI, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TUCKER, AND WADDELL AND SENATORS KOSTELKA AND MICHOT
A CONCURRENT RESOLUTION

To request the Department of State Civil Service to develop and the State Civil Service Commission to adopt certain rules affecting layoff procedures, job classifications, and compensation.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVES DANAHAY, BARRAS, CONNICK, RICHARD, AND WADDELL
A CONCURRENT RESOLUTION

To call upon the Department of State Civil Service to develop and implement a reporting system for all state departments and agencies to furnish the department certain information concerning the use of the Performance Planning and Review (PPR) system and pay increases for employees and to submit a report thereon to the legislature and certain committees thereof and also to direct all state departments and agencies to submit information to the Department of State Civil Service necessary for completion of such report.

Reported favorably.

HOUSE BILL NO. 227—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 43:31(B)(2), relative to public printing; to remove certain exemptions from certain public printing requirements; to limit certain exemptions from certain public printing requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 591—

BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 24:55(D)(2) and (E)(2), R.S. 42:1115.1(F), and R.S. 49:76(D)(2) and (E)(2), relative to laws within the jurisdiction of the Board of Ethics; to provide relative to the meaning of certain terms and phrases within such laws; to provide relative to the reporting of certain expenditures; to

provide for application and effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 595—

BY REPRESENTATIVES DANAHAY, ARNOLD, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, FOIL, GREENE, HOFFMANN, LABRUZZO, LEGER, LIGI, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, AND WADDELL AND SENATORS KOSTELKA AND MICHOT
AN ACT

To enact R.S. 42:1266 and Chapter 27 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1501, relative to unclassified civil service; to provide relative to the duties and responsibilities of certain unclassified officials and employees; to require certain education for certain unclassified officials and employees; to provide for the development and content of the education; to provide for duties and responsibilities relative to the education; to make the compensation of certain unclassified officials and employees contingent upon the conduct of certain duties; to provide definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 695—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 42:1125(A), (C)(introductory paragraph), (D), and (E) and to enact R.S. 42:1125(F), relative to gubernatorial transition and inauguration; to provide relative to contribution limits; to provide relative to reporting; to provide relative to the duties of the Board of Ethics; to provide relative to certain records; to provide for effectiveness and applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 840—

BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 29:727(I), relative to parish homeland security and emergency preparedness agencies; to provide for the creation of parish emergency management advisory committees; to provide for the membership of the committee; to provide for reporting procedures; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 852—

BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 8:673, 676, 677, 678(A)(introductory paragraph), 679(A), (B)(introductory paragraph), (C), and (D), 680, and 681, R.S. 17:407.4(C), (D), and (E), R.S. 28:821(D), R.S. 36:3(2), 301(A), and 913(A), R.S. 37:2551 and 2552(A), R.S. 40:2109(C), R.S. 46:2623(B) and (D), R.S. 48:55, R.S. 49:149.62(B) and 968(B)(3)(a), R.S. 51:912.51, 912.52, 935.1(A)(1)(a), (B)(1), and (D), 2452(A)(introductory paragraph), and 2453(2)(d), and Article XIV, Section 47(P)(3) of the Constitution of 1921, continued as statute by Article XIV, Section 16 of the Constitution of 1974, and to repeal R.S. 8:675, R.S. 17:24.4(J), 66.1, 407.1(4), 407.3, and 3951(B)(13), R.S. 36:4(Q) and (V), 209(C)(1) and (H)(3), 259(I)(2), (K), (R), and (T), 309(E) and (F), 651(V) and (W), and 805, R.S. 41:1602, R.S. 42:456.2, R.S. 46:2622(2) and 2624, R.S. 49:149.62(C), and R.S. 51:955.3(F) and Chapter 39-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2375 through 2383, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, authorities, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Adult Learning Task Force, the Educational Assessment Testing Commission, the interim school board for Central Community School System,

the Louisiana Home Instruction for Preschool Youngsters Advisory Board, the A. Z. Young Memorial Commission, the Archaeology Survey and Antiquities Commission, the Louisiana Unmarked Burial Sites Board, the Disability Services and Supports System Planning Group, the Statewide Health Coordinating Council, the Louisiana Medical Assistance Trust Fund Advisory Council, the Minority Health Affairs Commission, the Louisiana Economic Development Council and Cabinet Advisory Group on Economic Development, the Manufactured Housing State Administrative Agency, the Uniform Payroll Insurance Committee, and the Economic Development Funding Board; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; to provide relative to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

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

SENATE BILL NO. 42—
BY SENATORS MURRAY, DUPLESSIS AND GRAY EVANS AND REPRESENTATIVE LEGER

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 42 by Senator Murray

AMENDMENT NO. 1

On page 2, line 5, change "**shall pay**" to "**shall pay, subject to an annual appropriation by the legislature,**"

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

SENATE BILL NO. 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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 90 by Senator Gray Evans

AMENDMENT NO. 1

On page 7, at the beginning of line 16, insert "**A.**"

AMENDMENT NO. 2

On page 7, between lines 20 and 21, insert the following:

"B. Implementation of the provisions of this Part shall be subject to the appropriation of state funds by the legislature for this purpose."

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

SENATE BILL NO. 226—

BY SENATOR GRAY EVANS

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 226 by Senator Gray Evans

AMENDMENT NO. 1

On page 1, line 16, change "**transfer**" to "**transfer, subject to an annual appropriation by the legislature,**"

AMENDMENT NO. 2

On page 2, line 8, change "**transferred**" to "**transferred, subject to an annual appropriation by the legislature,**"

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

SENATE BILL NO. 246—

BY SENATORS CHEEK, NEVERS AND THOMPSON

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 246 by Senator Cheek

AMENDMENT NO. 1

On page 1, on lines 3 and 4, change "Rural Hospital Information Technology Loan Fund" to "Electronic Health Records Loan Program"

AMENDMENT NO. 2

On page 1, at line 6, change "rural hospitals" to "health care providers"

AMENDMENT NO. 3

On page 1, delete line 12 and insert the following:

**"PART XXIX-A. ELECTRONIC HEALTH RECORDS
LOAN PROGRAM ACT"**

AMENDMENT NO. 4

On page 1, at lines 14 and 15, change "**Rural Hospital Information Loan Fund Act.**" to "**Electronic Health Records Loan Program.**"

AMENDMENT NO. 5

On page 2, delete lines 1 through 3, and insert the following:

"(1) Through the state's health care reform efforts, it has been recognized that Health Information Technology (HIT) and Health Information Exchange (HIE) are critical to improving and evaluating the quality of health care delivered to the citizens of Louisiana across the full spectrum of service delivery. The state has made significant investments in HIT that should be leveraged and built upon while continuing to address the low adoption rate of HIT by providers statewide"

AMENDMENT NO. 6

On page 2, on line 5, after "**electronic health record**" insert "**(EHR) is the foundation of HIT adoption and**"

AMENDMENT NO. 7

On page 2, delete lines 7 through 19

AMENDMENT NO. 8

On page 2, at line 20, change "**(4)**" to "**(3)**"

AMENDMENT NO. 9

On page 2, at line 21, between "**2009**" and before the comma ";", insert "**(ARRA)**" and after "**substantial**" add "**financial**"

AMENDMENT NO. 10

On page 2, at line 22, change "**health information technology**" to "**HIT**"

AMENDMENT NO. 11

On page 2, at line 25, change "**electronic health record**" to "**EHR**"

AMENDMENT NO. 12

On page 2, at line 28, change "**electronic health record technology**" to "**an EHR**"

AMENDMENT NO. 13

On page 2, at line 29, change "**(5)**" to "**(4)**" and change "**the American Recovery and Reinvestment Act of 2009**" to "**ARRA**"

AMENDMENT NO. 14

On page 3, at line 1, change "**Louisiana's rural hospitals**" to "**many of Louisiana's providers**".

AMENDMENT NO. 15

On page 3, at line 6, change "**hospitals**" to "**providers**"

AMENDMENT NO. 16

On page 3, at line 7, change "**electronic health record**" to "**EHR**"

AMENDMENT NO. 17

On page 3, delete the lines 10 through 17 and insert the following:

"(5) The ARRA's loan program competitive grant provisions are designed to facilitate the widespread adoption of certified EHR technology, thus achieving provider eligibility for the enhanced Medicare and Medicaid reimbursements. The application process requires that the state develop and submit a strategic plan that will be annually updated, and that must include a list of the projects to be assisted through the program, a description of the criteria and methods established for the distribution of funds, the financial status of the loan fund as of the date of submission of the plan and the short-term and long-term goals of the program.

(6) In 2007, the state authorized the secretary to enter into a Cooperative Endeavor Agreement ("CEA") with the Rural

Hospital Coalition, Inc. (the "Coalition"), for the establishment of the Louisiana Rural Health Information Exchange (LARHIX), a multi-regional health care information exchange. With the funding provided, seven rural hospitals acquired EHR technology and were linked to Louisiana State University Health Sciences Center - Shreveport (LSUHSC-S) via a state-of-the-art integration engine, permitting a panel of specialists to access a rural patient's medical record in real time while consulting with the patient over the telemedicine equipment located at the rural hospital. In 2008, the state entered into a five-year CEA with the Coalition and provided funding to expand the network to seven additional rural hospitals. LARHIX has been honored as a network model with multiple award nominations by national technology organizations.

(7) The state is required to meet federal match requirements to secure funding under the ARRA loan program provisions. Once such funding is secured, the state can establish the loan program and thereby make application for ARRA program funds. When established, the loan program will facilitate the expansion of current efforts, including LARHIX, to assist providers in acquiring certified EHR technology. By enacting this legislation, the legislature is providing the department and the secretary with specific authority to facilitate the state's application for ARRA loan program funding and to administer the state's EHR loan program."

AMENDMENT NO. 18

On page 4, delete lines 3 through 20, and insert the following:

"§1299.96.14. Establishment of the Electronic Health Records Loan Program

A. The "Electronic Health Records Loan Program" is hereby created within the department.

B.(1) The secretary is hereby authorized to establish the Electronic Health Records Loan Program utilizing such sums that are made available through any one or more of the following:

(a) Annual appropriation.

