

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

TWENTY-EIGHTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 15, 2009

The Senate was called to order at 1:15 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Duplessis	Morrell
Adley	Dupre	Morrish
Alario	Gautreaux B	Murray
Appel	Gray Evans	Nevers
Broome	Guillory	Riser
Cheek	Jackson	Shaw
Claitor	Kostelka	Smith
Crowe	LaFleur	Walsworth
Donahue	Long	
Dorsey	Michot	
Total - 28		

ABSENT

Amedee	Heitmeier	Mount
Erdey	Marionneaux	Quinn
Gautreaux N	Martiny	Thompson
Hebert	McPherson	
Total - 11		

The President of the Senate announced there were 28 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Bob Adams, 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 Duplessis, the reading of the Journal was dispensed with and the Journal of June 11, 2009, was adopted.

**Privilege Report of the
Legislative Bureau**

June 15, 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. 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 without amendments.

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 without 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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 381 by Representative Hoffmann

AMENDMENT NO. 1

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, page 2, line 35, change "entities" to "entity's"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, page 3, line 24, change "Appraisal" to "Appraiser"

HOUSE BILL NO. 517—
BY REPRESENTATIVES LEBAS, BURFORD, HENRY BURNS, TIM BURNS, GREENE, HAZEL, HOFFMANN, LABRUZZO, LIGI, LOPINTO, SCHRODER, SIMON, 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 517 by Representative LeBas

AMENDMENT NO. 1

In Senate Committee Amendment No. 6, proposed by Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, at the end of line 19, insert "and on page 1, line 13, after "violates" and before "conscience" change "its" to "his""

AMENDMENT NO. 2

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 27, change "who" to "that"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 28, after "pharmacist" change "which" to "who"

AMENDMENT NO. 4

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 29, at the end of the line change "which" to "that"

AMENDMENT NO. 5

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 30, after "pharmacist" change "which" to "who"

AMENDMENT NO. 6

In Senate Committee Amendment No. 11, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 2, line 7, change "which" to "that" and on page 2, line 9, change "which" to "that"

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 GULLORY
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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 591 by Representative Ellington

AMENDMENT NO. 1

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on June 11, 2009, between lines 19 and 20, insert
" * * * "

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 without 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 without 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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 728 by Representative Schroder

AMENDMENT NO. 1

On page 1, line 2, following "(A)," and before "and" insert "2166.5 (C)(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 4, following "(C)" and before "(4)" delete "(introductory paragraph),"

AMENDMENT NO. 3

On page 2, line 16, following "2166.4(A)," and before "and" insert "2166.5 (C)(introductory paragraph),"

AMENDMENT NO. 4

On page 2, line 18, following "(C)" and before "(4)" delete "(introductory paragraph),"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Re-Reengrossed House Bill No. 773 by Representative Burford

AMENDMENT NO. 1

On page 16, line 2, following "shall" and before "under" change "only perform treatments" to "perform treatments only"

HOUSE BILL NO. 781—

BY REPRESENTATIVES HINES, ABRAMSON, ARMES, AUBERT, BARRAS, BARROW, BILLIOT, BROSSETT, DANAHAAY, 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 without amendments.

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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 810 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 1, line 2, at the end of the line insert "and on page 1, line 5, following "(C)," and before "(E)" insert "(D),"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11,

June 15, 2009

2009, on page 1, line 4, at the end of the line insert " and after "1094.1," insert "1096(J),"

AMENDMENT NO. 3

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 1, line 9, at the end of the line insert " and on page 2, line 9, after "(C)," insert "(D),"

AMENDMENT NO. 4

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, line 11, at the end of the line insert " and following "1094.1" insert "1096(J),"

AMENDMENT NO. 5

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 1, line 13, change "1813(e)" to "1813(c)"

AMENDMENT NO. 6

On page 1, line 6, before ", 1096(I)(1)" change "1094" to "1094(A) and (B)"

AMENDMENT NO. 7

On page 2, line 9, following "1092.2," change "1094" to "1094(A) and (B)"

AMENDMENT NO. 8

On page 7, line 15, following "shall" and before "have" delete "then"

AMENDMENT NO. 9

On page 18, lines 15 and 16, following "authorization" change "until the earlier of being directed to do so by the commissioner, or December 31, 2010." to "until directed to do so by the commissioner, but in any event no later than December 31, 2010."

AMENDMENT NO. 10

On page 28, line 19, following "orders of," and before "consent" change "and or" to "and"

AMENDMENT NO. 11

On page 30, line 20, following "shall" and before "broker" delete "only" and following "loan" and before "to" insert "only"

AMENDMENT NO. 12

On page 44, line 10, following "on" and before "prior" change " 2 " to "or"

AMENDMENT NO. 13

On page 45, between lines 18 and 19, insert " * * * * "

AMENDMENT NO. 14

On page 47, line 5, delete " * * * * "

AMENDMENT NO. 15

On page 50, line 21, following "not" and before "other" change "effect" to "affect"

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), 707.1 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 820 by Representative Mickey Guillory

AMENDMENT NO. 1

On page 1, line 4, following "(F)" and before "and to enact" insert "(1)"

AMENDMENT NO. 2

On page 2, line 13, following ", and (F)" and before "are" insert "(1)"

AMENDMENT NO. 3

On page 3, line 25, following "Peace" and before "Standards" change "Office" to "Officer"

AMENDMENT NO. 4

On page 6, line 7, following "the" and before "major" change "vehicles" to "vehicle's"

AMENDMENT NO. 5

On page 6, line 17, following "compare" and before "numbers" change "said" to "those"

AMENDMENT NO. 6

On page 8, line 4, change "the same" to "it"

AMENDMENT NO. 7

On page 8, line 20, before "Standards" change "Office" to "Officer"

AMENDMENT NO. 8

On page 8, line 29, change "Motor Vehicle" to "motor vehicle"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 837 by Representative Mills

AMENDMENT NO. 1

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 7, after "federal" and before "and," insert ", "

AMENDMENT NO. 2

In Senate committee Amendment No. 5, proposed by the Senate Committee on Health and Welfare, and adopted by the Senate on June 11, 2009, page 1, line 15, after "report" change "which" to "that"

AMENDMENT NO. 3

On page 2, lines 16 and 17, following "committee" and before "shall" change "(hereafter referred to as "committee")" to ", hereinafter referred to as "committee", "

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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 852 by Representative Smiley

AMENDMENT NO. 1

On page 11, line 17, delete "its"

AMENDMENT NO. 2

On page 11, line 28, following "long-term" change "supports" to "support"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 893 by Representative Ligi

AMENDMENT NO. 1

On page 1, line 14, change "which" to "that"

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.

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 11, 2009

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 280—

BY SENATOR CHAISSON
AN ACT

To enact R.S. 42:1119(G), relative to the employment of certain employees; to permit the employment of certain immediate family members by certain elected officials under certain circumstances; and to provide for related matters.

Reported with amendments.

June 15, 2009

SENATE BILL NO. 145—

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

To enact R.S. 14:73.8, relative to computer related crimes; to create the crime of "unauthorized use of a wireless router system" for the purpose of downloading, up loading, or selling pornography involving juveniles; to provide for definition; to provide for penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 225—

BY SENATORS MORRISH AND DUPRE AND REPRESENTATIVES BALDONE, DOVE, BOBBY BADON, BILLIOT, CHAMPAGNE, GISCLAIR, GUINN, HARRISON, HENDERSON, SAM JONES AND MONTOUCKET AN ACT

To enact R.S. 49:213.4(A)(9), relative to Louisiana Coastal Protection, Conservation, Restoration and Management; to provide for certain powers and duties of the Coastal Protection and Restoration Authority; to authorize the authority to enter into certain agreements with parish governing authorities; to provide certain terms and conditions of the agreements; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 218—

BY SENATOR MORRELL AND REPRESENTATIVE BROSETT AN ACT

To amend and reenact R.S. 22:2292(6) and (12) relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to Louisiana Property Insurance Corporation offering business interruption insurance coverage; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 242—

BY SENATORS MOUNT AND THOMPSON AN ACT

To enact R.S. 22:1062.1, relative to health insurance; to provide for an enrollment period for individuals in an employer sponsored insurance program when certain conditions are satisfied; to provide for rule making; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 238—

BY SENATORS MOUNT, CROWE, DUPLESSIS, MICHOT, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, HENRY BURNS, CARMODY, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, HOWARD, KATZ, LIGI, LITTLE, MILLS, NOWLIN, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, THIBAUT, WADDELL AND WILLMOTT AN ACT

To amend and reenact the introductory paragraph of Children's Code Article 1173(A) and R.S. 46:1403(A)(4), 1409(A), the introductory paragraph of 1409(B), 1409(C), 1409(D), 1412(A) and (B), the introductory paragraph of 1413(A), 1413(C), (H) and (N), 1419, and 1420, to enact R.S. 46:1414, and to repeal R.S. 36:478(C)(3) and (4) and R.S. 46:1406, 1407, 1410, 1411, and 1427, relative to child care facilities and child-placing agencies; to provide for definitions; to provide for licensure, including application and revocation; to abolish the Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies and the Louisiana Committee on Private Child Care; to provide for appeals; to provide for duties and obligations of the Department of Social Services; to provide for the Louisiana Advisory Council on Child Care and Early Education; to provide for rule making; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 247—

BY SENATORS CHEEK, DORSEY AND WALSWORTH AN ACT

To amend and reenact R.S. 46:2742(B)(7) and to enact R.S. 46:2742(B)(11), relative to case mix reimbursement for nursing homes; to provide for a case mix reimbursement; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 290—

BY SENATORS QUINN AND HEBERT AN ACT

To amend and reenact R.S. 22:1317, relative to surplus lines insurers; to exempt surplus lines insurers from provisions regarding co-insurance clauses in policies of fire and extended coverage insurance; and to provide for related matters.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 101—

BY SENATOR THOMPSON A RESOLUTION

To commend Lawrence K. Van Hoose, Sr., and Myra Van Hoose for their support of the American Heart Association and designate June 16, 2009, as their "Day at the Louisiana Senate."

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

SENATE RESOLUTION NO. 102—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Christian Price Baer.

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

SENATE RESOLUTION NO. 103—

BY SENATOR SMITH A RESOLUTION

To commend Lt. Col. Tom Clady on being named commander of the United States Army 842nd Transportation Battalion headquartered at the Port of Beaumont.

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

SENATE RESOLUTION NO. 104—

BY SENATOR BROOME A RESOLUTION

To commend Community Coffee Company on its 90th anniversary.

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

SENATE RESOLUTION NO. 105—

BY SENATOR MURRAY

A RESOLUTION

To commend Tiffany Monique Lloyd on being selected Miss Black Louisiana.

Floor Amendments Sent Up

Senator Dorsey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey to Original Senate Resolution No. 105 by Senator Murray

AMENDMENT NO. 1

On page 1, at the top of the page, change "Senator Murray" to "Senators Dorsey and Murray"

On motion of Senator Dorsey, the amendments were adopted.

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

SENATE RESOLUTION NO. 106—

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend motorcycle and scooter riders everywhere and to recognize the efforts of the Ride to Work nonprofit organization for promoting the use of such vehicles as a transportation alternative to automobiles.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 128—

BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

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.

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	Dupre	Michot
Adley	Gautreaux B	Morrell
Alario	Gray Evans	Morrish
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux N	Martiny
Erdey	Heitmeier	Mount
Total - 6		

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

SENATE CONCURRENT RESOLUTION NO. 129—

BY SENATOR DONAHUE AND REPRESENTATIVE SCHRODER

A CONCURRENT RESOLUTION

To commend Morgan Elizabeth Laurent of Fountainebleau High School, daughter of Denise and Merrill Laurent, upon her selection as a representative of Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

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	Dupre	Michot
Adley	Gautreaux B	Morrell
Alario	Gray Evans	Morrish
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	McPherson	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Erdey	Martiny	
Gautreaux N	Mount	
Total - 7		

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. 98—

BY SENATOR N. GAUTREAUX

A RESOLUTION

To commend the members of the 1-244th Assault Helicopter Battalion on their service to the United States of America.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 11, 2009

To the Honorable President and Members of the Senate:

June 15, 2009

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. 626—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 32:266, relative to traffic regulation; to provide for the disposition of fines for certain traffic tickets; and to provide for related matters.

HOUSE BILL NO. 721—
BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 17:1947(A)(2) and (3), relative to special educational services and related issues, including but not limited to funding; to provide procedures for the reimbursement of costs of special education and related services provided to certain students, including residents of intermediate care facilities for people with developmental disabilities; and to provide for related matters.

HOUSE BILL NO. 218—
BY REPRESENTATIVE HARDY
AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to fire safety and prevention equipment at public elementary and secondary schools; to require the governing authority of a public elementary or secondary school to adopt and implement policies relative to the inspection and operation of all fire safety and prevention equipment at a school, including but not limited to fire alarm and smoke detection devices; to provide policy guidelines; to provide for the duties of the office of the state fire marshal; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 513—
BY REPRESENTATIVES RICHARD, BALDONE, BROSETT, DOVE, GALLOT, GISCLAIR, HARRISON, HONEY, KATZ, PETERSON, ROBIDEAUX, GARY SMITH, AND WILLIAMS
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d) and to enact R.S. 11:441.2, relative to early retirement; to enact the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System; to provide for eligibility, retirement benefits, restrictions on hiring new employees, abolition of vacated positions, restrictions on appropriated funds, and funding; and to provide for related matters.

HOUSE BILL NO. 518—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 48:756(C) and to enact R.S. 48:756(G), relative to the Parish Transportation Fund; to provide for definitions of certain terms relative to the distribution formula; to exempt certain transit systems with a limited number of bus waivers from certain reporting requirements; and to provide for related matters.

HOUSE BILL NO. 806—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 44:4.1(B)(21) and to enact R.S. 37:2501(8), (9), (10), (11), and (12) and 2505.1, relative to the Board of Examiners of Nursing Facility Administrators; to provide for definitions; to authorize the board to obtain criminal history record information; to restrict the release of confidential information; and to provide for related matters.

HOUSE BILL NO. 872—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 17:3351.13, 3351.14, and 3351.15, relative to increases in tuition and fee amounts; to authorize the boards of supervisors of the Louisiana State University System, the

Southern University System, and the University of Louisiana System to impose specified tuition and attendance fee increases for certain students attending the institutions under the management and supervision of each board; to provide for waivers; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 885—
BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 33:4574.1.1(Q)(1)(b)(ii) and to enact R.S. 33:4574.1.1(Q)(1)(b)(iii), relative to Vermilion Parish; to provide relative to the Vermilion Parish Tourist Commission; to provide relative to the use of certain monies collected by the commission; to provide relative to cooperative endeavor agreements with the governing authorities of certain municipalities and the parish to fund recreation programs in the parish; 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 B. Gautreaux 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. 218—
BY REPRESENTATIVE HARDY
AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to fire safety and prevention equipment at public elementary and secondary schools; to require the governing authority of a public elementary or secondary school to adopt and implement policies relative to the inspection and operation of all fire safety and prevention equipment at a school, including but not limited to fire alarm and smoke detection devices; to provide policy guidelines; to provide for the duties of the office of the state fire marshal; 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. 513—
BY REPRESENTATIVES RICHARD, BALDONE, BROSETT, DOVE, GALLOT, GISCLAIR, HARRISON, HONEY, KATZ, PETERSON, ROBIDEAUX, GARY SMITH, AND WILLIAMS
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d) and to enact R.S. 11:441.2, relative to early retirement; to enact the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System; to provide for eligibility, retirement benefits, restrictions on hiring new employees, abolition of vacated positions, restrictions on appropriated funds, and funding; and to provide for related matters.