(b) A public/private partnership involving financial institutions.

(c) Any other method authorized by law.

(2) Such funding shall be utilized by the state to satisfy the federal match requirements of the loan program provisions of ARRA.

(3) All loan program funds shall be administered by the department pursuant to the provisions of this Part.

C. To the extent permitted by law, the debt service associated with loans made to eligible providers shall be serviced from funds received by such providers as enhanced reimbursements under ARRA.

D. The department shall assist the state in the preparation of a competitive grant application and any other required submissions to secure funding made available under the ARRA loan program provisions.

E. The secretary is authorized to enter into CEAs to facilitate with any entity access to the ARRA loan program funding and to make loans to eligible providers to provide for the acquisition and implementation of certified EHR technology by eligible providers.

F. The secretary shall enter into a CEA with the Coalition, the terms of which shall govern the program's loans made available to rural hospitals so as to provide for the expansion and administration of LARHIX and other related matters.

G. The secretary may consult with the Louisiana Healthcare Quality Forum in administering this program.

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

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

June 10, 2009

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 267 by Senator Michot

AMENDMENT NO. 1

On page 1, line 4, after "funds;" delete the remainder of the line and insert the following: "to provide relative to the development of a plan and schedule relative to and the biennial review of special funds and dedications; to provide for the biennial review and report of the findings of the review; to"

AMENDMENT NO. 2

On page 2, between lines 14 and 15, and insert the following: "(3)(a) Beginning October 1, 2009, and every two years thereafter, the division of administration shall develop a plan and schedule for the review of the special funds and dedications. The plan and schedule shall be submitted to the Joint Legislative Committee on the Budget for its review and approval. The plan may be adjusted annually as needed.

(b) Each plan and schedule shall provide for the review of not more than twenty-five percent of the special funds and dedications. The plan and schedule shall specify the funds and dedications that are to be reviewed.

(c) The Joint Legislative Committee on the Budget (the committee) shall conduct a review of the special funds and dedications as specified in each such plan and schedule.

(4) No later than February 15, 2010 and every two years thereafter, the committee shall report the findings of each biennial review to the Speaker of the House of Representatives, the President of the Senate, the governor, and the commissioner of administration."

AMENDMENT NO. 3

On page 2, delete lines 15 through 27

AMENDMENT NO. 4

On page 2, line 28, change "D." to "C."

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

SENATE BILL NO. 316—

BY SENATORS NEVERS, ALARIO, APPEL, BROOME, CHEEK, DONAHUE, DORSEY, DUPLESSIS, N. GAUTREAU, JACKSON, LAFLEUR, LONG, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 316 by Senator Nevers

AMENDMENT NO. 1

On page 8, delete line 20 and insert the following: "sources, as annually appropriated by the legislature."

AMENDMENT NO. 2

On page 9, between lines 9 and 10, insert the following: "Section 4. Implementation of the provisions of this Act shall be subject to the annual appropriation of state funds for this purpose."

AMENDMENT NO. 3

On page 9, line 10, change "Section 4" to "Section 5"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 43 by Representative Geymann

AMENDMENT NO. 1

On page 1, line 2, after "532(10)" insert "and 535(A)(7)"

AMENDMENT NO. 2

On page 1, line 15, after "to the" delete the remainder of the line and insert "district attorney's office."

AMENDMENT NO. 3

On page 1 between lines 15 and 16 insert the following: "Production of the original prescription bottle with the defendant's name, the pharmacist's name, and prescription number shall be sufficient proof of a valid prescription as provided for in this Section."

AMENDMENT NO. 4

On page 1, delete lines 16 through 20 in their entirety

AMENDMENT NO. 5

On page 2, at the beginning of line 1, delete "(2)" and insert "B."

AMENDMENT NO. 6

On page 2, line 5, after "defense" delete "pretrial" and insert "before commencement of the trial"

AMENDMENT NO. 7

On page 2, line 6, after "quash" insert a period "." and delete the remainder of the line and delete lines 7 and 8 in their entirety

AMENDMENT NO. 8

On page 2, line 9, after "532(10)" delete "is" and insert "and 535(A)(7) are"

AMENDMENT NO. 9

On page 2, after line 15, insert the following:

Art. 535. Time to file motion to quash

A. A motion to quash may be filed of right at any time before commencement of the trial, when based on the ground that:

(7) The individual charged with a violation of the Uniform Controlled Dangerous Substances Law has a valid prescription for that substance.

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

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

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

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, GEYMANN, 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, MONTOUCET, 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 by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

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

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

HOUSE BILL NO. 132—

BY REPRESENTATIVE GEYMANN
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 by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

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

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

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

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

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

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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 264 by Representative Edwards

AMENDMENT NO. 1

On page 2, delete lines 5 through 16 in their entirety and insert the following:

"K. The following applicants for expungement shall not be required to pay any fee to the clerk of court, the Bureau of Criminal Identification and Information, sheriff, the district attorney, or any other agency to obtain or execute an order of a court of competent jurisdiction to expunge the following arrest from the individual's arrest record if a certification obtained from the district attorney is presented to the clerk of court which verifies that the applicant has no felony convictions and no pending felony charges under a bill of information or indictment and at least one of the following applies:

(1) The applicant was acquitted, after trial, of all charges derived from the arrest, including any lesser and included offense.

(2) The applicant was arrested and was never prosecuted within the time limitations prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure and did not participate in a pretrial diversion program."

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 279 by Representative Richardson

AMENDMENT NO. 1

On page 1, delete line 19 and insert the following:

"B. The clerk of"

AMENDMENT NO. 2

On page 2, at the beginning of line 1, after "clerks" delete the remainder of the line and delete lines 2 and 3 in their entirety and insert the following: "who are not employees of the clerk of court, and who shall be authorized to issue subpoenas, affix the seal of the clerk of court, administer oaths, make affidavits, and exercise such powers and authority granted to deputy clerks only to the extent to fulfill the duties required by law of the clerk of court and only after the deputy clerk completes training provided by the office of the clerk of court."

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

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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

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

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 by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 476 by Representative Connick

AMENDMENT NO. 1

On page 1, at the end of line 2, change "91.2(A)(3)" to "91.2(B), (C), and (D)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "and (4),"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, change "91.3" to "91.2(E), 91.3,"

AMENDMENT NO. 4

On page 1, at the end of line 15, change "91.2(A)(3) and" to "91.2(B), (C), and (D),"

AMENDMENT NO. 5

On page 1, at the beginning of line 16, delete "(4)" and change "R.S. 14:91.3" to "R.S. 14:91.2(E), 91.3,"

AMENDMENT NO. 6

On page 3, delete lines 20 through 29 in their entirety and on page 4, delete lines 1 through 3 in their entirety and insert the following:

* * *

B. The following acts, when committed by a person convicted of an aggravated offense as defined in R.S. 15:541(2) when the victim is under the age of thirteen years, shall constitute the crime of unlawful residence or presence of a sex offender:

(1) The physical presence of the offender in, on, or within one thousand feet of a day care center, group home, residential home, or child care facility as defined in R.S. 46:1403, or a family child day care home as defined in R.S. 46:1441.1.

(2) The establishment of a residence within one thousand feet of any day care center, group home, residential home, or child care facility as defined in R.S. 46:1403, a family child day care home as defined in R.S. 46:1441.1, playground, public or private youth center, public swimming pool, or free standing video arcade facility.

~~B- C~~(1) It shall not be a violation of the provisions of this Section if the offender has permission to be present on school premises from the superintendent of the school board in the case of a public school or the principal or headmaster in the case of a private school.

(2) If permission is granted to an offender to be present on public school property by the superintendent for that public school pursuant to this Subsection, then the superintendent shall notify the principal at least twenty-four hours in advance of the visit by the offender. This notification shall include the nature of the visit and the date and time in which the sex offender will be present in the school. The offender shall notify the office of the principal upon arrival on the school property and upon departing from the school. If the offender is to be present in the vicinity of children, the offender shall remain under the direct supervision of a school official.

(3) Any superintendent, principal, or school master who acts in good faith in compliance with this Subsection shall be immune from civil or criminal liability for his actions in connection with any injury or claim arising from an offender being present on school property pursuant to permission granted by that superintendent, principal, or school master.

~~C- D~~ For purposes of this Section:

* * *

~~D- E~~ Whoever violates the provisions of this Section shall be fined not more than one thousand dollars, imprisoned with or without hard labor for not more than one year, or both."

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

June 10, 2009

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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 564—

BY REPRESENTATIVES ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BROSETT, 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 by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 688—

BY REPRESENTATIVE MONTOUCET

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

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

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

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

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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 755 by Representative Edwards

AMENDMENT NO. 1

On page 1, at the end of line 12, change "the" to "an" and delete line 13 and insert in lieu thereof the following: "act of pornography involving juveniles, as defined by R.S. 14:81.1, regardless of whether the defendant was"

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

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

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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Donahue asked for a suspension of the rules to recall Senate Concurrent Resolution No. 116 from the Committee on Health and Welfare.

Without objection, so ordered.

SENATE CONCURRENT RESOLUTION NO. 116—

BY SENATORS DONAHUE, ADLEY, ALARIO, AMEDEE, APPEL, CHAISSON, CLAITOR, CROWE, DORSEY, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, 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. Senator Donahue moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Adley	Erdey	LaFleur
Duplessis	Hebert	

Total - 5

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

Reconsideration

Pursuant to the previous notice given, the vote by which Senate Bill No. 136 failed to pass on Tuesday, June 9, 2009, was reconsidered.

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.

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

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 39—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, JACKSON, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH

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 by the Committee on Finance.

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

June 10, 2009

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

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 by the Committee on Judiciary A.

The resolution was read by title. Senator Quinn moved to adopt the Senate 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	Heitmeier	Murray
Broome	Jackson	Nevers
Cheek	Kostelka	Quinn
Crowe	LaFleur	Riser
Donahue	Long	Shaw
Dorsey	Marionneau	Smith
Dupre	Martiny	Thompson
Erdey	McPherson	Walsworth
Total - 36		

NAYS

Claitor
Total - 1

ABSENT

Duplessis
Total - 2

Hebert

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

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 by the Committee on Judiciary A.

The resolution was read by title. Senator Claitor moved to adopt the Senate 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	Heitmeier	Murray
Broome	Jackson	Nevers
Cheek	Kostelka	Quinn

Claitor
Crowe
Dorsey
Dupre
Erdey
Total - 36

LaFleur
Long
Marionneau
Martiny
McPherson

Riser
Shaw
Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Donahue
Total - 3

Duplessis

Hebert

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

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

Senator Broome in the Chair

SENATE BILL NO. 159—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:6007 (C)(2)(c)(iv), relative to tax credits; to provide for the kinds of expenditures which qualify an infrastructure project for initial certification on or before December 31, 2008; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Marionneau 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	Guillory	Mount
Appel	Heitmeier	Murray
Broome	Jackson	Nevers
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneau	Smith
Dorsey	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis
Total - 3

Gray Evans

Hebert

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

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

HOUSE CONCURRENT RESOLUTION NO. 75—
 BY REPRESENTATIVES HARDY AND BILLIOT
 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 by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	Gray Evans	Hebert
Total - 3		

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

House Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator Marionneaux asked that House Concurrent Resolution No. 114 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 114—
 BY REPRESENTATIVE PONTI
 A CONCURRENT RESOLUTION

To request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee to study and make recommendations with respect to issues relating to the Louisiana State Plumbing Code and the adoption of the International Plumbing Code.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Concurrent Resolution No. 114 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 3, after "Affairs" insert "and the House Committee on Health and Welfare and the Senate Committee on Health and Welfare"

AMENDMENT NO. 2

On page 2, line 27, after "Affairs" insert "and the House Committee on Health and Welfare and the Senate Committee on Health and Welfare"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 33		

NAYS

McPherson
 Total - 1

ABSENT

Crowe	Gray Evans	Mount
Duplessis	Hebert	
Total - 5		

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

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 368—

BY REPRESENTATIVES BURRELL, AUBERT, AUSTIN, BADON, BARROW, DIXON, ELLINGTON, HARDY, HAZEL, HINES, GIROD JACKSON, MICHAEL JACKSON, KATZ, LAFONTA, LEBAS, LIGI, PATRICIA SMITH, ST. GERMAIN, AND WILLMOTT AND SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 26:901(10) through (16) and to enact R.S. 26:901(17) and 910.1, relative to tobacco products; to provide for definitions; to prohibit the sale or delivery of tobacco products through a self-service display; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 368 by Representative Burrell

AMENDMENT NO. 1

On page 3, line 13, change "fifty" to "ninety"

AMENDMENT NO. 2

On page 3, at the end of line 14, delete the period "." and insert "and access to such business is limited to persons eighteen years of age or older."

June 10, 2009

AMENDMENT NO. 3

On page 3, line 17, change "fifty" to "ninety"

AMENDMENT NO. 4

On page 3, at the end of line 19, delete the period "." and insert: ". and access to such business is limited to persons eighteen years of age or older."

Senator N. Gautreaux moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee, Claitor, Donahue, Total - 9; Gautreaux B, Gautreaux N, Hebert; LaFleur, Marionneaux, Riser

NAYS

Mr. President, Adley, Alario, Appel, Broome, Cheek, Crowe, Dorsey, Dupre, Total - 27; Erdey, Gray Evans, Guillory, Heitmeier, Jackson, Kostelka, Long, Michot, Morrell; Morrish, Mount, Murray, Nevers, Quinn, Shaw, Smith, Thompson, Walsworth

ABSENT

Duplessis, Total - 3; Martiny; McPherson

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 368 by Representative Burrell

AMENDMENT NO. 1

On page 3, at the end of line 14, delete the period "." and insert: ". and access to such business is limited to persons eighteen years of age or older."

AMENDMENT NO. 2

On page 3, at the end of line 19, delete the period "." and insert: ". and access to such business is limited to persons eighteen years of age or older."

Senator N. Gautreaux moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee, Claitor; Erdey, Gautreaux N; Marionneaux, Riser

Donahue, Dupre, Total - 11; Hebert, LaFleur; Smith

NAYS

Mr. President, Adley, Alario, Appel, Cheek, Dorsey, Gautreaux B, Gray Evans, Total - 22; Guillory, Heitmeier, Jackson, Kostelka, Long, Michot, Morrish, Mount; Murray, Nevers, Quinn, Shaw, Thompson, Walsworth

ABSENT

Broome, Crowe, Total - 6; Duplessis, Martiny; McPherson, Morrell

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 368 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 4 afer "display;" insert: "to provide for regulation of purchase or sale of shelf or display space;"

AMENDMENT NO. 2

On page 3, line 9, change "Section" to "Subsection A of this Section"

AMENDMENT NO. 3

On page 3 after line 19 insert: "C. The purchase or sale of shelf or display space for the purpose of advantageous placement of tobacco products into the direct line of view of customers is strictly prohibited."

Senator N. Gautreaux moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee, Claitor, Crowe, Donahue, Total - 12; Dupre, Gautreaux N, Guillory, Hebert; LaFleur, Martiny, Morrell, Riser

NAYS

Mr. President, Adley, Alario, Appel, Cheek, Dorsey, Duplessis, Erdey, Gautreaux B, Total - 25; Gray Evans, Heitmeier, Jackson, Kostelka, Long, McPherson, Michot, Morrish, Mount; Murray, Nevers, Quinn, Shaw, Smith, Thompson, Walsworth

ABSENT

Broome Marionneaux
Total - 2

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gray Evans	Morrish
Alario	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	
Erdey	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee Gautreaux N
Total - 2

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

Rules Suspended

Senator Gray Evans asked for and obtained a suspension of the rules to revert to the order of:

Senate Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator Gray Evans asked that Senate Resolution No. 90 be called from the Calendar.

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.

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

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

HOUSE BILL NO. 444—

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

AN ACT

To amend and reenact R.S. 32:668(A)(introductory paragraph), to enact R.S. 32:668.1, and to repeal 32:668(A)(6) relative to drivers licenses; to provide for scope of administrative hearings related to driver's license suspension; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 444 by Representative Perry

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "and"

AMENDMENT NO. 2

On page 2, at the end of line 6, delete "be" and delete lines 7 and 8 and insert "not include depositions of law enforcement witnesses."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N Gray Evans Marionneaux
Total - 3

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

HOUSE BILL NO. 499—

BY REPRESENTATIVE MONICA
AN ACT

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

June 10, 2009

Floor Amendments Sent Up

Senator Riser sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Engrossed House Bill No. 499 by Representative Monica

AMENDMENT NO. 1

On page 1, line 3, after "occupants" insert "who are thirteen years of age or older shall"

AMENDMENT NO. 2

On page 1, line 8, after "Except" insert "as provided by R.S. 32:295 for children under the age of thirteen or"

On motion of Senator Riser, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis and their counts.

NAYS

Table with 3 columns: Name, Yeas, Nays. Lists names like Adley, Hebert, Smith and their counts.

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Gray Evans, Kostelka, Marionneaux and their counts.

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

HOUSE BILL NO. 44—

BY REPRESENTATIVES LAFONTA, HARDY, AND STIAES AN ACT

To enact R.S. 14:95.2.2, relative to offenses affecting the public safety; to create the crime of reckless discharge of a firearm at a parade or demonstration; to provide for definitions; to provide for the elements of the crime; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Erdey, Gautreaux B, Gautreaux N, Morrell, Mount, Murray.

Table with 3 columns: Name, Yeas, Nays. Lists names like Amedee, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Duplessis, Dupre, Guillory, Heitmeier, Jackson, Kostelka, LaFleur, Long, Martiny, McPherson, Michot, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

Total - 34

NAYS

Table with 3 columns: Name, Yeas, Nays. Lists names like Donahue and their counts.

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Gray Evans, Hebert, Marionneaux, Morrish and their counts.

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

HOUSE BILL NO. 119—

BY REPRESENTATIVE HENRY BURNS AN ACT

To enact R.S. 15:502, relative to testimony by audiovisual transmission; to authorize certain persons to testify through the use of audiovisual equipment in certain proceedings; to provide for written notice to opposing counsel; to provide for limitations; and to provide for related matters.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed House Bill No. 119 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 9, after "A." and before "court" delete "The" and insert "In extraordinary circumstances, the"

AMENDMENT NO. 2

On page 1, line 20, after "than" and before "days" delete "ten" and insert "sixty"

AMENDMENT NO. 3

On page 2, line 1, after "counsel." and before "The" insert "The party seeking to introduce testimony in this manner shall submit to the court and to the opposing counsel a written certification which details the extraordinary circumstances that exist which would require a person to testify by simultaneous transmission."

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Appel, Broome, Erdey, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Michot, Morrell, Morrish, Mount, Murray, 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

Gray Evans
Total - 1

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

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

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

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

Mr. President in the Chair

HOUSE BILL NO. 340—
BY REPRESENTATIVES HENRY, ARMES, BALDONE, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CHANDLER, CROMER, DOVE, DOWNS, ERNST, FANNIN, GEYMAN, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HOFFMANN, KLECKLEY, LABRUZZO, LAMBERT, LIGI, LITTLE, MILLS, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, JANE SMITH, TALBOT, WADDELL, AND WHITE
A JOINT RESOLUTION

Proposing to amend Article I, Section 8 of the Constitution of Louisiana, relative to freedom of religion; to prohibit government infringement of the right of every person to freely express his religious belief; to provide that the right shall not be burdened without the showing of a compelling governmental interest; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 340 by Representative Henry

AMENDMENT NO. 1
On page 1, line 1, delete "JOINT" and insert "CONCURRENT"

AMENDMENT NO. 2
On page 1, delete lines 2 through 17 and insert "To direct the Louisiana State Law Institute to study constitutional language relative to freedom of religion in Louisiana, and to report to the Legislature not later than February 1, 2010."