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

HOUSE BILL NO. 518—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 48:756(C) and to enact R.S. 48:756(G), relative to the Parish Transportation Fund; to provide for definitions of certain terms relative to the distribution formula; to exempt certain transit systems with a limited number of bus waivers from certain reporting requirements; 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. 626—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 32:266, relative to traffic regulation; to provide for the disposition of fines for certain traffic tickets; 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. 721—
BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 17:1947(A)(2) and (3), relative to special educational services and related issues, including but not limited to funding; to provide procedures for the reimbursement of costs of special education and related services provided to certain students, including residents of intermediate care facilities for people with developmental disabilities; 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. 806—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 44:4.1(B)(21) and to enact R.S. 37:2501(8), (9), (10), (11), and (12) and 2505.1, relative to the Board of Examiners of Nursing Facility Administrators; to provide for definitions; to authorize the board to obtain criminal history record information; to restrict the release of confidential information; and to provide for related matters.

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

HOUSE BILL NO. 872—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 17:3351.13, 3351.14, and 3351.15, relative to increases in tuition and fee amounts; to authorize the boards of supervisors of the Louisiana State University System, the Southern University System, and the University of Louisiana System to impose specified tuition and attendance fee increases for certain students attending the institutions under the management and supervision of each board; to provide for waivers; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 885—
BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 33:4574.1.1(Q)(1)(b)(ii) and to enact R.S. 33:4574.1.1(Q)(1)(b)(iii), relative to Vermilion Parish; to provide relative to the Vermilion Parish Tourist Commission; to provide relative to the use of certain monies collected by the commission; to provide relative to cooperative endeavor agreements with the governing authorities of certain municipalities and the parish to fund recreation programs in the parish; 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.

Rules Suspended

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

HOUSE BILL NO. 513—
BY REPRESENTATIVES RICHARD, BALDONE, BROSSETT, DOVE,
GALLOT, GISCLAIR, HARRISON, HONEY, KATZ, PETERSON,
ROBIDEAUX, GARY SMITH, AND WILLIAMS
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d) and to enact R.S. 11:441.2, relative to early retirement; to enact the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System; to provide for eligibility, retirement benefits, restrictions on hiring new employees, abolition of vacated positions, restrictions on appropriated funds, and funding; and to provide for related matters.

Senator Kostelka moved to recommit the bill from the Committee on Retirement to the Committee on Senate and Governmental Affairs.

Without objection, so ordered.

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 15, 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. 210—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To commend the inductees and honorees at the 2009 Induction Celebration of the Louisiana Sports Hall of Fame.

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE HILL AND SENATOR SMITH
A CONCURRENT RESOLUTION

To commend Michael Rhea of DeRidder, a May 2009 graduate of Louisiana State University, upon being named to the USA Today All-USA College Academic Second Team.

HOUSE CONCURRENT RESOLUTION NO. 208—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to oppose changes in the federal tax policy and to reject these changes in the President's Budget in order to avoid catastrophic damage to Louisiana's oil and gas industry.

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVE GIROD JACKSON
A CONCURRENT RESOLUTION

To urge and request municipalities and parish governing authorities to educate their citizens of the potential dangers of contaminated residential and commercial waste containers and to consider the routine use of automated cleaning systems for the state's waste containers to maintain compliance with the Federal Clean Water Act.

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

House Concurrent Resolutions

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

June 15, 2009

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVE GIROD JACKSON
A CONCURRENT RESOLUTION

To urge and request municipalities and parish governing authorities to educate their citizens of the potential dangers of contaminated residential and commercial waste containers and to consider the routine use of automated cleaning systems for the state's waste containers to maintain compliance with the Federal Clean Water Act.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Duplessis, Erdey, Total - 33; Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny; McPherson, Michot, Morrell, Morrish, Murray, Nevers, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Donahue, Total - 6; Dupre, Heitmeier; Mount, Quinn.

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

HOUSE CONCURRENT RESOLUTION NO. 208—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to oppose changes in the federal tax policy and to reject these changes in the President's Budget in order to avoid catastrophic damage to Louisiana's oil and gas industry.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Duplessis, Dupre, Erdey, Total - 34; Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson; Michot, Morrell, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Donahue, Total - 5; Heitmeier, Morrish; Mount.

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

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE HILL AND SENATOR SMITH
A CONCURRENT RESOLUTION

To commend Michael Rhea of DeRidder, a May 2009 graduate of Louisiana State University, upon being named to the USA Today All-USA College Academic Second Team.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 36; Erdey, Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny; McPherson, Michot, Morrell, Morrish, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Total - 3; Heitmeier; Mount.

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

HOUSE CONCURRENT RESOLUTION NO. 210—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To commend the inductees and honorees at the 2009 Induction Celebration of the Louisiana Sports Hall of Fame.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

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

June 11, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE HENRY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reevaluate and restudy the closure of the railroad crossing at Central Avenue in Metairie, Louisiana, to vehicular traffic and to report such findings to the Senate and House committees on transportation for review during the 2010 Regular Session of the Legislature of Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a bridge rating study on all state bridges.

Reported favorably.

HOUSE BILL NO. 350—
BY REPRESENTATIVE TEMPLET
AN ACT

To amend and reenact R.S. 33:1975(C)(2) and R.S. 40:1392(C)(2), relative to toll tags; to provide for the cost and purchase of toll tags for free passage on the Crescent City Connection Bridge; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 354—
BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 38:2225.2.1(A), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; to authorize other public entities to utilize the design-build method under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 500—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R. S. 38:291(U)(1) and 329(J)(introductory paragraph) and to repeal R.S. 38:329(H), relative to the Terrebonne Levee and Conservation District, to provide for millages collected in Terrebonne Parish; to revert certain land in the possession of the Atchafalaya Basin Levee District for certain purposes to the Terrebonne Levee and Conservation District; to repeal certain required distribution amounts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 652—
BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact R.S. 48:35, relative to the Department of Transportation and Development; to provide with respect to the adoption of minimum safety guidelines by the Department of Transportation and Development for highway design, maintenance, and construction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 666—
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 32:387(H)(1)(c) and (J)(1) and (2)(a), relative to permits for transportation of sealed containers; to provide for a single-trip permit for a sealed ocean container to be issued for the container rather than the transport vehicle; to require certain information on the permit application form; to provide for transfer of the permit to another vehicle under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 787—
BY REPRESENTATIVES BALDONE, AUBERT, BILLIOT, HENRY BURNS, DIXON, DOVE, GUINN, HOWARD, AND WOOTON AND SENATORS DUPRE AND MORRISH
AN ACT

To amend and reenact R.S. 38:301.1, relative to coastal area levee districts and parish governing authorities; to provide for certain levee districts and local parish governments to submit elevation reports; to provide for the name change of the office of public works, hurricane flood protection, and intermodal transportation; to provide for the authority to establish adequate drainage, flood control, and water resource development; to provide authority to enter into contracts or other agreements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—
BY REPRESENTATIVES PETERSON, HARDY, AND GARY SMITH
AN ACT

To amend and reenact R.S. 38:330.1(B)(1)(a), (C)(1)(a)(introductory paragraph), (i), (ii), and (iii), (2)(a), (G), and (K)(3), relative to the Southeast Flood Protection Authority East and West; to remove territorial jurisdiction under the Authority Board East; to reduce the number of members of the Authority Board East; to provide for members' qualifications; to provide relative to the membership of the nominating committee; to provide relative to the duties of the nominating committee; to provide relative to a board member's fiduciary duty to the board; to provide an exception for certain public employees to serve as members on either board; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON,
Chairman

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

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

June 11, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 155—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Louisiana Housing Finance Agency to develop a mortgage recovery plan providing for state management of troubled mortgages and requesting federal stimulus money to finance the plan, and to submit the plan to the United States Department of Housing and Urban Development.

Reported favorably.

June 15, 2009

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

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

Reported favorably.

HOUSE BILL NO. 481—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:2181(A) and (B), relative to the investigation of fire employees; to provide definitions; to provide minimum standards for investigations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 501—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 33:2491.4, relative to municipal fire and police civil service; to provide relative to the establishment and maintenance of promotional employment lists for the various classes of positions in the classified police service in the city of West Monroe; to provide relative to the period of time a name may remain on any such list; to provide relative to tests to determine the eligibility of applicants for entry upon any such list; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 582—
BY REPRESENTATIVE BURRELL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 622—
BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 33:4762(A) and (C), relative to the removal of dangerous structures; to provide for the type of notice required prior to the removal of dangerous structures by certain political subdivisions; to provide additional procedures for notice in cases of grave public emergency; to provide for applicability and effectiveness in certain parishes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 644—
BY REPRESENTATIVES TALBOT, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To enact R.S. 33:1236(49)(f), relative to Jefferson Parish; to provide for the enforcement of local building and property law and ordinance violations by adding judgments for such violations to the ad valorem tax rolls of the parish or municipalities therein; to provide for the adoption of ordinances and procedures for adding judgments to the ad valorem tax rolls; to provide for collection and enforcement of said judgments; to provide for a

designated proper party defendant in actions to contest the levy; to provide for the continued enforceability of such judgments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 883—
BY REPRESENTATIVE PERRY
AN ACT

To repeal Part VI of Chapter 3 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:295 through 295.3, relative to the Vermilion Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any assets or liabilities of the commission; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHERYL GRAY EVANS
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

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

June 11, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 98—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 56:499.1(A), relative to use of trawls and skimmer nets in the Calcasieu Lake area; to prohibit the use of trawls at night in certain portions of the Calcasieu Lake basin; to prohibit the use of skimmer nets at night on Calcasieu Lake; to authorize the use of skimmer nets at night in specified portions of Cameron Parish west of Calcasieu Lake; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 191—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 56:700.13(C), relative to the Oyster Lease Damage Evaluation Board; to provide relative to selection of a biologist to survey oyster beds to determine quality, condition, and value of said beds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 390—
BY REPRESENTATIVE HENDERSON
AN ACT

To enact R.S. 40:5.3.1, relative to molluscan shellfish sanitation requirements; to authorize the Department of Health and Hospitals to grant exemptions from certain of the molluscan shellfish sanitation requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 478—

BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 10:9-309(1), 311(b), 501(a)(3), 515(i), and 516(a)(3), and R.S. 34:851.20(M)(1) and (3), 852.1, 852.2(2), (3), and (7) through (17), 852.3(A), 852.4(A) and (B)(2), (3), and (6), 852.5, 852.6, 852.7(A)(4) and (B), 852.8, 852.10, 852.11(B) and (C), 852.12, 852.14(A) and (C), 852.15, 852.16(A), (D) through (H), and (I)(1) and (3), 852.17, and 852.20 and to enact R.S. 10:9-504(5) and R.S. 34:851.20(M)(4) and (5), 852.2(18), and 852.23, relative to titling; to provide for titling and registering of certain vessels and outboard motors; and to provide for perfection of security interests in certain motors; to provide for effectiveness of certain financing statements; to provide for definitions; to provide for certificates of title; to provide for form and content of application for title and certificate of title; to provide for duplicate titles; to provide for exemptions; to provide for manufacturers and dealers; to provide for transfer of and interest in outboard motors; to provide for liens; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 542—

BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 56:642(C), relative to certain commercial licenses and permits issued by the Department of Wildlife and Fisheries; to provide for payment methods; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 587—

BY REPRESENTATIVES HARRISON AND BALDONE
AN ACT

To amend and reenact R.S. 56:424.1(A) and 433.1(A) and (B), and to enact R.S. 56:433.2, relative to the Oyster Seed Ground Vessel Permit; to repeal the requirements which must be met to qualify for the permit; to provide penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 661—

BY REPRESENTATIVE MORRIS
AN ACT

To enact R.S. 19:2(12) and Chapter 11 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1101 through 1111, relative to the storage of carbon dioxide; to provide for expropriation; to provide for the duties and powers of the commissioner of conservation; to provide for definitions; to provide for public hearings; to provide for enforcement; to provide for compliance orders; to provide for penalties; to provide for certificates of public convenience and necessity; to provide for certificates of completion; to provide for liability; to provide for the Geologic Storage Trust Fund; to provide for fees; to provide for uses of the fund; to provide for accounting and reports of the fund; to provide for site-specific trust accounts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 775—

BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact R.S. 49:953(C) and R.S. 56:6(10), relative to the rulemaking authority of the Department of Wildlife and Fisheries; to provide for petitions by an interested person; to provide for authority to adopt rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 833—

BY REPRESENTATIVES DOVE, BOBBY BADON, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, HENDERSON, LAMBERT, LANDRY, LITTLE, MONTOUCET, AND MORRIS AND SENATORS DUPRE AND MORRISH

AN ACT

To amend and reenact R.S. 36:4(Z), 351(C)(1), 358(B), 501(B) and (C)(1), 502(A) and (B), and 508.3(A), (B), (C), (F), and (G), R.S. 38:81, 100(introductory paragraph), 101(A) and (B), 102, 103(A) and (B), 106(A)(1) and (2)(introductory paragraph) and (B), 107(A), 108, and 109, R.S. 49:214.1 and 214.2, R.S. 56:421(B)(introductory paragraph) and (1), (C), and (E)(4), 424(H), 425(E), 427.1(C), 432.1(A), (B)(introductory paragraph) and (1)(a), (2), (3), and (4), (C)(introductory paragraph) and (1), (D)(1), and 432.2, to enact R.S. 35:410, R.S. 49:214.3.1, 214.4.1 and 214.4.2, 214.5.1 through 214.5.8, and 214.6.1 through 214.6.11, and R.S. 56:421(B)(13), and to repeal R.S. 36:4(J), R.S. 38:84, Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:241 through 251, Subpart A of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:213.1 through 213.12, and 49:214.3 through 214.16, relative to hurricane protection, flood control, and coastal restoration; to create the Office of Coastal Protection and Restoration in the office of the governor; to consolidate functions relative to hurricane protection, flood control, and coastal restoration under the authority of that office; to provide relative to the powers, duties, functions, and responsibilities of that office; provides for the interrelations between the governor's executive assistant for coastal activities, the Coastal Protection and Restoration Authority, the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation, and the Office of Coastal Protection and Restoration, and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 853—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To authorize and provide for the transfer, sale, exchange, or lease of certain state real property in Lafayette Parish to any governmental entity or nonprofit corporation property described herein; and to provide for related matters.

Reported favorably.

Respectfully submitted,
REGGIE P. DUPRE, JR.
Chairman

REPORT OF COMMITTEE ON

FINANCE

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

June 11, 2009

To the President and Members of the Senate:

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

SENATE BILL NO. 80—

BY SENATOR CHEEK
AN ACT

To enact Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.291 through 1300.293, relative to Medicaid reimbursement; to provide for definitions; to provide for Medicaid reimbursement for certain health services providers; and to provide for related matters.

Reported with amendments.