AMENDMENT NO. 3
On page 2, delete lines 1 through 16

Senator Claitor moved adoption of the amendments.

Senator Quinn objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gray Evans	Morrell
Claitor	Heitmeier	Murray
Dorsey	Jackson	
Gautreaux B	LaFleur	
Total - 10		

NAYS

Adley	Erdey	Mount
Amedee	Gautreaux N	Nevers
Appel	Hebert	Quinn
Broome	Kostelka	Riser
Cheek	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Duplessis	Michot	Walsworth
Dupre	Morrish	
Total - 26		

ABSENT

Mr. President	Guillory	Marionneaux
Total - 3		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 340 by Representative Henry

AMENDMENT NO. 1
On page 2, at the end of line 7, delete "November 2" and insert "August 28"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Nevers
Appel	Hebert	Quinn
Broome	Kostelka	Riser
Cheek	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 27		

NAYS

Claitor	Gautreaux B	LaFleur
Dorsey	Gray Evans	Murray
Dupre	Jackson	
Total - 8		

June 10, 2009

ABSENT

Mr. President Marionneaux
Heitmeier Morrell
Total - 4

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

Notice Regarding Vote

Senator Morrell stated he appeared as absent on the vote on House Bill No. 340. He had intended to vote nay on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 363—
BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT

To amend and reenact Civil Code Articles 2358, 2362.1 through 2364, and 2365 through 2367.2 and R.S. 9:374, to enact Civil Code Article 2367.3, and to repeal Civil Code Article 2364.1, relative to the community property regime; to provide for claims for reimbursement between spouses; to provide for a reduction in reimbursement for obligations paid with respect to certain movable property; to provide when a claim for reimbursement may be made; to provide for the use of a residence of the spouses; and to provide for related matters.

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

HOUSE BILL NO. 445—
BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GISCLAIR, MICKEY GULLORY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 445 by Representative Baldone

AMENDMENT NO. 1
On page 2, line 3, change "Two" to "Except as otherwise provided in this Paragraph, two" and change "first" to "a"

AMENDMENT NO. 2
In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009, on line 10 thereof, change "the first" to "a"

AMENDMENT NO. 3
In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009, on line 12 thereof, change "the first" to "a"

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 445 by Representative Baldone

AMENDMENT NO. 1
Delete Amendment Nos. 5, 6, and 7 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009.

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 445 by Representative Baldone

AMENDMENT NO. 1
On page 2, line 3, change "Two years" to "One year"

AMENDMENT NO. 2
On page 2, line 4, change "Two years" to "One year"

AMENDMENT NO. 3
In Senate Committee Amendment No. 3, proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009, on page 1, line 9, change "Four" to "Two"

AMENDMENT NO. 4
In Senate Committee Amendment No. 3, proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009, on page 1, line 11, change "Four" to "Two"

AMENDMENT NO. 5
Delete Senate Committee Amendment No. 5, proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 3, 2009

Senator Martiny moved adoption of the amendments.

Senator Dupre objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Dorsey Jackson
Broome Duplessis Martiny
Cheek Gautreaux B Murray
Claitor Gray Evans Thompson
Crowe Hebert
Donahue Heitmeier
Total - 16

NAYS

Adley Kostelka Riser
Alario Long Shaw
Amedee Michot Smith
Dupre Morrish Walsworth
Erdey Nevers
Total - 14

ABSENT

Mr. President LaFleur Morrell
Gautreaux N Marionneaux Mount
Guillory McPherson Quinn
Total - 9

The Chair declared the amendments were adopted.

Notice Regarding Vote

Senator Broome stated she had voted in error on the amendment by Senator Martiny to House Bill No. 445. She voted yea on the amendment and had intended to vote nay. She asked that the Official Journal so state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	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	Kostelka	Shaw
Donahue	LaFleur	Smith
Dorsey	Long	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Marionneaux	Thompson
Total - 2	

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

Notice Regarding Vote

Senator Thompson stated he appeared as absent on the vote on House Bill No. 445. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 447—
BY REPRESENTATIVE THIBAUT
AN ACT

To repeal R.S. 13:974, relative to court reporters in the Eighteenth Judicial District; to repeal provisions providing for duties, qualifications of office, salary, transcription fees, and bond requirements applicable only to the Eighteenth Judicial District.

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

HOUSE BILL NO. 588—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 15:588, relative to individual access to criminal history information; to authorize an individual or his authorized representative to obtain a certified copy of his criminal history information record; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

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

HOUSE BILL NO. 599—
BY REPRESENTATIVES HILL, CONNICK, ERNST, FOIL, HARRISON,
ROSALIND JONES, LEGER, MONICA, AND WHITE
AN ACT

To enact R.S. 37:2556(D), relative to temporary court reporting permits; to provide for qualifications and limitations; to provide for licensing and education requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator Dorsey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey to Engrossed House Bill No. 599 by Representative Hill

AMENDMENT NO. 1
On page 1, line 2, after "37:2556(D)" insert "and (E)"

AMENDMENT NO. 2
On page 1, line 6, after "37:2556(D)" delete "is" and insert "and (E) are"

AMENDMENT NO. 3
On page 3, after line 12, insert the following:
"E. Notwithstanding any provision of law to the contrary, those courts of the state that are utilizing digital electronic recording or digital audio recording as a method of official court reporting on or before September 30, 2009, shall be exempt from the provisions of Chapter 32 of Title 37 of the Louisiana Revised Statutes of 1950."

On motion of Senator Dorsey, the amendments were adopted.

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments.

June 10, 2009

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators LaFleur and Riser to Engrossed House Bill No. 599 by Representative Hill

AMENDMENT NO. 1

On page 2, line 6, after "position" delete the comma "," and insert "or if the judge determines that the respondents are not satisfactory."

On motion of Senator LaFleur, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President 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 Kostelka Shaw
Donahue LaFleur Smith
Dorsey Long Thompson
Duplessis Martiny Walsworth
Dupre McPherson

Total - 38

NAYS

Total - 0

ABSENT

Marionneaux

Total - 1

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

HOUSE BILL NO. 757—

BY REPRESENTATIVE DIXON

AN ACT

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 757 by Representative Dixon

AMENDMENT NO. 1

On page 2, line 10, after "Hospitals," and before "United" insert "or the"

AMENDMENT NO. 2

On page 2, line 11, after "general" and before ":" delete "or any agent thereof"

AMENDMENT NO. 3

On page 2, line 15, after "payment" and before ":" delete "or approval for payment"

AMENDMENT NO. 4

On page 2, line 17, after "a payment" delete "or approval"

AMENDMENT NO. 5

On page 2, line 18, before "by a" delete "for payment"

On motion of Senator McPherson, 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 Erdey Morrell
Adley Gautreaux B Morrish
Alario Gray Evans Mount
Amedee Guillory Murray
Appel Hebert Nevers
Broome Heitmeier Quinn
Cheek Jackson Riser
Claitor Kostelka Shaw
Crowe LaFleur Smith
Donahue Long Thompson
Dorsey Martiny Walsworth
Duplessis McPherson
Dupre Michot

Total - 37

NAYS

Total - 0

ABSENT

Gautreaux N

Total - 2

Marionneaux

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

HOUSE BILL NO. 890— (Substitute for House Bill No. 177 by Representative Mills)

BY REPRESENTATIVES MILLS, CHAMPAGNE, HARDY, HAZEL, LEBAS, LOPINTO, NORTON, PERRY, SCHRODER, WOOTON, ANDERS, BALDONE, BARROW, BURFORD, TIM BURNS, BURRELL, CHANDLER, CORTEZ, DIXON, DOWNS, ELLINGTON, FANNIN, GISCLAIR, HOFFMANN, HOWARD, HUTTER, KLECKLEY, LABRUZZO, LAFONTA, LIGI, LITTLE, PEARSON, RICHARDSON, RITCHIE, STIAES, TALBOT, WILLIAMS, AND WILLMOTT

AN ACT

To enact R.S. 40:962.1(E), 962.1.1(F), 964(Schedule V)(E), and 1006(E) and (F), and Part X-F of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1049.1 through 1049.11 and to repeal R.S. 40:962.1.1(D) and 962.1.2, relative to nonprescription compounds, mixtures, or preparations containing ephedrine, pseudoephedrine, or phenylpropanolamine; to provide that such nonprescription compounds, mixtures, and preparations and prescription products not otherwise scheduled are Schedule V drugs; to provide for the production of a photo identification prior to the purchase of nonprescription products containing pseudoephedrine, ephedrine, and phenylpropanolamine; to require the purchaser sign a log book prior to the purchase of nonprescription products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for a central computer monitoring system to monitor the purchase of those products; to provide for the acquisition and implementation of the central computer monitoring system; to

provide for the access to information contained in the central computer monitoring system; to provide for the sharing of that information by certain agencies; to provide with respect to funding for the central computer monitoring system; to provide limitations on the quantities of products containing pseudoephedrine, ephedrine, or phenylpropanolamine which may be sold within a specified period of time; to authorize the reporting of suspected violations of law which are discovered due to the Prescription Monitoring Program to appropriate law enforcement and prosecutorial agencies; to repeal the provision of law authorizing the secretary of the Department of Health and Hospitals to exempt certain products containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales and possession restrictions if determined not to be used in the manufacture or production of methamphetamines; to repeal conflicting provisions of law regarding the purchase of products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for definitions; to repeal provisions of law providing for certain dosage forms containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales restrictions; to provide for legislative findings; to provide for a limitation of liability; to provide for a defense for certain violations of the Uniform Controlled Substances Law; and to provide for related matters.