June 15, 2009

SENATE BILL NO. 266—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:4411(A), relative to the timber severance tax; to increase the portion of the timber severance tax allocated to the state which is dedicated to the Forestry Productivity Fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 14—

BY REPRESENTATIVE BURFORD

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(U), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in DeSoto Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 95—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(U), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in St. Martin Parish; to provide for eligibility; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 425—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 47:302.15, 322.47, and 332.53, relative to special treasury funds created for disposition of certain state sales taxes on hotel occupancy in Webster Parish; to provide for the use and deposit of monies into the Webster Parish Convention and Visitors Commission Fund; to change the name of the Webster Parish Convention and Visitors Bureau Fund to the Webster Parish Convention and Visitors Commission Fund; to provide for the use, deposit, and transfers of monies in the Webster Parish Convention and Visitors Bureau Fund; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 516—

BY REPRESENTATIVES WILLIAMS, ELLINGTON, FANNIN, ELBERT GUILLORY, HAZEL, LIGI, MCVEA, MORRIS, PEARSON, SMILEY, GARY SMITH, PATRICIA SMITH, AND STIAES

AN ACT

To enact Subpart Q-1, to be comprised of R.S. 39:100.121, and Q-2, to be comprised of R.S. 39:100.125, of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, relative to state funds; to establish the Center of Excellence for Autism Spectrum Disorder Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to establish the Walking the Walk for Our Kids Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 557—

BY REPRESENTATIVE HOWARD

AN ACT

To amend and reenact R.S. 47:302.37(B), relative to the Sabine Parish Tourism Improvement Fund; to change the name of the recipient of the monies in the fund to the Sabine Parish Tourist and Recreation Commission; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 637—

BY REPRESENTATIVES PONTI AND ARNOLD

AN ACT

To amend and reenact R.S. 40:1730.53(2), (5)(a) and (d), and (6), 1730.60, 1730.62(B) and (C)(introductory paragraph), and 1730.65(C)(1) and to enact R.S. 40:1730.53(5)(e), (7), (8), and (9), 1730.63(C), 1730.67, and 1730.68, relative to the Industrialized Building Act; to provide for changes to definitions; to provide for new definitions; to provide for inspections by the fire marshal; to provide for exemptions for decals or insignia; to provide for fees; to provide for the Industrialized Building Program Fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 670—

BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact R.S. 40:600.62(2) and (3), 600.63, 600.65, and 600.67, relative to The Road Home Program and The Road Home Corporation; to provide relative to the purpose of the corporation; to provide relative to the sale of property by the corporation; to provide for audit of the corporation by the legislative auditor; to provide relative to the nature of the corporation with respect to the state and its subdivisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 719—

BY REPRESENTATIVES CHANEY, AUSTIN BADON, HENRY BURNS, CONNICK, HENRY, HOFFMANN, LIGI, SIMON, AND TUCKER

AN ACT

To amend and reenact R.S. 39:1514(A)(1)(introductory paragraph) and 1798.6(A)(2), to enact R.S. 39:1514(D), and to repeal R.S. 39:1514(A)(1)(a) and (e), relative to multiyear contracts; to extend the allowable period for multiyear contracts; to repeal certain exceptions; to provide for certain contracts between the Office Facilities Corporation and various state agencies to effectuate leases or subleases of certain properties; to require certain prior approvals; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

REPORT OF COMMITTEE ON

FINANCE

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

June 15, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 112—

BY REPRESENTATIVE MONTOU CET

AN ACT

To amend and reenact R.S. 11:701(33)(a)(x) and (xi) and (b)(v) and to enact R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain foreign teachers who are teaching in Louisiana on J visas; and to provide for related matters.

Reported favorably.

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

AN ACT

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

Reported favorably.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

**REPORT OF COMMITTEE ON
EDUCATION**

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

June 11, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study charter school use of city, parish, and other local public school system-owned facilities and to submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, 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.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request each nonpublic high school to provide students at least thirty minutes of classroom instruction each year in health education or a comparable course determined to be appropriate by the school's governing authority relative to the state's safe haven relinquishments law, Children's Code Articles 1149 through 1160.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public and state-approved nonpublic high school to collect statistical data relative to students' anterior cruciate ligament (ACL) injuries, with an emphasis on noncontact ACL injuries, and incorporate exercises from the Prevent Injury and Enhance Performance program (PEP) into athletic training programs as the governing authority deems necessary.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVE STIAES

A CONCURRENT RESOLUTION

To urge and request city, parish, and other local public school boards and superintendents to dedicate federal stimulus dollars to low

performing schools as defined by the State Board of Elementary and Secondary Education.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVE RICHARD

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study of the bases and methodology of tuition charges at Louisiana's public postsecondary education institutions, particularly the feasibility and advisability of charging tuition for full-time students based on credit hours, to consider specified issues, to determine the most effective bases and methodology for imposing tuition charges, and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the convening of the 2010 Regular Session of the Legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 192—

BY REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study all issues relative to placing advertisements on the exterior of school buses, including but not limited to the advantages and disadvantages of such advertising, the potential impact such advertising could have on local school system budgets, limitations necessary as to the content of such advertising, and any possible legal challenges and safety concerns associated with such advertising, and to submit a written report on study findings and recommendations.

Reported favorably.

HOUSE BILL NO. 179—

BY REPRESENTATIVES STIAES, BARROW, AND PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:24.4(F)(4)(a), relative to requirements for pupil progression; to provide with regard to the impact of established proficiency levels on certain tests on the progress of students in grades four and eight; to require the state superintendent of education to submit recommendations to the State Board of Elementary and Secondary Education relative to expanding opportunities for student promotion in limited circumstances; to require implementation of such recommendations; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 193—

BY REPRESENTATIVE CHANEY

AN ACT

To amend and reenact R.S. 17:191 through 197, 198, and 199, relative to school nutrition programs; to provide for rules and regulations relative to such programs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 246—

BY REPRESENTATIVES MCVEA, RICHARDSON, AND WHITE

AN ACT

To enact R.S. 39:562(P), relative to the issuance of bonds; to provide an increase in the bonded debt limit of certain school districts for specified purposes; to provide guidelines, conditions, and limitations relative to such debt; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 308—

BY REPRESENTATIVE LEBAS

AN ACT

To amend and reenact R.S. 17:3137(B) and to repeal R.S. 17:3137(C) and (D), relative to eligibility of high school students to participate in a dual enrollment program at participating postsecondary education institutions; to provide relative to participation in such program by a student who is a Louisiana resident and is enrolled in any Louisiana nonpublic high school or participates in a home study program of education, including provisions relative to conditions, limitations, tuition amounts, and prohibitions on the use of state funds to pay such tuition; to provide relative to implementation; to remove provisions relative to a study and report by the Board of Regents concerning certain program cost estimates; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 319—

BY REPRESENTATIVE WILLMOTT

AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to instruction to students in public secondary schools concerning the state's safe haven relinquishments law; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 400—

BY REPRESENTATIVES WILLIAMS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CONNICK, CORTEZ, DIXON, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HINES, HONEY, HOWARD, HUTTER, MICHAEL JACKSON, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LEBAS, LIGI, MILLS, NORTON, NOWLIN, PEARSON, PERRY, RICHARD, RICHMOND, RITCHIE, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, TUCKER, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 17:17.1(A)(1) and to enact R.S. 17:17.1(D), relative to required physical activity for students; to require public schools to provide at least thirty minutes of physical activity each school day for students in grades seven and eight; to provide for the establishment of school health advisory councils; to provide for council purposes, membership, and compensation; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 531—

BY REPRESENTATIVES HENRY AND LABRUZZO

AN ACT

To enact R.S. 17:236.3, relative to the eligibility of students in state-approved home study programs to participate in interscholastic athletics in public elementary and secondary schools; to provide applicability; to provide guidelines and conditions for participation; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 535—

BY REPRESENTATIVE WILLIAMS

AN ACT

To amend and reenact R.S. 36:801.5(B) and to enact Part IV-C of Chapter 9 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2048.52, and R.S. 36:651(AA)(3), relative to creating the Simulation Medical Training and Education Council for Louisiana; to provide for its purpose; to provide for membership; to provide for governance of the council; to provide for staffing and facilities; to provide for

compensation; to provide for reporting requirements; to place the council within the Louisiana Health Works Commission and the Department of Education; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 546—

BY REPRESENTATIVE PERRY

AN ACT

To enact R.S. 41:727.1, relative to the transfer of certain sixteenth section lands by the Vermilion Parish School Board; to authorize the school board to sell certain specified sixteenth section properties; to provide relative to proceeds of the sales; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:3129.9 through 3129.15 and R.S. 36:651(BB) and 801.5(C), relative to public postsecondary education institutions; to provide for a comprehensive system of articulation and transfer of credit between and among public education institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 590—

BY REPRESENTATIVES BARROW AND PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:238, relative to the placement in school and education of certain children; to require the governing authority of each public elementary and secondary school to enact a policy ensuring that children in foster care may remain enrolled in certain schools; to require that such governing authorities and the Department of Social Services provide transportation to and from school for certain children in foster care under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 731—

BY REPRESENTATIVES DOWNS, ARMES, AUBERT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DIXON, DOVE, FOIL, HARDY, HOFFMANN, LITTLE, PERRY, PUGH, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:92.2(A)(2)(c) and R.S. 17:221(A)(1) and (2) and Children's Code Article 728(4) and to enact R.S. 14:92.2(B)(4) and R.S. 17:233(B)(1)(d)(iii) and (iv), all relative to the habitual absence and tardiness of students from school; to provide relative to the crime of improper supervision of a minor as it relates to habitually absent or tardy students; to provide penalties and minimum conditions of probation for certain violations by parents or legal custodians of such students including fines, school or community service, attendance in parenting classes and family counseling programs, and the suspension of certain licenses; to provide relative to multiple offenses committed by parents or legal guardians; to provide relative to definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 741—

BY REPRESENTATIVES AUSTIN BADON, ARMES, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GULLORY, HARDY, HINES, HOFFMANN, KATZ, LITTLE, MILLS, PERRY, PUGH, RITCHIE, ROBIDEAUX, ROY, SIMON, SMILEY, JANE SMITH, THIBAUT, TUCKER, AND WOOTON AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:81.9(A), (B), and (C) and to enact R.S. 17:81.9(L) and 430, relative to hiring procedures for public school employees; to provide relative to procedures and requirements for the disclosure of information regarding certain instances of sexual misconduct, abuse, and neglect committed by applicants for public school employment; to provide that violation of such disclosure requirements by any such applicant shall be a misdemeanor offense; to provide for penalties; to require applicants to sign certain statements prior to being hired; to provide for exceptions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 767—

BY REPRESENTATIVES WILLIAMS AND SIMON

AN ACT

To amend and reenact R.S. 17:197.1(B)(2), relative to school nutrition; to provide relative to beverages offered for sale to students in public high schools; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 794—

BY REPRESENTATIVES TUCKER, BALDONE, BILLIOT, BROSETT, TIM BURNS, CARMODY, CARTER, CORTEZ, DIXON, DOVE, DOWNS, FANNIN, FOIL, GISCLAIR, GREENE, HARRISON, HENDERSON, HENRY, HINES, ROSALIND JONES, KATZ, LAMBERT, LIGI, LOPINTO, PETERSON, PONTI, POPE, RICHARDSON, ROBIDEAUX, SCHRODER, SMILEY, JANE SMITH, TEMPLET, THIBAUT, WHITE, AND WILLMOTT

AN ACT

To enact R.S. 17:3138 and R.S. 36:651(N), relative to a comprehensive review of postsecondary education in Louisiana; to provide for the creation of the Postsecondary Education Review Commission and to provide for its composition, powers, duties, compensation, staffing and support, and funding; to require the commission to conduct a review of postsecondary education in the state and to provide for the scope of the review and a report thereon; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BEN W. NEVERS
Chairman

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to pass over House Bills on Second Reading to be referred.

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

HOUSE BILL NO. 813—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 45:200.4, relative to motor vehicle liability policies; to increase the minimal automobile insurance policy limits for public carrier vehicles; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 813 by Representative Connick

AMENDMENT NO. 1

On page 1, line 8, delete "No" and insert the following:
"A. Except as provided in Subsection B of this Section, no No"

AMENDMENT NO. 2

On page 1, line 12, change "thirty-five" to "twenty-five"

AMENDMENT NO. 3

On page 1, line 15, change "seventy" to "fifty"

AMENDMENT NO. 4

On page 1, line 18, change "twenty-five" to "five"

AMENDMENT NO. 5

On page 1, below line 20, add the following:
"B. No such certificate shall be issued until the owner of the public carrier vehicle shall first have filed with the duly designated authority of a municipality having a population in excess of fifty thousand or a parish having a population in excess of one hundred and twenty-five thousand in which such operation is permitted, a policy of liability insurance issued by an insurance company authorized to do business in this state. Said insurance policy shall provide for payment of a sum not less than twenty-five thousand dollars to satisfy all claims for damages by reason of bodily injury to, or death of, any one person resulting from any one accident, and, subject to said limit for one person, for payment of a sum not less than fifty thousand dollars to satisfy all claims for damages by reason of bodily injury to, or death of, two or more persons, resulting from any one accident, and for payment of a sum not less than twenty-five thousand dollars to satisfy all claims for damage to property resulting from any one accident, by reason of the ownership, operation, maintenance or use of such vehicle upon any street.

Section 2. The provisions of this Act shall become effective on July 1, 2010 and shall apply to policies issued or renewed on or after July 1, 2010."

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

**Senate Bills and Joint Resolutions
Returned from the House of Representatives
with Amendments**

SENATE BILL NO. 24—

BY SENATOR AMEDEE
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Engrossed Senate Bill No. 24 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 3, after "two" delete "at large"

AMENDMENT NO. 2

On page 1, delete line 12 in its entirety and insert in lieu thereof the following: "districts. Two members shall be appointed at large by the governor. Two members shall be appointed from the following districts: one appointee from either the Fourth Congressional District or the Fifth Congressional District and one appointee

from either the First, Second, Third, Sixth, or Seventh Congressional District. Each"

Senator Amedee moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Morrell
Total - 2

The Chair declared the amendments proposed by the House were concurred in. Senator Amedee moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 29— BY SENATOR RISER

AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741.1 through 1741.5, relative to caller ID spoofing; to provide for short title; to provide for definitions; to provide for violations of the Louisiana Consumer Protection Act; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 29 by Senator Riser

AMENDMENT NO. 1

On page 2, line 18, after "call" and before the comma "," insert "using a telephone number that is currently assigned to another telephone user, whether an individual or a business"

AMENDMENT NO. 2

On page 2, at the beginning of line 27, change "1." to "(1)"

AMENDMENT NO. 3

On page 2, at the beginning of line 28, change "2." to "(2)"

AMENDMENT NO. 4

On page 3, delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"(3) Any federal intelligence or security agency.

(4) Any private investigator licensed by the state of Louisiana or any duly authorized process server that is used in connection with a civil, criminal, administrative, or arbitral

proceeding, including the service of process, investigation in anticipation of litigation, the execution or enforcement of judgments, or compliance with the orders of any court."

Senator Riser moved to concur in the amendments proposed by the House.

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 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

Heitmeier
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Riser moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 31— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 14:102.1, relative to offenses affecting public sensibility; to provide for the reclassification of certain acts as aggravated cruelty to an animal; to provide for penalties for unjustified causing of physical pain, suffering or death of an animal; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 31 by Senator Adley

AMENDMENT NO. 1

On page 2, between lines 13 and 17 insert:

"(i) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal."

AMENDMENT NO. 2

On page 3, line 4, after "who" delete the remainder of the line and insert "intentionally or with criminal negligence mistreats any living animal whether belonging to himself or another by any act or omission"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 31 by Senator Adley

AMENDMENT NO. 1

In the House Committee Amendments proposed by the House Committee on Administration of Criminal Justice, delete Amendment No. 1 and insert "On page 2, delete lines 14-17 and insert:

"(i) Mistreats any living animal by any act or omission where by unnecessary or unjustifiable physical pain, suffering or death is caused to or permitted upon the animal.