Senator N. Gautreaux in the Chair

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 890 by Representative Mills

AMENDMENT NO. 1

On page 12, below line 29 insert the following:

"Section 3. The scheduling of substances specified in R.S. 40:962.1.1(F) and 964 (Schedule V)(E), and the requirements in R.S. 40:1049.3 and 1049.4 as enacted by this Act shall not apply to any product that contains pseudoephedrine if that product contains not more than sixty milligrams of pseudoephedrine per package. The seller of such products shall store the products behind the counter or in a locked case where the purchaser does not have direct access, and limit the sale to one package per transaction."

On page 13, line 1, change "Section 3." to "Section 4."

Senator LaFleur moved adoption of the amendments.

Senator Hebert objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel	Jackson	Smith
Claitor	LaFleur	
Gray Evans	Shaw	
Total - 7		

NAYS

Alario	Gautreaux B	Michot
Amedee	Guillory	Morrish
Cheek	Hebert	Murray
Crowe	Heitmeier	Nevers
Donahue	Kostelka	Quinn
Dorsey	Long	Riser
Dupre	Martiny	Thompson
Erdey	McPherson	Walsworth
Total - 24		

ABSENT

Mr. President	Duplessis	Morrell
Adley	Gautreaux N	Mount
Broome	Marionneaux	
Total - 8		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis	LaFleur	Marionneaux
Total - 3		

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

Rules Suspended

Senator Riser asked for and obtained a suspension of the rules to revert to the order of:

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

Called from the Calendar

Senator Riser asked that Senate Bill No. 5 be called from the Calendar.

SENATE BILL NO. 5—

BY SENATORS RISER, N. GAUTREAUX, CROWE, DUPLESSIS, ERDEY, HEBERT, KOSTELKA, LAFLEUR, MORRISH, NEVERS AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article III, Sections 2 (A)(3)(a) and (4)(a) and 19 of the Constitution of Louisiana, relative to the legislature; to provide for the convening of the legislature for annual regular sessions; to provide for the effective date of legislation enacted at such sessions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Mr. President in the Chair

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 5 by Senator Riser

AMENDMENT NO. 1

On page 2, after line 29, insert: "Section 2. Be it further resolved that this proposed amendment shall become effective January 1, 2012."

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 3, line 4, change "Section 3." to "Section 4."

On motion of Senator McPherson, the amendments were adopted.

Senator N. Gautreaux in the Chair

Floor Amendments Sent Up

Senator Alario sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Engrossed Senate Bill No. 5 by Senator Riser

AMENDMENT NO. 1

On page 1, line 15, delete "last" and insert "second"

AMENDMENT NO. 2

On page 1, line 15, delete "March January" and insert "March"

AMENDMENT NO. 3

On page 2, line 11, delete "last" and insert "second"

AMENDMENT NO. 4

On page 2, line 11, delete "April February" and insert "April"

AMENDMENT NO. 5

On page 3, line 9, delete "last" and insert "second" and delete "January" and insert "March"

AMENDMENT NO. 6

On page 3, line 10, delete "last" and insert "second" and delete "February" and insert "April"

On motion of Senator Alario, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS': Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Erdey, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn.

Crowe
Donahue
Dorsey
Duplessis
Dupre
Total - 34

Kostelka
LaFleur
Long
Martiny
McPherson

Riser
Thompson
Walsworth

NAYS

Shaw
Total - 2

Smith

ABSENT

Claitor
Total - 3

Gautreaux B

Marionneaux

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

Mr. President in the Chair

Called from the Calendar

Senator Crowe asked that Senate Bill No. 152 be called from the Calendar.

SENATE BILL NO. 152— BY SENATOR CROWE

AN ACT

To enact R.S. 51:1427, relative to unfair or deceptive trade practices; to prohibit certain goods, materials, and services from being sold or distributed to minors; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Crowe sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 152 by Senator Crowe

AMENDMENT NO. 1

On page 1, at the end of line 12, change "contain" to "which depict"

AMENDMENT NO. 2

On page 1, line 17, delete "or oral to genital,"

On motion of Senator Crowe, the amendments were adopted.

Floor Amendments Sent Up

Senator Crowe sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 152 by Senator Crowe

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, between lines 18 and 19, insert the following:

"(2)(a) This Section shall not apply to speech or content distributed, communicated, or otherwise made available on a cable system.

(b) For purposes of this Section, the term "cable system" shall mean a facility consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple

subscribers within a community but does not include the following facilities or systems:

(i) A facility that serves only to retransmit the television signals of one or more television broadcast stations.

(ii) A facility that serves subscribers without using any public right of way.

(iii) A facility of a common carrier which is subject, in whole or in part, to common carrier regulation, except that such facility shall be considered a cable system to the extent the facility is used in the transmission of video programming directly to subscribers, unless the extent of such use is solely to provide interactive on-demand services.

(iv) An open video system to the extent the system is deemed under federal law not to be a cable system.

(v) Any facilities of an electric utility used solely for operating its electric system."

On motion of Senator Crowe, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 152 by Senator Crowe

AMENDMENT NO. 1

On page 1 line 4 after "definitions;" insert "to provide for notice;"

AMENDMENT NO. 2

On page 1, line 13, after "**conduct**" and before the period insert "**provided that written notice has been given to the retailer pursuant to Subsection (D) of this Section**

AMENDMENT NO. 3

On page 2, between lines 18 and 19, insert the following:

"D. When a complaint is received alleging that a retailer has sold or distributed goods, materials, or services to a person under the age of eighteen, which meets the definition of Paragraph (2) of Subsection (A) of this Section, the Attorney General's Public Protection Division, Consumer Protection Section, shall notify the retailer, in writing by certified mail, that a complaint has been made. The complaint shall include a brief description of the goods, materials, or services sold or distributed which served as the basis for the complaint and the date that the alleged sale or distribution occurred. The written notice shall also advise the retailer that five such complaints may subject the retailer to a formal investigation by the Consumer Protection Section to determine if an unfair or deceptive trade practice, pursuant to this Section, has occurred."

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 152 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 17, after "**anal to genital,**" delete "**or oral to genital,**"

On motion of Senator Claitor, the amendments were adopted.

The bill was read by title. Senator Crowe 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 N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	LaFleur	Smith
Dorsey	Long	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B	Marionneaux	Morrell
Total - 3		

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

Rules Suspended

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 10, 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. 406 by Representative Pearson, 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.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 10, 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. 522 by Representative B. Badon, 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.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 10, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 406 by Representative Pearson:

Representatives Pearson, Kleckley and Foil.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 10, 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. 132—

BY SENATOR DORSEY AND REPRESENTATIVES HENRY BURNS, GREENE, HARRISON, HAZEL, HOWARD, LIGI, PERRY, RICHARDSON, ROBIDEAUX, GARY SMITH, JANE SMITH, ST. GERMAIN AND WHITE AN ACT

To enact R.S. 14:30(A)(10) and Code of Criminal Procedure Art. 905.4(A)(13), relative to the crime of first degree murder and aggravated circumstances; to provide for elements of such crime; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 120—

BY SENATOR ERDEY AN ACT

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

Reported without amendments.

SENATE BILL NO. 260—

BY SENATORS CLAITOR AND BROOME AND REPRESENTATIVE GREENE AN ACT

To amend and reenact R.S. 46:236.2(A)(2), relative to jurisdiction; to provide relative to support orders; to provide procedures; to provide relative to the jurisdiction of the Juvenile Court for East Baton Rouge Parish; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 56—

BY SENATOR DONAHUE AN ACT

To amend and reenact R.S. 15:1094.1(A), relative to the Florida Parishes Juvenile Justice District; to provide for the composition

of the board of commissioners of the Florida Parishes Juvenile Justice Commission; to provide for the appointment of one additional commissioner for a four-year term; to provide certain terms, conditions and procedures; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 110—

BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 9:3573.3(5), 3573.4(F), 3573.6(B), and 3573.11(B), and to repeal R.S. 9:3573.11(C), relative to the Credit Repair Services Organizations Act; to provide for the filing of a registration statement with the attorney general; to provide for certain terms, notifications, procedures, conditions, and requirements; to provide for orders, injunctions, publication, and availability of records to the general public; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 151—

BY SENATOR DUPLESSIS AN ACT

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

Reported without amendments.

SENATE BILL NO. 184—

BY SENATOR MURRAY AND REPRESENTATIVES ABRAMSON, CHANEY, ERNST, HINES, MILLS AND WILLMOTT AN ACT

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

Reported without amendments.

SENATE BILL NO. 4—

BY SENATOR AMEEDDE AN ACT

To enact R.S. 15:255(M), relative to the special witness fee funds in each of the parishes in the Twenty-Third Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 70—

BY SENATOR MURRAY AN ACT

To enact R.S. 44:181.7, relative to Orleans Parish; to specify the amount of fees to be collected for notarial archives records by the clerk of court, as ex officio recorder, of the Forty-First Judicial District Court; to provide relative to the uses of such fee amounts; to provide an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 116—
BY SENATORS MARTINY AND MORRELL AND REPRESENTATIVES
CONNICK, LABRUZZO, LIGI, LOPINTO, TALBOT AND WILLMOTT

AN ACT

To amend and reenact R.S. 13:967(C)(1), (J) and (L) and to enact R.S. 13:967(M), relative to the Twenty-Fourth Judicial District; to provide for the establishment of an indigent transcript fund; to provide for court reporter fees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 38—
BY SENATOR MICHOT

AN ACT

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

Reported without amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 10, 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. 35—
BY SENATORS MCPHERSON AND B. GAUTREAU
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a pilot study on alternative truck-trailer configurations to support the bio-fuels industry.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 111—
BY SENATOR NEVERS AND REPRESENTATIVE RITCHIE
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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR BROOME AND REPRESENTATIVE BARROW
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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR DUPLESSIS AND REPRESENTATIVES ARNOLD AND
WOOTON

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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 115—
BY SENATOR CROWE AND REPRESENTATIVE WOOTON
A CONCURRENT RESOLUTION

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

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 92—
BY SENATOR GRAY EVANS
A RESOLUTION

To commend Kim M. Boyle for her achievements and swearing in as the first African American female president of the Louisiana State Bar Association.