"(j) Causes or procures to be done by any person any act enumerated in this"

Senator Adley moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrish
Adley	Erdey	Mount
Alario	Gautreaux B	Murray
Amedee	Gray Evans	Nevers
Appel	Guillory	Quinn
Broome	Jackson	Riser
Cheek	Kostelka	Shaw
Claitor	Long	Smith
Crowe	Marionneaux	Thompson
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Gautreaux N	Heitmeier	Morrell
Hebert	LaFleur	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 41—

BY SENATORS DUPRE, N. GAUTREAU AND MORRISH
AN ACT

To amend and reenact R.S. 17:9(B) and 3367(B), R.S. 30:4(D)(1), (2) and (3), 83(G), 121(A), 123.1(A) and (C), 124, 126(A), 127(A), 127.1(B)(1), 128(A) and (B)(2), 131, 136(A)(1)(b) and (B)(1), (2) and (3), 136.1(A) and (B), 136.3(A) and (D), 137, 139, 141, 143(A), (D)(4), (5), (6), and (F), 144(A) (introductory paragraph) and (B), 148.1, 148.2(A)(introductory paragraph) and (B), 150(C)(1), 153, 154(C), 155, 156, 158, 159, 179.11, 179.12, 186, 187, 188(A) and (B), 208, 209 (introductory paragraph), (2) and (4)(b), (d) and (e)(introductory paragraph), 209.1(A) and (B)(1), 212(A), (D)(2) and (3), 213, 214, 215, 216(B) and (C)(4), and 804, R.S. 34:3108(E), 3478(E) and 3498(E), R.S. 36:353, 359(E) and 807, R.S. 39:14(1), R.S. 41:643(A), 1217.1(B), 1732(A) and (B) and 1733, R.S. 42:6.1(A)(6), R.S. 44:18, R.S. 56:30.3(B), 426(C), and 798(A)(1), (2)(b) and (c), relative to the Department of Natural Resources; to change the name of the State Mineral Board to the State Mineral and Energy Board; to change the name of the Mineral Resources Operation Fund to the Mineral and Energy Operation Fund; to provide for the dedication of monies in the fund; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 41 by Senator Dupre

AMENDMENT NO. 1

On page 12, line 3, following "and" and before ";" change "**validate**" to "validated"

AMENDMENT NO. 2

On page 15, line 10, following "than" and before "feet" change "19,999" to "**nineteen thousand nine hundred ninety-nine**"

AMENDMENT NO. 3

On page 15, line 11, following "R.S." change "**49:215.24**" to "49:214.24"

AMENDMENT NO. 4

On page 17, delete line 6

Senator Dupre moved to concur in the amendments proposed by the House.

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	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

Heitmeier
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 60—

BY SENATORS KOSTELKA AND THOMPSON
AN ACT

To amend and reenact Civil Code Article 3497, and to enact R.S. 3:4278.1(G) and 4278.2(G), relative to liberative prescription; to increase the prescriptive period for an action for damages for the harvesting of timber without the consent of the owner; to provide relative to an action for damages caused by the harvesting and sale of timber without the consent of the owner; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 60 by Senator Kostelka

June 15, 2009

AMENDMENT NO. 1

On page 1, line 15, change "caused by" to "for"

Senator Kostelka moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Kostelka moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 61—
BY SENATOR HEITMEIER

AN ACT

To enact Children's Code Article 837(I), relative to certain delinquency proceedings; to provide that the court, upon a showing of good cause, may authorize the Department of Health and Hospitals to use restraints on the person of a child during transport; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 61 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, delete line 10 in its entirety and insert the following: "(I) Subsequent to a finding that a child is incompetent to proceed pursuant to a felony charge, upon a showing of good cause that a child presents a danger of flight, the court may authorize the"

AMENDMENT NO. 2

On page 1, line 12, after "court," add the following: "Use of restraints pursuant to the provisions of this Section shall comply with the policy of the Department of Health and Hospitals on seclusion and restraints."

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senator Amedee in the Chair

SENATE BILL NO. 106—
BY SENATOR CHEEK

AN ACT

To enact R.S. 29:735.5, relative to civil liability of health care providers and health care personnel; to provide immunity for health care providers and health care personnel during a declared state of emergency who render or fail to render emergency care, health care services, first aid, ambulatory or mobile medical unit assistance, transportation or care delivery during evacuations of health care provider facilities, during repopulations of such facilities and during the sheltering of such facilities; to provide for definitions, terms, and conditions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 106 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 4, immediately after "emergency" insert a semicolon ";" and delete the remainder of the line and delete lines 5 through 7 in their entirety

AMENDMENT NO. 2

On page 1, at the beginning of line 8, before "provide" insert "to"

AMENDMENT NO. 3

On page 1, line 14, delete "or mobile medical unit"

AMENDMENT NO. 4

On page 1, line 15, change "assistance, transportation, or care delivery" to "assistance or transportation"

AMENDMENT NO. 5

On page 2, line 1, after "of" and before "an" insert "**and as a result of**" and delete "**care delivery**,"

AMENDMENT NO. 6

On page 2, at the end of line 2, delete "**care delivery**,"

AMENDMENT NO. 7

On page 2, at the end of line 3, change "**facility, during and**" to "**facility or care delivery provided during an evacuation, sheltering, or repopulation of a health care provider facility, during and as a result of**"

AMENDMENT NO. 8

On page 2, at the beginning of line 4, delete "**following**" and at the end of line 4, delete "**at the direction of military or**"

AMENDMENT NO. 9

On page 2, at the beginning of line 5, delete "**governmental authorities**"

AMENDMENT NO. 10

On page 2, line 6, after "**willful**" and before "**misconduct**" insert "**and wanton**"

AMENDMENT NO. 11

On page 2, line 8, after "**means**" delete the remainder of the line and insert "**the initial declaration of an emergency or disaster by the governor**"

AMENDMENT NO. 12

On page 2, line 9, after "**R.S. 29:724**" insert "**and for no more than one thirty-day renewal thereof**,"

AMENDMENT NO. 13

On page 2, line 11, after "**a**" and before "**governmental**" insert "**military or**"

AMENDMENT NO. 14

On page 2, line 12, after "**During**" and before "**a**" delete "**and following**"

AMENDMENT NO. 15

On page 2, line 13, after "**the**" and before "**declaration**" insert "**initial**"

AMENDMENT NO. 16

On page 2, line 15, after "**the**" and before "**declared**" insert "**initial**"

AMENDMENT NO. 17

On page 2, line 18, change "**40:1299.41(10)**" to "**40:1299.41(A)(10)**"

AMENDMENT NO. 18

On page 2, line 20, after "**facility**" delete the comma "," and delete "**or a mobile medical unit**,"

AMENDMENT NO. 19

On page 2, line 21, after "**law**" insert a comma "," and insert "**a mobile medical unit**,"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 106 by Senator Cheek

AMENDMENT NO. 1

In House Committee Amendment No. 12 proposed by the House Committee on Civil Law and Procedure, on line 3, following "**thereof**," insert "and change "**766**" to "**R.S. 29:766**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Reengrossed Senate Bill No. 106 by Senator Cheek

AMENDMENT NO. 1

In House Committee Amendment No. 7 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on June, 3, 2009, on line 19, delete "**and as a result of**"

AMENDMENT NO. 2

Delete House Committee Amendment Nos. 11, 12 and 13 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on June, 3, 2009.

AMENDMENT NO. 3

Delete Legislative Bureau Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on June 3, 2009.

AMENDMENT NO. 4

On page 2, delete lines 8 through 11 in their entirety and insert the following:

"(1) "**Declared state of emergency**" means the initial declaration of an emergency or disaster, and no more than one thirty-day renewal thereof, by the governor in accordance with R.S. 29:724 or 766 or by a parish president in accordance with R.S. 29:727 or by a military or governmental authority."

Senator Cheek moved to concur in the amendments proposed by the House.

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	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

Heitmeier
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Cheek moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 115—
BY SENATORS MARTINY AND BROOME
AN ACT

To enact Section 5 of Subpart A of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:89.6, relative to human-animal hybrids; to prohibit human-animal hybrids; to provide for criminal elements; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 115 by Senator Martiny

AMENDMENT NO. 1

On page 2, at the end of line 9, delete the period "." and add "or a nonhuman embryo into which a human cell or cells or the component parts thereof have been introduced."

AMENDMENT NO. 2

On page 2, after line 25, insert the following:

"E. Nothing in this Subpart shall be interpreted as prohibiting either of the following:

(1) Research involving the use of transgenic animal models containing human genes.

(2) Xenotransplantation of human organs, tissues, or cells into recipient animals other than animal embryos, if these do not meet the prohibitions of Subsection A or the definitions of Subsection D of this Section."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 115 by Senator Martiny

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice, on line 11, change "meet" to "violate"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice, on line 12, following "or" and before "the" insert "meet"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 115 by Senator Martiny

AMENDMENT NO. 1

Delete House Committee Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 4, 2009.

AMENDMENT NO. 2

Delete Amendments Nos. 1 and 2 proposed by the Legislature Bureau Amendments and adopted by the House of Representatives on June 10, 2009.

AMENDMENT NO. 3

On page 2, line after line 25, add the following:

"E. Nothing in this Subpart shall be interpreted as prohibiting either of the following if these do not violate the prohibitions of Subsection A or meet the definitions of Subsection D of this Section:

(1) Research involving the use of transgenic animal models containing human genes.

(2) Xenotransplantation of human organs, tissues or cells into recipient animals other than animal embryos."

Senator Martiny moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrish

Alario Gautreaux N Mount
Amedee Gray Evans Murray
Appel Guillory Nevers
Broome Hebert Quinn
Cheek Jackson Riser
Claitor Kostelka Shaw
Crowe LaFleur Smith
Donahue Long Thompson
Dorsey Marionneau Walsworth
Duplessis Martiny
Dupre McPherson

Total - 37

NAYS

Total - 0

ABSENT

Heitmeier Morrell

Total - 2

The Chair declared the amendments proposed by the House were concurred in. Senator Martiny moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 138

BY SENATOR WALSWORTH

AN ACT

To enact Subpart H-2 of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:237 through 237.13, relative to the conversion of mutual non-life insurers and mutual insurance holding companies; to provide definitions; to require a plan of reorganization; to provide with respect to consideration and dividend protections; to provide for approval by the commissioner of insurance after a public hearing; to provide with respect to approval by qualified voters; to provide limitations; to require the filing of a certificate of compliance; to provide for the effect of reorganization; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 138 by Senator Walsworth

AMENDMENT NO. 1

On page 3, at the beginning of line 27, delete "Chapter 2 of this Title" and insert "this Part, R.S. 22:111 et seq."

AMENDMENT NO. 2

On page 7, line 11, after "of" delete "reorganization." and insert "reorganization, as follows:"

AMENDMENT NO. 3

On page 8, line 9, after "and" delete "equitable." and insert "equitable, as follows:"

AMENDMENT NO. 4

On page 9, line 11, after "D." insert "(1)"

AMENDMENT NO. 5

On page 9, at the beginning of line 18, change "(1)" to "(2)"

AMENDMENT NO. 6

On page 9, at the beginning of line 28, change "(2)" to "(3)"

AMENDMENT NO. 7

On page 10, line 9, after "III of" delete "Chapter 2 of this Title," and insert "this Chapter,"

AMENDMENT NO. 8

On page 10, line 11, after "in" change "the" to "this"

AMENDMENT NO. 9

On page 10, line 27, after "reorganization" delete the remainder of the line, delete lines 28 and 29 in their entirety and insert a period "."

AMENDMENT NO. 10

On page 11, at the beginning of line 1, delete "has been filed with the commissioner."

AMENDMENT NO. 11

On page 11, at the end of line 4, insert the following: "The commissioner may promulgate procedures, rules, and regulations for the conduct of the public hearing."

AMENDMENT NO. 12

On page 11, line 10, after "to" change "R.S. 22:236.2." to "R.S. 22:237.4."

AMENDMENT NO. 13

On page 11, delete lines 16 through 19 in their entirety and insert the following:

"E.(1) An aggrieved party may appeal the commissioner's final order to the Nineteenth Judicial District Court within thirty days of the order. The aggrieved party may also apply for a stay of the commissioner's order."

AMENDMENT NO. 14

On page 11, at the beginning of line 20, change "(1)" to "(2)"

AMENDMENT NO. 15

On page 12, at the beginning of line 6, change "(2)" to "(3)"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 138 by Senator Walsworth

AMENDMENT NO. 1

On page 15, line 13, following "his" and before "regular" delete "usual"

Senator Walsworth moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Mount
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator Walsworth moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 140—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 30:2373(D) and to enact R.S. 30:2373(F), relative to certain hazardous materials; to provide a standard of care with respect to the handling or storing of a hazardous material; to provide for reimbursement of emergency response costs of a release of a hazardous material, waste, or substance; to provide for situations when reimbursement from certain funds are not applicable; to provide for penalties, terms, and conditions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 140 by Senator Riser

AMENDMENT NO. 1

On page 2, line 2, following "be" and before "." change "in violation of this Subsection" to "guilty of careless handling"

Senator Riser moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur
Total - 2	

The Chair declared the amendments proposed by the House were rejected. Senator Riser moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 143—

BY SENATORS AMEDEE AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 9:2603(B)(4)(b) and to enact R.S. 9:2603.1 and 2603.2, relative to electronic transactions; to provide for the authorization and utilization of electronic applications for warrants and for electronic signatures; to

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provide for the electronic approval of such applications; to provide for processing of warrant applications, approvals of applications and documented returns of completed warrants for the judicial branch of state government; to provide for the authorization and utilization of electronic applications for testimony transcripts and electronic signatures; to provide for certification of testimony transcripts with electronic signatures; and to provide for related matters.