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

SENATE RESOLUTION NO. 93—
BY SENATOR LONG
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of William Donald Long of Martin, Louisiana.

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

SENATE RESOLUTION NO. 94—
BY SENATOR SMITH
A RESOLUTION

To commend Randi Adams on being named the 2009 Louisiana Elementary School Student of the Year.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATORS MARTINY AND APPEL AND REPRESENTATIVE
WILLMOTT

A CONCURRENT RESOLUTION

To recognize and commend Kaci McGuire for her service and leadership as communications officer of the first Legislative Youth Advisory Council.

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

June 10, 2009

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Long	Shaw
Crowe	Martiny	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Donahue	Guillory	LaFleur
Gautreaux B	Kostelka	Marionneaux
Total - 6		

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

**SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR NEVERS AND REPRESENTATIVE RITCHIE
A CONCURRENT RESOLUTION**

To recognize and commend Evan Scott Tageant for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

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	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	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux B	Marionneaux
Total - 2	

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

Senator Broome in the Chair

**SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATOR MORRELL AND REPRESENTATIVE BROSSETT
A CONCURRENT RESOLUTION**

To recognize and commend Ashton John Pruitt for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

The resolution was read by title. Senator Morrell 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
Dorsey	Long	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Donahue	Gautreaux B	Marionneaux
Total - 3		

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

**SENATE CONCURRENT RESOLUTION NO. 122—
BY SENATOR CHEEK AND REPRESENTATIVE WADDELL
A CONCURRENT RESOLUTION**

To recognize and commend Mark Dupee for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux B Marionneaux
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR HEBERT AND REPRESENTATIVE CHAMPAGNE
A CONCURRENT RESOLUTION

To recognize and commend Jasmine Paul-Olivier for her commitment and service as a senior member of the first Legislative Youth Advisory Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	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	Martiny	Thompson
Dupre	McPherson	Walsworth

Total - 36

NAYS

Mr. President
Total - 1

ABSENT

Gautreaux B Marionneaux
Total - 2

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

Notice Regarding Vote

Senator Chaisson stated he had voted in error on Senate Concurrent Resolution No. 123. He voted nay on the resolution and had intended to vote yea. He asked that the Official Journal so state.

SENATE CONCURRENT RESOLUTION NO. 124—
BY SENATOR CHAISSON
A CONCURRENT RESOLUTION

To commend C.H. "Sonny" Savoie of St. Charles Parish upon being named president of the National School Boards Association.

The resolution was read by title. Senator Chaisson 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	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	

Total - 37

NAYS

Total - 0

ABSENT

Gautreaux B Marionneaux
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION

To commend John Patrick Casey for being named USA Today 2nd Team Academic All-American and a National Science Foundation Graduate Fellowship.

The resolution was read by title. Senator Michot 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	Long	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	

Total - 37

NAYS

Total - 0

ABSENT

Gautreaux B Marionneaux
Total - 2

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

June 10, 2009

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 10, 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. 203— BY REPRESENTATIVE ARMES

A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation and the United States Congress to take such actions as are necessary to preserve a decades-old tradition in Louisiana by continuing to allow the use of dogs to hunt deer in the Kisatchie National Forest.

HOUSE CONCURRENT RESOLUTION NO. 204— BY REPRESENTATIVE FANNIN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to conduct a comparative study of graduation rates in Louisiana public schools using a cohort of students in grades seven through twelve, instead of the traditional grades nine through twelve cohort, and annually to submit a written report, including specified information, to the House Committee on Education and the Senate Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 205— BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal the National Saltwater Angler Registry.

HOUSE CONCURRENT RESOLUTION NO. 206— BY REPRESENTATIVE POPE AND SENATOR ERDEY

A CONCURRENT RESOLUTION

To commend Brian Goh of Denham Springs, a May 2009 graduate of Louisiana State University, upon being named to the USA Today All-USA College Academic First Team.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 203— BY REPRESENTATIVE ARMES

A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation and the United States Congress to take such actions as are necessary to preserve a decades-old tradition in Louisiana by continuing to allow the use of dogs to hunt deer in the Kisatchie National Forest.

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, Dupre, Morrell, Adley, Erdey, Morrish

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

NAYS

Total - 0

ABSENT

Gautreaux B, Jackson, Kostelka, Marionneaux, Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 204— BY REPRESENTATIVE FANNIN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to conduct a comparative study of graduation rates in Louisiana public schools using a cohort of students in grades seven through twelve, instead of the traditional grades nine through twelve cohort, and annually to submit a written report, including specified information, to the House Committee on Education and the Senate Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Erdey, 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, Martiny, Thompson, Dupre, McPherson, Walsworth, Total - 36

NAYS

Total - 0

ABSENT

Claitor, Gautreaux B, Marionneaux, Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 205— BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal the National Saltwater Angler Registry.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	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	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Claitor	Gautreaux B	Marionneaux
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 206—
BY REPRESENTATIVE POPE AND SENATOR ERDEY
A CONCURRENT RESOLUTION

To commend Brian Goh of Denham Springs, a May 2009 graduate of Louisiana State University, upon being named to the USA Today All-USA College Academic First Team.

The resolution was read by title. Senator Erdey moved to concur in the House 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
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Claitor	Gautreaux B	Marionneaux
Total - 3		

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
HEALTH AND WELFARE**

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 10, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, bureau of healthcare financing, to study the use of living wills among Medicaid recipients and report to the House and Senate committees on health and welfare no later than February 1, 2010.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 142—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to develop and submit to the Centers for Medicare and Medicaid Services new waiver or state plan options for a sustainable system of home- and community-based services, to continue to implement approved cost control mechanisms for the Long Term/Personal Care Services Program, the Elderly and Disabled Adults Waiver, and the New Opportunities Waiver, and to provide quarterly progress reports to the House and Senate committees on health and welfare and the Joint Legislative Committee on the Budget.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE HINES
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effect of decreasing Medicare-Medicaid crossover payments on dually eligible people with Medicare and Medicaid in Louisiana and to report study findings and recommendations to the legislature prior to the convening of the 2010 Regular Session.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVE HINES
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to restore the Medicare-Medicaid crossover payments nationally so all Medicare beneficiaries in Louisiana and nationwide have equal access to Medicare benefits.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 182—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services and the Department of Health and Hospitals jointly to study whether applicants for and current recipients of Temporary Assistance for Needy Families (TANF) benefits should be required to apply for Medicaid and receive annual health screenings in order to receive or continue to receive TANF benefits, to study the fiscal impact of such requirements, and to report study findings and recommendations to the House Committee on Health and

June 10, 2009

Welfare and the Senate Committee on Health and Welfare prior to February 1, 2010.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effects on human health and the environment by the operations of the Lafarge Cement Factory in Gert Town, New Orleans, Louisiana, and to report findings and recommendations to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare prior to 2010 Regular Session of the Legislature.

Reported favorably.

HOUSE BILL NO. 517—

BY REPRESENTATIVES LEBAS, BURFORD, HENRY BURNS, TIM BURNS, GREENE, HAZEL, HOFFMANN, LABRUZZO, LIGI, LOPINTO, SCHRODER, SIMÓN, JANE SMITH, AND WHITE

AN ACT

To enact R.S. 40:1299.35.9, relative to health care services; to protect persons who refuse to provide health care services from certain types of punitive measures; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 728—

BY REPRESENTATIVE SCHRODER

AN ACT

To amend and reenact R.S. 40:1300.51(3), 2116(B)(1), 2166.2, 2166.3, 2166.4(A), and 2166.7(A), to enact R.S. 40:1300.51(2)(n), 2166.4(H) and (I), and 2166.5(B)(11) and (C)(introductory paragraph), (4), and (5), and to repeal Part V of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2151 through 2163, relative to licensing of adult residential care homes and adult residential care providers; to provide a statement of legislative intent; to provide for definitions; to require licensure of all adult residential care providers; to provide for the criteria for the review of beds for adult residential care providers; to provide for the transfer of licensing authority for adult residential care homes from the Department of Social Services to the Department of Health and Hospitals; to provide for waivers granted to adult residential care facilities; to establish the levels of adult residential care providers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 773—

BY REPRESENTATIVE BURFORD AND SENATOR CHEEK

AN ACT

To amend and reenact R.S. 36:259(E)(20), Chapter 29 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2401 through 2424 and R.S. 44:4.1(B)(21), relative to physical therapists; to provide for the creation of the Physical Therapy Practice Act of Louisiana; to provide a short title; to provide for purpose and intent; to provide for the composition of the Louisiana Physical Therapy Board; to change the name of the physical therapy board; to provide for the organization of board meetings and member compensation; to provide the powers, duties, and limitations of the board; to provide for board and employee immunity from personal liability; to provide for an exception to the public records law; to provide definitions; to require licensure for certain practices; to establish the qualifications for licensing physical therapists, foreign graduates, and physical therapist assistants; to provide for licensing reciprocity; to provide for an application for a license; to provide for examination of applicants for licensure; to provide for the issuance of a license and updating contact information; to provide for emergency exemptions; to provide for the renewal of a license; to provide for authority to practice as a physical

therapist or physical therapist assistant; to provide for the use of titles and terms and restrictions; to provide for disciplinary actions; to provide for violations and penalties; to provide for cease and desist orders, injunctions, and attorney fees and costs associated with litigation; to provide for exemptions and prohibitions; to provide for fees, receipts, and disbursements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 781—

BY REPRESENTATIVES HINES, ABRAMSON, ARMES, AUBERT, BARRAS, BARROW, BILLIOT, BROSSETT, DANAHAY, DIXON, GISCLAIR, HENDERSON, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LAFONTA, PETERSON, RICHARD, RICHMOND, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES, WADDELL, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 36:801(introductory paragraph) and to enact R.S. 36:474(H) and 478(L) and Chapter 63-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2803 and 2804, relative to the Louisiana Homeless Assistance and Prevention Act; to create the program for homeless assistance and prevention within the Department of Social Services; to provide for the position of a director for homeless assistance and prevention and to provide for his duties; to create the Louisiana Interagency Advisory Council for the Homeless and place it within the Department of Social Services; to provide for the council's purpose; to provide for membership; to provide for governance of the council and compensation of the members; to provide for staffing and facilities; to provide for reporting requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 837—