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

SENATE BILL NO. 146—

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

AN ACT

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

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

Senator Broome in the Chair

SENATE BILL NO. 166—

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

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 166 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 4, after "crime;" and before "to" insert "to provide for an exception;"

AMENDMENT NO. 2

On page 1, at the end of line 12, add the following: **"It shall not be a violation of the provisions of this Section when a person operates a motor vehicle to obtain emergency medical care for himself or any other person."**

AMENDMENT NO. 3

On page 1, line 14, change "**thirty**" to "**fifteen**"

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Gautreaux N	Heitmeier	LaFleur
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 175—

BY SENATORS MICHOT AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:781(5), (6), and (19), 782, 783(A), (F)(1), (2), and (8), and (I), 784(B) and (C), 785(C)(1), (D), and (E), 787, 789, 790(A) and (C), 802(A), 1251, 1252(2)(introductory paragraph), (a), and (c), (4), (8), (9), (12), (13), (16), (17), (19), (21), (23)(a), (b)(iv), and (c), (24), (25), (26), (27), (29), (33), (34), (35), (36)(a) and (b)(vi), and (37), 1253(A)(introductory paragraph), (1)(introductory paragraph), and (2), (3)(a) and (b), and (E), 1254(A)(6), (B)(2), (C)(9), (D)(4) and (7), (E)(introductory sentence), (E)(1), (2), (3), (4)(a), (5), (7), (8), (9), (10)(a), and (11), (F)(4), and (N), 1255(A)(2), 1256, 1261(1)(a)(introductory paragraph), (1)(a)(iv) and (v), and (o), (q) and (t), and (6)(a), 1265, and 1268, to enact R.S. 32:1252 (39) through (50), 1254(A)(18) and (19), (D)(6)(c), 1257.1, 1258(A)(10), 1261(7), 1261.1, 1261.2, 1262(A)(5), 1268.1 and 1268.2, and to repeal R.S. 32:781(1) through (4), (9) through (18), (22) through (25), and (28), 783(F)(7) and (10), 784(A)(5) through (8), and Part IV of Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:811 through 822, relative to the distribution and sale of motor vehicles; to provide for changes in definitions within the Recreational and Used Motor Vehicle Commission and the Motor Vehicle Commission; to provide for changes to the jurisdiction and authority of the Recreational and Used Motor Vehicle Commission and the Motor Vehicle Commission; to provide for changes to the membership of the Used Motor Vehicle Commission and the Motor Vehicle Commission; to transfer authority over recreational products from the Recreational and Used Motor Vehicle Commission to the Motor Vehicle Commission; to provide for unauthorized acts of a manufacturer, distributor, wholesaler, distributor branch, factory branch, or converter; to provide for acts of a motor vehicle dealer or specialty dealer; to provide for violations; to provide for indemnification of franchised dealers; to provide for payments to dealers; to provide for penalties; to provide for repurchase upon termination of a franchise; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 175 by Senator Michot

AMENDMENT NO. 1

On page 15, at the end of line 26, after "**trailers.**" insert "**""All-terrain vehicle" shall not include golf carts.**"

AMENDMENT NO. 2

On page 32, line 23, delete "**(i)**"

AMENDMENT NO. 3

On page 33, line 3, after "control." insert "**This Subparagraph shall not apply to recreational product manufacturers.**"

AMENDMENT NO. 4

On page 33, delete lines 4 through 20 in their entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 175 by Senator Michot

AMENDMENT NO. 1

On page 9, line 29, following "dealer **or**" and before ", or bona fide" change "**recreational product**" to "**recreational products dealer**"

AMENDMENT NO. 2

On page 10, line 13, following "**dealer**" and before "**an**" change "**has**" to "**had**"

AMENDMENT NO. 3

On page 22, line 2, following "**distributors.**" and before "**wholesalers**" delete "**or**"

AMENDMENT NO. 4

On page 22, line 2, following "**factory branches**" and before "**distributor**" change "**and**" to "**, or**"

AMENDMENT NO. 5

On page 35, line 5, following "**vehicles**" change "**parties**" to "**parts**"

AMENDMENT NO. 6

On page 36, line 1, following "Subsection A" insert "**of this Section**"

AMENDMENT NO. 7

On page 39, line 5, following "**an**" delete "**affiliated**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 175 by Senator Michot

AMENDMENT NO. 1

On page 35, at the end of line 12, delete "**earned**" and at the beginning of line 13, delete "**by the dealer**" and insert in lieu thereof "**of completion of the transactions or submissions of the claims giving rise to the payments to the dealers**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Reengrossed Senate Bill No. 175 by Senator Michot

AMENDMENT NO. 1

On page 4, at the beginning of line 5, change "**eight**" to "**ten**"

AMENDMENT NO. 2

On page 4, delete lines 8 and 9 in their entirety and insert in lieu thereof the following: "shall be a licensed automotive dismantler or parts recycler, three members shall be consumers selected from the state at large, ~~one~~"

Senator Michot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N

Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 177—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 22:14(B), 16, 18(A), 33(A)(introductory paragraph), 35(C), 72(B), 88(E), (I), and (O), 236.4(C) and (E), 255, 259, 264, 267(D), 310, 337(B), 369, 371, 389, 391, 457(C), 584(D)(1)(b), 588(A)(1), 590(B), 595, 613(A)(3), (C)(2), and (D)(3)(b), 614(A)(9) and (C)(2), 615(A)(5), 616(A)(3), 634(A)(3), (C)(2), and (D)(2), 635(A)(3), (7), and (9) and (C)(2), 636(A)(3) and (5), 637(A)(introductory paragraph) and (A)(3), 638(introductory paragraph), 656(B), 661, 674(A)(3) and (B), 694(D)(1)(introductory paragraph), 709(A), (B), and (C), 731(D), 732(A) and (C), 821(G), 833(C)(3), 855(E)(1), 972(A) and (B), 974, 1071(C)(3)(d), 1141, 1143(A)(introductory paragraph) and (B)(introductory paragraph), 1211(B), 1451(E), 1453(A)(1), 1465(A)(3)(a), (B), and (C), 1466(A), (B), (D), and (E), 1469(A), 1470(B), 1471(C), 1529(A), 1546(B)(1)(d), 1547(G), 1549(G), 1550(G), 1554(B), (C), and (D), 1559(G), 1571(H), 1627(A)(introductory paragraph), 1671(C), 1672(B) and (C), 1699(B), 1700(C), (D), and (E), 1731(A)(introductory paragraph), 1793(C), 1837(A)(introductory paragraph) and (B)(introductory paragraph), 1860(A)(introductory paragraph) and (B)(introductory paragraph), 1968, 1969, 1970, 1995(B), 2060(B)(2), 2090(B), 2147(A)(2), 2191, 2193, 2194, 2198, 2204, 2205, 2206, 2208, 2242(C)(3), Article VIII(4)(a) of R.S. 22:2381, and R.S. 22:2401, to enact R.S. 22:33(D), 588(C), 694(D)(4), 709(E), 731(F), 833(D), 1143(D), 1211(C), 1453(D), 1471(E), 1472(C), 1529(C), 1549(K), 1550(K), 1837(C), 1860(C), 2060(C), and 2422(C), and to repeal R.S. 22:2192, 2196, and 2199 through 2203, relative to the Department of Insurance; to provide with respect to administrative hearings for that department held by the Division of Administrative Law; to provide for public hearings held by that department; to make certain technical changes; and to provide for related matters.

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

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SENATE BILL NO. 188—

BY SENATORS ALARIO, APPEL, MARTINY AND MORRELL AND REPRESENTATIVES GIROD JACKSON, LABRUZZO AND TEMPLET AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Connick to Engrossed Senate Bill No. 188 by Senator Alario

AMENDMENT NO. 1

On page 2, line 6, after "protection" delete the remainder of the line and insert a period "."

AMENDMENT NO. 2

On page 2, delete lines 7 through 9 in their entirety and insert the following: "Of this amount, a one time expenditure not to exceed one million dollars shall be authorized to provide for construction, repairs, or rehabilitation of a storm-damaged properties for the towns of Grand Isle and Lafitte."

Senator Alario moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux B, Michot, Adley, Gray Evans, Morrell, Alario, Guillory, Morrish, Amedee, Hebert, Mount, Appel, Heitmeier, Murray, Cheek, Jackson, Nevers, Claitor, Kostelka, Quinn, Crowe, LaFleur, Riser, Donahue, Long, Shaw, Dorsey, Marionneaux, Smith, Dupre, Martiny, Thompson, Erdey, McPherson, Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Broome, Duplessis, Gautreaux N

Total - 3

The Chair declared the amendments proposed by the House were concurred in. Senator Alario moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 189—

BY SENATOR ALARIO AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 189 by Senator Alario

AMENDMENT NO. 1

On page 1, line 16, change "shall" to "may"

Senator Alario moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, McPherson, Adley, Gautreaux B, Michot, Alario, Gautreaux N, Morrell, Amedee, Gray Evans, Morrish, Appel, Guillory, Mount, Broome, Hebert, Murray, Cheek, Heitmeier, Nevers, Claitor, Jackson, Quinn, Crowe, Kostelka, Riser, Donahue, LaFleur, Shaw, Dorsey, Long, Smith, Duplessis, Marionneaux, Thompson, Dupre, Martiny, Walsworth

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Alario moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 230—

BY SENATOR SHAW AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Michael Jackson to Reengrossed Senate Bill No. 230 by Senator Shaw

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 46:236.1.11(A)" delete "and (C)" and on line 12, change "and (C) are" to "is"

AMENDMENT NO. 2

On page 1, lines 5 and 6, after "information" delete "and penalties for intentional or willful unauthorized disclosure"

AMENDMENT NO. 3

On page 3, delete lines 9 through 20 in their entirety

Senator Shaw moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Shaw moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 244—

BY SENATOR MOUNT

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 244 by Senator Mount

AMENDMENT NO. 1

On page 1, line 9, delete ", hurricane flood protection,"

AMENDMENT NO. 2

On page 1, line 12, delete ", hurricane flood protection,"

AMENDMENT NO. 3

On page 2, line 4, delete ", hurricane flood protection,"

AMENDMENT NO. 4

On page 2, line 13, delete ", hurricane flood protection,"

AMENDMENT NO. 5

On page 2, line 16, delete ", hurricane flood protection,"

AMENDMENT NO. 6

On page 2, line 18, delete ", hurricane flood" and on page 2, line 19, delete "protection,"

Senator Mount moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Mount moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 294—

BY SENATOR NEVERS

AN ACT

To amend and reenact Code of Criminal Procedure Article 644(A) and (D)(1) and 905.5.1(F), R.S. 9:2800.2(A), R.S. 15:560.2(B)(1), R.S. 17:7.1(D), R.S. 22:998(A) and (C), and 1043(A)(4), R.S. 23:1371.1(2), R.S. 28:2(12.1) and (22)(b), 51.1(A)(2)(a) and 221(10), R.S. 37:1744(A)(2), 1745(A)(2), 1745.14(C)(4), 2360(A)(1), (2) and (3), 2365(A) and (B), and 3386.1(15)(b), R.S. 40:1098.2(5)(b) and 2114(B), and R.S. 44:4(29) and to enact Part VI of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1360.51 through 1360.72 and R.S. 37:2356.1, and to repeal Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2371 through 2378, relative to medical psychologists; to transfer the regulation of medical psychologists from the State Board of Examiners of Psychologists to the Louisiana State Board of Medical Examiners; to provide for definitions; to provide for powers and duties of the Louisiana State Board of Medical Examiners; to provide for licensure; to provide for a certificate of advanced practice; to provide for standards of practice; to create the Medical Psychology Advisory Committee; to provide for privileged communications; to provide for continuing medical education; to provide for violations and penalties; to provide for orders to nurses; to provide for transfer of files; to direct the Louisiana State Law Institute to make certain language corrections to current law; to provide for rules and regulations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 294 by Senator Nevers

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AMENDMENT NO. 1

On page 22, line 19, change "and/or" to "and"

AMENDMENT NO. 2

On page 23, lines 2 and 4, following "Medical" change "Psychology" to "Psychologists"

AMENDMENT NO. 3

On page 24, line 5, following "Where" change "such" to "the"

AMENDMENT NO. 4

On page 25, line 2, following "annually" delete "also"

AMENDMENT NO. 5

On page 28, line 24, following "which" and before "enters" change "the court" to "a court of competent jurisdiction"

AMENDMENT NO. 6

On page 29, line 21, following "event" change "such" to "the"

AMENDMENT NO. 7

On page 30, line 15, following "fees" change "besides the costs of court" to "in addition to court costs"

AMENDMENT NO. 8

On page 30, line 16, following "and" insert "court"

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 299—

BY SENATORS DUPLESSIS AND MICHOT AND REPRESENTATIVE ROSALIND JONES

AN ACT

To enact Chapter 3-D of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:296, relative to the Healthy Food Retail Act; to provide for a financing program to stimulate investment in healthy food retail outlets in underserved areas of Louisiana; to provide for administration of the program; to provide for eligible projects and uses for funding; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 299 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 15, following "people" and before "face" insert "particularly low-income families, children, and the elderly,"

AMENDMENT NO. 2

On page 1, line 16, following "diet" and before "," delete "particularly low-income families, children and the elderly"

Senator Duplessis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Duplessis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 301—

BY SENATORS DUPRE AND THOMPSON
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 301 by Senator Dupre

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 16, following "obtain" and before "or" insert "1"

AMENDMENT NO. 3

On page 2, lines 1, 3 and 7, following "obtain" and before "or" insert "1"

AMENDMENT NO. 4

On page 2, line 15, following "or" change "federally funded" to "federally-funded"

Senator Dupre moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and NAYS. Lists names like Mr. President, Erdey, McPherson, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name and ABSENT. Lists Quinn and Smith.

The Chair declared the amendments proposed by the House were rejected. Senator Dupre moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 318— BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 22:2081, 2083 (B)(2)(d)(i), (C)(2)(b) and (c), and (D), 2084(8)(f) and (g), the introductory paragraph of 2086(A), 2086(A)(2), (3) and (6) and (D), 2087(G), (L) and (N)(5), 2088(C)(1), (D) and (E)(1), 2090(D), 2092(A), 2093(C) and (E)(3) and (5), 2097, and 2098(A) and to enact R.S. 22:2083(B)(2)(h) and (i), 2084(8)(h), 2087(M)(4) and (5) and (P), 2088(I) and (J) and 2089(C)(8) and (9), relative to the Louisiana Life and Health Insurance Guaranty Association Law; to provide for coverage limitations of the association; to provide for benefit limitations of the association; to provide for definitions; to provide for the membership of the board of directors; to provide for the powers and duties of the association; to provide for venue; to provide for assessments of member insurers; to provide for protests of assessments; to provide for the plan of operation of the association; to provide for premium tax liability offsets for assessments paid; to provide for a stay of proceedings against insolvent insurers; to provide for prohibited advertising; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 318 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 22, delete " * * * "

AMENDMENT NO. 2

On page 4, line 19, following "director" and before "or" insert "1"

AMENDMENT NO. 3

On page 6, line 20, following "to" change "give" to "furnish"

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 318 by Senator Quinn

AMENDMENT NO. 1

On page 3, at the beginning of line 8, insert "(i)"

Senator Hebert moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and NAYS. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name and ABSENT. Lists Kostelka.

The Chair declared the amendments proposed by the House were concurred in. Senator Hebert moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 333—

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

AN ACT

To enact R.S. 33:9038.63, relative to cooperative development in East Baton Rouge Parish; to create the Bluebonnet Convention Hotel Taxing District as a special taxing and tax increment financing district in East Baton Rouge Parish; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body; to levy and collect a tax upon hotel occupancy and food and beverage not intended for home consumption within the district and to engage in tax increment financing; and to provide for related matters.

June 15, 2009

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 333 by Senator Broome

AMENDMENT NO. 1

On page 7, line 14, following "other" and before "on" change "tax" to "taxes"

Senator Broome moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray Evans, Murray, Appel, Guillory, Nevers, Broome, Hebert, Quinn, Cheek, Heitmeier, Riser, Claitor, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson, Dupre, Michot. Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Jackson, Kostelka. Total - 2

The Chair declared the amendments proposed by the House were concurred in. Senator Broome moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 60—

BY REPRESENTATIVE PERRY

AN ACT

To amend and reenact R.S. 40:76(C)(introductory paragraph) and (3) and 79(C)(introductory paragraph) and to enact R.S. 40:76(D) and 79(E), relative to records of birth; to clarify that a single adoptive parent who adopts a child in another state or a foreign country may obtain a record of birth listing the adoptive parent's name; to clarify that the registrar of vital records may only issue a new record of birth to an adoptive parent or parents under certain circumstances; and to provide for related matters.

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

Senator Mount in the Chair

HOUSE BILL NO. 208—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 22:1282, relative to automobile liability insurance; to provide for prohibitions on limitations of coverage under certain circumstances; 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 Engrossed House Bill No. 208 by Representative Monica

AMENDMENT NO. 1

On page 1, line 13 after "potential recovery." insert the following: "The consumer shall be given the opportunity to purchase a lower coverage amount. The consumer must provide written admission of their option to purchase a lower coverage amount."

Senator N. Gautreaux moved adoption of the amendments.

Senator LaFleur objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Alario, Hebert, Smith, Donahue, Heitmeier, Walsworth, Gautreaux N, Riser. Total - 8

NAYS

Table with 3 columns: Mr. President, Dupre, Michot, Adley, Erdey, Morrish, Amedee, Gray Evans, Mount, Appel, Jackson, Murray, Broome, Kostelka, Nevers, Cheek, LaFleur, Quinn, Claitor, Long, Shaw, Dorsey, Marionneaux, Thompson, Duplessis, Martiny. Total - 26

ABSENT

Table with 3 columns: Crowe, Guillory, Morrell, Gautreaux B, McPherson. Total - 5

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Martiny, Adley, Erdey, Michot, Alario, Gautreaux B, 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. Total - 36

NAYS

Gautreaux N
Walsworth
Total - 2

ABSENT

McPherson
Total - 1

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

HOUSE BILL NO. 404—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:2, 3, 11, 12, 14(A)(introductory paragraph) and (4) and (B), 16, 18, 19, 21, 23(A), (B), (C), and (D)(2), 24, 31, 32(A)(1)(introductory paragraph) and (1)(f) and (j), (B), (C), and (E), 33(A)(introductory paragraph), 41(6) and (13), 43(B)(2), 46(1), (4), (5), (7), (8), (9)(b), (c), and (d), (11), (12), (13), and (15), 47(2), (3), (6), (8), (10)(b), (12), and (13)(a), 48(A), 61, 62(7) and (11), 63, 65(1)(c), 67(C), 68(C)(1), 69, 71, 72(C), 73, 81, 82(B), (C)(1)(a) and (b), and (D), 86, 88, 91, 94, 96(A), 111, 112(B) and (D), 116, 117, 119, 120(6), 124, 132(A), (B), and (D), 133, 135, 141, 142(C), 143(A)(4), 146(B), 148, 149, 150, 161(B), 165, 168, 171, 172, 175(introductory paragraph), 176, 177(B), 183, the title of Subpart G of Part I of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:191 through 194, 195(A) and (B)(1) and (2), 196, 197(A), 198 through 202, 204, 206, 208, 210(introductory paragraph), 211 through 215, 216(A) and (B), 236(11), 236.3(A), (B), and (D), 236.4(A), 242(3), (6), and (7), 243(D)(1) and (E)(3), 247, 249, 250(B), 252(C)(3) and (4), 254(C)(1), 255, 256(A), 260(A), 262(C), 266, 270(A), 272(F), 290(introductory paragraph) and (6), 310(A)(2), (B), and (D), 313, 331, 332(A)(4), 333(B) and (C), 337(A)(18) and (B), 340(A)(introductory paragraph), 347(D)(1), 361(4) and (5), 364(introductory paragraph) and (1), 365(A) and (C) through (F), 369(2) and (4), 371(A), 381(3), 384(introductory paragraph) and (1), 385(C), (D), and (E), 388.1, 393(A), 409, 413, 432, 433(A), 434, 435(B)(1)(a) and (b), (D), and (H)(1)(introductory paragraph) and (2), 436(A), (D)(2), and (G), 437, 438(A), 439(B) and (C), 440, 441(A)(3), (B), (C), and (D), 442(A), 443(A)(introductory paragraph) and (B), 445, the Title of Subpart P of Part I of Title 22 of the Louisiana Revised Statutes of 1950, 451, 453(A), 455, 456, 457, 460(B) and (C), 461(A), (F), (G), (H), and (I), 465, 466, 467, 469(A), 481, 482(3)(introductory paragraph) and (12)(g)(ii), 483(A), 484(B)(1) and (2), (D)(1) and (2)(introductory paragraph), (H), and (K), 485(introductory paragraph), 490, 491(A) and (C), 492, 493, 494, 498(B), 511(B), 512(5), (6), (7), (8), (14), (16), and (17)(b)(introductory paragraph), 513, 515(C)(1)(introductory paragraph) and (b), 517, 518, 519, 520(A)(introductory paragraph) and (7) and (B), 521(A)(introductory paragraph), (B), and (D), 522, 523, 524, 525, 526(A), 527, 528(1) and (2), 529, 530, 531(A), 532(A)(introductory paragraph), (1)(introductory paragraph) and (a) and (3)(b) and (B)(2), (3)(b), (d), and (k)(introductory paragraph) and (ii), 533, 534, 536(A)(introductory paragraph) and (2), (B), and (D), the Title of Part II of Chapter 2 of the Louisiana Revised Statutes of 1950, R.S. 22:551, 552(2), (4), and (5), 553, 554(A), (B), and (D), 555, and 556(A), (B), (C), and (D), 571, 572, 574(B)(1) and (D), 583, 584(A)(4), (5)(a)(i), (b)(introductory paragraph), and (h), (6), (9), (13), and (18)(b), (B), (D)(1)(b), (G)(2), (3), and (6), (L)(2), and (N), 586(B)(introductory paragraph), 588(A)(5), 589(A) and (B), 590(A), 593, 596, 598(introductory paragraph) and (8), 599(5), 601(F)(1), 611(4) and (11)(b), 613(A)(2) and (B)(1), 615(B), 616(B), 617(introductory paragraph), 618(A), 619(A), 620(C), 631(4) and (6), 634(A)(introductory paragraph) and (1), (B)(introductory paragraph) and (1) and (2), and (C)(1), 635(A)(introductory paragraph) and (1), (6)(b), and (8), (B)(introductory paragraph), and (C)(1), 636(A)(introductory paragraph) and (1) and (B), 637(A)(introductory paragraph) and (1) and (B), 638(2)(b) and (3), 651(D)(1), 654(A)(1), 661(B),

672, 673, 674(A)(3) and (B), 693(B)(2)(introductory paragraph), 694(D)(1)(introductory paragraph), 696(C), 699, 701, 703(A)(1)(b), 704(B)(2)(a)(introductory paragraph) and (b), 709(B), 710, 714, 715, 722, 723, 731(A)(3), 751(E)(introductory paragraph) and (F), 752(A), (B)(1), and (D)(1), 753(B)(1)(a), (b), (e), and (f), (2)(a)(introductory paragraph) and (ii), (iii), and (v), (3)(a), (b)(i) and (ii), (c)(introductory paragraph) and (iii), (d)(iii) and (iv), (4)(a)(introductory paragraph), (b), and (c), (6)(a), (8)(b), (9), and (10), 754, 763, 768, 769, 770, 771, 781(C), (I)(3), and (J), 791 through 796, 802, 809(A), 821, 831, 832(A) and (B), 833(A), (B), and (C)(1), 834(B)(1) and (2), 835(A) and (C), 838, 839, 840, 842, 844, 845, and 846(A) and (B); to enact R.S. 22:46(19), (20), and (21), 74, and 971.1; and to repeal R.S. 22:15, 22, 32(A)(1)(h), 49, 64(C), 65(5) and (7), 169, 246(D), 261, 435(B)(5), 454(E), 469(D), 487, 497, 554(E), 584(A)(16), 595, 724, 751(E)(5), 753(B)(2)(b), and Chapter 14 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 2271 through 2277; all relative to technical recodification of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 404 by Representative Kleckley

AMENDMENT NO. 1

On page 1, line 5, after "(5)," insert "(6)."

AMENDMENT NO. 2

On page 3, line 10, after "to" delete the remainder of the line

AMENDMENT NO. 3

On page 3, line 13, after "provisions;" insert "to provide for recodification of certain definitions and the applicability and effect thereof;"

AMENDMENT NO. 4

On page 3, line 19, after "(5)," insert "(6)."

AMENDMENT NO. 5

On page 19, line 12, delete the line of asterisks "*" * *" and insert the following:

"(6)(a) "Directive" means a written communication or order issued by or on behalf of the commissioner of insurance to a person whose activities are regulated by this Title, which instructs the person to act in conformance with this Title; or any rule or regulation adopted in accordance with the Administrative Procedure Act.

(b) Unless issued in response to a gubernatorially declared emergency or disaster, no directive, bulletin, advisory letter, or any other written communication relative to health insurance reimbursement shall subject any person to any civil, criminal, or administrative penalty unless such directive or any other written communication has been promulgated according to the rulemaking provisions of the Administrative Procedure Act."

AMENDMENT NO. 6

On page 210, between lines 7 and 8, insert the following:

"Section 3. (A) The provisions of R.S. 22:46(6) as amended and reenacted by this Act are curative and remedial and shall be applied both prospectively and retroactively from May 1, 2009, to August 15, 2010.

(B) Any directive, bulletin, advisory letter, or any other written communication relative to health insurance reimbursement which is issued or reissued from May 1, 2009, to August 15, 2010, that is not promulgated in accordance with the provisions of R.S. 22:46(6)(b) shall be null and void and of no effect."

June 15, 2009

AMENDMENT NO. 7

On page 210, line 8, after "Section" change "3." to "4."

AMENDMENT NO. 8

On page 210, after line 14, insert the following:

"Section 5. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Mount
Amedee	Hebert	Murray
Appel	Jackson	Nevers
Cheek	Kostelka	Quinn
Crowe	LaFleur	Riser
Dorsey	Long	Shaw
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Erdey	Michot	Walsworth
Gray Evans	Morrish	
Total - 29		

NAYS

Adley	Donahue	Marionneaux
Broome	Gautreaux B	Morrell
Claitor	Gautreaux N	
Total - 8		

ABSENT

Mr. President	Heitmeier
Total - 2	

The Chair declared the amended 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.

Mr. President in the Chair

HOUSE BILL NO. 162— BY REPRESENTATIVES SAM JONES AND CHAMPAGNE AN ACT

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

Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 162 by Representative Sam Jones

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 30:2000.13" and in lieu thereof insert "R.S. 56:796"

AMENDMENT NO. 2

On page 1, line 2, delete "R.S. 36:359(B)" and in lieu thereof insert "R.S. 36:610(F)"

AMENDMENT NO. 3

On page 1, line 3, delete "Department of Natural Resources" and in lieu thereof insert "Department of Wildlife and Fisheries"

AMENDMENT NO. 4

On page 1, line 8, delete "R.S. 30:2000.13" and in lieu thereof insert "R.S. 56:796"

AMENDMENT NO. 5

On page 1, line 9, delete "§2000.13." and in lieu thereof insert "§796."

AMENDMENT NO. 6

On page 3, line 7, after "compensation" insert a period "." and delete the rest of the line and delete lines 8 through 10 in their entirety.

AMENDMENT NO. 7

On page 3, between lines 10 and 11, insert the following:

"(6) The maximum expenditure of State funds for this commission shall be limited to two thousand dollars per year. Notwithstanding any other law or provision to the contrary, the board is authorized to receive by gift, grant, donation or otherwise, any sum of money, aid or assistance from the United States, the State of Louisiana, or any of the political subdivisions thereof, the Chitimacha Tribe, private entities, or any other private or public source, to provide additional funds for the purpose of carrying out the objects, purposes, operations, and activities of the board."

AMENDMENT NO. 8

On page 3, after line 28, insert the following:

"D. Unless otherwise extended by legislation, the authorization for the creation of the board shall terminate on December 31, 2019 and the board shall cease all functions and be dissolved as of that date."

AMENDMENT NO. 9

On page 4, line 1, delete "R.S. 36:359(B)" and in lieu thereof insert "R.S. 36:610(F)"

AMENDMENT NO. 10

On page 4, line 2, delete "§359." and in lieu thereof insert "§610."

AMENDMENT NO. 11

On page 4, line 2, delete "Department of Natural Resources" and in lieu thereof insert "Department of Wildlife and Fisheries"

AMENDMENT NO. 12

On page 4, line 4, change "B." to "E."

AMENDMENT NO. 13

On page 4, line 5, delete "R.S. 30:2000.13" and in lieu thereof insert "R.S. 56:796"

AMENDMENT NO. 14

On page 4, line 5, delete "Department of Natural Resources" and in lieu thereof insert "Department of Wildlife and Fisheries"

AMENDMENT NO. 15

On page 4, line 10, delete "Department of Natural Resources" and in lieu thereof insert "Department of Wildlife and Fisheries"

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	McPherson	Smith
Total - 3		

The Chair declared the amended 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.

Senator Hebert in the Chair

HOUSE BILL NO. 234—

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

AN ACT

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

Floor Amendments Sent Up

Senator Thompson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thompson to Reengrossed House Bill No. 234 by Representative Dove

AMENDMENT NO. 1

On page 1, line 10 after "Court" insert "or in the judicial district in which the permit was denied"

On motion of Senator Thompson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mout
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser

Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Guillory	LaFleur
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.

HOUSE BILL NO. 288—

BY REPRESENTATIVE HAZEL

AN ACT

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

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

HOUSE BILL NO. 349—

BY REPRESENTATIVE HAZEL

AN ACT

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

The bill was read by title. Senator McPherson 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	Mout
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

The Chair declared the 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.

June 15, 2009

HOUSE BILL NO. 410—
BY REPRESENTATIVE BOBBY BADON AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 56:116.1(C)(2)(a) and to enact R.S. 56:116.1(C)(2)(c), relative to nuisance quadrupeds; to provide for the taking of certain quadrupeds destroying crawfish on private ponds or such ponds; to provide relative to the firearms which may be used to take nuisance quadrupeds; and to provide for related matters.

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

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the 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.

HOUSE BILL NO. 423—
BY REPRESENTATIVE LAMBERT
AN ACT

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 423 by Representative Lambert

AMENDMENT NO. 1

On page 1, line 3, in between "Parish" and "within" insert "and Iberville Parish"

AMENDMENT NO. 2

On page 4, at the end of line 11, insert "The inland boundary shall also include all portions of Iberville Parish."

On motion of Senator Marionneaux, 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

Amedee Hebert Walsworth
Duplessis Marionneaux
Erdey Riser
Total - 7

NAYS

Adley Dupre McPherson
Alario Gautreaux B Michot
Appel Gautreaux N Morrish
Broome Gray Evans Mount
Cheek Jackson Murray
Claitor Kostelka Nevers
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Martiny Thompson
Total - 27

ABSENT

Mr. President Heitmeier Quinn
Guillory Morrell
Total - 5

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 453—
BY REPRESENTATIVE PUGH
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis McPherson
Alario Dupre Morrish
Appel Gautreaux B Mount
Broome Gray Evans Murray
Cheek Heitmeier Nevers
Claitor Jackson Thompson
Dorsey LaFleur
Total - 20

NAYS

Adley Hebert Morrell
Crowe Long Riser
Donahue Marionneaux Smith
Erdey Michot Walsworth
Total - 12

ABSENT

Amedee	Kostelka	Shaw
Gautreaux N	Martiny	
Guillory	Quinn	
Total - 7		

The Chair declared the bill, which requires a two-thirds vote, failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 504—

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gray Evans	Mount
Appel	Jackson	Nevers
Cheek	Kostelka	Quinn
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Duplessis	Martiny	Thompson
Dupre	Michot	
Gautreaux B	Morrish	
Total - 22		

NAYS

Mr. President	Erdey	Murray
Alario	Hebert	Riser
Broome	Heitmeier	Walsworth
Claitor	Marionneaux	
Dorsey	Morrell	
Total - 13		

ABSENT

Amedee	Guillory
Gautreaux N	McPherson
Total - 4	

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

HOUSE BILL NO. 604—

BY REPRESENTATIVE AUBERT
AN ACT

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

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

Mr. President in the Chair

HOUSE BILL NO. 612—

BY REPRESENTATIVES FANNIN, ANDERS, CHAMPAGNE, CHANDLER, CHANEY, ELLINGTON, GALLOT, GEYMAN, HOFFMANN, SAM JONES, LAMBERT, LEBAS, LEGER, LITTLE, MCVEA, MORRIS, NOWLIN, POPE, RITCHIE, GARY SMITH, JANE SMITH, AND ST. GERMAIN AND SENATORS KOSTELKA, LONG, RISER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:183.1, 183.2, and 183.3 and to repeal R.S. 17:183.4, 183.6, 183.7, 183.8, and 183.9, relative to curricula; to provide relative to high school career option programs; to provide relative to career major programs; to provide relative to a career diploma; to provide relative to program, course, and curriculum approval; to provide for waivers; to provide relative to program participation eligibility criteria; to provide relative to individual graduation plans; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Gray Evans sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gray Evans to Engrossed House Bill No. 612 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 2, between "183.3" and "and" insert ", to enact R.S. 17:183.10,"

AMENDMENT NO. 2

On page 1, line 7, between "plans;" and "to" insert "to provide for data collection and reporting requirements;"

AMENDMENT NO. 3

On page 1, line 10, between "reenacted" and "to" insert "and R.S. 17:183.10 is hereby enacted"

AMENDMENT NO. 4

On page 6, between lines 20 and 21, insert the following:

"* * *

§183.10. Data collection; reporting requirements

A. The Department of Education shall collect data on annual basis from each public school and school district regarding implementation of the career diploma program including the total number of students who pursue the career diploma option, the age, gender, and ethnicity of each such student, how each student scored on the 8th grade LEAP examination, and each career diploma student's academic progress.

B. Not later than January 15, 2013, the Department of Education shall submit a report to the Senate Committee on Education and the House Committee on Education regarding the status of the High School Career Option program and the career diploma option, which shall include all data collected pursuant to Subsection A of this Section and any recommendations for changes in the program the department deems necessary."

Senator Gray Evans moved adoption of the amendments.

Senator Kostelka objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Marionneaux
Adley	Gautreaux N	Martiny
Alario	Gray Evans	Morrell
Appel	Hebert	Murray
Broome	Heitmeier	Quinn
Cheek	Jackson	Shaw
Total - 18		

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NAYS

Claitor	LaFleur	Nevers
Donahue	Long	Riser
Dupre	McPherson	Smith
Erdey	Michot	Thompson
Gautreaux B	Morrish	Walsworth
Kostelka	Mount	
Total - 17		

ABSENT

Amedee	Duplessis
Crowe	Guillory
Total - 4	

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gray Evans
Total - 1

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrell
Amedee	Gray Evans	Morrish

Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

Senator N. Gautreaux in the Chair

HOUSE BILL NO. 636—
BY REPRESENTATIVE MONICA
AN ACT

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

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1
On page 1, line 2, after "(B)" insert ", 661.1(A),"

AMENDMENT NO. 2
On page 1, line 4, after "851.31(B)," insert "and to repeal R.S. 32:661.1(D),"

AMENDMENT NO. 3
On page 1, line 10, after "(B)" insert "and 661.1(A)"

AMENDMENT NO. 4
On page 3, between lines 20 and 21, insert:
"§661.1. Operating a watercraft under the influence of alcoholic beverages or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions

A.(1) Any person, regardless of age, who operates a motor powered watercraft upon the ~~public navigable waterways~~ waters of this state, as defined in R.S. 34:851.2, shall be deemed to have given consent, subject to the provisions of R.S. 32:662, to a chemical test or tests of his blood, breath, urine, or other bodily substance for the purpose of determining the alcoholic content of his blood and the presence of any abused substance or controlled dangerous substance as set forth in R.S. 40:964 in his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor powered watercraft, while believed to be under the influence of alcoholic beverages or any abused substance or controlled dangerous substance as set forth in R.S. 40:964.

(2) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person, regardless of age, to have been driving or in actual physical control of a motor powered watercraft upon the ~~public navigable waterways~~ waters of this state, as defined in R.S. 34:851.2, while under the influence of either alcoholic beverages or any abused substance or controlled dangerous substance as set forth in R.S. 40:964. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

* * *

AMENDMENT NO. 5

On page 4, line 9, after "667." insert "However, a restricted driver's license issued after suspension according to R.S. 32:414 or 667 shall be valid only as restricted, except that a functioning ignition interlock device shall not be required on the watercraft."

AMENDMENT NO. 6

On page 5, between lines 4 and 5, insert:
"Section 4. R.S. 32:661.1(D) is hereby repealed."

AMENDMENT NO. 7

On page 5, line 5, change "Section 4." to "Section 5."

Senator Dupre moved adoption of the amendments.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Claitor	Guillory	Mount
Duplessis	Marionneaux	Shaw
Dupre	Morrell	
Gray Evans	Morrish	
Total - 10		

NAYS

Adley	Heitmeier	Michot
Alario	Jackson	Murray
Cheek	Kostelka	Riser
Dorsey	LaFleur	Smith
Gautreaux B	Long	Thompson
Gautreaux N	Martiny	Walsworth
Hebert	McPherson	
Total - 20		

ABSENT

Mr. President	Broome	Erdey
Amedee	Crowe	Nevers
Appel	Donahue	Quinn
Total - 9		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Heitmeier	Nevers

Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Donahue	LaFleur	Smith
Dorsey	Long	Walsworth
Duplessis	Marionneaux	
Dupre	Martiny	
Total - 34		

NAYS

Hebert	McPherson
Total - 2	

ABSENT

Crowe	Quinn	Thompson
Total - 3		

The Chair declared the 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. 682—
BY REPRESENTATIVE CHANDLER
AN ACT

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

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

HOUSE BILL NO. 686—
BY REPRESENTATIVE CARMODY
AN ACT

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

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

HOUSE BILL NO. 821—
BY REPRESENTATIVES CARTER, HENRY BURNS, CHAMPAGNE, CORTEZ, FOIL, LITTLE, PUGH, ROBIDEAUX, SIMON, SMILEY, AND JANE SMITH AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

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

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

HOUSE BILL NO. 829—
BY REPRESENTATIVE CORTEZ
AN ACT

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

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office of conservation, Department of Natural Resources; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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, Thompson, Duplessis, Marionneaux, Walsworth, Dupre, Martiny. Total - 38

NAYS

Total - 0

ABSENT

Smith

Total - 1

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

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.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 320 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 5, after "exclusion;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 3, line 14, after "effective" delete the remainder of the line and delete lines 15 through 18 and insert the following: "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 Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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, Thompson, Duplessis, Marionneaux, Walsworth, Dupre, Martiny. Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 509 by Representative Leger

AMENDMENT NO. 1

On page 2, line 2, after "immediately the" insert "least quality of"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, McPherson, Adley, Gautreaux B, Michot, Alario, Gautreaux N, Morrell, Amedee, Gray Evans, Morrish, Appel, Guillory, Mount, Broome, Hebert, Murray, Cheek, Heitmeier, Nevers

Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Nevers	Smith
Total - 2	

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Total - 38; Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson; Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Claitor
Total - 1

ABSENT

Total - 0

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

HOUSE BILL NO. 756—

BY REPRESENTATIVE MONTOUCKET

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.

Floor Amendments Sent Up

Senator Thompson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thompson to Reengrossed House Bill No. 756 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 17, after "they are a" and before "farmer" delete "bonafide"

On motion of Senator Thompson, the amendments were adopted.

Floor Amendments Sent Up

Senator Riser sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Reengrossed House Bill No. 756 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" delete the remainder of the line and insert "305(D)(2) and 305.25(A)(introductory paragraph) and to enact R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4), relative to the sales and"

On page 1, line 3, after "equipment" insert "and certain meals"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 47:" delete the remainder of the line and on line 8, delete "reenacted" and insert "305(D)(2) and 305.25(A)(introductory paragraph) are hereby amended and reenacted and R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4) are hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:
"\$302. Imposition of tax

R. * * *
* * *

(3) Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision enacted during the 2004 First Extraordinary Session which makes any sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective from January 1, 1998.

\$305. Exclusions and exemptions from the tax

D. * * *
* * *

(2)(a) Sales of meals furnished to as follows:

(i) To the staff and students of educational institutions including kindergartens including, but not limited to kindergartens, if the meals are consumed on the premises where purchased, or if they are purchased in advance by students, faculty, or staff pursuant to a meal plan sponsored by the institution or organization or purchased in advance pursuant to any other payment arrangement sanctioned by the institution or organization and generally available to students, faculty, and staff of the institution or organization, regardless of where such meals are consumed;

(ii) To the staff and patients of hospitals.

(iii) To the staff, inmates, and patients of mental institutions.

and

(iv) To the boarders of rooming houses, and occasional

(v) Occasional meals furnished in connection with or by to the public in educational, religious, or medical organizations facilities;

(b) Except as provided for in Item (i) of this Paragraph, the furnishing of such meals shall be are exempt from the taxes imposed by this Chapter if the meals are consumed on the premises where purchased. However, sales by any of the above in facilities open to outsiders or to the general public are not exempt from the taxes imposed by taxing authorities.

* * *

AMENDMENT NO. 4

On page 1, after line 20, insert the following:

"\$321. Imposition of tax

H. * * *
* * *

(3) Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision enacted during the 2002 Regular Session which makes any sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective from January 1, 1998.

	*	*	*
§331. Imposition of tax	*	*	*
P.	*	*	*

(4) Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision enacted during the 2004 First Extraordinary Session which makes any sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective from January 1, 1998.

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Section 2. The provisions of this Act shall be retroactive; however, correctly computed taxes not paid under protest with suit filed for their recovery as required by law shall not be refunded.

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

On motion of Senator Riser, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 858 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 2, between "(B)(2)" and the comma "," insert ", and enact R.S. 47:6035, and to repeal R.S. 47:287.748"

AMENDMENT NO. 2

On page 1, line 3, delete "income"

AMENDMENT NO. 3

On page 1, line 6, between "circumstances;" and "and" insert "to provide a credit against state income and corporation franchise taxes for the employment of certain skilled craftsmen who have graduated from the Department of Public Safety and Corrections' inmate rehabilitation and workforce development program; to provide for the amount and use of the credit;"

AMENDMENT NO. 4

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

"Section 2. R.S. 47:6035 is hereby enacted to read as follows:

§6035. Tax credit for employment of skilled craftsmen graduates of the Department of Public Safety and Corrections' inmate rehabilitation and workforce development program

A. The intent of this Section is to foster success of the policies established by the Inmate Rehabilitation and Workforce Development Act by encouraging employers to retain skilled craftsmen who have graduated from the Department of Public Safety and Corrections' inmate rehabilitation and workforce development program.

B. Definitions. For purposes of this Section, the following words shall have the following meanings:

(1) "Full-time position" means employment in Louisiana with a work week of thirty hours or more.

(2) "Program" means the inmate rehabilitation and workforce development program operated by the Department of Public Safety and Corrections in accordance with the requirements of the Inmate Rehabilitation and Workforce Development Act, R.S. 15:1199.1, et seq.

(3) "Skilled craftsman" means a person who has completed training and certification or licensing in a skilled craft or an apprentice occupation as defined by the Louisiana Department of Labor which may include but is not limited to electrician, plumber, pipefitter, welder, millwright, heavy equipment operator, carpenter, heating, ventilation and air-conditioning technician, heavy construction, building construction, or machinist. Such person shall have graduated from the Department of Public Safety and Corrections' inmate rehabilitation and workforce development program, and have been released from incarceration within the preceding twenty-four months from date of employment, and have been employed by the taxpayer for at least six consecutive months in a full-time position.

B. Amount of credit. There shall be allowed a credit against any Louisiana income or corporation franchise taxes in the amount of one thousand dollars per skilled craftsman employed. Any such credit shall be taken as a credit against the applicable tax or taxes in the taxable year in which the skilled craftsman was employed in a full-time position for at least six months.

C. Use of credit. The utilization of this tax credit shall be in lieu of any other tax credit available related to employment of an individual skilled craftsman. The total of all such tax credits taken

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in a taxable year regardless of the number of individuals employed, and inclusive of any carry-over credits, shall not exceed the total tax liability for the year. Any amount of tax credit in excess of the total tax liability shall be treated as a carry-over credit and may be carried over for a maximum of five consecutive years following the taxable year in which the credit originated.

D. Rules. The Department of Revenue is authorized to promulgate any rules or regulations necessary to facilitate the implementation of this Section.

Section 3. R.S. 47:287.748 is hereby repealed in its entirety.

Section 4. Sections 2 and 3 of this Act shall be effective for taxable years beginning January 1, 2010.

Section 5. Sections 2, 3, 4, and 5 of this Act shall become effective January 1, 2010."

AMENDMENT NO. 5

On page 2, line 19, change "Section 2. The provisions" to "Section 6. Section 1"

AMENDMENT NO. 6

On page 2, line 21, change "Section 3. This" to "Section 7. Sections 1, 6, and 7 of this"

Senator Riser asked for a ruling from the Chair as to whether the amendments were germane to the bill.

The Chair ruled that the amendments were germane to the bill.

On motion of Senator Guillory, the amendments were adopted.

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

Rules Suspended

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

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

Called from the Calendar

Senator Guillory asked that House Bill No. 858 be called from the Calendar.

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.

On motion of Senator Guillory the bill, which was on Third Reading and Final Passage, Subject to Call, was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

Rules Suspended

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 15, 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. 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 without amendments.

SENATE CONCURRENT RESOLUTION NO. 126—

BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To commend Leonela "Dawn" Guzman for her commitment and leadership as the first president of the Legislative Youth Advisory Council and for her participation as a senior member.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 127—

BY SENATOR MOUNT AND REPRESENTATIVE GEYMAN

A CONCURRENT RESOLUTION

To recognize and commend Darrell Guidry, Jr., for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To express support of and to provide authority for actions by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (LSU) for the strategic collaboration between LSU and Our Lady of the Lake Regional Medical Center (OLOL), as well as seeking, considering, and evaluating other alternatives and strategies, in planning for a new model of health care delivery and medical education in the Baton Rouge region.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue	Quinn	Smith
Total - 3		

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 15, 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. 223—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 17:436(A)(2) and (E), relative to noncomplex health procedures performed by certain school employees; to change all references to "outside tracheostomy suctioning" to "tracheostomy suctioning"; and to provide for related matters.

HOUSE BILL NO. 317—
BY REPRESENTATIVE GREENE
A JOINT RESOLUTION

Proposing to amend Article VII, Section 2.2(B)(1) of the Constitution of Louisiana, to provide relative to sales and use tax exemption; to delete certain restrictions for the sales and use tax exemption for food for home consumption; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 409—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 47:6006(E), relative to tax credits; to provide relative to the tax credit for local inventory taxes paid; to authorize taxpayers to elect the treatment of certain ad valorem property taxes for purposes of the inventory tax credit; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 875—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 47:337.9(D)(25) and to enact R.S. 47:305.50(F), relative to state and local sales and use tax; to provide for the taxation of certain railroad ties; to provide an exemption for certain railroad ties; to provide for limitations; and to provide for related matters.

HOUSE BILL NO. 798—
BY REPRESENTATIVES CARTER, BALDONE, HONEY, RICHMOND, RITCHIE, AND GARY SMITH
AN ACT

To amend and reenact R.S. 47:6034, relative to tax credits; to provide relative to the musical and theatrical production income tax credit; to provide for certain definitions; to provide relative to the application for tax credits for state-certified productions; to provide relative to the application for tax credits for state-certified musical or theatrical facility infrastructure projects; to authorize the collection of application fees; to provide for the amount of the fee and the disposition of the monies collected from the fee; to create the Entertainment Promotion and Marketing Fund; to provide relative to the use of the monies in the fund; to provide relative to the promulgation of rules and regulations; to provide relative to display of the state's logo under certain circumstances; to provide for an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions on First Reading

Senator Mount 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. 223—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 17:436(A)(2) and (E), relative to noncomplex health procedures performed by certain school employees; to change all references to "outside tracheostomy suctioning" to "tracheostomy suctioning"; 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. 317—
BY REPRESENTATIVE GREENE
A JOINT RESOLUTION

Proposing to amend Article VII, Section 2.2(B)(1) of the Constitution of Louisiana, to provide relative to sales and use tax exemption; to delete certain restrictions for the sales and use tax exemption for food for home consumption; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 409—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 47:6006(E), relative to tax credits; to provide relative to the tax credit for local inventory taxes paid; to authorize taxpayers to elect the treatment of certain ad valorem property taxes for purposes of the inventory tax credit; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

June 15, 2009

HOUSE BILL NO. 798—
BY REPRESENTATIVES CARTER, BALDONE, HONEY, RICHMOND,
RITCHIE, AND GARY SMITH

AN ACT

To amend and reenact R.S. 47:6034, relative to tax credits; to provide
relative to the musical and theatrical production income tax
credit; to provide for certain definitions; to provide relative to
the application for tax credits for state-certified productions; to
provide relative to the application for tax credits for state-
certified musical or theatrical facility infrastructure projects; to
authorize the collection of application fees; to provide for the
amount of the fee and the disposition of the monies collected
from the fee; to create the Entertainment Promotion and
Marketing Fund; to provide relative to the use of the monies in
the fund; to provide relative to the promulgation of rules and
regulations; to provide relative to display of the state's logo
under certain circumstances; to provide for an effective date;
and to provide for related matters.

The bill was read by title and referred by the President to the
Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 875—
BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 47:337.9(D)(25) and to enact R.S.
47:305.50(F), relative to state and local sales and use tax; to
provide for the taxation of certain railroad ties; to provide an
exemption for certain railroad ties; to provide for limitations;
and to provide for related matters.

The bill was read by title and referred by the President to the
Committee on Revenue and Fiscal Affairs.

House Bills and Joint Resolutions on
Second Reading

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 referred by the President to the
Committee on Revenue and Fiscal Affairs.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON
RETIREMENT

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

June 15, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 421—
BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 11:1481(1)(a)(iii)(aa), relative to the
Louisiana Assessors' Retirement Fund; to provide relative to
required remittances due the fund; to provide relative to
collection procedures for such required remittances; to provide
an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 759—
BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND,
RITCHIE, AND JANE SMITH

AN ACT

To enact R.S. 47:6035, relative to state tax credits; to establish the
Venture Fund Tax Credit Program; to authorize Louisiana
public retirement systems and plans to participate in the
program; to provide for the participation of Louisiana university
endowments in the program; to provide for certain tax benefits
for such systems, plans, and endowments; to provide for
definitions; to require reporting; to authorize rulemaking; and to
provide for related matters.

Reported with amendments.

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

Message to the Governor

SIGNED SENATE BILLS

June 12, 2009

To the Honorable Governor of the State of Louisiana:

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

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.

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.

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.

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.

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.

SENATE BILL NO. 4—
BY SENATOR AMEDEE

AN ACT

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

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.

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.

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.

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.

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.

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. GAUTREAUX, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, LONG, MARIONNEAUX, 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, BARROW, BILLIOT, BROSSETT, 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, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, MORALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUTCET, 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.

and they are hereby presented for executive approval on June 12, 2009.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 14, 2009

To the Honorable President and Members of the Senate:

June 15, 2009

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. 1—
BY REPRESENTATIVE FANNIN
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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 Bill contained herein was signed by the President of the Senate on June 14, 2009.

**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 15, 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. 113—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To commend US Airways and Doug Parker for their commitment to Louisiana Honor Air.

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.

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.

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.

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.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 124—
BY SENATOR CHAISSON AND REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION
To commend C.H. "Sonny" Savoie of St. Charles Parish upon being named president of the National School Boards Association.

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR MICHOT AND REPRESENTATIVE ROBIDEAUX
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.

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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 15, 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. 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.

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 of the Legislature.

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.

HOUSE CONCURRENT RESOLUTION NO. 197—

BY REPRESENTATIVES CORTEZ, MILLS, AND BARRAS AND SENATOR HEBERT

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 198—

BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 199—

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

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

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

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.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVES RICHARDSON AND ST. GERMAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the possibility of requiring all persons aboard a vessel to wear a personal flotation device.

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVES DANAHAY, BALDONE, BARRAS, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HARRISON, HENRY, LABRUZZO, LIGI, NOWLIN, PEARSON, RICHARD, SCHRODER, TALBOT, 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.

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.

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE HINES AND SENATOR GRAY EVANS

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE HINES AND SENATOR GRAY EVANS

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.

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

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE HINES AND SENATOR GRAY EVANS

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 the 2010 Regular Session of the Legislature.

June 15, 2009

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 15, 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. 96—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:247, 446(A)(6), and 783(A)(4), relative to state and statewide retirement systems; to provide relative to cost-of-living adjustments; to permit the selection of a retirement option that would provide for automatic cost-of-living adjustments subject to an actuarial reduction of benefits; and to provide for related matters.

HOUSE BILL NO. 176—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 17:270(A) and R.S. 32:402.1(D), relative to the driver education and training program for children operated by the State Board of Elementary and Secondary Education and the state Department of Education; to permit a child who is in at least the ninth grade and is less than fifteen years of age to participate in the classroom instruction component of the program; to provide an effective date; and to provide for related matters.

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.

HOUSE BILL NO. 449—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 37:1049(introductory paragraph) and (3), 1051(C)(1) and (3), 1052, 1063.1(C)(introductory paragraph), and 1064, and to enact R.S. 37:1048(6)(c), and 1049(7), relative to the practice of optometry; to provide for the expansion of the regulatory authority of the Louisiana State Board of Optometry Examiners; to provide for the modification of certain qualifications and requirements of applicants seeking to practice optometry; to name a certain examination that tests an applicant's knowledge of the treatment and management of ocular disease; to change the entity giving the treatment and management of ocular disease examination; to require the payment of fees within a certain period of time for certification to practice optometry; to provide for enforcement procedures; to authorize the practice of therapeutic optometry; and to provide for related matters.

HOUSE BILL NO. 462—
BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 15:827.1(B)(5), (C)(1) and (2)(a), and (E) and to enact R.S. 15:827.1(F), relative to the reentry preparation program of the Department of Public Safety and Corrections; to provide technical changes to the law regarding reentry programs; to authorize the development of entrepreneurial education curriculum for eligible offenders; to provide for criteria for the program; to provide for eligibility of offenders to participate in the program; to provide for the adoption of rules and regulations regarding the program; and to provide for related matters.

HOUSE BILL NO. 512—
BY REPRESENTATIVE GUINN
AN ACT

To enact R.S. 40:1846(I), relative to the authority of the Liquefied Petroleum Gas Commission; to provide for rules and regulations during a governor's declared emergency or disaster; to provide for the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 528—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.791 through 130.800, relative to economic development in LaSalle Parish; to create and provide for the Olla, Urania, Tullos, Standard Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; and to provide for related matters.

HOUSE BILL NO. 561—
BY REPRESENTATIVE POPE AND SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:105(A), 106(A), and 107(A) and to enact R.S. 11:107.1, relative to the authority of boards of trustees of statewide retirement systems or funds; to provide relative to employer contributions; to establish funding deposit accounts; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 588—
BY REPRESENTATIVE LANDRY AND SENATORS DORSEY AND GUILLORY
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.

HOUSE BILL NO. 855—
BY REPRESENTATIVE HENDERSON AND SENATOR WALSWORTH
AN ACT

To amend and reenact R.S. 32:71(B)(1) and to enact R.S. 32:71(C), (D), and (E), relative to multilane highways; to restrict vehicles to driving in the left-hand lane on multilane highways; to provide for a restriction regarding the speed of a vehicle traveling in a left-hand lane; and to provide for related matters.

HOUSE BILL NO. 148—
BY REPRESENTATIVES STIAES, ABRAMSON, EDWARDS, ERNST, HARDY, LEGER, RICHMOND, AND WHITE
AN ACT

To amend and reenact Sections 23(C) and (D) and to enact Section 23(E) of Act No. 621 of the 2006 Regular Session of the Legislature as amended by Act No. 873 of the 2008 Regular Session of the Legislature, relative to the consolidation of the offices of the civil and criminal sheriffs in Orleans Parish; to provide for consolidation of the offices in 2010; and to provide for related matters.

HOUSE BILL NO. 160—BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 33:441.15 and to enact R.S. 33:441.32, relative to mayors' courts; to provide for the appointment of magistrates for the mayor's court for the city of DeQuincy; to provide that the mayor of the city of DeQuincy may appoint one or more attorneys to preside as magistrate; to establish a mayor's court in the village of Ida; to provide for territorial jurisdiction of the court; to provide for powers and authority of the magistrate of the court and court officers; to provide relative to subject matter jurisdiction of the court; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 207—BY REPRESENTATIVE LEBAS
AN ACT

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

HOUSE BILL NO. 333—BY REPRESENTATIVES KLECKLEY, ANDERS, ARMES, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, CROMER, EDWARDS, FOIL, GISCLAIR, MICKEY GULLORY, HARDY, HARRISON, HAZEL, HENDERSON, HILL, HOFFMANN, HUTTER, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, LANDRY, LIGI, LOPINTO, MCVEA, MILLS, MONICA, PEARSON, PERRY, POPE, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROY, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS BROOME, DUPRE, HEBERT, MORRISH, QUINN, AND THOMPSON
AN ACT

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

HOUSE BILL NO. 359—BY REPRESENTATIVES LOPINTO AND WOOTON
AN ACT

To amend and reenact R.S. 16:516(A) and (D) and to enact R.S. 16:516(E), relative to district attorneys; to provide for the payment of group health insurance premiums from the district attorney's general fund in the Twenty-Fifth and the Twenty-Third Judicial Districts; to establish criteria for eligibility; to provide for application; and to provide for related matters.

HOUSE BILL NO. 366—BY REPRESENTATIVES WOOTON, BALDONE, HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, THOMPSON, AND WALSWORTH
AN ACT

To amend and reenact R.S. 15:560.1, 560.2(B)(introductory paragraph) and (1), (E), and (F), 560.3, 560.4(A), 560.5, 560.6(A), 561.2, and 561.4(A)(1) and (B)(1) and (3) and to enact R.S. 15:560.2(H), (I), and (J) and 560.4(E), and to repeal R.S. 15:542.1.6 and 543.1(14), relative to sex offenders and child predators; to provide relative to the monitoring of sex offenders and predators; to provide with respect to the determination of which sex offenders are sexually violent predators and child sexual predators; to amend the provisions governing the sex offender assessment panels; to provide for definitions; to provide with respect to the membership of the sex offender assessment panels; to provide for a judicial determination following an assessment by the sex offender assessment panel; to provide for a hearing and notice thereof; to provide with respect to the effects of a determination of status as a sexually violent predator or child sexual predator; to provide with respect to supervision of such persons; to provide for criminal penalties for violations of the conditions of supervision; to provide with respect to supervised release of certain sex offenders; to require that notice be given to the sex

offender of supervised release; to repeal certain requirements for mailing a verification of address by the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

HOUSE BILL NO. 408—BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 3:4274.1 and R.S. 32:402(C)(1), relative to the duties and powers of forestry officers; to provide for driver's license requirements for certain operators of firefighting equipment; and to provide for related matters.

HOUSE BILL NO. 442—BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 49:308.3(D), to enact R.S. 32:402.3, and to repeal R.S. 17:282, relative to the Motorcycle Safety, Awareness, and Operator Training Program; to transfer administration of the Motorcycle Safety, Awareness, and Operator Training Program to the Department of Public Safety and Corrections; and to provide for related matters.

HOUSE BILL NO. 490—BY REPRESENTATIVES PETERSON AND GALLOT AND SENATOR GRAY EVANS
AN ACT

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

HOUSE BILL NO. 521—BY REPRESENTATIVE LAFONTA
AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1221 through 1223, and R.S. 36:4(AA) and 917, to create an advisory council in the governor's office to identify obstacles to the effective delivery of governmental services to Latin Americans and to make recommendations for removal of such obstacles; to provide for membership on the council; to provide for its powers and duties; and to provide for related matters.

HOUSE BILL NO. 55—BY REPRESENTATIVE LAFONTA AND SENATOR THOMPSON
AN ACT

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

HOUSE BILL NO. 159—BY REPRESENTATIVES HENRY BURNS, BOBBY BADON, BILLIOT, BURFORD, CARMODY, CHAMPAGNE, CHANEY, DOWNS, GISCLAIR, GUINN, HENDERSON, HOWARD, LAMBERT, LITTLE, MILLS, MONICA, MONTOUCET, PUGH, AND SIMON AND SENATOR DUPRE
AN ACT

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

HOUSE BILL NO. 168—BY REPRESENTATIVE MICKEY GULLORY
AN ACT

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

HOUSE BILL NO. 228—BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1574.1(B)(4)(c) and to enact R.S. 40:1563(K), 1563.1(E), and 1646(D), relative to the powers and duties of the state fire marshal; to authorize the fire marshal to

perform duties required by the state emergency operations plan; to authorize the fire marshal to commission a multi-jurisdictional arson task force; to require the installing contractor to be on-site during the final inspection by the fire marshal; and to provide for related matters.

HOUSE BILL NO. 233—

BY REPRESENTATIVE GALLOT

AN ACT

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

HOUSE BILL NO. 299—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

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

HOUSE BILL NO. 309—

BY REPRESENTATIVE GALLOT AND SENATORS THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 13:312(2) and 312.1(B), relative to the courts of appeal; to provide election sections for the election of judges to the second district of the Court of Appeal for the Second Circuit; to provide for the assignment of judgeships for election purposes; to provide for the election of the judges; and to provide for related matters.

HOUSE BILL NO. 334—

BY REPRESENTATIVE CROMER

AN ACT

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

HOUSE BILL NO. 468—

BY REPRESENTATIVE MICHAEL JACKSON AND SENATOR DORSEY

AN ACT

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

HOUSE BILL NO. 545—

BY REPRESENTATIVE RITCHIE AND SENATOR THOMPSON

AN ACT

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

HOUSE BILL NO. 576—

BY REPRESENTATIVE JOHNSON

AN ACT

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

HOUSE BILL NO. 586—

BY REPRESENTATIVES DOERGE, CORTEZ, HENDERSON, HOFFMANN, LAFONTA, MONTUCET, POPE, AND ROBIDEAUX AND SENATORS APPEL, CROWE, B. GAUTREAUX, HEBERT, KOSTELKA, MORRELL, AND NEVERS

AN ACT

To enact R.S. 11:542.1.1 and 883.3, relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide a minimum benefit increase to certain retirees, beneficiaries, and survivors; to provide for funding; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 602—

BY REPRESENTATIVE LEBAS AND SENATOR LAFLEUR

AN ACT

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

HOUSE BILL NO. 609—

BY REPRESENTATIVES ROSALIND JONES AND KATZ

AN ACT

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

HOUSE BILL NO. 699—

BY REPRESENTATIVE ERNST

AN ACT

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

HOUSE BILL NO. 725—

BY REPRESENTATIVES MICHAEL JACKSON, ABRAMSON, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, BROSETT, HENRY BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, FANNIN, FOIL, GEYMAN, GISCLAIR, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENRY, HINES, HONEY, HOWARD, HUTTER, LAFONTA, LEGER, LIGI LOPINTO, MCVEA, MILLS, PEARSON, PETERSON, POPE, RICHARD, RICHMOND, SCHRODER, SIMON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS BROOME AND MARIONNEAUX

AN ACT

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

HOUSE BILL NO. 766—

BY REPRESENTATIVE ABRAMSON

AN ACT

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

HOUSE BILL NO. 892— (Substitute for House Bill No. 800 by Representative Michael Jackson)
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 23:1625.1, relative to unemployment compensation; to provide for the prompt determination of claims; to provide with respect to the abandonment of an employer's right to appeal a determination of claim; to provide for the employer's right to appeal in the event the failure to provide information is due to compelling circumstances; and to provide for related matters.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 5:25 o'clock P.M. the Senate adjourned until Tuesday, June 16, 2009, at 1:00 o'clock P.M.

Senator N. Gautreaux declared the Senate adjourned until 1:00 o'clock P.M. on Tuesday, June 16, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