BY REPRESENTATIVE MILLS AND SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 28:21(A) and (B) and 771(A) and (B)(5)(c) and R.S. 36:251(C)(1) and 258 (C), to enact R.S. 28:4 and 771(B)(9) and (10), and to repeal R.S. 28:21(E) and R.S. 36:258(E), relative to the office of behavioral health; to provide for the office of behavioral health in the Department of Health and Hospitals; to provide for the office's purposes and functions; to provide for an implementation advisory committee and its membership; to dissolve the office of mental health and office for addictive disorders and transfer relevant purposes and functions to the office of behavioral health; to provide for copayments; to provide for appropriations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

**REPORT OF COMMITTEE ON
COMMERCE, CONSUMER PROTECTION AND
INTERNATIONAL AFFAIRS**

Senator Ann D. Duplessis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

June 10, 2009

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 106—

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to prescribe auditory volume standards for commercial advertisements broadcast on television.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE GIROD JACKSON

A CONCURRENT RESOLUTION

To create the Hudson Initiative Task Force to study the feasibility of offering business opportunities through state procurement and public contracts to small entrepreneurs in the state of Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To urge and request Lafarge North America, Inc. operator of the Lafarge Concrete Factory in Gert Town, New Orleans, Louisiana, to cooperate with local and state entities in relocating the industrial facility so as not to conflict with residential land uses.

Reported favorably.

HOUSE BILL NO. 145—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:314(A), 653.1(A), and 766.1(A), to enact R.S. 6:1255(D), and to repeal R.S. 6:314(C), 653.1(C), and 766.1(C), relative to accounts payable on death; to provide for one or more beneficiaries to collect funds upon a depositor's death; to provide for savings banks to offer payment on death accounts; to repeal definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 372—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 40:1573(2) and 1581(A) and to enact R.S. 40:1581(C) and (D), relative to smoke detectors in one- or two-family dwellings; to provide for a change in definitions; to provide for a ten-year lithium battery smoke detector in certain dwellings sold or leased on or after January 1, 2011; to provide for exceptions for failure to comply; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 381—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 37:3393(H)(5), (6), and (7) and to enact R.S. 37:3393(H)(8), relative to real estate appraisers; to provide for exemptions to the licensing requirement; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 559—

BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, FANNIN, HARRISON, HAZEL, LEBAS, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS AND SENATOR GUILLORY

AN ACT

To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran

and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurship; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 782—

BY REPRESENTATIVE ELLINGTON

AN ACT

To enact R.S. 33:9109.1, relative to communications districts; to provide for intent; to provide for definitions; to provide for collection and remittance of prepaid wireless telecommunications service charge; to provide for the administration of the prepaid wireless service charge; to provide for distribution of funds to communications districts; to provide for issues of liability; to provide for exclusivity of the service charge; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 810—

BY REPRESENTATIVE ARNOLD AND SENATORS BROOME AND DUPLESSIS

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1083(3.1)(introductory paragraph), (3.2), (4)(introductory paragraph), (5), (6), (9), (11), and (12), 1084, 1086, 1087(E) and (F), 1088, 1088.1(A)(4) and (C), 1089, 1090(A), (C), (D), (E), (F), and (H), 1091, 1092(A)(introductory paragraph), (1), (5), (6), (B), (C), (E), (G), (I), and (K), 1092.2, 1094, 1096(I)(1), 1098(C), and 1099, and R.S. 9:3511(F), to enact R.S. 6:1083(6.1), (13), (14), (15), (16), (17), (18), (19), and (20), 1087(D) and (G), 1088.1(A)(9) and (E), 1088.2, 1088.3, 1088.4, 1092(A)(17)(a)(iv) and (v), 1094.1, and 1097(C) and R.S. 9:3557(C), and to repeal R.S. 6:1083(1), 1092(A)(3), (4), (7), (8), (9), (10), (11), (12), (13), (15), and (17), 1093, and R.S. 9:3560(A)(10), relative to mortgages; to provide for a change in definitions; to provide for new definitions; to provide for prohibitions for certain mortgage lenders; to provide for licensure requirements; to provide for exemptions to licensure; to provide for application for licensure for persons in the mortgage industry; to provide for surety bonds for persons in the mortgage industry; to provide for a licensing system for persons in the mortgage industry; to provide for fees; to provide for information reporting for persons in the mortgage industry; to provide for notification of name or location changes and closures for persons in the mortgage industry; to provide for restrictions for persons in the mortgage industry; to provide for recordkeeping and retention of records for persons in the mortgage industry; to provide for the investigation of persons in the mortgage industry by the commissioner; to provide for the suspension and revocation of licensure for persons in the mortgage industry; to provide for educational requirements for licensure for persons in the mortgage industry; to provide for testing of loan originators; to provide for residential mortgage loan brokerage contracts; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 820—

BY REPRESENTATIVE MICKY GUILLORY

AN ACT

To amend and reenact R.S. 32:702(4) and (16), 706.1(A) and (B), 707(I) and (J), 718 (B) and (C), 1722(A) and (C), 1728.2(C)(2), (D), (E), (F), and (G), and 1728.3(C), (D)(1), (E), and (F) and to enact R.S. 32:706.2, 707.5, 718(D), 1720(C), 1722(D), 1728.2(H) and R.S. 47:522, relative to dismantled or salvaged

motor vehicles; to create the Louisiana Omnibus Auto Theft Prevention and Recovery Act (LOATPRA); to define "certificate of destruction"; to define "water-damaged vehicles"; to require sellers to disclose an assembled title to the purchaser of a motor vehicle; to require dismantlers to notify the office of motor vehicles upon receiving a vehicle for dismantling; to create a procedure for titling a total loss salvage motor vehicle prior to reconstruction and operation; to establish an assembled vehicle title and procedures for issuance; to require a storage or parking facility to notify the office of motor vehicles when an owner recovers a motor vehicle or when a motor vehicle is surrendered to a lien holder; to require contracted storage facilities to obtain verification and provide notification to registered lien holders prior to expiration of a vehicle storage contract; to mandate that appraisers use the latest version of the NADA Guide as a guideline for the appraisal of vehicles to be crushed or dismantled; to require an application for crushing and dismantling upon a form created by the Department of Public Safety and Corrections; to provide for a time limit for approval of the application after electronic submission of application to the Department of Public Safety and Corrections, office of motor vehicles; to require licensed dismantlers and crushers to certify the crushing or dismantling of a vehicle by submitting a form provided by the office of motor vehicles; to require the owner-operator to maintain certain records on file for all vehicles dismantled or crushed; to authorize representatives of the Department of Public Safety and Corrections to enter a dealer's premises to recover state credentials when the dealer's license has been suspended or revoked; to provide for information maintained by auto hulk buyers; to provide for the reporting of auto hulks; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 893— (Substitute for House Bill No. 278 by Representative Ligi)

BY REPRESENTATIVES LIGI, TIM BURNS, GISCLAIR, LABRUZZO, TALBOT, AND TUCKER AND SENATOR MORRELL
AN ACT

To enact R.S. 30:2195.12, relative to motor fuel dispensing facilities; to provide for definitions; to require alternate generated power capacity at newly constructed or completely rebuilt motor fuel dispensing facilities capable of operation during declared emergencies and disasters; to provide for guidelines on the installation and maintenance of the alternate generated power source; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

Rules Suspended

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

HOUSE BILL NO. 866—

BY REPRESENTATIVES CONNICK, ABRAMSON, RICHMOND, LEGER, HINES, AND ERNST AND SENATORS APPEL, ALARIO, MARTINY, MORRELL, AND MURRAY
AN ACT

To enact R.S. 43:201(D), relative to Jefferson Parish; to provide for judicial advertisements and legal notices in certain publications; to provide for criteria; and to provide for related matters.

Senator Martiny moved to recommit the bill from the Committee on Judiciary A to the Committee on Local and Municipal Affairs.

Without objection, so ordered.

Message from the House

HOUSE CONFEREES APPOINTED

June 10, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 522 by Representative B. Badon:

Representatives B. Badon, Hutter and Montoucet.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 10, 2009

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

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.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATORS HEBERT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, EVANS, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, 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.

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.

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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 10, 2009

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

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.

SENATE BILL NO. 44—

BY SENATORS MORRISH, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CROWE, DONAHUE, DUPLESSIS, DUPRE, ERDEY, N. GAUTREAU, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRELL, MOUNT, MURRAY, QUINN, RISER, SHAW, SMITH AND THOMPSON AND REPRESENTATIVES PERRY, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARRON, BILLIOT, BROSETT, 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, MICKEY GUILLOREY, 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, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, 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 designate the Gibbstown bridge on Louisiana Highway 27 in Cameron Parish as the "Conway LeBleu Memorial Bridge," and to provide for related matters.

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.

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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

SIGNED 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 Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVES HARRISON, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, HENDERSON, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to preserve and maintain the exemption from the Safe Drinking Water Act for hydraulic fracturing.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVES ST. GERMAIN, ARMES, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CHAMPAGNE, DIXON, DOVE, GISCLAIR, MICKEY GUILLOREY, HARRISON, JOHNSON, LABRUZZO, LAMBERT, LANDRY, LEGER, MILLS, RICHARDSON, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, AND WILLIAMS

A CONCURRENT RESOLUTION

To approve the Atchafalaya Basin Annual Plan, as adopted by the Atchafalaya Basin Research and Promotion Board.

HOUSE CONCURRENT RESOLUTION NO. 93—

BY REPRESENTATIVES PETERSON AND LEGER

A CONCURRENT RESOLUTION

To create the Louisiana Climate Change Policy Commission; to provide for its membership; to provide for its powers, duties, functions, and responsibilities; and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, with assistance and input from the Department of Wildlife and Fisheries, to study the issues involved with the use of articulated concrete mats to protect underwater exposed or shallow pipelines.

June 10, 2009

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE CHANDLER
A CONCURRENT RESOLUTION

To urge and request support and assistance in providing funding for the Wood to Electricity Program being developed by the Wood Products Development Foundation.

HOUSE CONCURRENT RESOLUTION NO. 133—
BY REPRESENTATIVE MONTOU CET
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to provide members of the legislature the opportunity to have increased input in the implementation of the annual Highway Priority Program.

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE MILLS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and make improvements to the drawbridge in the city of Breaux Bridge located on Louisiana Highway 336-1 in the parish of St. Martin.

HOUSE CONCURRENT RESOLUTION NO. 149—
BY REPRESENTATIVE BALDONE AND SENATORS APPEL AND DORSEY
A CONCURRENT RESOLUTION

To urge and request the governing authority of each public elementary and secondary school which has not yet done so to develop and implement a comprehensive anti-harassment, intimidation, and bullying program, which includes training of all school employees on addressing aggressive student behavior and the formation of a task force that includes parents, students, counselors, and school personnel to address related issues.

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to create a pilot screening program for the detection of Severe Combined Immunodeficiency Disorder (SCID) in newborns, to develop the pilot program in consultation with the Centers for Disease Control, the American College of Medical Genetics, and other relevant experts to be chosen at the discretion of the secretary of the Department of Health and Hospitals, and to urge that the program utilize a testing procedure paid for by the parents of the newborn that screens for the presence of the genetic mutation causing SCID, and, if there is a positive screening result, develop a test to confirm the result and follow up with the affected parents of the newborn, and to report on the results of the pilot program to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare no later than April 1, 2011.

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE AUSTIN BADON
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in consultation with the Louisiana School Boards Association and the Louisiana Association of Public Charter Schools, to conduct a comprehensive study and review of the Charter School Demonstration Programs Law and to submit a written report of its findings, conclusions, and recommendations to the House Committee on Education and the Senate Committee on Education prior to the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study issues related to the Louisiana Educational Assessment Program with respect to special education students, students with disabilities, and Limited English Proficient students and to submit a written report of study findings, including any recommendations for legislation, to the House

Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session of the Legislature.

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 9, 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. 532—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 40:2405(B) and to enact R.S. 40:2402(1)(d), relative to Peace Officer Standards and Training Law; to include the Supreme Court of Louisiana security personnel within the definition of "peace officer"; to prohibit the security personnel from receiving supplemental pay even though they have successfully completed the certified training program; and to provide for related matters.

HOUSE BILL NO. 64—
BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact R.S. 15:873(A) and (C), relative to the rate of inmate compensation; to provide for increased wages for inmates who are assigned to Prison Enterprises or who are certified as academic tutors; and to provide for related matters.

HOUSE BILL NO. 65—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 9:156(7), relative to the Uniform Unclaimed Property Act; to provide relative to the custody of certain unclaimed bank issued checks; and to provide for related matters.

HOUSE BILL NO. 97—
BY REPRESENTATIVES GISCLAIR AND BALDONE
AN ACT

To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for definitions; to provide for operation of certain vessels; and to provide for related matters.

HOUSE BILL NO. 115—
BY REPRESENTATIVE GUINN
AN ACT

To enact R.S. 40:1498(G), relative to Jefferson Davis Parish Fire District #2; to provide relative to the per diem for members of the governing board; and to provide for related matters.

HOUSE BILL NO. 116—
BY REPRESENTATIVE GUINN
AN ACT

To enact R.S. 33:3819(G), relative to certain waterworks districts in Jefferson Davis Parish; to provide relative to the per diem paid to the commissioners of the districts; and to provide for related matters.

HOUSE BILL NO. 136—

BY REPRESENTATIVE GUINN
AN ACT

To enact R.S. 13:1000.7, relative to court costs in the Thirty-First Judicial District Court; to provide for additional court costs in criminal matters; to provide for use of the fund; to provide for a contingent effective date; and to provide for related matters.

HOUSE BILL NO. 175—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 22:999(A)(2), relative to health insurance; to provide with respect to coverage of off-label cancer drugs; and to provide for related matters.

HOUSE BILL NO. 197—

BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 13:1899(L), relative to fees charged in specified city courts; to provide for an additional fee in juvenile delinquency matters in the City Court of Minden and in the City Court of Springhill which funds shall be used to fund the office of the marshal; to provide for a contingency effective date; and to provide for related matters.

HOUSE BILL NO. 199—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 40:1601, relative to novelty lighters; to prohibit the sale and distribution of certain novelty lighters; to provide for definitions; to provide for exemptions; to provide authority for the seizure, forfeiture, and destruction of certain novelty lighters; to provide for penalties; to provide for the deposit of proceeds from penalties collected into a certain state trust fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 231—

BY REPRESENTATIVES LITTLE AND DOVE AND SENATORS DUPRE, MORRISH, AND THOMPSON
AN ACT

To amend and reenact R.S. 56:116.1(A)(6) and 116.4(A)(1), relative to hunting with a crossbow; to authorize the use of crossbows to take turkey; to authorize the use of crossbows to take wild birds and wild quadrupeds; and to provide for related matters.

HOUSE BILL NO. 266—

BY REPRESENTATIVE HAZEL AND SENATORS DORSEY AND GUILLOREY
AN ACT

To amend and reenact R.S. 14:35.3(K), relative to domestic abuse battery; to provide with respect to the criminal penalties for domestic abuse battery committed upon certain persons; and to provide for related matters.

HOUSE BILL NO. 297—

BY REPRESENTATIVE WHITE AND SENATORS DORSEY AND GUILLOREY
AN ACT

To amend and reenact R.S. 15:1354(A), relative to racketeering; to provide for a minimum mandatory sentence for the crime of racketeering in certain cases involving securities violations; and to provide for related matters.

HOUSE BILL NO. 310—

BY REPRESENTATIVE HAZEL AND SENATORS DORSEY AND GUILLOREY
AN ACT

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

HOUSE BILL NO. 361—

BY REPRESENTATIVES TEMPLET AND WOOTON
AN ACT

To enact R.S. 27:310(H) and to repeal R.S. 27:311.1(B)(3), relative to suitability for designated representatives; to repeal provision of law requiring designated representatives to obtain a video draw poker employee permit; to require licensees employing designated representatives to request a record of convictions; to require licensees to maintain the criminal conviction information of designated representatives; and to provide for related matters.

HOUSE BILL NO. 384—

BY REPRESENTATIVE LIGI
AN ACT

To amend and reenact R.S. 37:1474(B) and R.S. 40:600.4(A)(3)(b), relative to boards and commissions; to provide for the membership of the Louisiana Mortgage Lenders Association on the Louisiana State Board of Home Inspectors; to provide for the membership of the Louisiana Mortgage Lenders Association on the board of commissioners of the Louisiana Housing Finance Agency; and to provide for related matters.

HOUSE BILL NO. 385—

BY REPRESENTATIVE CORTEZ
AN ACT

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

HOUSE BILL NO. 386—

BY REPRESENTATIVE MONICA
AN ACT

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

HOUSE BILL NO. 394—

BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 22:821(B)(6), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for registration of securities; to provide relative to fees collected for registration of securities dealers and salesmen; and to provide for related matters.

HOUSE BILL NO. 405—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2120.2(5) and 2120.3(A), relative to home- and community-based service providers; to provide for clarification of the definition of home- and community-based service provider; to provide for exclusions from the definition; to provide for reimbursement from Medicaid; and to provide for related matters.

HOUSE BILL NO. 465—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 33:9097.2(B), relative to the South Burbank Crime Prevention and Development District; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 539—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

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

June 10, 2009

HOUSE BILL NO. 598—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 22:366 and 386, relative to annual reports to the commissioner of insurance; to delete reports on premiums received; to delete reports on loss reserves; to provide for annual filing of an audited financial statement; and to provide for related matters.

HOUSE BILL NO. 648—

BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create a crime prevention and development district for Hermitage and Cross Creek Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

HOUSE BILL NO. 669—

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 22:1641(1), 1651(F), (H), and (I), and 1656 and to repeal R.S. 22:1651(G), relative to third-party administrators; to provide for the definition of third-party administrator; to delete certain insurers and adjusters from the list of exclusions from the definition of third-party administrator; to provide for the requirements for licensure and exceptions to licensure of third-party administrators; to provide for the confidentiality of contracts between a third-party administrator and an insurer; and to provide for related matters.

HOUSE BILL NO. 701—

BY REPRESENTATIVES THIBAUT, BROSSETT, FOIL, HENDERSON, HONEY, AND LEGER

AN ACT

To enact R.S. 15:1093.2, relative to juvenile justice districts; to provide for additional power and authority; to provide for the establishment and maintenance of certain evidence-based juvenile services and programs; to authorize the boards of commissioners of any juvenile justice district to enter into certain cooperative endeavor agreements; to provide for the expenditure of funds and payment of costs and expenses; and to provide for related matters.

HOUSE BILL NO. 704—

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE

AN ACT

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

HOUSE BILL NO. 716—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 26:805(F)(introductory paragraph) and (1), relative to exceptions for a supplier to terminate, cancel, not renew, or discontinue an agreement to supply specified brands of alcohol or beer to a distributor; and to provide for related matters.

HOUSE BILL NO. 822—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 15:574.22(G), relative to the Louisiana Risk Review Panel; to provide with respect to those persons who are eligible for a review by the Louisiana Risk Review Panel; to provide with respect to eligibility of persons sentenced for certain violations of the Uniform Controlled Dangerous Substances Law; 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.

Mr. President in the Chair

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Marionneaux 1/2 Day

Adjournment

On motion of Senator Crowe, at 5:50 o'clock P.M. the Senate adjourned until Thursday, June 11, 2009, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, June 11, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk