

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

THIRTY-SECOND 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

Sunday, June 21, 2009

The Senate was called to order at 4:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour
CONVENING ROLL CALL**

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

PRESENT

Mr. President	Dupre	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Guillory	Riser
Cheek	Heitmeier	Shaw
Claitor	Jackson	Smith
Crowe	LaFleur	Thompson
Donahue	Long	Walsworth
Dorsey	Marionneaux	
Total - 29		

ABSENT

Broome	Kostelka	Nevers
Duplessis	Martiny	Quinn
Erdey	McPherson	
Hebert	Morrell	
Total - 10		

The President of the Senate announced there were 29 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Derran Middleton, 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 Alario, the reading of the Journal was dispensed with and the Journal of June 18, 2009, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 18, 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. 171—
BY SENATORS BROOME, CHEEK, DORSEY, ERDEY, GRAY EVANS,
HEITMEIER, MOUNT AND NEVERS
AN ACT

To enact R.S. 46:1414, relative to child care facilities; to provide for the dissemination of information relating to the benefits of immunizing certain children against influenza; to provide for duties of a licensed child care facility; to provide for duties of the Department of Health and Hospitals and the Department of Social Services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 58—
BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 15:555(A)(3), relative to sexual assault task force; to provide for membership; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 125—
BY SENATOR THOMPSON
AN ACT

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

Reported without amendments.

SENATE BILL NO. 193—
BY SENATOR LONG
AN ACT

To repeal R.S. 22:2372, relative to the Insure Louisiana Incentive Program; to repeal the requirement for use of unused monies in the program to assist individuals with homeowners' insurance premiums and to accelerate payoff of the Unfunded Accrued Liability of the state retirement systems; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 215—
BY SENATOR MORRISH
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, relative to hospital prospective payment methodology; to provide for designation as a major teaching hospital; to provide for definitions; to provide for criteria; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 239—
BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES
DOVE, HONEY, RICHARD AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 47:305.20(A), the introductory paragraph of (C), (1) and (2) and R.S. 56:303(E)(1) and 304(A), relative to tax exemptions; to provide for certain exclusions and exemptions from state sales, use, lease, and services taxes; to provide for a rebate of such taxes; to include possession of a vessel license by a commercial fisherman as qualifying for such tax exemptions; to provide for issuance of a vessel license to certain commercial fishermen; to provide for certification of certain commercial fishermen licenses; and to provide for related matters.

Reported without amendments.

June 21, 2009

SENATE BILL NO. 241—

BY SENATORS MOUNT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BROSSETT, BURRELL, DANAHAY, DOWNS, GISCLAIR, GREENE, GUINN, HINES, HOFFMANN, HOWARD, KATZ, LEGER, NORTON, PERRY, PETERSON, POPE, RITCHIE, ROY, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL AND WOOTON

AN ACT

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

Reported without amendments.

SENATE BILL NO. 339—

BY SENATOR MARIONNEAU

AN ACT

To amend and reenact R.S. 51:1927.1(C), relative to the Louisiana Capital Companies Tax Credit Program; to provide relative to the placement of the investment pool in qualified investments; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 84—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to public contracts; to increase the limit for the purchase of materials and supplies to the sum of thirty thousand dollars for public entities without the necessity of advertisement; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 114—

BY SENATOR NEVERS

AN ACT

To repeal R.S. 47:6033(B)(4), relative to tax credits; to repeal a requirement that the Workforce Development Commission provide the Department of Revenue a certain annual list; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 147—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:6019(A)(3)(b)(i)(aa), relative to the tax credit for the rehabilitation of historic structures; to increase the number of allowable transfers; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 160—

BY SENATOR MARIONNEAU

AN ACT

To enact R.S. 47:1675(A)(6), relative to tax credits; to provide that any tax credit against income or corporate franchise tax with a "cap" on the amount of the credit allowed be administered on a first-come, first-serve basis unless otherwise provided by the statute granting the tax credit; to provide an exception when the total tax credits requested on a single business day exceed tax credits available under the credit "cap"; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 66—

BY SENATOR DUPRE

AN ACT

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

Reported without amendments.

SENATE BILL NO. 134—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b)(ii)(bb) and (3)(c)(ii), relative to public contracts; to provide for the submission of other documentation and information; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 158—

BY SENATOR B. GAUTREAU AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 36:4(U), R.S. 43:111(A)(9), and R.S. 51:1317, 1318(A) and (D), and 1319(A)(1), (2), (3), (4), and (B)(5), relative to the Louisiana Retirement Development Commission; to change the name of the commission to the Encore Louisiana Commission; to provide that the commission shall market Louisiana to persons fifty years old and above; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 187—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 32:361.2, relative to motor vehicle equipment; to provide relative to medical exemptions from prohibitions on certain window tinting; to provide relative to the contents of an affidavit for such medical exemption; to require certain information; to provide for certain departmental and board actions; to provide for violations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 229—

BY SENATOR GRAY EVANS AND REPRESENTATIVES BARROW, BROSSETT, CHANDLER, HENDERSON, HINES, ROSALIND JONES, LEGER, MILLS, NORTON, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES AND WILLIAMS

AN ACT

To amend and reenact R.S. 32:403, the introductory paragraph of 412.1(A), 413(B), and R.S. 40:1321(C), to enact R.S. 32:412(J), 412.1(D), and 429(C), relative to motor vehicles; to provide an exemption for the payment of fees and handling charges for state issued driver's licenses and identification cards to children who are in the care, custody, or guardianship of the office of community services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 323—

BY SENATOR ADLEY AND REPRESENTATIVES HENRY BURNS, MORRIS AND JANE SMITH

AN ACT

To enact R.S. 38:291(J), relative to levee districts; to create and provide relative to the North Bossier Levee and Drainage District; to provide for its authority, powers, duties, functions, and responsibilities, including the authority to incur debt and levy ad valorem taxes subject to voter approval; to provide for its board of commissioners and for the nomination and appointment of members to the board; to provide for the transfer of assets; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 262—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:531(E) and to repeal Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature, relative to commissioners of local housing authority; to remove requirement of landlord commissioner; and to provide for related matters.

Reported without amendments.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 18, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 70—
BY REPRESENTATIVE HARDY

AN ACT

To enact R.S. 13:10.4, relative to witness protection; to provide for the assessment of court costs to be used for the witness protection program; to provide for the collection and disbursement of monies; to provide for an annual audit; to provide for a contingent effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

REPORT OF COMMITTEE ON

FINANCE

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

June 19, 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. 863—
BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 870—
BY REPRESENTATIVE FANNIN

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2009-2010; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

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

Senator B. Gautreaux asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 70—
BY REPRESENTATIVE HARDY

AN ACT

To enact R.S. 13:10.4, relative to witness protection; to provide for the assessment of court costs to be used for the witness protection program; to provide for the collection and disbursement of monies; to provide for an annual audit; to provide for a contingent effective date; and to provide for related matters.

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

HOUSE BILL NO. 863—
BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 863 by Representative Fannin

AMENDMENT NO. 1
On page 12, delete line 17 and insert "amount of Three Million Six Hundred Ninety-Seven Thousand Nine Hundred Seventy-Seven and"

AMENDMENT NO. 2
On page 12, line 18, change "\$7,164,711.00" to "\$3,697,977.00"

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

HOUSE BILL NO. 870—
BY REPRESENTATIVE FANNIN

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2009-2010; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 870 by Representative Fannin

June 21, 2009

AMENDMENT NO. 1

On page 15, line 15, after "special" delete the remainder of the line and insert "fund"

AMENDMENT NO. 2

On page 15, delete lines 16 through 18 and on line 19, delete "Charles; the remainder shall" and insert "to"

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

Rules Suspended

Senator B. Gautreaux asked for and obtained a suspension of the rules to pass over Senate Bills returned from the House with amendments.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 342— BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 47:6007(B)(3), (C)(2)(b)(i), and (D)(2)(d) and Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature, and to enact R.S. 47:6007(G) and Sections 3(D) and (E) of Act No. 456 of the 2007 Regular Session of the Legislature, relative to motion picture investor tax credits; to provide relative to the initial certification of certain state-certified infrastructure projects and submission of applications for certain state-certified infrastructure projects; to provide relative to requirements and limitations; to provide relative to appeals of a denial of an application for certification; to define certain terms; to provide for certain maximum limitations on tax credits for infrastructure projects; to provide for an effective date; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 37— BY REPRESENTATIVE PATRICIA SMITH

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Dorsey 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, Amedee, Appel, Cheek, Claitor, Donahue, Dorsey, Dupre, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Long, Marionneaux, Michot, Morrell, Morrish, Mount, Murray, Quinn, Riser, Shaw, Smith

Table with 3 columns of names: Duplessis, McPherson, Thompson, Total - 30, NAYS, Total - 0, ABSENT, Broome, Gray Evans, Martiny, Crowe, Kostelka, Nevers, Erdey, LaFleur, Walsworth, Total - 9

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

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to advance to the order of:

House Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

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

Without objection, so ordered.

HOUSE BILL NO. 33—

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

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

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Re-Reengrossed House Bill No. 33 by Representative Leger

AMENDMENT NO. 1

On page 10, line 9, change "Section" to "Chapter"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments Sent Up

Senator Morrell sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Re-Reengrossed House Bill No. 33 by Representative Leger

AMENDMENT NO. 1

On page 5, delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

"J. The board shall have the right to employ outside legal counsel."

On motion of Senator Morrell, the amendments were adopted.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Re-Reengrossed House Bill No. 33 by Representative Leger

AMENDMENT NO. 1

On page 2, line 21, after "sibling," and before "or" insert "grandparent, household member,"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Broome, Kostelka, Crowe, LaFleur.

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

HOUSE BILL NO. 34— BY REPRESENTATIVES FANNIN, CHANDLER, HARDY, ROY, AND SIMON

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

Bienville Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Broome, Gray Evans, Nevers, Claitor, Kostelka, Smith.

Total - 6

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. 66— BY REPRESENTATIVE GUINN AN ACT

To repeal R.S. 37:3112(B)(2) and 3115.1, relative to continuing education of auctioneers; to repeal the requirement that licensed auctioneers take six hours of continuing education annually.

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 of names: Mr. President, Guillory, Morrish, Adley, Hebert, Mount, Alario, Heitmeier, Murray, Amedee, Jackson, Quinn, Appel, LaFleur, Riser, Cheek, Long, Shaw, Dorsey, Marionneaux, Smith, Duplessis, Martiny, Thompson, Dupre, McPherson, Walsworth, Gautreaux B, Michot, Morrell.

Total - 31

NAYS

Table with 2 columns of names: Claitor, Crowe.

Total - 2

ABSENT

Table with 3 columns of names: Broome, Erdey, Kostelka, Donahue, Gray Evans, Nevers.

Total - 6

June 21, 2009

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. 88—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 42:63(A)(3), relative to dual officeholding and dual employment; to authorize an employee of the United States government to serve as a part-time elected official; to provide for definitions; to provide exceptions; and to provide for related matters.

The bill was read by title. Senator Riser 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, Michot, Adley, Morrell, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Broome, Gray Evans, Long, Claitor, Kostelka, Nevers

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

HOUSE BILL NO. 90—

BY REPRESENTATIVES LIGI AND LEGER
AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(h) and (2)(b) and (B)(5) and to enact R.S. 14:102.1(A)(2)(c) and (d) and (3) and (B)(6), relative to the crime of cruelty to animals; to revise certain elements constituting the crime of simple cruelty to animals and revise penalties for violations thereof; to revise certain elements constituting the crime of aggravated cruelty to animals and revise the penalties for violations thereof; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux N, Morrish, Adley, Mount, etc.

Table with 3 columns: Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Dupre, Michot, Morrell

Total - 31

NAYS

Claitor
Total - 1

ABSENT

Table with 3 columns: Appel, Gray Evans, Nevers, Broome, Kostelka, Erdey, Long

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

HOUSE BILL NO. 110—

BY REPRESENTATIVES JANE SMITH, ABRAMSON, ANDERS, ARMES, ARNOLD, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DANAHAY, DOERGE, DOVE, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, KLECKLEY, LAMBERT, LANDRY, LIGI, LITTLE, MCVEA, MILLS, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHRODER, SIMON, GARY SMITH, ST. GERMAIN, TUCKER, WADDELL, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS DUPRE, N. GAUTREAUX, AND THOMPSON
AN ACT

To enact R.S. 47:6035 and to repeal R.S. 47:38 and 287.757 and R.S. 51:2458(2), relative to individual income and corporate income tax credits; to increase the tax credit for the cost of qualified clean-burning motor vehicle fuel property; to increase the tax credit for the purchase of a motor vehicle with qualified clean-burning motor vehicle fuel property installed by the vehicle's manufacturer; to provide relative to certain definitions; to provide for the refund of the tax credit under certain circumstances; to authorize the promulgation of rules and regulations under certain circumstances; to authorize a qualified employer who receives a rebate in the Louisiana Quality Jobs Program to also claim the tax credit for the conversion of vehicles to alternative fuel usage; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Broome Kostelka Nevers
Gray Evans Long
Total - 5

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. 111—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 13:2583.4, relative to the appointment of a deputy constable in Ascension Parish; to authorize a constable of a justice of the peace court in Ascension Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome Guillory
Gray Evans Nevers
Total - 4

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

HOUSE BILL NO. 194—
BY REPRESENTATIVE DIXON
AN ACT

To amend and reenact R.S. 18:135(A), relative to registration of voters; to provide relative to the close of registration records; to provide relative to application for registration and changes in a registration; to provide for definitions; 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 Hebert Mount
Appel Heitmeier Murray
Cheek Jackson Quinn
Claitor Kostelka Riser
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre McPherson
Total - 35

NAYS

Total - 0

ABSENT

Broome Guillory
Gray Evans Nevers
Total - 4

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.

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

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

Floor Amendments Sent Up

Senator Adley sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 202 by Representative Richardson

AMENDMENT NO. 1

On page 2, line 2, after "victim" insert "who at the time of the commission of the offense is a minor under eighteen years of age or the victim"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley 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 Guillory Morrish

June 21, 2009

Appel	Hebert	Mount
Cheek	Heitmeier	Murray
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Broome	Gray Evans	Nevers
Total - 3		

The Chair declared the amended 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. 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. 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	Guillory	Morrish
Appel	Hebert	Mount
Cheek	Heitmeier	Murray
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Broome	Gray Evans	Nevers
Total - 3		

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. 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. 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	Guillory	Morrish
Appel	Hebert	Mount
Cheek	Heitmeier	Murray
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Broome	Gray Evans	Nevers
Total - 3		

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. 244—
BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 13:5304(B)(3)(f), R.S. 15:574.4.1(B) and Code of Criminal Procedure Article 900(A)(6)(a) and (b) and to enact R.S. 15:574.4.1(A)(6) and (J) and Code of Criminal Procedure Article 900(A)(6)(c), relative to the drug division probation program; to authorize the court to order that a defendant who has been placed on probation by the drug division probation program, and who has had his probation revoked for a technical violation, be committed to the custody of the Department of Public Safety and Corrections and be required to serve in the intensive incarceration program; to provide for the period of time the defendant may be sentenced to intensive incarceration; to provide that upon successful completion of intensive incarceration the defendant shall return to active, supervised probation with the drug division probation program; to provide for applicability; to provide for resentencing when a defendant is denied entry into the intensive incarceration program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Michot
Adley	Gautreaux N	Morrell
Alario	Guillory	Morrish
Amedee	Hebert	Mount
Appel	Heitmeier	Murray
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser

Crowe	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Erdey	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Broome	Gray Evans
Donahue	Nevers
Total - 4	

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

HOUSE BILL NO. 251—
BY REPRESENTATIVES GREENE, BALDONE, BARRAS, HENRY, HOFFMANN, HONEY, RICHARD, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:301(16)(g), relative to sales and use tax on factory built homes; to clarify references to manufactured, mobile, modular, and factory built homes; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Morrish sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed House Bill No. 251 by Representative Greene

AMENDMENT NO. 1

On page 5, between lines 2 and 3, insert the following:
"(v) The sales and use taxes due on these transactions shall be paid to the Louisiana Department of Public Safety and Corrections, office of motor vehicles, by the twentieth day of the month following the month of delivery of the factory built home to the consumer, along with any other information requested by the office of motor vehicles."

On motion of Senator Morrish, the amendments were adopted.

The bill was read by title. Senator Morrish 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	Guillory	Morrish
Appel	Hebert	Mount
Cheek	Heitmeier	Murray
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Thompson
Duplessis	Marionneaux	Walsworth
Dupre	Martiny	
Total - 35		

NAYS

Total - 0

ABSENT

Broome	Nevers
Gray Evans	Smith
Total - 4	

The Chair declared the amended 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. 307—
BY REPRESENTATIVE GREENE AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 47:305(D)(1)(n), relative to the sales and use tax; to provide relative to the state sales and use tax exemption on food sold for preparation and consumption in the home; to provide relative to certain limitations; to provide for an effective date; and to provide for related matters.

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

NAYS

Total - 0

ABSENT

Broome	Gray Evans	Nevers
Total - 3		

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

Senator Smith in the Chair

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

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 352 by Representative Mickey Guillory

June 21, 2009

AMENDMENT NO. 1

Delete Senate Committee Amendment No.1 and No. 2, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 21, 2009.

AMENDMENT NO. 2

On page 1 delete line 3 and insert "authorize noncritical off-road equipment to tow certain vehicles;"

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator LaFleur 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
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Broome	Long
Gray Evans	Walsworth
Total - 4	

The Chair declared the amended 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. 451—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 56:1856(B) and to enact R.S. 56:1855(M), relative to historic and scenic rivers; to include certain waters within the state historic and scenic rivers system; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre	Martiny	Walsworth
Erdey	McPherson	
Gautreaux B	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Broome	Dorsey
Total - 2	

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

HOUSE BILL NO. 473—

BY REPRESENTATIVES LITTLE, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To enact R.S. 47:305.62 and 321(H)(3), relative to the sales and use tax; to authorize a state sales and use tax exemption for certain commercial farm irrigation equipment; to provide for the effectiveness and applicability of the state sales and use tax exemption; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome	Gray Evans
Total - 2	

The Chair declared the 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. 495—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 17:10.5(A)(1), to enact R.S. 17:10.5(F), and to repeal R.S. 17:10.5(F), relative to school and district accountability; to exempt a school that meets specified criteria from being transferred to the Recovery School District; to provide for effectiveness; 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

Adley	Gautreaux B	LaFleur
Cheek	Hebert	McPherson
Dorsey	Heitmeier	Murray
Duplessis	Jackson	Nevers
Dupre	Kostelka	Quinn
Total - 15		

NAYS

Alario	Gautreaux N	Riser
Amedee	Long	Shaw
Appel	Marionneau	Smith
Claitor	Martiny	Thompson
Crowe	Morrell	Walsworth
Donahue	Morrish	
Erdey	Mount	
Total - 19		

ABSENT

Mr. President	Gray Evans	Michot
Broome	Guillory	
Total - 5		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Mr. President in the Chair

HOUSE BILL NO. 507—

BY REPRESENTATIVE PUGH

AN ACT

To amend and reenact R.S. 3:3010 and R.S. 18:3(C), 107(B), (C), and (D), 110(A)(3), 112, 151(A) and (C), 152(A)(1)(introductory paragraph), (a), and (b), (B), and (D), 152.1, 176(A)(3)(b), (B), and (C), 198(C), and 564(D)(1)(b) and to repeal R.S. 18:152(A)(2), relative to records of registrars of voters; to provide for the maintenance of records of the registrars of voters; to provide for the form of the records; to provide relative to the retention of the records; to provide relative to changes to the records; to provide for the procedures of registrars relative to the use of the records; 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	Gautreaux B	Michot
Adley	Gautreaux N	Morrell
Alario	Guillory	Morrish
Amedee	Hebert	Mount
Appel	Heitmeier	Murray
Cheek	Jackson	Nevers
Claitor	Kostelka	Quinn
Donahue	LaFleur	Riser
Dorsey	Long	Shaw

Duplessis	Marionneau	Smith
Dupre	Martiny	Thompson
Erdey	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Broome	Crowe	Gray Evans
Total - 3		

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.

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.

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

NAYS

Total - 0

ABSENT

Broome	Gray Evans
Total - 2	

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. 519—

BY REPRESENTATIVE LEGER

AN ACT

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

June 21, 2009

The bill was read by title. Senator Nevers 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, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Total - 37; Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot; Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 2 columns: Broome, Total - 2; Gray Evans.

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

HOUSE BILL NO. 520—

BY REPRESENTATIVE CROMER AN ACT

To amend and reenact R.S. 18:103(A), 104(A)(15), and 105(A) and to enact R.S. 18:115.1, relative to registration of voters; to provide for electronic registration of voters; to provide relative to changes in registration; to provide relative to the powers and duties of the secretary of state; to provide relative to the powers and duties of registrars of voters; 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

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 35; Erdey, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny, Michot; Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 2 columns: Broome, Gray Evans, Total - 4; LaFleur, McPherson.

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.

HOUSE BILL NO. 538—

BY REPRESENTATIVE ANDERS AN ACT

To amend and reenact R.S. 3:263, 265(B), and 266(13) and (19) and to enact R.S. 3:262(D), 266(22), and 283.1 and R.S. 35:410, relative to the Louisiana Agricultural Finance Authority; to revise legislative findings; to expand definitions; to revise the powers of authority; to provide for certain loans and guarantees for agricultural plants; to provide for restrictions; to provide for reports; to provide for a special fund; to provide for positions; to provide for administration and implementation; to provide for ex officio notaries public; and to provide for related matters.

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Re-Reengrossed House Bill No. 538 by Representative Anders

AMENDMENT NO. 1

On page 1, line 2, change "and 266(13) and (19)" to "266(13) and (19), and 274"

AMENDMENT NO. 2

On page 1, at the end of line 5 insert "provide for the approval of the issuance of bonds; to"

AMENDMENT NO. 3

On page 1, line 10, change "and 266(13) and (19)" to "266(13) and (19), and 274"

AMENDMENT NO. 4

On page 5, after line 27, insert the following: "§274. Approval of issuance of bonds by State Bond Commission The approval of the State Bond Commission shall be obtained prior to the issuance of any bonds of the Authority. However, before the Authority shall make application to the State Bond Commission for the issuance of any bonds in the amount of five million dollars or more, it shall first seek the approval of the Joint Legislative Committee on the Budget for such borrowing. No notice to, or consent or approval by any other governmental body or public officer shall be required as a prerequisite to the issuance, sale, or delivery of any bonds of the Authority, or to the making of any loans or deposits by the Authority to lending institutions, or to the purchase or sale of agricultural loans by the Authority, or to the insurance by the Authority of any agricultural loan, or to the exercise of any other public function or corporate power of the Authority, except as is expressly provided in this Chapter. * * *

On motion of Senator LaFleur, the amendments were adopted.

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Re-Reengrossed House Bill No. 538 by Representative Anders

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 3:263," insert "264(B) (introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 3:263," insert "264(B) (introductory paragraph),"

AMENDMENT NO. 3

On page 4, between lines 23 and 24, insert the following:
"§264. Louisiana Agricultural Finance Authority
* * *

B. The authority shall be composed of nine members. The commissioner of agriculture and forestry shall serve ex officio with the same rights and privileges, including voting rights, as other members. The chair of the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development or his designee, and the chair of the House Committee on Agriculture, Forestry, Aquaculture and Rural Development or his designee, and the secretary of the Department of Economic Development or his designee, shall serve in an advisory capacity, without voting rights, to the authority, and shall not be counted for the purpose of constituting a quorum for the transaction of official business. The other eight members shall be appointed by the governor in the following manner:
* * *

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

Total - 38

NAYS

Total - 0

ABSENT

Broome
Total - 1

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. 541—

BY REPRESENTATIVES MICKEY GUILLORY AND WOOTON
AN ACT

To amend and reenact R.S. 21:52, relative to guide dogs; to provide for the access of guide dogs in training to public areas; to provide for trainers of guide dogs; 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

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

Total - 35

NAYS

Total - 0

ABSENT

Broome Gray Evans
Erdey Morrell

Total - 4

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. 574—

BY REPRESENTATIVES RICHMOND AND HARDY
AN ACT

To enact R.S. 13:587.4 and 1344, relative to specialized divisions or sections of state district courts; to authorize any district court by vote of the judges to adopt specialized divisions or sections having specified subject matter jurisdiction; to authorize a division or section to provide for an expedited docket for violent crimes involving a dangerous weapon or homicides; to create a homicide section in the Criminal District Court for the parish of Orleans; to authorize the district attorney's office to request an expedited docket for cases involving crimes of violence committed with a dangerous weapon and homicides; to provide for assignment of a judge to a Homicide Section of the Criminal District Court for the parish of Orleans; to provide for cases to be assigned to a homicide section; to authorize the judges en banc to assign other crimes committed using a firearm to the homicide section; to provide for transfer of cases; to provide for expedited handling of pretrial writs and appeals from the homicide section; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Cheek Jackson Nevers
Claitor Kostelka Quinn
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Marionneaux Thompson

June 21, 2009

Duplessis Martiny Walsworth
 Dupre McPherson

Total - 35

NAYS

Total - 0

ABSENT

Broome Heitmeier
 Gray Evans Riser
 Total - 4

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

HOUSE BILL NO. 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. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Broome
 Total - 1

The Chair declared the 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.

Senator N. Gautreaux in the Chair

HOUSE BILL NO. 645—
 BY REPRESENTATIVE ELLINGTON AND SENATOR APPEL
 AN ACT

To amend and reenact R.S. 18:192(A)(1)(a), relative to the annual canvass of persons registered to vote; to provide for when the canvass shall be conducted; to provide relative to the duties of registrars of voters and the Department of State; 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	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 35

NAYS

Total - 0

ABSENT

Broome LaFleur
 Gray Evans Quinn
 Total - 4

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.

HOUSE BILL NO. 685—
 BY REPRESENTATIVE DIXON
 AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Broome
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.

HOUSE BILL NO. 696—
BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:2740.67(B), relative to the Greenwell Springs-Airline Economic Development District in East Baton Rouge Parish; to change the boundaries of the district; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 2
LaFleur

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

HOUSE BILL NO. 712—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact Code of Criminal Procedure Article 202(E) and R.S. 49:251.4, relative to warrant of arrest; to provide that a justice of the peace shall not have the authority to issue a warrant for arrest unless he has received a certificate of completion for the required training course which has included education on the proper issuance of arrest warrants; to provide for the Attorney General's Arrest Warrants Course for Justices of the Peace; to require the attorney general's training course for justices of the peace to include specified subject matter areas; to provide for implementation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 1

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

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. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 1

June 21, 2009

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.

HOUSE BILL NO. 753—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 47:6016(B)(1)(c) and (E), relative to the new markets tax credit; to increase the maximum amount of qualified low-income community investments that may be issued by a single business; to provide for the allocation of tax credits; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Dorsey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey to Reengrossed House Bill No. 753 by Representative Richmond

AMENDMENT NO. 1

On page 3, between lines 24 and 25, insert the following:
"(v) Notwithstanding the provisions of R.S. 47:6016(E)(2)(a)(iii) and any provision of this Chapter to the contrary, unissued, disallowed or recaptured credits from any prior taxable year, and any unissued, disallowed or recaptured credits for any prior issuance period for which valid applications exceeded the authorized issuance amount, shall be available for issuance during the period beginning June 1, 2009 and ending November 30, 2009. To this end, for any qualified investment issued on or after May 31, 2009, but before December 1, 2009, the maximum amount of qualified low-income community investments that may be issued by a single business, on an aggregate basis with all of its affiliates, and be included in the calculation of the fraction described in R.S. 47:6016(B)(1)(b), whether to one or more issuers of qualified equity investments, shall not exceed seven million five hundred thousand dollars. An application for a tax credit pursuant to this Item is based upon a qualified investment issued during the period beginning June 1, 2009 and ending November 30, 2009, and based upon unissued, disallowed or recaptured tax credits occurring prior to or during the issuance period established by this Item, thus an application submitted to the Secretary during this period shall be deemed continuing. Therefore the applicant shall be eligible for the maximum amount of Qualified Low Income Community Investments that may be issued by a single business from the unissued, disallowed or recaptured credits as provided in this item, including those accruing after the initial application authorized by the provisions of this item, but before December 1, 2009."

On motion of Senator Dorsey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Michot
Adley	Gray Evans	Morrell
Alario	Guillory	Morrish
Amedee	Hebert	Mount
Appel	Heitmeier	Murray
Cheek	Jackson	Quinn
Crowe	Kostelka	Riser
Dorsey	LaFleur	Shaw
Duplessis	Long	Smith

Dupre
Erdey
Gautreaux B
Total - 35

Marionneaux
Martiny
McPherson

Thompson
Walsworth

NAYS

Total - 0

ABSENT

Broome
Claitor
Total - 4

Donahue
Nevers

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

HOUSE BILL NO. 772—

BY REPRESENTATIVES WILLMOTT, BALDONE, BILLIOT, HENRY BURNS, CHANDLER, DANAHAY, DOERGE, GISCLAIR, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LEBAS, POPE, RICHARD, JANE SMITH, ST. GERMAIN, TUCKER, AND WADDELL

AN ACT

To amend and reenact R.S. 40:1300.1, 1300.2(2) and (4), 1300.3(A), 1300.4(B) and (C), and 1300.5(A) and (B) and to enact R.S. 40:1300.2(5) and (6), 1300.5(C) through (H), and 1300.5.1, relative to the Health Professional Development Program; to provide for scholarships to medical or dental students who are from rural or urban underserved areas; to restrict scholarship funds to those students who are willing to practice in rural or urban underserved areas; to provide for definitions; to create the Scholarship Awards Committee; to create the Nursing Scholarship Program; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed House Bill No. 772 by Representative Willmott

AMENDMENT NO. 1

In Senate Committee Amendment No. 9 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 18, 2009, on line 27 thereof, between "medicine" and "at" insert "dregre"

On motion of Senator Mount, the amendments were adopted.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Reengrossed House Bill No. 772 by Representative Willmott

AMENDMENT NO. 1

In Senate Committee Amendment No. 9 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 18, 2009, on line 35 thereof, after "areas" and before "," insert "in Louisiana"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 1

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

HOUSE BILL NO. 774—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 34:335.1, 335.2, and 335.3(A), to enact R.S. 34:335.7 through 335.9, and to repeal R.S. 34:335.4(A) and 3522, relative to the Alexandria Regional Port; to provide with respect to the port's territorial boundaries; to provide with respect to the composition of the board of commissioners; to provide for term limits; to provide for a method for filling vacancies of the board; to remove the authority of the board to levy an ad valorem tax under certain circumstances; to remove the authority of the board to acquire land by expropriation for certain purposes of the district; to provide for additional powers of the board; to authorize the port to acquire land under certain circumstances; to remove the board of commissioners of port authorities and the powers of the board of commissioners for port authorities; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 774 by Representative Dixon

AMENDMENT NO. 1

On page 1, line 3, after "335.4" delete "(A)" and insert ", 335.5,"

AMENDMENT NO. 2

On page 1, line 7, delete "under certain circumstances"

AMENDMENT NO. 3

On page 1, line 8, after "expropriation" delete the remainder of the line and one line 9, delete "district"

AMENDMENT NO. 4

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 18, 2009, on line 31, change "him" to "the mayor of Pineville"

AMENDMENT NO. 5

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 18, 2009, on line 32, after "mayor" insert "of Pineville"

AMENDMENT NO. 6

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 18, 2009, on line 5, after "upon" delete "the appointment or reappointment" and insert "their reappointment or appointment"

AMENDMENT NO. 7

On page 4, delete lines 23 and 24

AMENDMENT NO. 8

On page 4, line 25, change "(4)" to "(3)"

AMENDMENT NO. 9

On page 4, line 26, change "(5)" to "(4)"

AMENDMENT NO. 10

On page 5, at the end of line 10, insert: "Notwithstanding any other law to the contrary, neither the Alexandria Regional Port nor any entity created by such port shall have the authority to issue bonds, notes, or other evidences of indebtedness."

AMENDMENT NO. 11

On page 6, line 5, delete "(A)" and insert ", 335.5,"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Long
Total - 2

ABSENT

Broome
Total - 2

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

Mr. President in the Chair

June 21, 2009

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.

Floor Amendments Sent Up

Senator Mount sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-Reengrossed House Bill No. 806 by Representative Katz

AMENDMENT NO. 1

On page 1, line 8, delete "2504(F)(2)(k), (l), and (m)."

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 1

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

HOUSE BILL NO. 823—
BY REPRESENTATIVE DANAHAY

AN ACT

To enact R.S. 38:2212(A)(1)(f)(v) and 2212.1(B)(4)(e), relative to public contracts through the receipt of electronic bids; to exempt any special service district created by a parish with a police jury form of government from the requirements relating to the receipt of bids via high speed Internet access; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total - 1

ABSENT

Broome	Gautreaux N	Thompson
Erdey	Guillory	
Total - 5		

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

HOUSE BILL NO. 864—
BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 46:1816(E) and to repeal Code of Criminal Procedure Article 887(E), relative to additional fees assessed in relation to violations of criminal statutes and local ordinances; to continue the existing fees assessed in specified matters which are used for funding the training of and the providing of other assistance to local law enforcement agencies; to repeal provisions providing for fees to fund local law enforcement agencies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 2

Morrish

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

HOUSE BILL NO. 866—

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

AN ACT

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

Floor Amendments Sent Up

Senator Alario sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Engrossed House Bill No. 866 by Representative Connick

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and (E)"

AMENDMENT NO. 2

On page 1, line 9, after "(D)" delete "is" and insert "and (E) are"

AMENDMENT NO. 3

On page 1, between line 17 and line 18, insert the following:

"E. In Jefferson Parish, the total circulation of every publication or newspaper shall be proved not less than annually by an experienced publication auditing firm prior to the selection of the publication or newspaper under this Section. The audit shall reflect the circulation of the publication or newspaper by parish, and shall be submitted as an attachment to any proposal by a publication or newspaper to publish judicial advertisements and legal notices in Jefferson Parish."

AMENDMENT NO. 4

On page 1, line 18, after "effective" delete the remainder of the line and delete line 19 and on page 2, delete lines 1 through 3 and insert "on August 15, 2009."

On motion of Senator Alario, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gray Evans	Michot
Adley	Guillory	Morrell
Alario	Heitmeier	Murray
Appel	Jackson	Nevers
Cheek	Kostelka	Shaw
Dorsey	LaFleur	Smith
Duplessis	Long	Thompson
Gautreaux B	Martiny	
Total - 23		

NAYS

Amedee	Gautreaux N	Riser
Claitor	Hebert	Walsworth
Crowe	Morrish	
Total - 8		

ABSENT

Broome	Erdey	Mount
Donahue	Marionneaux	Quinn
Dupre	McPherson	
Total - 8		

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

Notice Regarding Vote

Senator Shaw stated he had voted in error on House Bill No. 866. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 868— (Substitute for House Bill No. 484 by Representative Little)

BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 47:1515.3(A), (B), and (C), relative to timber severance taxes; to provide relative to the authority of the Department of Revenue and the Department of Agriculture and Forestry to enter into agreements to collect timber severance taxes; to authorize the commissioner of the Department of Agriculture and Forestry to appoint a director under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome	Gray Evans	Hebert
Total - 3		

The Chair declared the 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. 887—

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

AN ACT

To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the New Iberia Redevelopment Authority; to provide for the formation of a program or programs in the city of New Iberia for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and

June 21, 2009

redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the city of New Iberia; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 887 by Representative Barras

AMENDMENT NO. 1

On page 16, lines 5 and 6, delete "in the manner provided for in Chapter 13-A of Title 33 of the Louisiana Revised Statutes of 1950 or"

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

NAYS

Total - 0

ABSENT

Broome
Total - 2
Guillory

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.

HOUSE BILL NO. 899— (Substitute for House Bill No. 656 by Representative Chaney)

BY REPRESENTATIVES CHANEY, BALDONE, BURRELL, CARMODY, CONNICK, GISCLAIR, HINES, HOFFMANN, AND GARY SMITH

AN ACT

To amend and reenact R.S. 40:1851(E), relative to the Liquefied Petroleum Gas Commission; to provide for collection, receipt, and use of funds by the Liquefied Petroleum Gas Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 1

The Chair declared the 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. 901— (Substitute for House Bill No. 206 by Representative Lopinto)

BY REPRESENTATIVE LOPINTO

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome
Total - 2
Nevers

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

HOUSE BILL NO. 905— (Substitute for House Bill No. 838 by Representative Landry)

BY REPRESENTATIVE LANDRY
AN ACT

To enact R.S. 46:1414.1, relative to child care facilities; to mandate the disclosure of recordation on the state central registry for owners, operators, current or prospective employees, and volunteers in child care facilities licensed by the department; to require any such persons to sign certain statements prior to and during employment, volunteering, ownership, or operation of or in a child care facility licensed by the department; to provide that falsification of such statements shall be a misdemeanor offense; to provide for penalties; to provide for a process of appeal; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome Gray Evans
Total - 2

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

House Bills and Joint Resolutions on Third Reading and Final Passage

Rules Suspended

Senator Riser asked for and obtained a suspension of the rules to take up bills not under the Bagneris Rule.

Motion

Senator Riser moved to suspend the rules to take up House Bill No. 841 out of its regular order.

HOUSE BILL NO. 841—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A), 1378(A)(1), (2), (3)(a)(introductory paragraph) and(b)(introductory paragraph), and (7) and 1472(4), and to enact R.S. 23:1600.1 and 1602(4), and to repeal R.S. 23:1201.1, relative to workers; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to provide for payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring that workers' compensation indemnity payments be mailed; to provide for the determination of the liability of the Second Injury Fund; to provide for an alternate base period; to provide for benefit eligibility conditions for an individual seeking part-time work; to allow for an extension of benefits; and to provide for related matters.

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

Motion

Senator Murray moved the previous question on the entire subject matter.

Senator LaFleur objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Gray Evans	Marionneau
Dorsey	Guillory	Morrell
Duplessis	Jackson	Murray
Gautreaux B	LaFleur	Thompson
Total - 12		

NAYS

Adley	Erdey	Mount
Alario	Gautreaux N	Nevers
Appel	Heitmeier	Quinn
Cheek	Kostelka	Riser
Claitor	Long	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Walsworth
Dupre	Morrish	
Total - 23		

ABSENT

Mr. President Hebert
Broome Martiny
Total - 4

The Chair declared the Senate refused to call the previous question on the entire subject matter.

On motion of Senator Riser the bill was read by title and recommitted to the Committee on Labor and Industrial Relations.

Rules Suspended

Senator Riser asked for and obtained a suspension of the rules to hear House Bill No. 841 in the Committee on Labor and Industrial Relations without the required 24-hour notice.

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

June 18, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 5—

BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONToucET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATOR GUILLORY AN ACT

To amend and reenact R.S. 47:305(A)(5) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to exemptions to sales and use tax; to provide with respect to exemptions for crawfish bait and feed; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 9—

BY REPRESENTATIVES BALDONE AND LEGER AN ACT

To enact R.S. 47:301(6)(c), relative to sales and use tax; to exclude from the definition of "hotel" certain temporary lodging services provided by a nonprofit corporation to a homeless person; to authorize rulemaking; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 83—

BY REPRESENTATIVES TIM BURNS, ARNOLD, CARMODY, GREENE, HENRY, HOFFMANN, KATZ, LIGI, PEARSON, RICHARD, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, TUCKER, AND WADDELL AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i), (ii), and (vi) and to enact R.S. 47:1705(B)(2)(c)(vii) and (f), relative to the requirements for public hearings on proposals to increase millage rates without voter approval; to require public notice and publication of certain information related to such millage increases; to require notification of certain elected officials; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS DONAHUE AND MICHOT AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:293(9)(a)(xvii), relative to the individual income tax; to provide for a deduction for net capital gains; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 128—

BY REPRESENTATIVES HENRY, TIM BURNS, ELLINGTON, GREENE, GUINN, HARRISON, HAZEL, HENDERSON, HOWARD, KLECKLEY, LEBAS, LIGI, MONICA, PEARSON, POPE, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, TALBOT, THIBAUT, AND WOOTON AN ACT

To amend and reenact R.S. 47:305.54(B)(2) and to enact R.S. 47:305.62, relative to state sales and use tax; to authorize a state "sales tax holiday" at certain times for purchases of certain firearms; to provide for definitions; to provide restrictions on the types of purchases eligible for the exemption; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 189—

BY REPRESENTATIVE GREENE AN ACT

To amend and reenact R.S. 47:305(D)(2) and to enact R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4), relative to the sales and use tax; to provide for the effectiveness and applicability of the exemption for the sale of meals by certain institutions and organizations; to provide for the exemption of the meal plans of certain educational institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 215—

BY REPRESENTATIVES HUTTER AND LEGER AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 261—

BY REPRESENTATIVE CONNICK AN ACT

To amend and reenact R.S. 20:1(A)(2) and to enact R.S. 13:3851.1, relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 389—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, NOWLIN, RICHARD, AND ROBIDEAUX AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, Act No. 141 of the 2003 Regular Session of the Legislature, and Act No. 357 of the 2005 Regular Session of the Legislature; to delete the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 446—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:2062, 2142(A) and (C), 2144, 2145(B), 2153(B)(5), and 2155(A), relative to ad valorem taxes; to provide for the assistance to each parish tax assessor by an attorney or agency; to provide for the collection of penalties; to provide relative to undivided interests in title to tax sale property; to provide for bidding procedures; to provide for the form for tax sale certificates; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 458—

BY REPRESENTATIVES TALBOT, BALDONE, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, HENRY, HOFFMANN, HONEY, LITTLE, MILLS, PERRY, PUGH, RICHARD, RICHMOND, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TEMPLET, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:6023, relative to tax credits; to provide relative to the sound recording investor tax credit; to provide relative to certain definitions; to remove certain limitations of the sound recording investor tax credit; to provide relative to the promulgation of rules and regulations; to provide relative to the certification and payment of the tax credit; to provide relative to the display of the state brand or logo under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 563—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 47:2134(D), 2153(B)(5), 2201, and 2202, relative to ad valorem taxes; to provide relative to certain challenges to assessments; to provide for bidding procedures at tax sales; to provide for tax sale title to undivided interests; to provide for public sale or donation of tax parcels; to provide for the sale of adjudicated property to adjoining property owners; to provide for effectiveness as to suits filed on or after a certain date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 618—

BY REPRESENTATIVES GREENE, BALDONE, HENRY, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph) and 611, relative to corporation franchise tax; to exempt a certain amount of taxable capital from the tax; to eliminate the minimum amount of the tax; to provide relative to the initial franchise tax on newly taxable corporations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 693—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, AND RITCHIE

AN ACT

To amend and reenact Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature, relative to motion picture investor tax credits; to provide relative to the amount of the tax credit for certain state-certified infrastructure projects; to provide relative to certain requirements and limitations; to provide relative to the payment of tax credits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 733—

BY REPRESENTATIVES LEGER, ABRAMSON, AUBERT, BROSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, HINES, HOWARD, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, PETERSON, RICHMOND, ROBIDEAUX, ST. GERMAIN, AND STIAES

AN ACT

To enact R.S. 47:6035, relative to tax credits; to authorize a tax credit for certain "green job industries"; to provide for certain definitions; to provide for the application for, certification of, and the administration of the tax credit; to provide for the maximum amount of the credit that may be issued; to provide for certain requirements and limitations; to provide for the recapture and recovery of the credit under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 734—

BY REPRESENTATIVES CARTER, BALDONE, BARRAS, HONEY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, AND TEMPLET

AN ACT

To enact R.S. 47:305.62, 321(H)(3), and 337.9(D)(30), relative to state and local sales and use taxes; to authorize a state sales and use tax exemption for the purchase, lease, or repair of certain equipment by qualifying radiation therapy treatment centers; to authorize political subdivisions to grant a sales and use tax exemption under certain circumstances; to provide for certain definitions; to provide for certain requirements; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 765—

BY REPRESENTATIVES GALLOT, BALDONE, BARRAS, BARROW, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, DANAHAY, DIXON, DOERGE, DOWNS, FANNIN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, HONEY, ROSALIND JONES, KLECKLEY, LAFONTA, LANDRY, LEBAS, LITTLE, LOPINTO, MORRIS, NOWLIN, PERRY, RICHARD, RITCHIE, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WADDELL, AND WILLIAMS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) of the Constitution of Louisiana, to decrease the amount of severance tax on certain natural resources which is retained by the state; to provide for the use of excess severance taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 771—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:1871(C), relative to the Board of Supervisors of Community and Technical Colleges; to authorize the board to set a uniform tuition amount for online courses offered by public postsecondary education institutions under its jurisdiction; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 790—

BY REPRESENTATIVES GREENE, BALDONE, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:6015, and Section 2 of Act No. 9 of the 2002 First Extraordinary Session of the Legislature, relative to the research and development tax credit; to authorize the issuance of tax credits for certain research and development activities; to provide for the amount of the tax credit; to

June 21, 2009

authorize the refundability of the tax credits; to provide for a sunset date for issuance of the tax credit; to provide for an effective date; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 818—
BY REPRESENTATIVES ELLINGTON, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To enact R.S. 47:301(3)(k), relative to the sales and use tax; to phase-in an exclusion from state sales and use taxes for certain tangible property related to the manufacturing process; to provide for certain limitations; to provide for certain definitions; and to provide for related matters.

Reported favorably.

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

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

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 898— (Substitute for House Bill No. 142 by Representative Henry)
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 47:6007, relative to tax credits; to provide relative to the motion picture investor tax credit; to provide for issuance of the tax credit for state-certified productions; to provide for the amount of the tax credit; to provide relative to certain definitions; to provide for certain requirements and

limitations; to provide relative to the promulgation of rules; to delete certain provisions relative to the tax credit for state-certified infrastructure projects; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

HOUSE BILL NO. 903— (Substitute for House Bill No. 375 by Representative Arnold)
BY REPRESENTATIVE ARNOLD
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) and to add Article VII, Section 18(H) of the Constitution of Louisiana, relative to the levy of ad valorem property tax by taxing authorities; to further limit certain taxing authorities' power to increase millage rates without voter approval; to require the election for approving ad valorem property tax levies or renewals of certain taxing authorities to occur only at certain elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

Respectfully submitted,
ROBERT M. MARIONNEAUX, 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 21, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVE PETERSON
A CONCURRENT RESOLUTION

To urge and request the division of administration to develop, conduct, and otherwise provide for an education and training program to train agency officials concerning performance-based budgeting practices.

Reported favorably.

HOUSE BILL NO. 2—
BY REPRESENTATIVE GREENE
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 364—

BY REPRESENTATIVE FANNIN
AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to special treasury funds; to create the American Recovery and Reinvestment Act Fund as a special fund in the state treasury; to dedicate certain revenues to the fund; to provide for the deposit, investment, and use of monies in the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 365—

BY REPRESENTATIVE SIMON
AN ACT

To enact Part VII-B of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.2, to establish and provide for the Percent for Universal Design Program; to require that a certain percent of the expenditure for construction or renovation of a state building shall be used to implement principles of universal design; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 667—

BY REPRESENTATIVE FANNIN
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments.

HOUSE BILL NO. 720—

BY REPRESENTATIVES JANE SMITH, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, JOHNSON, KLECKLEY, LAFONTA, LITTLE, MILLS, MONICA, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, TUCKER, WADDELL, AND WILLIAMS AND SENATORS CROWE, DUPLESSIS, MICHOT, AND SMITH
AN ACT

To enact the Louisiana Tax Delinquency Amnesty Act of 2009; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for the disposition of the monies collected pursuant to the tax amnesty program; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 869—

BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds for Fiscal Year 2009-2010 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported favorably.

HOUSE BILL NO. 879—

BY REPRESENTATIVES TUCKER, CONNICK, LEGER, AND PETERSON
AN ACT

To appropriate funds and to make certain changes in appropriations from certain sources and purposes in specific amounts for the

making of supplemental appropriations for Fiscal Year 2008-2009; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 881—

BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2008-2009; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

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

Senator Marionneaux asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 2—

BY REPRESENTATIVE GREENE
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Re-Engrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

In Senate Committee Amendment No. 8, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 2, delete lines 16 and 17, and insert the following:

"Priority 2	\$	50,000
Payable from Fees and Self-Generated Revenues	\$	80,000
Total	\$	<u>290,000</u>

AMENDMENT NO. 2

In Senate Committee Amendment No. 62, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 10, delete lines 27 and 28, and insert the following:

"Non-Recurring Revenues	\$	345,000
Payable from State General Fund (Direct)	\$	1,000,000
Total	\$	<u>2,545,000</u>

AMENDMENT NO. 3

In Senate Committee Amendment No. 129, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 21, delete lines 26 and 27, and insert the following:

June 21, 2009

"Priority 2	\$ 500,000
Payable from Overcollections Fund	<u>\$ 500,000</u>
Total	<u>\$ 2,400,000"</u>

AMENDMENT NO. 4

In Senate Committee Amendment No. 153, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 25, delete lines 27 and 28, and insert the following:

"Non-Recurring Revenues	\$ 350,000
State General Fund (Direct)	<u>\$ 500,000</u>
Total	<u>\$ 1,200,000"</u>

AMENDMENT NO. 5

Delete Senate Committee Amendment Nos. 11, 15, 16, 18, 20, 21, 25, 28, 31, 33, 36, 41, 44, 48, 50, 51, 53, 55, 57, 58, 62, 66, 67, 68, 72, 73, 78, 79, 83, 84, 88, 89, 91, 95, 96, 97, 98, 101, 104, 106, 107, 108, 109, 113, 115, 116, 119, 121, 122, 125, 126, 128, 130, 133, 134, 135, 139, 140, 144, 148, 149, 153, 156, 159, and 161 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009.

AMENDMENT NO. 6

Delete Senate Committee Amendment No. 163 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009.

AMENDMENT NO. 7

On page 12, delete line 19, and insert the following:

"Payable from Transportation Trust Fund - Regular	<u>\$ 1,250,000"</u>
---	----------------------

AMENDMENT NO. 8

On page 12, between lines 19 and 20, insert the following:

"(2010)Projects Funded from the American Recovery and Reinvestment Act of 2009, Construction (Statewide)	<u>\$ 1,000,000"</u>
Payable from Federal Funds	<u>\$ 1,000,000"</u>

AMENDMENT NO. 9

On page 15, between lines 10 and 11, insert the following:

"(1421)Chennault Aviation and Military Museum Phase III Chennault Memorial Hangar Building and Equipment (Ouachita)	<u>\$ 150,000"</u>
Payable from State General Fund (Direct)	<u>\$ 150,000"</u>

AMENDMENT NO. 10

On page 25, delete lines 25 through 27, and insert the following:

"Payable from Transportation Trust Fund - Regular	\$ 141,491,685
Payable from Transportation Trust Fund - Federal	<u>\$ 775,000,000</u>
Total	<u>\$1,095,469,151"</u>

AMENDMENT NO. 11

On page 26, delete line 3, and insert the following:

"Payable from State Highway Improvement Fund	<u>\$ 36,800,000"</u>
--	-----------------------

AMENDMENT NO. 12

On page 26, between lines 3 and 4, insert the following:

"(1192)La. Hwy. 616 (Caldwell Road to La. Hwy. 143), Planning and Construction (Ouachita)	<u>\$ 150,000"</u>
Payable from General Obligation Bonds Priority 2	<u>\$ 150,000"</u>

AMENDMENT NO. 13

On page 26, between lines 3 and 4, insert the following:

"(1881)US 167 Corridor Study (Evangeline, St. Landry)	<u>\$ 100,000"</u>
Payable from General Obligation Bonds Priority 2	<u>\$ 100,000"</u>

AMENDMENT NO. 14

On page 26, between lines 3 and 4, insert the following:

"(1989)Leesville Route 171 Study and Vernon Parish Transportation Plan (Vernon)	<u>\$ 600,000</u>
Payable from State General Fund (Direct)	<u>\$ 600,000</u>

Provided, however, this appropriation is in lieu of State General Fund (Direct) appropriated in Act 511 of 2008 of the Regular Session for Leesville Route 171 Study (Vernon)."

AMENDMENT NO. 15

On page 26, between lines 11 and 12, insert the following:

"(2012)I-10 Lighting - LaPlace (St. John the Baptist)	<u>\$ 350,000"</u>
Payable from State General Fund (Direct)	<u>\$ 350,000"</u>

AMENDMENT NO. 16

On page 27, delete line 10, and insert the following:

"Priority 1	\$ 23,955,000
Priority 2	<u>\$ 300,000</u>
Total	<u>\$ 24,255,000"</u>

AMENDMENT NO. 17

On page 27, delete line 38, and insert the following:

"Priority 1	\$ 1,500,000
Priority 2	<u>\$ 200,000</u>
Total	<u>\$ 1,700,000"</u>

AMENDMENT NO. 18

On page 30, between lines 8 and 9, insert the following:

"(1204)Facilities Program Major Repairs, Renovations, Additions, New Facilities, Equipment Replacement at Various DOTD Sites, Planning and Construction (Statewide)	<u>\$ 1,250,000 "</u>
Payable from Transportation Trust Fund - Regular	<u>\$ 1,250,000 "</u>

AMENDMENT NO. 19

On page 33, delete line 15, and insert the following:

"(Statewide)"

AMENDMENT NO. 20

On page 37, delete line 32, and insert the following:

"Payable from Aquatic Plant Control Fund	<u>\$ 150,000"</u>
--	--------------------

AMENDMENT NO. 21

On page 38, delete line 14, and insert the following:

"Priority 1	\$ 25,325,000
Priority 2	\$ 150,000
Total	<u>\$ 25,475,000"</u>

AMENDMENT NO. 22

On page 40, after line 49, insert the following:

"(814) Feist-Weiller Cancer Research Center,
Planning and Construction
(Caddo)
Payable from Revenue Bonds

	<u>\$ 51,300,000</u>
--	----------------------

Provided, however, this appropriation is in lieu of Revenue Bonds appropriated in Act 29 of 2008."

AMENDMENT NO. 23

On page 41, delete line 5, and insert the following:

"Nonrecurring Revenues	\$ 10,000,000
Payable from State General Fund (Direct)	\$ 5,000,000
Total	<u>\$ 15,000,000"</u>

AMENDMENT NO. 24

On page 43, between lines 23 and 24, insert the following:

"(2009)Southwest Center for Rural Initiative
(SCRI) Southern University Agricultural
Research and Extension Center, Real Estate
Acquisition, Planning and Construction
(Supplemental)
(St. Landry)
Payable from Southern University Agricultural
Programs Fund

	<u>\$ 1,275,000"</u>
--	----------------------

AMENDMENT NO. 25

On page 46, between lines 30 and 31, insert the following:

"(969) Southwest Louisiana Entrepreneurial
and Economic Development Center, Planning
and Construction
(Calcasieu)
Payable from Fees and Self Generated
Revenues

	<u>\$ 14,400,000"</u>
--	-----------------------

AMENDMENT NO. 26

On page 46, delete line 43, and insert the following:

"Priority 2	\$ 50,000
Priority 3	\$ 1,000,000
Total	<u>\$ 1,050,000"</u>

AMENDMENT NO. 27

On page 47, delete lines 47 through 51, and insert the following:

"Payable from General Obligation Bonds Priority 1	<u>\$ 12,215,000"</u>
--	-----------------------

AMENDMENT NO. 28

On page 48, delete line 1, and insert the following:

"(241) Fletcher Hall Exterior Repairs, Planning and Construction"

AMENDMENT NO. 29

On page 48, delete lines 3 and 4, and insert the following:

"Payable from State General Fund (Direct) - Nonrecurring Revenues	\$ 1,500,000
Payable from State General Fund (Direct)	\$ 2,700,000
Payable from General Obligation Bonds Priority 2	\$ 650,000
Total	<u>\$ 5,850,000"</u>

AMENDMENT NO. 30

On page 50, delete line 18, and insert the following:

"Priority 1	\$ 750,000
Priority 2	\$ 100,000
Total	<u>\$ 850,000"</u>

AMENDMENT NO. 31

On page 52, delete lines 43 and 44, and insert the following:

"Payable from State General Fund (Direct)	\$ 500,000
Payable from General Obligation Bonds Priority 1	\$ 500,000
Total	<u>\$ 1,000,000"</u>

AMENDMENT NO. 32

On page 59, between lines 23 and 24, insert the following:

"(2015)LeMaire Memorial Airport,
T-Hangar Planning and Construction
(Iberia)
Payable from General Obligation Bonds
Priority 2

	<u>\$ 150,000</u>
--	-------------------

Pending approval of capital outlay budget request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 33

On page 61, between lines 8 and 9, insert the following:

"(878) Canal Street Roadway Reconstruction and
Installation of Subsurface Drainage Between
I-10 and Lake Avenue
(Jefferson)
Payable from General Obligation Bonds
Priority 2

	<u>\$ 25,000"</u>
--	-------------------

AMENDMENT NO. 34

On page 63, after line 49, insert the following:

"(1936)Sheriff's Training Center, Planning
and Construction
(Plaquemines)
Payable from General Obligation Bonds
Priority 2

	<u>\$ 75,000"</u>
--	-------------------

AMENDMENT NO. 35

On page 64, delete line 10, and insert the following:

"Priority 1	\$ 200,000
Priority 2	\$ 50,000
Total	<u>\$ 250,000"</u>

AMENDMENT NO. 36

On page 65, between lines 14 and 15, insert the following:

"(1425)St. Charles Emergency Operations Center
(St. Charles)
Payable out of the State General
Fund (Direct)

	\$ 300,000
--	------------

Payable from the balance of State General Fund
(Direct) previously allocated under the authority
of Act 21 of 2000 for St. Charles Parish Almedia
Road Widening LA 50, Planning and Construction
(\$36,700 Local Match)
(St. Charles)

	\$ 105,600
Total	<u>\$ 405,600"</u>

June 21, 2009

AMENDMENT NO. 38

On page 67, delete lines 26 and 27, and insert the following:

"Priority 5	\$ 1,000,000
Payable from State General Fund (Direct)	\$ 300,000
Total	<u>\$ 1,425,000"</u>

AMENDMENT NO. 39

On page 68, delete lines 42 through 47, and insert the following:

"Payable from General Obligation Bonds	
Priority 1	\$ 400,000
Priority 5	\$ 320,000
Total	<u>\$ 720,000"</u>

AMENDMENT NO. 40

On page 69, between lines 15 and 16, insert the following:

"(1873)Vermilion Parish Road and Bridge Improvements, Planning and Construction (Vermilion)	
Payable from State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 1,200,000"</u>

AMENDMENT NO. 41

On page 70, delete line 18, and insert the following:

"Priority 1	\$ 75,000
Priority 2	\$ 10,000
Total	<u>\$ 85,000"</u>

AMENDMENT NO. 42

On page 71, between lines 34 and 35, insert the following:

"50/M02 ABITA SPRINGS

(1483) Water Lines and Sewer Lines, Extensions and Upgrades, Planning and Construction (Cash and/or In-Kind Match Required) (St. Tammany)	
Payable from General Obligation Bonds	
Priority 2	<u>\$ 15,000"</u>

AMENDMENT NO. 43

On page 77, delete line 20, and insert the following:

"Priority 2	<u>\$ 450,000"</u>
-------------	--------------------

AMENDMENT NO. 44

On page 78, between lines 37 and 38, insert the following:

"(1515)Road and Street Repairs, Planning and Construction (Cash and/or In-Kind Match Required) (St. Tammany)	
Payable from General Obligation Bonds	
Priority 2	<u>\$ 30,000"</u>

AMENDMENT NO. 45

On page 81, after line 46, insert the following:

"(1367)Sewerage Treatment and Sewer/Water Lines Repair, Planning and Construction (Cash and/or In-Kind Match Required) (Tangipahoa)	
Payable from General Obligation Bonds	
Priority 2	<u>\$ 30,000"</u>

AMENDMENT NO. 46

On page 83, delete line 27, and insert the following:

"Priority 1	\$ 350,000
Priority 2	\$ 25,000
Total	<u>\$ 375,000"</u>

AMENDMENT NO. 47

On page 88, delete lines 51 and 52, and insert the following:

"Priority 2	\$ 350,000
Total	<u>\$ 850,000"</u>

AMENDMENT NO. 48

On page 95, between lines 6 and 7, insert the following:

"(1570)Town of Stonewall, Rural Medical Facility, Planning and Construction (DeSoto)	
Payable from General Obligation Bonds	
Priority 2	<u>\$ 150,000"</u>

AMENDMENT NO. 49

On page 95, delete line 17, and insert the following:

"Priority 1	\$ 75,000
Priority 2	\$ 25,000
Total	<u>\$ 100,000"</u>

AMENDMENT NO. 50

On page 96, delete line 50, and insert the following:

"Priority 1	\$ 1,000,000
Priority 2	\$ 150,000
Total	<u>\$ 1,150,000"</u>

AMENDMENT NO. 51

On page 100, delete line 7, and insert the following:

"Priority 1	\$ 900,000
Priority 2	\$ 100,000
Total	<u>\$ 1,000,000"</u>

AMENDMENT NO. 52

On page 100, delete line 39, and insert the following:

"Priority 1	\$ 175,000
Priority 2	\$ 200,000
Total	<u>\$ 375,000"</u>

AMENDMENT NO. 53

On page 102, delete line 49, and insert the following:

"Priority 1	\$ 500,000
Priority 2	\$ 150,000
Total	<u>\$ 650,000"</u>

AMENDMENT NO. 54

On page 103, delete lines 27 and 28, and insert the following:

"Priority 2	\$ 150,000
Priority 5	\$ 500,000
Total	<u>\$ 980,000"</u>

AMENDMENT NO. 55

On page 105, delete line 42, and insert the following:

"Priority 1	\$ 1,765,000
Payable from State General Fund (Direct)	\$ 20,000
Total	<u>\$ 1,785,000"</u>

AMENDMENT NO. 56

On page 106, delete line 44, and insert the following:

"Priority 1	\$ 75,000
Priority 2	\$ 10,000
Total	<u>\$ 85,000"</u>

AMENDMENT NO. 57

On page 107, at the beginning of line 14, delete the following:

"()" and insert "(1986)"

AMENDMENT NO. 58

On page 110, between lines 29 and 30, insert the following:

"50/NHH CHRISTUS COUSHATTA HEALTH CARE CENTER

(1777) CHRISTUS Coushatta - Facility Roof and Parking Lot Repair Project, Planning and Construction (Red River)
Payable from General Obligation Bonds
Priority 2 \$ 90,000"

AMENDMENT NO. 59

On page 112, delete line 42, and insert the following:

"Priority 1 \$ 50,000
Priority 2 \$ 25,000
Total \$ 75,000"

AMENDMENT NO. 60

On page 113, delete line 12, and insert the following:

"Priority 1 \$ 50,000
Priority 2 \$ 55,000
Total \$ 105,000"

AMENDMENT NO. 61

On page 115, after line 45, insert the following:

"50/NMA ST. CHARLES COMMUNITY HEALTH CENTER

(1726) Public Health Facility - Norco (Federal Funds \$150,000) (Lafourche)
Payable from General Obligation Bonds
Priority 2 \$ 350,000"

AMENDMENT NO. 62

On page 115, after line 45, insert the following:

"50/NMX CADDO SOIL AND WATER CONSERVATION DISTRICT

(1991) Red Bayou Watershed Project, Planning and Construction (\$3,200,000 Federal Match) (Caddo)
Payable from State General Fund (Direct) \$ 1,060,000"

AMENDMENT NO. 63

On page 116, between lines 6 and 7, insert the following:

"50/NNB PROFESSIONAL SPECIALTIES

"() USDA Licensed Veterinary Biologic Facility (Cash and/or In-Kind Match Required) (East Baton Rouge)
Payable from General Obligation Bonds
Priority 2 \$ 100,000

Pending approval of capital outlay budget request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 64

On page 117, delete line 27, and insert the following:

Priority 1	\$ 305,000
Priority 2	\$ 30,000
Total	<u>\$ 335,000"</u>

AMENDMENT NO. 65

On page 122, at the end of line 18, after "Program," insert the following: "Department of Natural Resources for the Coastal Restoration and Management Projects appropriation,"

AMENDMENT NO. 66

On page 122, line 22, after "through 128." insert the following: "In the event that House Bill 833 of 2009 is enacted creating the Office of Coastal Protection and Restoration in the Office of the Governor and facilities or programs for which projects are funded in this Act are transferred to that office, then the projects in this Act shall be deemed transferred also. Further, any appropriations made for these projects shall be considered as having been appropriated to the Office of Coastal Protection and Restoration."

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

HOUSE BILL NO. 5—

BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTOUCET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 47:305(A)(5) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to exemptions to sales and use tax; to provide with respect to exemptions for crawfish bait and feed; and to provide for related matters.

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

HOUSE BILL NO. 9—

BY REPRESENTATIVES BALDONE AND LEGER
AN ACT

To enact R.S. 47:301(6)(c), relative to sales and use tax; to exclude from the definition of "hotel" certain temporary lodging services provided by a nonprofit corporation to a homeless person; to authorize rulemaking; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 83—

BY REPRESENTATIVES TIM BURNS, ARNOLD, CARMODY, GREENE, HENRY, HOFFMANN, KATZ, LIGI, PEARSON, RICHARD, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, TUCKER, AND WADDELL
AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i), (ii), and (vi) and to enact R.S. 47:1705(B)(2)(c)(vii) and (f), relative to the requirements for public hearings on proposals to increase millage rates without voter approval; to require public notice and publication of certain information related to such millage increases; to require notification of certain elected officials; and to provide for related matters.

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

June 21, 2009

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS DONAHUE AND MICHOT

AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:293(9)(a)(xvii), relative to the individual income tax; to provide for a deduction for net capital gains; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 128—

BY REPRESENTATIVES HENRY, TIM BURNS, ELLINGTON, GREENE, GUINN, HARRISON, HAZEL, HENDERSON, HOWARD, KLECKLEY, LEBAS, LIGI, MONICA, PEARSON, POPE, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, TALBOT, THIBAUT, AND WOOTON

AN ACT

To amend and reenact R.S. 47:305.54(B)(2) and to enact R.S. 47:305.62, relative to state sales and use tax; to authorize a state "sales tax holiday" at certain times for purchases of certain firearms; to provide for definitions; to provide restrictions on the types of purchases eligible for the exemption; and to provide for related matters.

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

HOUSE BILL NO. 189—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:305(D)(2) and to enact R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4), relative to the sales and use tax; to provide for the effectiveness and applicability of the exemption for the sale of meals by certain institutions and organizations; to provide for the exemption of the meal plans of certain educational institutions; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 189 by Representative Greene

AMENDMENT NO. 1

On page 1, line 18, after "effective" delete the remainder of the line, delete line 19, and insert "from January 1, 1998."

AMENDMENT NO. 2

On page 2, line 16, after "furnished" delete the remainder of the line, and insert: "to the public in connection with or by educational"

AMENDMENT NO. 3

On page 2, line 17, change "organizations" to "organizations organization facilities"

AMENDMENT NO. 4

On page 2, line 20, after "purchased." delete the remainder of the line and delete lines 21 and 22

AMENDMENT NO. 5

On page 3, line 3, after "effective" delete the remainder of the line and insert "from January 1, 1998."

AMENDMENT NO. 6

On page 3, line 13, after "effective" delete the remainder of the line, delete line 14, and insert "from January 1, 1998."

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

HOUSE BILL NO. 215—

BY REPRESENTATIVES HUTTER AND LEGER

AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Re-Engrossed House Bill No. 215 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 3, change "Investor Tax Credit" to "Tax Credits"

AMENDMENT NO. 2

On page 1, line 4, after "investments" insert "and import and export activity"

AMENDMENT NO. 3

On page 1, line 13, change "Investor Tax Credit" to "Tax Credits"

AMENDMENT NO. 4

On page 1, line 15, after "investment in" insert "and the use of"

AMENDMENT NO. 5

On page 1, line 21, after "facilities" insert: "and the utilization of public port facilities for the import and export of their cargo to or from distribution, manufacturing, fabrication, assembly, processing, or warehousing sites in Louisiana."

AMENDMENT NO. 6

On page 2, between lines 5 and 6, insert:

"(1) "Breakbulk cargo" shall mean machinery, equipment, materials, products, or commodities, including but not limited to palletized or unpalletized bagged, packaged, wrapped, drummed, baled, or crated goods and commodities. Breakbulk cargo shall mean offshore drilling platforms and equipment. Breakbulk cargo shall not include any liquid or dry commodities that are handled in bulk."

AMENDMENT NO. 7

On page 2, line 6, change "(1)" to "(2)"

AMENDMENT NO. 8

On page 3, between lines 13 and 14, insert:

"(3) "Containerized cargo" shall mean any machinery, equipment, materials, products, or commodities including but not limited to containers which are rigid, sealed, reusable metal boxes in which merchandise is shipped by vessel, truck, or rail.

"(4) "Import cargo" and "export cargo" shall mean any breakbulk or containerized cargo brought to the state of Louisiana from a foreign country or from the state of Louisiana to a foreign country.

"(5) "International business entity" shall mean a taxpayer corporation, partnership, limited liability company, or other commercial entity, all or a portion of whose activities involve the import or export of breakbulk or containerized cargo to or from manufacturing, fabrication, assembly, distribution, processing, or warehousing facilities located within Louisiana."

AMENDMENT NO. 9

On page 3, line 14, change "(2)" to "(6)"

AMENDMENT NO. 10

On page 3, between lines 16 and 17, insert:

(7) "Oceangoing vessel" shall mean any vessel, ship, barge, or water craft that floats, including offshore oil exploration platforms."

AMENDMENT NO. 11

On page 3, line 17, change "(3)" to "(8)"

AMENDMENT NO. 12

On page 3, line 28, change "(4)" to "(9)"

AMENDMENT NO. 13

On page 4, between lines 2 and 3, insert:

"(10) "Public port" shall mean any deep-water port commission or port, harbor and terminal district as defined in Article VI, Section 44 of the Constitution of Louisiana, and any other port, harbor, and terminal district established under Title 34 of the Louisiana Revised Statutes of 1950.

(11) "Qualified cargo" shall mean any breakbulk or containerized machinery, equipment, materials, products, or commodities owned by an international business entity which are imported or exported to or from a manufacturing, fabrication, assembly, distribution, processing, or warehouse facility located in Louisiana and which are so moved by way of an oceangoing vessel berthed at a public port facility during the taxable year."

AMENDMENT NO. 14

On page 4, line 3, change "(5)" to "(12)"

AMENDMENT NO. 15

On page 4, line 5, change "(6)" to "(13)"

AMENDMENT NO. 16

On page 4, between lines 9 and 10, insert:

(14) "Ton" shall be a net ton of two thousand pounds and in the case of containerized cargo it shall exclude the weight of the container."

AMENDMENT NO. 17

On page 4, delete lines 10 through 14, and insert:

"C. Investor tax credit.

(1)(a) There are hereby authorized the following credits against state income and corporate franchise tax:

(i) An Investor Tax Credit as provided for in Subsections A through H of this Section for the total capital costs of a qualifying project in the manner and according to the provisions of those Subsections.

(ii) An Import Export Cargo Credit as provided for in Subsection I of this Section in the manner and according to the provisions of that Subsection.

(b) The Investor Tax Credit provided for in this Subsection shall be issued by the Department of Economic Development for a qualifying project if the commissioner of administration, after approval of the Joint Legislative Committee on the Budget, certifies to the secretary of the department that there will be sufficient revenue received by the state to offset the effect to the state of the tax credits provided for the capital costs of the project, whether from increased port or port and harbor activity because of the grant of the tax credit or otherwise. If the commissioner with the approval of the committee so certifies, then the Department of Economic Development may grant a tax credit equal to the total capital costs of a qualifying project to be taken at five percent per tax year; however,"

AMENDMENT NO. 18

On page 4, line 16, after "project," insert "(c)"

AMENDMENT NO. 19

On page 4, line 17, after "company" delete the remainder of the line, and on line 18, delete "credits are earned"

AMENDMENT NO. 20

On page 4, line 19, after "until" insert "the project is approved by the department after certification from the commissioner with the approval of the committee and" and delete "Department of" and on line 20, delete "Economic Development" and insert "department"

AMENDMENT NO. 21

On page 4, line 25, change "Section" to "Subsection"

AMENDMENT NO. 22

On page 5, line 2, change "Section" to "Subsection"

AMENDMENT NO. 23

On page 5, line 3, change "Section" to "Subsection"

AMENDMENT NO. 24

On page 5, line 8, change "Section" to "Subsection"

AMENDMENT NO. 25

On page 5, line 10, change "Section" to "Subsection"

AMENDMENT NO. 26

On page 5, line 12, change "Section" to "Subsection"

AMENDMENT NO. 27

On page 6, line 23, after "earned" delete the period "." and insert: "and available to the initial investing company for use or transfer."

AMENDMENT NO. 28

On page 7, line 17, change "this Section" to "the tax credit provided for such investment"

AMENDMENT NO. 29

On page 8, line 16, after "project" delete the period "." and insert: "the total amount of tax credits issued for the capital costs of the qualifying project, and the amount to be taken at five percent per tax year."

AMENDMENT NO. 30

On page 8, line 26, after "project" delete the period "." and insert: "and the amount to be taken at five percent per tax year."

AMENDMENT NO. 31

On page 9, line 1, change "this Section" to "the tax credit for port investors"

AMENDMENT NO. 32

On page 9, line 2, change "this Section" to "the tax credit for port investors"

AMENDMENT NO. 33

On page 9, line 20, change "this Section" to "Subsection C of this Section"

AMENDMENT NO. 34

On page 9, line 23, change "this Section" to "Subsection C of this Section"

AMENDMENT NO. 35

On page 10, delete lines 6 through 9

AMENDMENT NO. 36

On page 10, delete line 10, and insert:
"G. Termination of Investor Tax Credit."

AMENDMENT NO. 37

On page 10, line 11, after "provisions of" insert "Subsection C of"

AMENDMENT NO. 38

On page 10, line 12, after "no" insert "investor"

AMENDMENT NO. 39

On page 10, line 14, change "I." to "H."

June 21, 2009

AMENDMENT NO. 40

On page 10, line 15, after "Development" change "by" to "for" and change "this Act" to "the Investor Tax Credit provided for in this Section"

AMENDMENT NO. 41

On page 10, between lines 15 and 16, insert:

"I. Import Export Cargo Credit.

(1) Certification of taxpayer. Only those taxpayers who have received certification from the secretary of the Department of Economic Development shall be eligible to take the tax credits provided for by this Subsection and then only for the taxable year or years and for the amount provided for in the commissioner of administration's certification, approved by the Joint Legislative Committee on the Budget, provided for in Item (2)(a)(ii) of this Subsection as allocated by the secretary. The secretary shall promulgate rules in accordance with the Administrative Procedure Act which establish the process by which a taxpayer shall apply for certification.

(a) Taxpayers eligible for certification include those international business entities which provide to the department a verified statement of cargo volume data for the calendar year prior to the year of the application, specifically including the total annual volume and tons of breakbulk or containerized cargo imported and exported from or to, manufacturing, fabrication, assembly, distribution, processing, or warehousing facilities located in Louisiana.

(b) In no event, however, shall an applicant be certified if its exports and imports are limited to bulk commodities.

(c) The secretary shall provide a statement of certification to each taxpayer which he has certified as eligible to take the tax credit after approval of the Joint Legislative Committee on the Budget, which shall contain the taxable year or years for which the taxpayer is allowed the tax credit and the amount of tax credit allocated for such taxable year or years. The secretary shall also transmit a copy of such statement to the secretary of the Department of Revenue.

(2)(a)(i) For taxable years beginning on and after January 1, 2009, there shall be allowed a credit against the individual income, corporation income, and corporation franchise tax liability of a taxpayer who has received certification pursuant to the provisions of Paragraph (1) of this Subsection. The amount of the credit shall be equal to the product of multiplying five dollars by the taxpayer's number of tons of qualified cargo for the taxable year but only for the total amount of the allocation provided to the taxpayer by the secretary of the Department of Economic Development for such taxable year.

(ii) The tax credit provided for in this Subsection shall only be allowed for all or a portion of a fiscal year if the commissioner of administration certifies to the secretary of the Department of Economic Development that there will be sufficient revenue received by the state to offset the effect to the state of the tax credits provided for in this Subsection whether from increased utilization of public port facilities because of the tax credit or otherwise, and such certification is approved by the Joint Legislative Committee on the Budget.

(b) In the event that the tax credits allowed pursuant to this Subsection exceed the total tax liability of the taxpayer in the taxable year, the amount of the credit not used as an offset against such tax liability may be carried forward as a credit against subsequent individual and corporation income, or corporation franchise tax liabilities for a period not to exceed five taxable years.

J. The Department of Economic Development may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement the provisions of this Section subject to oversight by the House ways and means and the Senate revenue and fiscal affairs committees."

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

HOUSE BILL NO. 261—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 20:1(A)(2) and to enact R.S. 13:3851.1, relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 364—

BY REPRESENTATIVE FANNIN
AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to special treasury funds; to create the American Recovery and Reinvestment Act Fund as a special fund in the state treasury; to dedicate certain revenues to the fund; to provide for the deposit, investment, and use of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 364 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 2, change "Subpart Q" to "Subparts Q and Q-1"

AMENDMENT NO. 2

On page 1, line 3, after "of R.S." delete the remainder of the line and insert "39:100.121 and 100.122, relative to state"

AMENDMENT NO. 3

On page 1, delete line 4 and insert the following: "funds; to create the Statewide Education Facilities Fund as a special fund in the state treasury; to establish the Hurricane Recovery Health Insurance Premium Fund as a"

AMENDMENT NO. 4

On page 1, line 5, change "to the fund;" to "to the funds;"

AMENDMENT NO. 5

On page 1, line 6, change "deposit, investment, and use of monies in the fund;" to "deposit, transfer, investment, and use of monies in the funds; to provide for an effective date;"

AMENDMENT NO. 6

On page 1, line 9, change "Subpart Q" to "Subparts Q and Q-1" and on line 10, change "39:100.121, is" to "39:100.121 and 100.122, are"

AMENDMENT NO. 7

On page 1, delete line 12 through 19, and insert the following: "SUBPART Q. STATEWIDE EDUCATION FACILITIES FUND §100.121. Statewide Education Facilities Fund

A. There is hereby created in the state treasury, as a special fund, the Statewide Education Facilities Fund, hereinafter referred to as the "fund". Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

B. The source of monies deposited into the fund shall be any monies appropriated or transferred to the fund by the legislature, including federal monies, donations, gifts, grants, or any other monies which may be provided by law.

C. Monies in the fund shall be used solely for the purposes of the Statewide Education Facilities Authority.

SUBPART Q-1. HURRICANE RECOVERY HEALTH INSURANCE PREMIUM FUND

§100.122. Hurricane Recovery Health Insurance Premium Fund

A. There is hereby created, as a special fund in the state treasury, the Hurricane Recovery Health Insurance Premium Fund, hereafter referred to as "the fund".

B. Beginning July 1, 2009, and each fiscal year thereafter, and after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year and before monies are credited to the state general fund, the treasurer shall pay, subject to an annual appropriation by the legislature, into the Hurricane Recovery Health Insurance Premium Fund an amount equal to forty percent of the premiums necessary to provide health insurance for certain plan members of the Cameron Parish School Board, the Orleans Parish School Board, the Plaquemines Parish School Board, and the St. Bernard Parish School Board, but not less than the amount appropriated for such purposes as provided in Schedule 20-945 / Aid to Local Government Entities contained in Act 642 of the 2006 Regular Session of the Legislature. Monies credited to the fund shall be distributed as provided in Subsection C of this Section.

C. Subject to an annual appropriation by the legislature, monies in the fund shall be distributed as follows:

(1) Sixty-three and three-tenths percent shall be distributed to the Orleans Parish School Board and shall be used to reduce the employee portions of health insurance premiums for certain system retirees.

(2) Monies distributed to the Cameron Parish School Board, the Plaquemines Parish School Board, and the St. Bernard Parish School Board shall be used for subsidy of health insurance premiums. Distributions to the school boards shall be as follows:

(a) Four and nine-tenths percent to the Cameron Parish School Board.

(b) Ten and four-tenths percent to the Plaquemines Parish School Board.

(c) Twenty-one and four-tenths percent to the St. Bernard Parish School Board.

D. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the state general fund."

AMENDMENT NO. 8

On page 2, delete lines 1 through 6 and insert the following:

"Section 2. Notwithstanding the provisions of Section 12 of the Act which originated as House Bill No. 802 of the 2009 Regular Session of the Legislature, the Act which originated as Senate Bill No. 193 of the 2009 Regular Session of the Legislature, R.S. 22:2371 or R.S. 22:2364, the state treasurer is hereby authorized and directed to transfer the amount of Seventy-five Million Dollars out of the Insure Louisiana Incentive Program Fund to be deposited in and credited to the state general fund. The provisions of this Act shall supercede the provisions of that Act which originated as House Bill No. 802 of the 2009 Regular Session of the Legislature, the Act which originated as Senate Bill No. 193 of the 2009 Regular Session of the Legislature, and any Act of the 2009 Regular Session of the Legislature concerning the Insure Louisiana Incentive Program."

AMENDMENT NO. 9

On page 2, line 7, change "Section 2" to "Section 3"

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

HOUSE BILL NO. 365—

BY REPRESENTATIVE SIMON

AN ACT

To enact Part VII-B of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.2, to establish and provide for the Percent for Universal Design Program; to require that a certain percent of the expenditure for construction or renovation of a state building shall be used to implement principles of universal design; to provide exceptions; and to provide for related matters.

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

HOUSE BILL NO. 389—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, NOWLIN, RICHARD, AND ROBIDEAUX

AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, Act No. 141 of the 2003 Regular Session of the Legislature, and Act No. 357 of the 2005 Regular Session of the Legislature; to delete the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 446—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:2062, 2142(A) and (C), 2144, 2145(B), 2153(B)(5), and 2155(A), relative to ad valorem taxes; to provide for the assistance to each parish tax assessor by an attorney or agency; to provide for the collection of penalties; to provide relative to undivided interests in title to tax sale property; to provide for bidding procedures; to provide for the form for tax sale certificates; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 446 by Representative Henry

AMENDMENT NO. 1

On page 1, line 11, delete "state or"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, insert "A."

AMENDMENT NO. 3

On page 1, line 14, after "all taxes" delete the remainder of the line and delete line 15, and insert: "that are delinquent and have become final. Upon all taxes and penalties"

AMENDMENT NO. 4

On page 1, line 16, after "or agency," delete the remainder of the line, and delete lines 17 through 19 and insert: "the delinquent owing the tax shall pay a commission to such"

AMENDMENT NO. 5

On page 2, between lines 3 and 4, insert the following:

"B. The provisions of this Section shall not apply to any property tax matter involving correctness or legality challenges."

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

June 21, 2009

HOUSE BILL NO. 458—

BY REPRESENTATIVES TALBOT, BALDONE, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, HENRY, HOFFMANN, HONEY, LITTLE, MILLS, PERRY, PUGH, RICHARD, RICHMOND, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TEMPLET, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:6023, relative to tax credits; to provide relative to the sound recording investor tax credit; to provide relative to certain definitions; to remove certain limitations of the sound recording investor tax credit; to provide relative to the promulgation of rules and regulations; to provide relative to the certification and payment of the tax credit; to provide relative to the display of the state brand or logo under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 563—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 47:2134(D), 2153(B)(5), 2201, and 2202, relative to ad valorem taxes; to provide relative to certain challenges to assessments; to provide for bidding procedures at tax sales; to provide for tax sale title to undivided interests; to provide for public sale or donation of tax parcels; to provide for the sale of adjudicated property to adjoining property owners; to provide for effectiveness as to suits filed on or after a certain date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 563 by Representative Burrell

AMENDMENT NO. 1

On page 3, line 19, after "bidding" insert "at a public meeting of the governing authority"

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

HOUSE BILL NO. 618—

BY REPRESENTATIVES GREENE, BALDONE, HENRY, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph) and 611, relative to corporation franchise tax; to exempt a certain amount of taxable capital from the tax; to eliminate the minimum amount of the tax; to provide relative to the initial franchise tax on newly taxable corporations; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 618 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, delete "(introductory paragraph) and 611"

AMENDMENT NO. 2

On page 1, line 3, after "tax; to" delete the remainder of the line, and insert: "phase out the tax on certain corporations;"

AMENDMENT NO. 3

On page 1, line 8 change "(introductory paragraph) and 611 are" to "is"

AMENDMENT NO. 4

On page 1, delete lines 10 through 22, on page 2, delete lines 1 through 10, and insert:

"§601. Imposition of tax

A. (1) Every domestic corporation and every foreign corporation, exercising its charter, or qualified to do business or actually doing business in this state, or owning or using any part or all of its capital, plant, or any other property in this state, subject to compliance with all other provisions of law, except as otherwise provided for in this Chapter shall pay an annual tax at the following rates:

(a) Corporations whose taxable capital exceeds one hundred fifty thousand dollars shall pay an annual tax at the rate of one dollar and fifty cents for each one thousand dollars, or major fraction thereof on the first three hundred thousand dollars of taxable capital and at the rate of three dollars for each one thousand dollars, or major fraction thereof, which exceeds three hundred thousand dollars of taxable capital. ~~Taxable capital shall be determined as hereinafter provided; The minimum tax for such corporations shall not be less than ten dollars per year in any case. Beginning January 1, 2010, there shall be no minimum tax due for such corporations, except for ten dollars which shall be due initially as provided for in R.S. 47:611.~~

(b) Corporations whose taxable capital is one hundred fifty thousand dollars or less shall pay an annual tax for the following tax years, as follows:

(i) Beginning January 1, 2010, there shall be no minimum tax due for such corporations as provided for in R.S. 47:611, except for ten dollars which shall be due on the first day of the calendar year or fiscal year in which the corporation is subject to the provisions of this Chapter, or would have been subject to such provisions but for the exemption provided for in Item (iv) of this Subparagraph.

(ii) For taxable periods beginning during calendar year 2011, such corporations shall pay an annual tax at the rate of one dollar for each one thousand dollars of taxable capital, or major fraction thereof.

(iii) For taxable periods beginning during calendar year 2012, such corporations shall pay an annual tax at the rate of fifty cents for each one thousand dollars of taxable capital, or major fraction thereof.

(iv) For all taxable periods beginning after January 1, 2013, such corporations shall be exempt from the payment of the corporate franchise tax except for an initial payment of ten dollars as provided for in Item (i) of this Subparagraph.

(2) Taxable capital shall be determined as provided for in this Chapter.

(3) The tax levied herein is due and payable on any one or all of the following alternative incidents:

(1)(a) The qualification to carry on or do business in this state or the actual doing of business within this state in a corporate form. The term "doing business" as used herein shall mean and include each and every act, power, right, privilege, or immunity exercised or enjoyed in this state, as an incident to or by virtue of the powers and privileges acquired by the nature of such organizations, as well as, the buying, selling, or procuring of services or property.

(2)(b) The exercising of a corporation's charter or the continuance of its charter within this state.

(3)(c) The owning or using any part or all of its capital, plant, or other property in this state in a corporate capacity.

* * *

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

HOUSE BILL NO. 667—

BY REPRESENTATIVE FANNIN

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service

funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 667 by Representative Fannin

AMENDMENT NO. 1

On page 10, line 3, change "\$103,981,919" to "\$123,981,919"

AMENDMENT NO. 2

On page 10, line 13, change "\$400" to "\$450"

AMENDMENT NO. 3

On page 10, line 19, change "1,900" to "1,700"

AMENDMENT NO. 4

On page 10, line 23, change "1,000" to "1,200"

AMENDMENT NO. 5

On page 10, line 25, change "\$103,981,919" to "\$123,981,919"

AMENDMENT NO. 6

On page 10, line 29, change "\$103,981,919" to "\$123,981,919"

AMENDMENT NO. 7

On page 10, line 30, change "\$103,981,919" to "\$123,981,919"

AMENDMENT NO. 8

On page 11, between lines 25 and 26, insert the following:
"ADDITIONAL FUNDING RELATED TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

EXPENDITURES:

Municipal Facilities Revolving Loan Fund \$ 25,000,000

TOTAL EXPENDITURES \$ 25,000,000

MEANS OF FINANCE:

State General Fund by Statutory Dedications: Municipal Facilities Revolving Loan Fund \$ 25,000,000

TOTAL MEANS OF FINANCING \$ 25,000,000"

AMENDMENT NO. 9

On page 11, after line 50, insert the following:
"ADDITIONAL FUNDING RELATED TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

EXPENDITURES:

Safe Drinking Water Revolving Loan Fund \$ 27,311,000

TOTAL EXPENDITURES \$ 27,311,000

MEANS OF FINANCE:

State General Fund by Statutory Dedications: Safe Drinking Water Revolving Loan Fund \$ 27,311,000

TOTAL MEANS OF FINANCING \$ 27,311,000"

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

HOUSE BILL NO. 693—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, AND RITCHIE

AN ACT

To amend and reenact Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature, relative to motion picture investor tax credits; to provide relative to the amount of the tax credit for certain state-certified infrastructure projects; to provide relative to certain requirements and limitations; to provide relative to the payment of tax credits; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 693 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 47:6007(B)(3), (C)(2)(b)(i), and (D)(2)(d) and"

AMENDMENT NO. 2

On page 1, after "Legislature," insert "and to enact R.S. 47:6007(G) and Sections 3(D) and (E) of Act No. 456 of the 2007 Regular Session of the Legislature,"

AMENDMENT NO. 3

On page 1, delete lines 4 and 5, and on line 6, delete "of tax credits;" and insert the following: "initial certification of certain state-certified infrastructure projects and submission of applications for certain state-certified infrastructure projects; to provide relative to requirements and limitations; to provide relative to appeals of a denial of an application for certification; to define certain terms; to provide for certain maximum limitations on tax credits for infrastructure projects;"

AMENDMENT NO. 4

On page 1, delete lines 8 through 20, and insert the following:
"Section 1. R.S. 47:6007(B)(3), (C)(2)(b)(i) and (D)(2)(d) are hereby amended and reenacted, and R.S. 47:6007(G) is hereby enacted to read as follows:
§6007. Motion picture investor tax credit
* * *

B. Definitions. For the purposes of this Section:
* * *

(3) "Expended in the state" in the case of tangible property in a certified production shall mean property which is acquired from a source within the state and in a certified infrastructure project shall mean property which is acquired pursuant to the development of a state certified infrastructure project and, in the case of services for either a state certified production or a state certified infrastructure project, shall mean services procured and performed in the state.
* * *

C. Investor tax credit; specific productions and projects.
* * *

(2) (b)(i) An infrastructure project shall be approved within forty-five days of submission if it is a film, video, television, or digital production or postproduction facility. If an application is denied, this denial shall be in writing and shall constitute final agency action. Written reasons for the denial shall be provided to the applicant within five days of written request.
* * *

D. Certification and administration.
* * *

(2) (d)(i)(aa) Prior to any final certification of the state-certified production or infrastructure project, the motion picture production company or applicant for the infrastructure project shall submit to the office and the secretary and, in the case of infrastructure projects, to the office, the secretary, and the division, a cost report of production or infrastructure project expenditures audited and certified by an

independent certified public accountant as determined by rule. The office and the secretary and, in the case of infrastructure projects, the office, the secretary, and the division shall review the production or infrastructure project expenses and will issue.

(bb) After the review either a final tax credit certification letter indicating the amount of tax credits certified for the state-certified production or state-certified infrastructure project, a written request for more information in order to complete an application, or written reasons for a denial of the certification shall be issued to the investors. Such issuance, request, or denial shall occur within thirty days of the submission of a completed application for a state-certified production and within forty-five days of submission of a completed application for a state certified infrastructure project.

(cc) If a written request for more information is made, the same time periods for action shall apply as provided for in Subitem (bb) of this Item from the date the information is submitted.

(dd) If a final certification is denied, the denial shall be in writing and shall constitute final agency action. Written reasons for the denial shall be provided to the applicant within five days of written request.

(ii) The rules required by this Subparagraph shall, at a minimum, require that:

(i)(aa) The auditor shall be a certified public accountant licensed in the state of Louisiana and shall be an independent third party, not related to the producer.

(i)(bb) The auditor's opinion shall be addressed to the party which has engaged the auditor (e.g., directors of the production company, producer of the production).

(i)(cc) The auditor's name, address, and telephone number shall be evident on the report.

(i)(dd) The auditor's opinion shall be dated as of the completion of the audit fieldwork.

(i)(ee) The audit shall be performed in accordance with auditing standards generally accepted in the United States of America and the auditor shall have sufficient knowledge of accounting principles and practices generally recognized in the film and television industry.

G. Appeals. Any denial of an application for initial certification or of an application for final certification may be appealed by the applicant by written request made to the office within thirty days of receipt of written notification of the denial. The office shall forward the request for appeal to the division of administrative law within ten days of receipt of such request, with written reasons for the denial and supporting documentation. The division of administrative law shall conduct a hearing. The office shall promptly provide written notice of all such denials, the written reasons for such denial, and the status of any appeal to the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means. The applicant may appeal an adverse decision to the Nineteenth Judicial District Court.

Section 2. Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 3. * * *

(C) An application for an infrastructure project filed on or before August 1, 2007, shall have twenty-four months from the date of approval of the rules or January 1, 2008, whichever is earlier, in which to qualify for the forty percent tax credits earned on expenditures. Notwithstanding any other provision of this Section, an infrastructure project for which an application was filed on or before August 1, 2007 that has received an initial certification letter from the division, the Department of Economic Development, and the office by December 31, 2009, shall be entitled to receive credits equal to forty percent of the base investment expended in the development of the state-certified infrastructure project until the project is completed, provided that a minimum of twenty percent or ten million dollars of the total base investment established by the initial certification letter, whichever is less, shall be expended on infrastructure unique to Louisiana film, video, television, and digital production and post-production infrastructure no later than December 31, 2009. No tax credits shall be considered for final certification unless and until the minimum of twenty percent or ten million dollars of the total base investment established by the initial certification letter, whichever is less, has been expended on infrastructure unique to Louisiana film,

video, television, and digital production and post-production infrastructure. If a project fails to obtain an initial certification letter or fails to expend the minimum of twenty percent or ten million dollars of the total base investment established by the initial certification letter, whichever is less, on infrastructure unique to Louisiana film, video, television, and digital production and post-production infrastructure by December 31, 2009, then no expenditures shall be entitled to earn tax credits. Tax credits on infrastructure projects shall be considered earned in the year in which expenditures are made, provided that a minimum of twenty percent or ten million dollars of the total base investment provided for in the initial certification that is unique to film production infrastructure shall be expended before infrastructure tax credits can be earned on expenditures. The payment of tax credits may extend beyond or be made after the year expenditures are made."

AMENDMENT NO. 5

Delete page 2, and on page 3, delete lines 1 through 3

AMENDMENT NO. 6

On page 3, between lines 3 and 4, insert the following:

"Section 2. Sections 3(D) and (E) of Act 456 of the 2007 Regular Session are hereby enacted to read as follows:

Section 3. * * *

D.(1) "State-certified infrastructure project" shall mean a film, video, television, and digital production and postproduction facility, and movable and immovable property and equipment related thereto, all as determined and approved by the office, the secretary of the Department of Economic Development, and the division of administration under such terms and conditions as are authorized by R.S. 47:6007, excluding R.S. 47:6007(C)(2), and in accordance with the immediate and long term objectives of Act 456 of the 2007 Regular Session of the Legislature. The term "infrastructure project" shall not include movie theaters or other commercial exhibition facilities.

(2) "State-certified infrastructure project" as defined herein shall apply to all projects certified before August 1, 2007 and shall not apply to any project certified after August 1, 2007.

E.(1) Notwithstanding any other provision of law to the contrary, no more than a total of twenty-five million dollars in state-certified infrastructure project tax credits shall be approved in any fiscal year. However, nothing shall prevent tax credits which are unused in a particular fiscal year from being carried forward for use in the next fiscal year.

(2) The secretary of the Department of Economic Development shall approve such infrastructure tax credits each fiscal year on a first come, first served basis."

AMENDMENT NO. 7

On page 3, line 4, change "Section 2." to "Section 3."

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

HOUSE BILL NO. 720—

BY REPRESENTATIVES JANE SMITH, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, JOHNSON, KLECKLEY, LAFONTA, LITTLE, MILLS, MONICA, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, TUCKER, WADDELL, AND WILLIAMS AND SENATORS CROWE, DUPLESSIS, MICHOT, AND SMITH

AN ACT

To enact the Louisiana Tax Delinquency Amnesty Act of 2009; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for the disposition of the monies collected pursuant to the tax amnesty program; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 720 by Representative Jane Smith

AMENDMENT NO. 1

On page 6, line 6, after "Fund." delete the remainder of the line and delete lines 7 through 17

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

HOUSE BILL NO. 733—

BY REPRESENTATIVES LEGER, ABRAMSON, AUBERT, BROSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, HINES, HOWARD, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, PETERSON, RICHMOND, ROBIDEAUX, ST. GERMAIN, AND STIAES
AN ACT

To enact R.S. 47:6035, relative to tax credits; to authorize a tax credit for certain "green job industries"; to provide for certain definitions; to provide for the application for, certification of, and the administration of the tax credit; to provide for the maximum amount of the credit that may be issued; to provide for certain requirements and limitations; to provide for the recapture and recovery of the credit under certain circumstances; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 734—

BY REPRESENTATIVES CARTER, BALDONE, BARRAS, HONEY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, AND TEMPLET AND SENATOR BROOME
AN ACT

To enact R.S. 47:305.62, 321(H)(3), and 337.9(D)(30), relative to state and local sales and use taxes; to authorize a state sales and use tax exemption for the purchase, lease, or repair of certain equipment by qualifying radiation therapy treatment centers; to authorize political subdivisions to grant a sales and use tax exemption under certain circumstances; to provide for certain definitions; to provide for certain requirements; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 734 by Representative Carter

AMENDMENT NO. 1

On page 2, at the end of line 9, insert: "In the case of the Biomedical Research Foundation in Shreveport, "capital equipment" shall mean a PET/CT scanner and related equipment for medical diagnosis and installation of the same."

AMENDMENT NO. 2

On page 2, line 10, after "mean" change "a" to: "all of the following:
(i) A"

AMENDMENT NO. 3

On page 2, between lines 16 and 17, insert:
"(ii) The Biomedical Research Foundation in Shreveport, Louisiana."

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

HOUSE BILL NO. 765—

BY REPRESENTATIVES GALLOT, BALDONE, BARRAS, BARROW, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, DANAHAY, DIXON, DOERGE, DOWNS, FANNIN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, HONEY, ROSALIND JONES, KLECKLEY, LAFONTA, LANDRY, LEBAS, LITTLE, LOPINTO, MORRIS, NOWLIN, PERRY, RICHARD, RITCHIE, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WADDELL, AND WILLIAMS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) of the Constitution of Louisiana, to decrease the amount of severance tax on certain natural resources which is retained by the state; to provide for the use of excess severance taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Re-Engrossed House Bill No. 765 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, after "4(D)(3)" insert "and to add Article VII, Section 4(D)(4)"

AMENDMENT NO. 2

On page 1, line 3, after "tax" insert "and other mineral revenues"

AMENDMENT NO. 3

On page 1, line 4, after "taxes;" delete the remainder of the line, delete lines 5 through 17, delete pages 2 and 3, and insert: "to require the deposit of a certain amount of the proceeds of severance taxes and royalties collected under certain conditions into certain funds and provide for the use of such funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 4(D)(3) and to add Article VII, Section 4(D)(4) of the Constitution of Louisiana, to read as follows:

§4. Income Tax; Severance Tax; Political Subdivisions
Section 4.

	*	*	*
(D)	*	*	*

(3)(a) Effective July 1, 2007, one-fifth of the severance tax on all natural resources other than sulphur, lignite, or timber shall be remitted to the governing authority of the parish in which severance or production occurs. Except as provided in Item (b) of this Subparagraph, the initial maximum amount remitted to the parish in which severance or production occurs shall not exceed eight hundred fifty thousand dollars. The maximum amount remitted shall be increased each July first, beginning in 2008, except on a July first of a fiscal year in which the provisions of Item (b) of this Subparagraph become effective, by an amount equal to the average annual increase in the Consumer Price Index for all urban consumers, as published by the United States Department of Labor, for the previous calendar year, as calculated and adopted by the Revenue Estimating Conference.

(b)(i) Effective for any fiscal year in which the Revenue Estimating Conference estimates in the last official forecast occurring before the start of such fiscal year that severance tax collections on natural resources other than sulphur, lignite, or timber exceeds the actual amount of such severance taxes collected in Fiscal Year 2008-2009, the maximum amount which shall be remitted to the parish in which severance or production occurs shall not exceed two million eight hundred fifty thousand dollars in that fiscal year.

(ii) At least fifty percent of the excess severance tax remitted to a parish in a fiscal year shall be used only within the parish in the

June 21, 2009

same manner and for the same purposes as money received by the parish from the Parish Transportation Fund or its successor.

(iii) The term "excess severance tax" shall mean the amount of severance tax remitted to a parish pursuant to the provisions of Paragraph (3) which is in excess of the amount of severance tax remitted to the parish in the most recent fiscal year in which the increased remittance provided for in Subitem (i) of this Subparagraph did not occur.

(4)(a)(i)(aa) Notwithstanding any other provision of this constitution, after deposit to the Bond Security and Redemption Fund as required in Article VII, Section 9 of this constitution, and the allocations required in this Paragraph, Paragraph (E) of this Section, and Article VII, Sections 10-A and 10.2 of this constitution, effective for any fiscal year in which the Revenue Estimating Conference estimates in the last official forecast occurring before the start of such fiscal year that severance tax and royalties collected on natural resources other than sulphur, lignite, or timber will exceed the actual amount of such severance taxes collected in Fiscal Year 2008-2009, an amount equal to fifty percent of the revenues received from severance taxes and royalties on state lands in the Atchafalaya Basin, but not to exceed ten million dollars each fiscal year, shall be deposited by the treasurer into the Atchafalaya Basin Conservation Fund hereby created as a special fund in the state treasury. The money in the fund shall be appropriated to the Department of Natural Resources to be used exclusively to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and other such advisory or approval boards, all of which the legislature shall create and provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural Resources shall direct, subject to the approval of the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment.

(bb) The money in the fund shall be invested by the treasurer in the same manner as money in the state general fund, and interest earnings shall be deposited in and credited to the fund. All unexpended or unencumbered money remaining in the fund at the end of the fiscal year shall remain in the fund.

(ii) Of the money allocated in any one fiscal year, eighty-five percent shall be used for water management, water quality, or access projects, and the remaining fifteen percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan. However, a maximum of five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department.

(b) As used in this Subparagraph, the following terms shall have the meaning ascribed to them below:

(i) "Access project" means construction or renovation of a boat launch or a roadway that provides access to areas of the Atchafalaya Basin, or acquisition of a maximum of fifteen hundred acres, all in compliance with the provisions of the state or federal master plans.

(ii) "Annual Basin plan" means the list of projects or stages of projects to be undertaken in any single fiscal year.

(iii) "Atchafalaya Basin" means the area located within the guide levees of the Atchafalaya Basin and those areas directly adjacent to the levees bounded on the north by U.S. Highway 190 and on the south by Morgan City, and as defined in the Atchafalaya Basin Floodway System, Louisiana Project.

(iv) "Atchafalaya Basin Floodway System, Louisiana Project" means the Atchafalaya Basin Floodway System, Louisiana Project and enacted by the 1982 Atchafalaya Basin Floodway System, U.S. Army Corps of Engineers Feasibility Study, Supplemental Appropriations Act of 1985, Public Law 99-88, as amended by the Water Resources Development Act of 1986, Public Law 99-662, the Energy and Water Development Appropriations Act of 1991, Public Law 101-514, the Energy and Water Development Appropriations Act of 1997, Public Law 104-206, the Water Resources Development Act of 2000, Public Law 106-541, and the Water Resources Development Act of 2007, Public Law 110-114.

(v) "Basin master plan" means the plan developed by the state in accordance with the federal Atchafalaya Basin Floodway System, Louisiana Project, pursuant to federal law, including the

Supplemental Appropriations Act of 1985, Public Law 99-88, and the Water Resources Development Act of 1986, Public Law 99-662.

(vi) "Water management project" means any project that facilitates improvements to water quality, interior circulation, water access, or improvements to general ecosystem function by means of sediment reduction, removal, or diversion.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 2, 2010.

Section 3. Be it further resolved that the increased remittances of severance tax and royalties as provided for in this constitutional amendment shall not occur before Fiscal Year 2011-2012.

Section 4. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows: To decrease the amount of severance tax retained by the state on natural resources, other than sulphur, lignite, and timber, and increase the maximum proceeds parish governing authorities where severance occurs may receive in a fiscal year of the tax collected on certain natural resources from eight hundred fifty thousand dollars to two million eight hundred fifty thousand dollars; to require at least fifty percent of the excess proceeds received by a parish because of this constitutional amendment to be used within the parish only in the same manner and for the same purposes as money received by the parish from the Parish Transportation Fund; to require the deposit of an amount of severance taxes and royalties collected by the state, not to exceed ten million dollars each fiscal year, to a special fund created in the state treasury to be known as the Atchafalaya Basin Conservation Fund, in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board, subject to approval of the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment, provided that eighty-five percent must be used for water management, water quality, or access projects, and the remaining fifteen percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan, further provided, however, that up to five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department; to authorize such increases only in a fiscal year in which official estimates show that such taxes and/or royalties collected will exceed the actual amount of such taxes collected in Fiscal Year 2008-2009; to provide that the proposed increased remittance of severance tax and royalties shall not occur before fiscal year 2011-2012.

(Amends Article VII, Section 4(D)(3); adds Article VII, Section 4(D)(4))"

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

HOUSE BILL NO. 771—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 17:1871(C), relative to the Board of Supervisors of Community and Technical Colleges; to authorize the board to set a uniform tuition amount for online courses offered by public postsecondary education institutions under its jurisdiction; to provide for effectiveness; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 771 by Representative Hutter

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Education and adopted by the Senate on June 8, 2009, on page 1, line 16, change ""for"" to ""shall""

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

HOUSE BILL NO. 790—

BY REPRESENTATIVES GREENE, BALDONE, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:6015, and Section 2 of Act No. 9 of the 2002 First Extraordinary Session of the Legislature, relative to the research and development tax credit; to authorize the issuance of tax credits for certain research and development activities; to provide for the amount of the tax credit; to authorize the refundability of the tax credits; to provide for a sunset date for issuance of the tax credit; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 818—

BY REPRESENTATIVES ELLINGTON, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To enact R.S. 47:301(3)(k), relative to the sales and use tax; to phase-in an exclusion from state sales and use taxes for certain tangible property related to the manufacturing process; to provide for certain limitations; to provide for certain definitions; and to provide for related matters.

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

HOUSE BILL NO. 858— (Substitute for House Bill No. 547)

BY REPRESENTATIVE PONTI
AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 858 by Representative Ponti

AMENDMENT NO. 1

Delete all Senate Floor Amendments proposed by Senator Guillory and adopted by the Senate on June 15, 2009.

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

HOUSE BILL NO. 869—

BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds for Fiscal Year 2009-2010 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

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

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.

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

HOUSE BILL NO. 879—

BY REPRESENTATIVES TUCKER, CONNICK, LEGER, AND PETERSON
AN ACT

To appropriate funds and to make certain changes in appropriations from certain sources and purposes in specific amounts for the making of supplemental appropriations for Fiscal Year 2008-2009; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 881—

BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2008-2009; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 881 by Representative Fannin

AMENDMENT NO. 1

On page 1, delete line 5, and insert the following: "purposes; to provide for effective dates; and to provide for related matters."

June 21, 2009

AMENDMENT NO. 2

On page 1, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct) for the Board of Louisiana River Pilot Review and Oversight \$ 182,000

Provided, however, that the monies appropriated herein are in lieu of a portion, in the amount of \$182,000, of the appropriation from State General Fund (Direct) for 01-100 Executive Office for the Board of Louisiana River Pilot Review and Oversight contained in Act 511 of 2008 Regular Session.

01-103 MENTAL HEALTH ADVOCACY SERVICE

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$135,000."

AMENDMENT NO. 3

On page 1, at the end of line 20, change "\$1,683,893" to "\$852,688"

AMENDMENT NO. 4

On page 1, between lines 24 and 25, insert the following:

01-111 HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

Payable out of the State General Fund by Fees and Self-generated Revenues to the Administrative Program for services rendered to other states during storms and/or disasters \$ 918,283

Payable out of the State General Fund by Statutory Dedications out of the Louisiana Interoperability Communications Fund to the Administrative Program for the completion of the north Louisiana build-out \$ 2,398,306

01-112 DEPARTMENT OF MILITARY AFFAIRS

EXPENDITURES: Military Affairs Program \$ 3,132,543

TOTAL EXPENDITURES \$ 3,132,543

MEANS OF FINANCE:

State General Fund by: Interagency Transfers \$ 393,623 Statutory Dedications: Overcollections Fund \$ 2,738,920

TOTAL MEANS OF FINANCE \$ 3,132,543

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Military Affairs Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of Federal Funds by \$2,738,920."

AMENDMENT NO. 5

On page 1, after line 28, insert the following:

"Payable out of the State General Fund (Direct) to the Administrative Program for additional Family Violence Program assistance in Iberia Parish \$ 5,000

Payable out of the State General Fund (Direct) to the Administrative Program for additional Family Violence Program assistance in St. Martin Parish \$ 5,000"

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert the following:

01-133 OFFICE OF ELDERLY AFFAIRS

Payable out of the State General Fund (Direct) to the Voluntary Council on Aging of Iberia Parish \$ 25,000

Payable out of the State General Fund (Direct) to the St. Martin Council on Aging \$ 25,000

DEPARTMENT OF VETERANS AFFAIRS

03-134 SOUTHWEST LOUISIANA WAR VETERANS HOME

Payable out of Federal Funds to the Southwest Louisiana War Veterans Home for the costs associated with an increase in the home's census \$ 117,000"

AMENDMENT NO. 7

On page 2, between lines 23 and 24, insert the following:

OFFICE OF THE LIEUTENANT GOVERNOR

04-146 LIEUTENANT GOVERNOR

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$402,719.

DEPARTMENT OF TREASURY

04-147 STATE TREASURER

Payable out of the State General Fund by Fees and Self-generated Revenues to the Financial Accountability and Control Program for office relocation expenses \$ 50,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administrative Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Incentive Fund by \$950,000."

AMENDMENT NO. 8

On page 2, between lines 32 and 33, insert the following: "State General Fund by:"

AMENDMENT NO. 9

On page 2, delete line 34

AMENDMENT NO. 10

On page 2, on line 35, change "Inspection" to "Utility and Carrier Inspection and Supervision"

AMENDMENT NO. 11

On page 3, delete lines 6 through 8, and insert the following:

"to be used solely and exclusively for the purpose of retirement of state debt, including revenue bonds issued by the Louisiana Agricultural Finance Authority, in advance of maturity through redemption,

purchase, or repayment provided that the redemption, purchase, or repayment of state debt shall be effected no later than June 30, 2009 \$ 15,000,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

05-251 OFFICE OF THE SECRETARY

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Executive and Administration Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$100,000.

05-252 OFFICE OF BUSINESS DEVELOPMENT

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Business Development Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$325,000.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Business Development Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$2,042,500.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Business Incentives Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$250,000.

DEPARTMENT OF CULTURE, RECREATION AND TOURISM

06-261 OFFICE OF THE SECRETARY

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Management and Finance Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$143,642.

06-263 OFFICE OF STATE MUSEUM

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Museum Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$183,008.

06-264 OFFICE OF STATE PARKS

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Parks and Recreation Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$49,278.

06-267 OFFICE OF TOURISM

The state treasurer is hereby authorized and directed to transfer out of the State General Fund by Statutory Dedications out of the Parks Improvement Fund the amount of Two Hundred Fifty Thousand Dollars to be deposited in and credited to the Poverty Point Reservoir Development Fund to be appropriated and used for the purposes of the fund, specifically for Black Bear Golf Course."

AMENDMENT NO. 12

On page 3, delete lines 11 through 20, and insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Office of the Secretary Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$452,742.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Office of Management and Finance Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$252,243."

AMENDMENT NO. 13

On page 3, delete line 25, and insert the following:

"for state match for disaster-related costs and a drainage study in Plaquemines Parish \$ 95,000

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Water Resources and Intermodal Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$172,451.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Public Transportation Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$680,511."

AMENDMENT NO. 14

On page 3, delete lines 27 through 38, and insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund to the Operations Program \$845,500

Provided, however, that the funding appropriated herein to the Operations Program shall be allocated as follows: \$475,000 for planning of the Baton Rouge Loop; \$142,500 for the Fifth Levee District; \$190,000 to the Tensas Parish Police Jury for Port Priority Plan Development; and \$38,000 for railroad crossing arms in the community of Batchelor.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Engineering Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$1,000,990.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Planning and Programming Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$54,435.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Operations Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$2,686,628."

June 21, 2009

AMENDMENT NO. 15

On page 4, at the beginning of line 21, delete "(Direct)"

AMENDMENT NO. 16

On page 4, line 24, between "Traffic" and "Program" insert "Enforcement"

AMENDMENT NO. 17

On page 4, between lines 26 and 27, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues to the Traffic Enforcement Program \$ 1,020,757

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Traffic Enforcement Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$1,020,757.

YOUTH SERVICES

08-403 OFFICE OF JUVENILE JUSTICE

Payable out of the State General Fund (Direct) to the Administration Program to properly align funding and personnel, including two (2) positions \$ 12,015

The commissioner of administration is hereby authorized and directed to adjust the means of finance and table of organization for the Jetson Correctional Center for Youth Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$12,015 and the number of authorized positions by two (2).

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Jetson Correctional Center for Youth Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$1,181,436."

AMENDMENT NO. 18

On page 5, between lines 8 and 9, insert the following:

"EXPENDITURES: Payments to Public Providers for Louisiana State University Health Care Services Division \$ 46,569,815

TOTAL EXPENDITURES \$ 46,569,815

MEANS OF FINANCE: State General Fund (Direct) \$ 11,699,310 Federal Funds \$ 34,870,505

TOTAL MEANS OF FINANCE \$ 46,569,815

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Uncompensated Care Costs Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$11,699,310."

AMENDMENT NO. 19

On page 5, at the end of line 13, change "\$500,000" to "\$1,000,000"

AMENDMENT NO. 20

On page 5, between lines 22 and 23, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the State Emergency Response Fund to the

Personal Health Services Program for re-casketing and re-interment services for graves disrupted by Hurricanes Gustav and/or Ike \$ 100,000

Payable out of the State General Fund by Statutory Dedications out of the State Emergency Response Fund to the Personal Health Services Program for the state match of parish mosquito abatement costs attributable to Hurricanes Gustav and/or Ike \$ 64,612"

AMENDMENT NO. 21

On page 5, line 38, delete "and disaster food stamp"

AMENDMENT NO. 22

On page 5, after line 43, insert the following:

"Payable out of Federal Funds to the Client Payments Program to capture additional federal child support enforcement incentive funds \$ 10,000,000"

AMENDMENT NO. 23

On page 6, delete lines 13 through 15, and insert the following:

"Welfare Services Program for the costs associated with hurricanes and the related recovery efforts \$ 3,700,000"

AMENDMENT NO. 24

On page 6, between lines 37 and 38, insert the following:

"Payable out of Federal Funds to the Child Welfare Services Program for housing assistance for hurricane-affected individuals \$ 300,000"

AMENDMENT NO. 25

On page 8, between lines 13 and 14, insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Tax Collection Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$500,000."

AMENDMENT NO. 26

On page 8, between lines 14 and 15, insert the following:

13-853 OFFICE OF ENVIRONMENTAL ASSESSMENT

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Environmental Assessment Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$650,000."

AMENDMENT NO. 27

On page 8, between lines 19 and 20, insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Support Services Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$250,000."

AMENDMENT NO. 28

On page 8, between lines 34 and 35, insert the following:

"DEPARTMENT OF CIVIL SERVICE

17-562 ETHICS ADMINISTRATION

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Administration Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$1,000,000."

AMENDMENT NO. 29

On page 9, at the beginning of line 19, change "19D-655" to "19-655"

AMENDMENT NO. 30

On page 9, at the beginning of line 24, change "19D-661" to "19-661"

AMENDMENT NO. 31

On page 9, between lines 29 and 30, insert the following:

"19-662 LOUISIANA EDUCATIONAL TELEVISION AUTHORITY

EXPENDITURES:

Broadcasting Program \$ 320,256

TOTAL EXPENDITURES \$ 320,256

MEANS OF FINANCE:

State General Fund by:

Interagency Transfers \$ 170,256

Fees and Self-generated Revenues \$ 150,000

TOTAL MEANS OF FINANCE \$ 320,256

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Broadcasting Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$150,000.

19-673 NEW ORLEANS CENTER FOR THE CREATIVE ARTS - RIVERFRONT

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Instructional Services Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$77,154.

DEPARTMENT OF EDUCATION

19-681 SUBGRANTEE ASSISTANCE

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Quality Educators Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$750,000.

19-682 RECOVERY SCHOOL DISTRICT

Payable out of the State General Fund by Interagency Transfers to the Recovery School District Administration Program for hurricane-related reimbursements \$ 2,097,417

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Recovery School District Administration Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) by \$2,097,417.

LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER HEALTH CARE SERVICES DIVISION

19-610 LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER HEALTH CARE SERVICES DIVISION

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for unallowable costs \$ 6,000,000"

AMENDMENT NO. 32

On page 9, after line 40, insert the following:

"20-903 PARISH TRANSPORTATION

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Parish Road Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$552,515.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Mass Transit Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$68,546.

The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Off-system Roads and Bridges Match Program, as contained in Act 19 of the 2008 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular by \$41,439.

20-930 HIGHER EDUCATION - DEBT SERVICE AND MAINTENANCE

Provided, however, that of the funds appropriated to this Schedule, as contained in Act 19 of the 2008 Regular Session of the Legislature, the following amounts shall be allocated to SOWELA Technical Community College for deposit into a restricted fund for payments for indebtedness, equipment leases and maintenance reserves: State General Fund (Direct), \$375,000; State General Fund by Statutory Dedications out of the Calcasieu Parish Higher Education Improvement Fund, \$600,000.

Payable out of the State General Fund by Statutory Dedications out of the Calcasieu Parish Higher Education Improvement Fund for capital improvements \$ 519,590

Provided, however, that of the funding appropriated herein for capital improvements out of the Calcasieu Parish Higher Education Improvement Fund, \$452,655 shall be for McNeese State University and \$66,925 for SOWELA Technical Community College."

AMENDMENT NO. 33

On page 10, between lines 31 and 32, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for flood damage in Washington Parish \$ 450,000

Payable out of the State General Fund (Direct) to the Caddo Parish Juvenile Court for the Juvenile Mental Health Court \$ 40,000"

June 21, 2009

AMENDMENT NO. 34

On page 10, between lines 41 and 42, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for Firefighters' Supplemental Payments \$ 7,546

Payable out of the State General Fund (Direct) for Firefighters' Supplemental Payments \$ 120,000"

AMENDMENT NO. 35

On page 10, after line 48, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for deposit into the Choose Life Fund \$ 3,000

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for deposit into the Greater New Orleans Sports Foundation Fund \$ 50,000

Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for deposit into the Algiers Economic Development Foundation Fund \$ 5,000

Payable out of the State General Fund (Direct) for deposit into the Louisiana Medical Assistance Trust Fund \$ 37,000,000

21-804 OFFICE OF RISK MANAGEMENT

EXPENDITURES:

Claims Losses and Related Payments Program for claims due Hurricanes Rita, Gustav and Ike \$ 21,378,821

TOTAL EXPENDITURES \$ 21,378,821

MEANS OF FINANCE:

State General Fund by: Fees and Self-generated Revenues \$ 2,541,744

Statutory Dedications: Overcollections Fund \$ 18,837,077

TOTAL MEANS OF FINANCE \$ 21,378,821"

AMENDMENT NO. 36

On page 11, delete lines 13 through 23, and insert the following:

"Section 2.A. The appropriation of \$3,000,000 to **01/07 DIVISION OF ADMINISTRATION** for State Office Buildings Major Repairs, Equipment Replacement, and Renovations contained in Section 1 of Act 29 of the 2008 Regular Session of the Legislature is hereby amended and reenacted as follows:

On page 12, line 20, change "land under" to "real estate associated with"

AMENDMENT NO. 37

On page 11, between lines 25 and 26, insert the following:

"Project No. 01-107-93B-12 Statewide Office Buildings Major Repairs, Equipment Replacement, and Renovations, Planning and Construction (Statewide) Fees and Self-generated Revenues \$ 740,500

Project No. 01-107-97S-03 Statewide Roofing, Waterproofing, and Related Repairs and Equipment Replacement Program (Statewide) Interest Earnings \$ 1,429,000"

AMENDMENT NO. 38

On page 11, between lines 31 and 32, insert the following:

"Project No. 01-107-05B-13, Part 25 University of New Orleans Campus Wide Hurricane Katrina Mechanical Repairs (Orleans) Change Order over \$100/000/Excess of 20% Contract Amount \$ 141,426

Project No. 01-107-05B-13, Part AQ Gaslight Apartments Repair, Restoration and Replacement for Hurricanes Katrina and Rita, Gustav and Ike, Planning, Construction, Renovation and Acquisition (Orleans) Interagency Transfer \$ 4,280,315

Project No. 01-107-06B-11 Southeast Louisiana Hospital Major Repairs for State Buildings Based on Statewide Condition Assessment, and Infrastructure, Planning and Construction (St. Tammany) Interagency Transfer \$ 100,000

Project No. 01-107-05B-13 UNO The Cove Repairs Repair, Restoration and Replacement for Hurricanes Katrina, Rita, Gustav and Ike Planning and Construction (Orleans) Interagency Transfer \$ 3,000,000

Project No. 01-111-08-02 South Louisiana War Veteran Homes Evacuation Center (Louisiana War Veterans Home - Jackson) Emergency Generators - Medical Special Needs Shelters (Statewide) Interagency Transfer \$ 49,000"

AMENDMENT NO. 39

On page 12, line 4, change "Creation" to "Supplemental Funding"

AMENDMENT NO. 40

On page 12, between lines 4 and 5, insert the following:

"Project No. 19-603-96B-07 Ogden Museum of Southern Art, Acquisition, Planning and Construction (Orleans) State General Fund (Direct) \$ 169,089 Interest Earned on Project Fees and Self-generated Revenues \$ 427,678 Existing project funds \$ 280,279 Uncommitted project funds \$ 97,954 Total Project Close-out \$ 975,000

Project No. 19-617-06S-01, Part 01 Southern University at New Orleans SUNO Faculty and Student Housing (Orleans) Change Order over \$100,000 \$ 149,732"

AMENDMENT NO. 41

On page 12, between lines 17 and 18, insert the following:

"D. The appropriation contained in

07/270 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - ADMINISTRATION

of Act 29 of the 2009 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 20, delete lines 50 through 52 and insert the following:

"Payable from Transportation Trust Fund - Regular	\$ 86,524,189
Payable from Transportation Trust Fund - Federal	\$ 561,300,000
Total	<u>\$647,824,189"</u>

E. The provisions of Section 2 through 18, inclusive of Act 29 of the 2008 Regular Session of the Legislature are adopted and incorporated by reference for the appropriation in this Section 2."

AMENDMENT NO. 42

On page 12, delete lines 18 through 43

AMENDMENT NO. 43

On page 13, delete lines 1 through 12

AMENDMENT NO. 44

On page 13, at the beginning of line 13, delete "B." and insert "Section 3.A."

AMENDMENT NO. 45

On page 13, at the beginning of line 23, delete "C." and insert "B."

AMENDMENT NO. 46

On page 13, delete lines 28 through 35, delete pages 14 through 23, and, on page 24, delete lines 1 through 14, and, insert the following

"C. The appropriation contained in Schedule 20-945 Other Requirements, State Aid to Local Government Entities of Act 19 of the 2008 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

On page 276, delete lines 33 and 34 and insert the following: "to St. Amant Volunteer Fire Department, Inc. for construction"

D. The appropriation contained in Schedule 20-945 Other Requirements, State Aid to Local Government Entities of Act 19 of the 2008 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

On page 277, delete lines 40 and 42 and insert the following: "to the city of Henderson for Library improvements \$ 25,000"

F. The appropriation contained in Schedule 20-945 Other Requirements, State Aid to Local Government Entities of Act 19 of the 2008 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

On page 279, delete lines 28 and 29 and insert the following: "to the 18th Judicial District Attorney for Pre-trial Intervention and the Early"

Section 4.A. The appropriation in the amount of \$40,000 out of the State General Fund (Direct) contained in Schedule 09-331 Department of Health and Hospitals, Mental Health Area C, on page 126, lines 49 through 52 of Act 19 of the 2008 Regular Session of the Legislature for the Caddo Parish Juvenile Court for the Juvenile Mental Health Court is hereby declared to be null, void, and of no effect.

B. The appropriation in the amount of \$50,000 out of the State General Fund (Direct) contained in Schedule 20-945 Other Requirements, State Aid to Local Government Entities, on page 276, lines 1 through 5 of Act 19 of 2009 Regular Session of the Legislature to the 16th Judicial District Court for the Juvenile Youth Planning Board is hereby declared to be null, void, and of no effect.

C. The appropriation in the amount of \$10,000 out of the State General Fund (Direct) contained in Schedule 20-945 Other

Requirements, State Aid to Local Government Entities, on page 295, lines 1 through 3 of Act 19 of 2009 Regular Session of the Legislature to the city of Breaux Bridge for the Youth Enrichment Program is hereby declared to be null, void, and of no effect.

Section 5. A. Notwithstanding any other provision of this Act or any other law to the contrary, the appropriations and commitments set forth in this Act shall be deemed to be bona fide obligations and encumbrances for Fiscal Year 2008-2009.

B. Notwithstanding any provision of law to the contrary, any appropriation"

AMENDMENT NO. 47

On page 24, between lines 19 and 20, insert the following:

"Section 6.A. The appropriations and allocations contained in this Section shall be in addition to and supplemental to all of the appropriations made in the Act which originated as House Bill No. 1 of the 2009 Regular Session of the Legislature, and the appropriations and allocations made in this Section shall be deemed to be incorporated into, made a part of, and expended in accordance with and in all respects shall be subject to all of the conditions, stipulations, and provisions of Sections 1 through 18 of the Act which originated as House Bill No. 1 of the 2009 Regular Session of the Legislature. In accordance with the provisions of R.S. 39:57.1, the commissioner of administration shall notify each budget unit receiving an allocation or appropriation in this Section as to the nature and amount of allocation or appropriation contained herein no later than two weeks after the effective date of this Act.

B. Appropriations contained in this Section which are designated as "Contingent upon the Delay of the Restoration of Excess Itemized Deductions" shall not become effective until the Official Forecast for Fiscal Year 2009-2010 is revised over and above the official forecast adopted May 21, 2009 to incorporate revenues, including but not limited to delaying the restoration of the full federal excess itemized deduction against individual income tax provided for in the Act which originated as House Bill No. 689 of the 2009 Regular Session of the Legislature or as provided in any other Act enacted during the 2009 Regular Session of the Legislature. In the event that the State General Fund (Direct) revenues so recognized, in addition to any revenues not required to fund appropriations contained in this Section which are not designated as "Contingent upon the Delay of the Restoration of Excess Itemized Deductions", are insufficient to fully fund all items contained in this Section which are designated as "Contingent upon the Delay of the Restoration of Excess Itemized Deductions", then such State General Fund (Direct) appropriations shall be reduced on a pro rata basis to the extent of monies available. The commissioner of administration is authorized to adjust other means of financing only to the extent necessary as a result of funding items contained herein.

C. Appropriations contained in this Section which are designated as "Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund" shall not become effective until the Official Forecast for Fiscal Year 2009-2010 is revised over and above the official forecast adopted May 21, 2009 to incorporate revenues, including but not limited to any monies made available for appropriation from the Budget Stabilization Fund as provided in Article VII, Section 10.3 of the Constitution and in the event the Insure Louisiana Incentive Program Fund is abolished and any monies remaining in the fund are transferred for deposit and credit to the State General Fund. In the event that the State General Fund (Direct) revenues from either of those two sources so recognized, in addition to any revenues not required to fund appropriations contained in this Section which are not designated as "Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund", are insufficient to fully fund all items contained in this Section which are designated as "Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund", then such State General Fund (Direct) appropriations shall be reduced on a pro rata basis to the extent of monies available. The commissioner of administration is authorized to adjust other means of financing only to the extent necessary as a result of funding items contained herein.

June 21, 2009

EXECUTIVE DEPARTMENT

01-107 DIVISION OF ADMINISTRATION

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund by Statutory Dedications out of the State Emergency Response Fund to the Executive Administration Program for payments related to Hurricanes Gustav and Ike \$ 35,000,000

ELECTED OFFICIALS

DEPARTMENT OF AGRICULTURE AND FORESTRY

04-160 AGRICULTURE AND FORESTRY

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Agricultural and Environmental Sciences Program for Boll Weevil Eradication \$ 1,400,000

Payable out of the State General Fund (Direct) to the Forestry Program for expenses related to Forest firefighting \$ 1,600,000

DEPARTMENT OF CULTURE, RECREATION AND TOURISM

06-261 OFFICE OF THE SECRETARY

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Management and Finance Program for the Retirement Development Commission \$ 391,734

06-262 OFFICE OF THE STATE LIBRARY OF LOUISIANA

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Library Services Program for state aid to public libraries \$ 2,200,000

06-264 OFFICE OF STATE PARKS

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Parks and Recreation Program for expenses related to state historic sites and the restoration of forty-seven (47) positions \$ 2,278,266

06-265 OFFICE OF CULTURAL DEVELOPMENT

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Cultural Development Program for the World Cultural Economic Forum \$ 675,000

Payable out of the State General Fund (Direct) to the Cultural Development Program for the Main Street Program \$ 455,000

Payable out of the State General Fund (Direct) to the Arts Program for the Decentralized Art Program and Statewide Arts Grants \$ 3,267,566

06-267 OFFICE OF TOURISM

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Marketing Program for expenses \$ 732,434

DEPARTMENT OF HEALTH AND HOSPITALS

09-306 MEDICAL VENDOR PAYMENTS

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

EXPENDITURES:
Payments to Private Providers for the partial restoration of Medicaid reimbursement rates \$ 300,150,075

TOTAL EXPENDITURES \$ 300,150,075

MEANS OF FINANCE:
State General Fund (Direct) \$ 60,000,000
Federal Funds \$ 240,150,075

TOTAL MEANS OF FINANCING \$ 300,150,075

Provided, however, that of the \$300,150,075 appropriated above, the Department of Health and Hospitals shall allocate these funds as follows:

Adult Dentures	\$ 254,934
Case Management Services	\$ 1,144,905
Certified Registered Nurse Anesthetists Services	\$ 679,627
Durable Medical Equipment	\$ 1,186,683
Early and Periodic Screening, Diagnosis and Testing Services	\$ 6,420,550
Hemodialysis Services	\$ 2,132,210
Hospice Services	\$ 3,420,074
Inpatient Hospital Services	\$ 50,499,298
Outpatient Hospital Services	\$ 14,986,630
Hospital Services - Outlier Payments	\$ 62,416,655
ICF/DD Community Homes	\$ 7,778,084
Laboratory and X-Ray Services	\$ 6,465,012
Long-term Care Personal Care Services	\$ 15,337,494
Mental Health Inpatients Services	\$ 1,241,331
Mental Health Rehabilitation Services	\$ 2,511,364
Nursing Home Services	\$ 51,765,741
Physician Services	\$ 36,558,461
Emergency Ambulance Transportation Services	\$ 2,533,136

Non-Emergency Ambulance Transportation Services	\$ 712,417
Non-Emergency Transportation Services	\$ 831,949
Adult Day Health Waiver	\$ 515,806
Children's Choice Waiver	\$ 753,036
Elderly and Disabled Adult Waiver	\$ 4,001,957
Family Planning Waiver	\$ 470,469
New Opportunity Waiver	\$ 24,438,264
Supports Waiver	\$ 893,988

DEPARTMENT OF SOCIAL SERVICES

10-374 REHABILITATION SERVICES

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

EXPENDITURES:	
Independent Living Centers	\$ <u>500,000</u>
TOTAL EXPENDITURES	\$ <u>500,000</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ <u>500,000</u>
TOTAL MEANS OF FINANCING	\$ <u>500,000</u>

HIGHER EDUCATION

19-671 BOARD OF REGENTS

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon the Delay of the Restoration of Excess Itemized Deductions - See Section 6.B.)

Payable out of the State General Fund by Statutory Dedications out of the Higher Education Restoration Fund to the Board of Regents for funding increases for agencies and institutions contained within Schedule 19 - Higher Education, including GO Grants, to be distributed in accordance with a plan developed by the Board of Regents and reviewed and approved by the Joint Legislative Committee on the Budget no later than August 14, 2009, in the event House Bill No. 689 of the 2009 Regular Session is enacted into law

\$ 118,000,000

19-671 BOARD OF REGENTS

Payable out of the State General Fund by Statutory Dedications out of the Higher Education Restoration Fund to the Board of Regents for funding increases for agencies and institutions contained within Schedule 19 - Higher Education, including GO Grants, to be distributed in accordance with a plan developed by the Board of Regents and reviewed and approved by the Joint Legislative Committee on the Budget no later than August 14, 2009

\$ 118,000,000

Provided however, the appropriation above, shall be null, void and of no effect in the event House Bill No. 689 of the 2009 Regular Session of the Legislature is enacted into law.

19-671 BOARD OF REGENTS

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Louisiana Endowment for the Humanities \$ 1,000,000

19-661 OFFICE OF STUDENT FINANCIAL ASSISTANCE

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) to the Scholarships/Grants Program for additional funding for GO Grants awards \$ 15,000,000

OTHER REQUIREMENTS

20-XXX FUNDS

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

Payable out of the State General Fund (Direct) for deposit into the State Emergency Response Fund \$ 35,000,000

Section 6.1.

SUPPLEMENTARY BUDGET RECOMMENDATIONS
(Contingent upon Appropriations from the Budget Stabilization Fund and the Abolishment of the Insure Louisiana Incentive Program Fund - See Section 6.C.)

A. For the satisfaction and payment of various consent judgments, stipulated judgments, and other judgments against the state, if such judgments, are final, and notwithstanding the provisions of R.S. 49:112, the provisions of this Supplementary Budget Sections as set forth in Sections 6.1, 6.2, 6.3 contain appropriations in the amount of Thirty-two Million and No/100 (\$32,000,000.00) Dollars, be it more or less estimated. Provided, however, that all judgments provided for in this Supplementary Budget Sections as set forth in Sections 6.1, 6.2, and 6.3 shall be paid as to principal, interest, court costs, and expert witness fees as provided in said judgments, it being the intent herein that when the provisions of any judgment conflict with the provisions of the respective House Bill or this Act, the provisions of the judgment shall be controlling. Any other provision of any such House Bill or this Act not in conflict with the provisions of such judgment shall control. Payment shall be made as to any such judgment only after presentation to the state treasurer of documentation required by the state treasurer. Further, all judgments provided for in this Section shall be deemed to have been paid on the effective date of the Act, and interest shall cease to run as of that date.

B. Monies are appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be allocated to pay consent judgments, stipulated judgments, and other judgments against the state, if such judgments are final and if such judgments are delineated in the following House Bills introduced in the 2009 Regular Session of the Legislature:

- House Bill No. 20 by Representative Smith
- House Bill No. 35 by Representative Kleckley
- House Bill No. 42 by Representative Leger
- House Bill No. 48 by Representative Anders
- House Bill No. 52 by Representative Kleckley
- House Bill No. 67 by Representative Carmody
- House Bill No. 68 by Representative Roy
- House Bill No. 71 by Representative Chaney
- House Bill No. 93 by Representative Geymann

June 21, 2009

House Bill No. 129 by Representative Hill
 House Bill No. 131 by Representative Anders
 House Bill No. 153 by Representative Kleckley
 House Bill No. 154 by Representative Little
 House Bill No. 174 by Representative Richmond
 House Bill No. 180 by Representative Labruzzo
 House Bill No. 196 by Representative Edwards
 House Bill No. 250 by Representative Burns
 House Bill No. 262 by Representative Richardson
 House Bill No. 263 by Representative Richardson
 House Bill No. 267 by Representative St. Germain
 House Bill No. 268 by Representative Templet
 House Bill No. 275 by Representative Foil
 House Bill No. 280 by Representative Hill
 House Bill No. 281 by Representative Hill
 House Bill No. 306 by Representative Templet
 House Bill No. 321 by Representative Pugh
 House Bill No. 335 by Representative Cromer
 House Bill No. 339 by Representative Monica
 House Bill No. 341 by Representative Connick
 House Bill No. 362 by Representative Stiaes
 House Bill No. 417 by Representative Baldone
 House Bill No. 419 by Representative Morris
 House Bill No. 422 by Representative Lambert
 House Bill No. 426 by Representative Hutter
 House Bill No. 428 by Representative Hutter
 House Bill No. 436 by Representative Leger
 House Bill No. 459 by Representative Templet
 House Bill No. 464 by Representative Cortez
 House Bill No. 474 by Representative Perry
 House Bill No. 489 by Representative Michael Jackson
 House Bill No. 491 by Representative Barrow
 House Bill No. 494 by Representative Nowlin
 House Bill No. 543 by Representative Ritchie
 House Bill No. 553 by Representative Richmond
 House Bill No. 577 by Representative Templet
 House Bill No. 592 by Representative Gisclair
 House Bill No. 681 by Representative Franklin
 House Bill No. 764 by Representative Gree
 House Bill No. 856 by Representative Armes

C.(1) The sum of Six Hundred Fifty Thousand and No/100 (\$650,000.00) Dollars to Jeremy S. Broussard; and the sum of Four Hundred Thousand and No/100 (\$400,000.00) Dollars to Danielle Broussard; are hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "Jeremy S. Broussard and Danielle Broussard v. State of Louisiana, Department of Transportation and Development", bearing Number 78,191B, on the docket of the Fifteenth Judicial District Court, parish of Vermilion, state of Louisiana.

(2) Monies awarded in this judgment to Jeremy S. Broussard for future medical expenses shall be payable from the Future Medical Care Fund pursuant to R.S. 39:1533.2.

D. The sum of Forty Thousand and No/100 (\$40,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Ernest L. Brown, Sr., Trulane Carr Brown and Allen J. Brown v. State of Louisiana, through the Department of Transportation and Development, the City of Gonzales and XYZ Insurance Company", bearing Number 82,661, Division B, on the docket of the Twenty-Third Judicial District Court, parish of Ascension, state of Louisiana.

E. The sum of Two Thousand and No/100 (\$2,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Michelle Guillory Buller, individually and on behalf of her minor daughter, Macy Buller v. Tina M. Sinegal, State Farm Insurance Company, BNSF Railway Company, City of Jennings, Jeff Davis Parish and State of Louisiana", bearing Number C-1038-05 on the docket of the Thirty-First Judicial District Court, parish of Jefferson Davis, state of Louisiana.

F. The sum of One Thousand Three Hundred Four and 65/100 (\$1,304.65) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Sheryl Carter v. State of Louisiana, through the Department of Transportation and Development, bearing Number 2008-0000491 "E" on the docket of the Twenty First Judicial District Court, parish of Tangipahoa, state of Louisiana.

G. The sum of Two Hundred Thousand and No/100 (\$200,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "George Doty v. St. Bernard Parish Government, et al", bearing Number 90-765 "D" on the docket of the Thirty-Fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

H. The sum of Ten Thousand and No/100 (\$10,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Bronson Dunnam v. State of Louisiana, through the Department of Transportation and Development", bearing Number 99-814, Division E, on the docket of the Thirty-Fourth Judicial District Court, parish of St. Landry, state of Louisiana.

I. The sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Calvene Duplichan, et al v. Union Pacific Railroad Company, et al" consolidated with "Lien Dawsey v. Union Pacific Railroad, et al", bearing Numbers C-251-05 and C-582-05, respectively, on the docket of the Thirty-First Judicial District Court, parish of Jefferson Davis, state of Louisiana.

J. The sum of Nine Thousand Five Hundred and No/100 (\$9,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Meredith Durbin v. State Farm Insurance Company, et al", bearing Number 481,633, Division "D", on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

K. The sum of One Million Seven Hundred Fifty Thousand and No/100 (\$1,750,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Elise Felix, individually, as Administratrix of the Succession of Tommie Felix, and on behalf of her minor children, Tony Felix and Tyler Felix v. the State of Louisiana, through the Department of Transportation and Development and Robinson Industries Inc." consolidated with "Courtney Marie Moore, for and on behalf of her minor children, Aashad J. Moore and Aashariah T. Moore v. the State of Louisiana, through the Department of Transportation and Development and the City of New Orleans", bearing Numbers 2008-7239 "E" and 08-5806 "N", respectively, on the docket of the Civil District Court, parish of Orleans, state of Louisiana.

L. The sum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars to James "Hank" Fletcher, Individually, and the sum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars to James "Hank" Fletcher, as duly appointed tutor on behalf of his minor daughter Alyssa Fletcher, are hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "James "Hank" Fletcher, Individually, and on behalf of his Minor Child, Alyssa Fletcher v. State of Louisiana, through the Department of Transportation and Development; Joyce H. Burton; TMI Enterprises, LLC; Zurich American Insurance Company; L & B Transport, LLC", bearing Number 34,616, Division "B" on the docket of the Eighteenth Judicial District Court, parish of West Baton Rouge, state of Louisiana.

M. The sum of One Hundred Thirty Thousand and No/100 (\$130,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay

the consent judgment in the suit entitled "Humberto Fontova and Shirley Fontavo v. the City of Covington, the State of Louisiana Department of Transportation and Development and Digital Engineering and Imaging, Inc.", bearing Number 2005-14054 on the docket of the Twenty-Second Judicial District Court for the parish of St. Tammany, state of Louisiana.

N. The sum of Nine Thousand and No/100 (\$9,000.00) Dollars; plus court costs in the amount of Three Hundred Fifty-Eight and 40/100 (\$358.40) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "Jeff Goodwin v. State of Louisiana, through the Department of Transportation and Development", bearing Number 22,996B on the docket of the Seventh Judicial District Court for the parish of Catahoula, state of Louisiana.

O. The sum of Three Hundred Eleven Thousand Eighty and 27/100 (\$311,080.27) Dollars; plus legal interest from December 19, 1989, until paid, plus court costs in the amount of Twenty Thousand Five Hundred Thirty-Two and 26/100 (\$20,532.26) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "Denae L. Jens, Patricia A. Jens, and Thomas M. Jens v. John S. Jones; Pittman Construction Company, Inc.; the Aetna Casualty and Surety Company; Datsun, a/k/a Nissan Motor Corporation in U.S.A.; Bill Garrett Nissan, Inc.; Firestone Tire and Rubber Company, Inc., d/b/a Firestone Mastercare Service Center; State of Louisiana, Department of Transportation and Development", bearing Number 89-27032 on the docket of the Seventh Judicial District Court for the parish of Catahoula, state of Louisiana.

P. The sum of Eighteen Thousand Five Hundred and No/100 (\$18,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "Patricia A. Johnson v. State of Louisiana through the Department of Transportation and Development; Transit Management of Southeast Louisiana, Inc.; and the City of New Orleans", bearing Number 2003-18087, Division "H" 12, on the docket of the Civil District Court, parish of Orleans.

Q. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in the suit entitled "Kedric Demoine Lee, Individually and in his capacity as the administrator of the estates of his minor children Ketrvelve Lee and Kendra Riley v. Bellsouth Telecommunications, Inc., Entergy Corporation, Cox Communications Louisiana, LLC, and State of Louisiana through the Department of Transportation and Development", bearing Number 60358 Division "D", on the docket of the Eighteenth Judicial District Court, parish of Iberville.

R. The sum of Four Hundred Ninety Thousand and No/100 (\$490,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in the suit entitled "Daphne LeRay, Elaine LeRay and Glenn LeRay v. the Nissan Motor Corporation, et al" bearing Number 80852 on the docket of the Seventeenth Judicial District Court, parish of Lafourche, state of Louisiana.

S. The sum of Four Thousand Two Hundred Fifty and No/100 (\$4,250.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in the suit entitled "Sharon McAdory v. Dale Branch, St. Paul Fire and Marine Insurance Company, the Parish of Washington and the State of Louisiana through the Department of Transportation and Development" bearing Number 86898 on the docket of the Twenty-Second Judicial District Court, parish of Washington, state of Louisiana.

T. The sum of Five Hundred Fifteen Thousand Nine Hundred Fourteen and 50/100 (\$515,914.50) Dollars, plus legal interest from December 3, 1998, until paid, plus court costs in the amount Two Thousand Three Hundred Twenty-Five and No/100 (\$2,325.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Julia S. Moss, Individually and on behalf of her deceased husband, Michael Moss, Caitrin H. Moss and Sean M. Moss

v. State of Louisiana through the Department of Transportation and Development", bearing Number 454,874 Division I, Section 24, on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

U. The sum of Four Thousand Three Hundred Nine and 34/100 (\$4,309.34) Dollars in favor of Eddie Oliver; the sum of Eight Hundred Fifty and No/100 (\$850.00) Dollars in favor of Mark McMillin; and the sum of One Thousand Nine Hundred Ninety-Six and No/100 (\$1,996.00) Dollars in favor of Brian McMillin; are hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in the suit entitled "Eddie Oliver, Mark McMillin and Brian McMillin v. the State of Louisiana, through the Department of Transportation and Development", bearing Number 99,2729 on the docket of the Fourteenth Judicial District Court, parish of Calcasieu, state of Louisiana.

V. The sum of One Hundred Fifty-Seven Thousand Five Hundred and No/100 (\$157,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in the suit entitled "Augustina Ohemeng, individually and on behalf of the estate of her husband, Alfred A. Adjepon-Yamoah v. State of Louisiana through the Department of Transportation and Development, City/Parish of West Feliciana and Direct General Insurance Company of Louisiana" bearing Number 17,550, Division B, on the docket of the Twentieth Judicial District Court, parish of West Feliciana, state of Louisiana.

W. The sum of Three Thousand and No/100 (\$3,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in the suit entitled "Ernie W. Pleasant, et al v. Kansas City Southern Railroad, et al" bearing Number 54,457 on the docket of the Eleventh Judicial District Court, parish of Sabine, state of Louisiana.

X. The sum of One Hundred Thousand and No/100 (\$100,000.00) Dollars, plus legal interest from February 5, 2009, until paid, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Layton W. Thibodeaux, Jr. and Angela Thibodeaux v. State of Louisiana, through the Department of Transportation and Development" consolidated with "Progressive Security Insurance Company, et al v. State of Louisiana, through the Department of Transportation and Development", bearing Numbers 06-C-2920-D and 07-C-2449-D, on the docket of the Twenty-Seventh Judicial District Court, parish of St. Landry, state of Louisiana.

Y. The sum of Two Thousand Eight Hundred and No/100 (\$2,800.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Burley Valin and Delores Valin, individually and on behalf of the estate of Angela Valin v. Union Pacific Railroad Company, et al", bearing Number 05-C-5867 on the docket of the Twenty-Seventh Judicial District Court, parish of St. Landry, state of Louisiana.

Z. The sum of One Hundred Twenty-Two Thousand Nine Hundred Seventy-Six and 36/100 (\$122,976.36) Dollars, plus legal interest from November 16, 1992, until paid, plus court costs in the amount of Two Thousand Eight Hundred Nineteen and 12/100 (\$2,819.12) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Patricia Majoria, wife of/and Marc Majoria in the suit entitled "Patricia Majoria, wife of/and Marc Majoria v. State of Louisiana, through the Department of Transportation and Development of the state of Louisiana", bearing Number 40,438-E on the docket of the Twenty-nineteenth Judicial District Court, parish of St. Charles, state of Louisiana.

AA. The sum of Twenty-five Thousand and No/100 (\$25,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in favor of Raymond Julius Distefano in the suit entitled "Raymond Julius Distefano v. State of Louisiana, through the Department of Transportation and Development", bearing Number No. 10597, Division "B" on the docket of the 21st Judicial District Court, parish of Livingston, state of Louisiana.

BB. The sum of Six Hundred Thirteen Thousand Seven Hundred One and 56/100 (\$613,701.56) Dollars, plus legal interest from November 14, 2002, until paid, plus court costs in the amount of Twenty-four Thousand Eight Hundred Eighty-four and 29/100 (\$24,884.29) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in favor of: Peter Adam in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Camille Adam Bischoff in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Sidney Adam in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Patricia Adam Ramil in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Robert Adam in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Armond Adam in the amount of Sixty-eight Thousand One Hundred Eighty-nine and 06/100 (\$68,189.06) Dollars; Tammy Manint in the amount of Thirty-four Thousand Ninety-four and 53/100 (\$34,094.53) Dollars; Darek Reatte, on behalf of his minor child, Gabrielle Reatte, in the amount of Thirty-four Thousand Ninety-four and 53/100 (\$34,094.53) Dollars; Randy Adam in the amount of Thirty-four Thousand Ninety-four and 53/100 (\$34,094.53) Dollars; Rhonda Adam Andrews in the amount of Thirty-four Thousand Ninety-four and 53/100 (\$34,094.53) Dollars; James Spano, Jr. in the amount of Seventeen Thousand Forty-seven and 27/100 (\$17,047.27) Dollars; Sherry Gabriel in the amount of Seventeen Thousand Forty-seven and 27/100 (\$17,047.27) Dollars; Shannon Perry Adam Bischoff in the amount of Seventeen Thousand Forty-seven and 27/100 (\$17,047.27) Dollars; and Courtney Martinez Crawford in the amount of Seventeen Thousand Forty-seven and 27/100 (\$17,047.27) Dollars; plus interest from November 14, 2002, until paid, plus costs in the amount of Twenty-four Thousand Eight Hundred Eighty-four and 29/100 (\$24,884.29), in the suit entitled "Peter W. Adam, et al v. the State of Louisiana, through the Department of Transportation and Development" consolidated with "Armond Adam v. State of Louisiana, through the Department of Transportation and Development", bearing Numbers 2002-15688, Division G, and 2001-15905, respectively, on the docket of the Twenty-second Judicial District Court, parish of St. Tammany, state of Louisiana, as amended by the First Circuit Court of Appeal, state of Louisiana in the appeal entitled "Armond Adam v. State of Louisiana through the Department of Transportation and Development consolidated with Peter W. Adam, et al v State of Louisiana through the Department of Transportation and Development", bearing Numbers 2008 CA 1134 and 2008 CA 1135, respectively, on the docket of the First Circuit Court of Appeal, state of Louisiana.

CC. The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Richard Gamboa and Poly Trucking, Inc., in the suit entitled "Richard Gamboa v. DHL Express (USA), Inc., et al" consolidated with "Poly Trucking, Inc. v. DHL Express (USA), Inc., et al", bearing Numbers 2007-0008, Division "B" and 2007-0209, Division "A", respectively, on the docket of the Sixth Judicial District Court, parish of Madison, state of Louisiana.

DD. The sum of Forty-nine Thousand Nine Hundred Ninety-nine and 99/100 (\$49,999.99) Dollars, plus legal interest from November 21, 1994 until paid, plus court costs of Two Thousand Eight Hundred Ninety-Three and 65/100 (\$2,893.65) Dollars, plus expert fees in the amount of Three Thousand and No/100 (\$3,000.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Kelley Giangrosso in the suit entitled "Kelly Giangrosso v. Town of Amite, Parish of Tangipahoa and the State of Louisiana through the Department of Transportation and Development", bearing Number 9403447 on the docket of the Twenty-first Judicial District Court, parish of Tangipahoa, state of Louisiana.

EE. The sum of One Thousand Seven Hundred and No/100 (\$1,700.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in favor of Latharie Sylvain in the suit entitled "Jason Sampson v. William S. Jonson and Allstate Insurance

Company" consolidated with "Latharie Sylvain v. Allstate Insurance Company, et al", bearing Numbers 2006-10209-B and 2007-0990A, respectively, on the docket of the Twelfth Judicial District Court, parish of Avoyelles, state of Louisiana.

FF. The sum of Sixty-one Thousand Two Hundred Fifty and No/100 (\$61,250.00) Dollars, plus court costs in the amount of Two Hundred Seventy-Six and No/100 (\$276.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010, to be used to pay the consent judgment in favor of Eloise Hemmons Powell in the suit entitled "Eloise Hemmons Powell v. State of Louisiana, through the Department of Transportation and Development" consolidated with "Anita Donald Self, et al v. State of Louisiana, through the Department of Transportation and Development", bearing Numbers 30,928, Division "A" and 32,254, Division "A", respectively, on the docket of the Eighteenth Judicial District Court, parish of Pointe Coupee, state of Louisiana.

GG. The sum of Sixty-five Thousand and No/100 (\$65,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in favor of Gary Scheffler, Jr. in the suit entitled "Gary Scheffler, Jr. v. State of Louisiana, through the Department of Transportation and Development", bearing Number No. 607,704, Division "K" on the docket of the Twenty-fourth Judicial District Court, parish of Jefferson, state of Louisiana.

HH. The sum of Three Thousand Seven Hundred Fifty and No/100 (\$3,750.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Dana and Ella Smith, individually and on behalf of their minor children, Dana Smith, Jr. and Lareisha Weston; AND the sum Three Thousand Seven Hundred Fifty and No/100 (\$3,750.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Angela Jacobs, individually and on behalf of her minor children, Angelica Jacobs and Anthony Lavalais, Jr., in the suit entitled "Dana and Ella Smith, individually and on behalf of their minor children, Dana Smith, Jr. and Lareisha Weston v. Financial Indemnity Company, Anthony Lavalais and American Century Casualty Company" consolidated with "Anthony Lavalais v. State of Louisiana, Department of Transportation and Development" consolidated with "Angela Jacobs, individually and on behalf of her minor children, Angelica Jacobs and Anthony Lavalais, Jr. v. State of Louisiana, Department of Transportation and Development", bearing Numbers 2005-7745-A, 2006-8815-A and 2006-8834-A, respectively, on the docket of the Twelfth Judicial District Court, parish of Avoyelles, state of Louisiana.

II. The sum of Five Hundred and Twenty-One Thousand Two Hundred and Seventy-Nine and No/100 (\$521,279.00) Dollars, plus interest and court costs in the amount of Eighteen Thousand Four Hundred Ninety-two and 57/100 (\$18,492.57) Dollars, is hereby appropriated out of the General Fund of the State of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in the suit entitled "N-Y Associates, Inc. versus Board of Commissioners of the Orleans Parish Levee District" bearing No. 2004-CA-1598 on the docket of the 4th Circuit Court of Appeals, state of Louisiana and No. 95-16885 on the docket of the Civil District Court, parish of Orleans. Interest ceases to run on the effective date of the Act.

JJ. The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Allison Martin in the suit entitled "Lisa Fonseca, as Natural Tutrix for her Minor Daughter, Allison Martin v. Kenneth Travis Contractor, Inc., et al" bearing Number 89,384, Division B, on the docket of the Seventeenth Judicial District Court, parish of Lafourche, state of Louisiana.

KK. The sum of Fifty-five Thousand and No/100 (\$55,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in favor of Pathrina Petry Matthews in the suit entitled "Pathrina Petry Matthews and Kerry Matthews, Individually and as Natural Tutrix/Tutor and Administratrix/Administrator of the Estate of the Minors, Kim Petry and Caleb Petry v. City of Abbeville and the State of Louisiana, through the Department of Transportation and

Development", bearing Number No. 81,511C on the docket of the Fifteenth Judicial District Court, parish of Vermilion, state of Louisiana.

LL The sum of Two Hundred Sixty-four Thousand One Hundred Forty and No/100 (\$264,140.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment in favor of plaintiffs, Anita Donald Self, Woodrow Self, Channing Donald, Brittany Kalina Pope and Cambria Delillia Pope, in the suit entitled "Eloise Hemmons Powell v. State of Louisiana, through the Department of Transportation and Development" consolidated with "Anita Donald Self, et al v. State of Louisiana, through the Department of Transportation and Development", bearing Numbers 30,928, Division "A" and 32,254, Division "A", respectively, on the docket of the Eighteenth Judicial District Court, parish of Pointe Coupee, state of Louisiana.

MM. The sum of Thirty Thousand and No/100 (\$30,000.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Jason Moran in the suit entitled "Jason Moran v. State of Louisiana, through the Department of Transportation and Development" bearing Number 80,907, Division B, on the docket of the Tenth Judicial District Court, parish of Natchitoches, state of Louisiana.

NN. The sum of Sixty-five Thousand and No/100 (\$65,000.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Buffy Greene in the suit entitled "Buffy Greene v. State of Louisiana, Department of Transportation and Development of the state of Louisiana", bearing Number 111,210, Division E, on the docket of the Twenty-first Judicial District Court, parish of Livingston, state of Louisiana.

OO. The sum of Two Hundred Thousand and No/100 (\$200,000.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the consent judgment in favor of Lorie H. Taylor, in the suit entitled "Lorie H. Taylor, individually and on behalf of her deceased husband, Joe Paul Taylor, and on behalf of her minor children, Dustin Taylor and Harley Taylor v. State of Louisiana, through the Department of Transportation and Development" bearing Number 60-3117 on the docket of the Fourth Judicial District Court, parish of Ouachita, state of Louisiana.

Section 6.2.A. The sum of One Hundred Thirty-Seven Thousand Thirteen and No/100 (\$137,013.00) Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Dan Bright v. State of Louisiana", bearing Number 2008-00866-L on the docket of the Civil District Court, parish of Orleans, state of Louisiana.

B. The sum of One Hundred Forty-Five Thousand Five Hundred Sixty-One and 64/100 (\$145,561.64) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Douglas Dilosa v. State of Louisiana", bearing Number 664,081 on the docket of the Twenty-Fourth Judicial District Court, parish of Jefferson, state of Louisiana.

C. The sum of One Hundred Forty-Five Thousand Five Hundred Sixty-One and 64/100 (\$145,561.64) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Travis Hayes v. State of Louisiana", bearing Number 663570, Division N, on the docket of the Twenty-Fourth Judicial District Court, parish of Jefferson, state of Louisiana.

D. The sum of One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Willie Jackson v. State of Louisiana", bearing Number 655,330, Division O, on the docket of the Twenty-Fourth Judicial District Court, parish of Jefferson, state of Louisiana.

E. The sum of One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Curtis L. Kyles v. State of Louisiana", bearing Number 303,970, Division G, on the docket of the Orleans Criminal District Court, parish of Orleans, state of Louisiana.

F. The sum of One Hundred Thirty Thousand Seven Hundred Sixteen and No/100 (\$130,716.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Ryan Matthews v. State of Louisiana", bearing Number 663572, Section F, on the docket of the Twenty-Fourth Judicial District Court, parish of Jefferson, state of Louisiana.

G. The sum of One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Calvin Williams v. State of Louisiana", bearing Number 538-401, Section 25 on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

H. The sum of One Hundred Ninety Thousand and No/100 (\$190,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the judgment awarding compensation for wrongful conviction and incarceration in the matter of "Calvin Willis v. State of Louisiana", bearing Number 556,984, Division O, Section VIII, on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

I. All judgments provided for in Subsection 6.2 of this Section shall be paid as to principal, interest, court costs, and expert witness fees as provided in said judgments, it being the intent herein that when the provisions of any judgment conflict with the provisions of this Act, the provisions of the judgment shall be controlling. Any other provision of this Act, not in conflict with the provisions of such judgment, shall control. Payment shall be made as to any such judgment only after presentation to the state treasurer of documentation required by the state treasurer.

Section 6.3.A. The sum of Nine Hundred Eighty-Two Thousand Ninety-Three and 78/100 (\$982,093.78) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "BNSF Railway Company v. Cynthia Bridges, Secretary, Department of Revenue and State of Louisiana", bearing Number 6854 on the docket of the Board of Tax Appeals, state of Louisiana.

B. The sum of Seventy Thousand Two Hundred Sixty-Nine and 10/100 (\$70,269.10) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Comdata Network, Inc. v. Secretary, Department of Revenue, State of Louisiana", bearing Number 6176 on the docket of the Board of Tax Appeals, state of Louisiana.

C. The sum of Seven Hundred Twenty-Two Thousand Three Hundred Fifty-Two and 35/100 (\$722,352.35) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Kansas City Southern Railway Company v. Cynthia Bridges, Secretary, Department of Revenue and State of Louisiana", bearing Number 5408 on the docket of the Board of Tax Appeals, state of Louisiana.

D. The sum of One Hundred Fifty-Four Thousand Two Hundred Six and 21/100 (\$154,206.21) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Illinois Central Railroad Company v. Cynthia Bridges, Secretary, Department of

June 21, 2009

Revenue and State of Louisiana", bearing Number 6635 on the docket of the Board of Tax Appeals, state of Louisiana.

E. The sum of Four Hundred Sixty-One Thousand Two Hundred Ninety-Eight and 47/100 (\$461,298.47) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Illinois Central Railroad Company v. Cynthia Bridges, Secretary, Department of Revenue and State of Louisiana", bearing Number 6818 on the docket of the Board of Tax Appeals, state of Louisiana.

F. The sum of One Hundred Six Thousand Four Hundred Thirty-Four and 34/100 (\$106,434.34) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to the Louisiana Department of Revenue (12-440) to be used to satisfy the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Illinois Central Railroad Company v. Cynthia Bridges, Secretary, Department of Revenue and State of Louisiana", bearing Number 6936 on the docket of the Board of Tax Appeals, state of Louisiana.

G. All judgments provided for in Subsection 6.3 of this Section shall be paid as to principal, interest, court costs, and expert witness fees as provided in said judgments, it being the intent herein that when the provisions of any judgment conflict with the provisions of this Act, the provisions of the judgment shall be controlling. Any other provision of this Act, not in conflict with the provisions of such judgment, shall control. Payment shall be made as to any such judgment only after presentation to the state treasurer of documentation required by the state treasurer.

H. Section 6 of this Act shall be effective on July 1, 2009."

AMENDMENT NO. 48

On page 24, line 20, change "Section 8." to "Section 7."

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

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

BY REPRESENTATIVE HENRY

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 898 by Representative Henry

AMENDMENT NO. 1

On page 1, line 4, after "credit;" insert: "to provide for the amount of payroll credit; to provide for transfers of certain credits;"

AMENDMENT NO. 2

On page 6, line 18, after "2006" insert ", but before July 1, ~~2010~~ 2009"

AMENDMENT NO. 3

On page 7, delete lines 3 through 12, and insert:

"(c) For state-certified productions approved by the office and the secretary on or after July 1, ~~2010~~ 2009, but before July 1, 2012:

(i) If the total base investment is greater than three hundred thousand dollars, each investor shall be allowed a tax credit of ~~twenty~~ thirty percent of the base investment made by that investor.

(ii) To the extent that base investment is expended on payroll for Louisiana residents employed in connection with a state-certified production, each investor shall be allowed an additional tax credit of ~~ten~~ five percent of such payroll. However, if the payroll to any one person exceeds one million dollars, this additional credit shall exclude any salary for that person that exceeds one million dollars."

AMENDMENT NO. 4

On page 11, line 26, after "(f)" insert "(i)"

AMENDMENT NO. 5

On page 12, between lines 9 and 10, insert:

"(ii) For projects which receive initial certification on and after July 1, 2009, the investor who earned the motion picture investor tax credits pursuant to such certification may transfer the credits to the office for eighty-five percent of the face value of the credits."

AMENDMENT NO. 6

On page 15, between lines 17 and 18, insert:

"(e) In addition to the requirements of Subparagraph (d) of this Paragraph, prior to any final certification of a state-certified production or infrastructure project, the motion picture production company or infrastructure project applicant shall submit to the office a notarized statement demonstrating conformity with, and agreeing to, the following:

(i) To pay all undisputed legal obligations the film production company has incurred in Louisiana.

(ii) To publish, at completion of principal photography, a notice at least once a week for three consecutive weeks in local newspapers in regions where filming has taken place in order to notify the public of the need to file creditor claims against the film production company by a specified date.

(iii) That the outstanding obligations are not waived should a creditor fail to file by the specified date.

(iv) To delay filing a claim for the film production tax credit until the office delivers written notification to the secretary of the Department of Revenue that the film production company has fulfilled all requirements for the credit."

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

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

BY REPRESENTATIVE ARNOLD

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 902 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 19, after "(b)" insert "(i)"

AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert:

"(ii) The provisions of this Subparagraph shall not apply to taxing authorities which are special fire protection or fire department districts nor shall they affect the provisions of Article VI, Section 39(A) of the Constitution of Louisiana."

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

HOUSE BILL NO. 903—(Substitute for House Bill No. 375 by Representative Arnold)

BY REPRESENTATIVE ARNOLD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) and to add Article VII, Section 18(H) of the Constitution of Louisiana, relative to the levy of ad valorem property tax by taxing authorities; to further limit certain taxing authorities' power to increase millage rates without voter approval; to require the election for approving ad valorem property tax levies or renewals of certain taxing authorities to occur only at certain elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 903 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "Section 23 (C)" delete the remainder of the line and insert "of the"

AMENDMENT NO. 2

On page 1, line 5, after "approval;" delete the remainder of the line and delete line 6 and insert "and"

AMENDMENT NO. 3

On page 1, line 12, after "Section 23(C)" delete the remainder of the line and insert "of the Constitution of Louisiana, to read"

AMENDMENT NO. 4

On page 1, delete lines 14 through 18, and on page 2, delete lines 1 through 5

AMENDMENT NO. 5

On page 2, line 26, after "(2)" insert "(a)"

AMENDMENT NO. 6

On page 3, between lines 3 and 4, insert:

"(b) The provisions of this Subparagraph shall not apply to taxing authorities which are special fire protection or fire department districts nor shall they affect the provisions of Article VI, Section 39(A) of this constitution."

AMENDMENT NO. 7

On page 3, line 19, after "year;" delete the remainder of the line and delete lines 20 through 26 and insert" "to exclude from such restriction taxing authorities which are special fire protection or fire department districts and millages levied by certain levee districts under authority granted by the Constitution of Louisiana.

(Amends Art. VII, Section 23(C))"

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

Regular Order Resumed

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

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and implement an age-appropriate unit on hurricane awareness for students in each grade in all city, parish, and other local public school systems.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome	Gautreaux B
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to compile statistics for each city, parish, and other local public school system relative to where teachers employed by each system who became certified in 1999 or thereafter received their bachelor's degrees and to submit a written report of findings to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session of the Legislature.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 21, 2009

NAYS

Total - 0

ABSENT

Broome Gautreaux B Shaw
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study standards it uses to approve alternative education programs as such standards relate to providing sufficient counseling services and appropriate security and to submit a written report of its findings, 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 by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Broome, Claitor, Gautreaux B, Gray Evans
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism to study methods of raising additional revenue through state historic sites.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Cheek, Crowe, Dorsey, Duplessis, Dupre, Erdey, 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

Total - 35

NAYS

Total - 0

ABSENT

Broome, Claitor, Donahue, Gautreaux B
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards and the governing authorities of certain independent colleges and universities to ensure that the institutions under their respective jurisdictions that offer a graduate program in architecture include in such program instruction on certain design principles.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, 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

Total - 37

NAYS

Total - 0

ABSENT

Broome Gautreaux B
Total - 2

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

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 18, 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. 90—
BY SENATOR BROOME**

A CONCURRENT RESOLUTION

To urge and request the Louisiana Office of Student Financial Assistance and the Board of Regents to jointly study the benefits of the Go Grant program and to identify the adequacy of current funding sources provided to the program and to the students.

Reported without amendments.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 119 by Representative H. Burns:

Representatives H. Burns, Wooton and Dove.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 234 by Representative Dove:

Representatives Dove, Harrison and Billiot.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 600 by Representative Johnson:

Representatives Johnson, T. Burns and Greene.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 629 by Representative Landry:

Representatives Landry, T. Burns and Robideaux.

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

**Privilege Report of the
Legislative Bureau**

June 21, 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.

HOUSE BILL NO. 5—

BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTOUCET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATOR GUILLORY

June 21, 2009

AN ACT

To amend and reenact R.S. 47:305(A)(5) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to exemptions to sales and use tax; to provide with respect to exemptions for crawfish bait and feed; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 9—

BY REPRESENTATIVES BALDONE AND LEGER

AN ACT

To enact R.S. 47:301(6)(c), relative to sales and use tax; to exclude from the definition of "hotel" certain temporary lodging services provided by a nonprofit corporation to a homeless person; to authorize rulemaking; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 70—

BY REPRESENTATIVE HARDY

AN ACT

To enact R.S. 13:10.4, relative to witness protection; to provide for the assessment of court costs to be used for the witness protection program; to provide for the collection and disbursement of monies; to provide for an annual audit; to provide for a contingent effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 83—

BY REPRESENTATIVES TIM BURNS, ARNOLD, CARMODY, GREENE, HENRY, HOFFMANN, KATZ, LIGI, PEARSON, RICHARD, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, TUCKER, AND WADDELL

AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i), (ii), and (vi) and to enact R.S. 47:1705(B)(2)(c)(vii) and (f), relative to the requirements for public hearings on proposals to increase millage rates without voter approval; to require public notice and publication of certain information related to such millage increases; to require notification of certain elected officials; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS DONAHUE AND MICHOT

AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:293(9)(a)(xvii), relative to the individual income tax; to provide for a deduction for net capital gains; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 128—

BY REPRESENTATIVES HENRY, TIM BURNS, ELLINGTON, GREENE, GUINN, HARRISON, HAZEL, HENDERSON, HOWARD, KLECKLEY, LEBAS, LIGI, MONICA, PEARSON, POPE, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, TALBOT, THIBAUT, AND WOOTON

AN ACT

To amend and reenact R.S. 47:305.54(B)(2) and to enact R.S. 47:305.62, relative to state sales and use tax; to authorize a state "sales tax holiday" at certain times for purchases of certain firearms; to provide for definitions; to provide restrictions on the types of purchases eligible for the exemption; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 189—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:305(D)(2) and to enact R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4), relative to the sales and use tax; to provide for the effectiveness and applicability of the exemption for the sale of meals by certain institutions and organizations; to provide for the exemption of the meal plans of certain educational institutions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 215—

BY REPRESENTATIVES HUTTER AND LEGER

AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 261—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 20:1(A)(2) and to enact R.S. 13:3851.1, relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 389—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, NOWLIN, RICHARD, AND ROBIDEAUX

AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, Act No. 141 of the 2003 Regular Session of the Legislature, and Act No. 357 of the 2005 Regular Session of the Legislature; to delete the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 446—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:2062, 2142(A) and (C), 2144, 2145(B), 2153(B)(5), and 2155(A), relative to ad valorem taxes; to provide for the assistance to each parish tax assessor by an attorney or agency; to provide for the collection of penalties; to provide relative to undivided interests in title to tax sale property; to provide for bidding procedures; to provide for the form for tax sale certificates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 458—

BY REPRESENTATIVES TALBOT, BALDONE, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, HENRY, HOFFMANN, HONEY, LITTLE, MILLS, PERRY, PUGH, RICHARD, RICHMOND, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TEMPLET, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:6023, relative to tax credits; to provide relative to the sound recording investor tax credit; to provide relative to certain definitions; to remove certain limitations of the sound recording investor tax credit; to provide relative to the promulgation of rules and regulations; to provide relative to the certification and payment of the tax credit; to provide relative to the display of the state brand or logo under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 563—

BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 47:2134(D), 2153(B)(5), 2201, and 2202, relative to ad valorem taxes; to provide relative to certain challenges to assessments; to provide for bidding procedures at tax sales; to provide for tax sale title to undivided interests; to provide for public sale or donation of tax parcels; to provide for the sale of adjudicated property to adjoining property owners; to provide for effectiveness as to suits filed on or after a certain date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 618—

BY REPRESENTATIVES GREENE, BALDONE, HENRY, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph) and 611, relative to corporation franchise tax; to exempt a certain amount of taxable capital from the tax; to eliminate the minimum amount of the tax; to provide relative to the initial franchise tax on newly taxable corporations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 693—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, AND RITCHIE
AN ACT

To amend and reenact Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature, relative to motion picture investor tax credits; to provide relative to the amount of the tax credit for certain state-certified infrastructure projects; to provide relative to certain requirements and limitations; to provide relative to the payment of tax credits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 733—

BY REPRESENTATIVES LEGER, ABRAMSON, AUBERT, BROSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, HINES, HOWARD, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, PETERSON, RICHMOND, ROBIDEAUX, ST. GERMAIN, AND STIAES
AN ACT

To enact R.S. 47:6035, relative to tax credits; to authorize a tax credit for certain "green job industries"; to provide for certain definitions; to provide for the application for, certification of, and the administration of the tax credit; to provide for the maximum amount of the credit that may be issued; to provide for certain requirements and limitations; to provide for the recapture and recovery of the credit under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 734—

BY REPRESENTATIVES CARTER, BALDONE, BARRAS, HONEY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, AND TEMPLET

AN ACT

To enact R.S. 47:305.62, 321(H)(3), and 337.9(D)(30), relative to state and local sales and use taxes; to authorize a state sales and use tax exemption for the purchase, lease, or repair of certain equipment by qualifying radiation therapy treatment centers; to authorize political subdivisions to grant a sales and use tax exemption under certain circumstances; to provide for certain definitions; to provide for certain requirements; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 765—

BY REPRESENTATIVES GALLOT, BALDONE, BARRAS, BARROW, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, DANAHAY, DIXON, DOERGE, DOWNS, FANNIN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, HONEY, ROSALIND JONES, KLECKLEY, LAFONTA, LANDRY, LEBAS, LITTLE, LOPINTO, MORRIS, NOWLIN, PERRY, RICHARD, RITCHIE, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TUCKER, WADDELL, AND WILLIAMS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) of the Constitution of Louisiana, to decrease the amount of severance tax on certain natural resources which is retained by the state; to provide for the use of excess severance taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 771—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 17:1871(C), relative to the Board of Supervisors of Community and Technical Colleges; to authorize the board to set a uniform tuition amount for online courses offered by public postsecondary education institutions under its jurisdiction; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 790—

BY REPRESENTATIVES GREENE, BALDONE, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:6015, and Section 2 of Act No. 9 of the 2002 First Extraordinary Session of the Legislature, relative to the research and development tax credit; to authorize the issuance of tax credits for certain research and development activities; to provide for the amount of the tax credit; to authorize the refundability of the tax credits; to provide for a sunset date for issuance of the tax credit; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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

June 21, 2009

under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 818— BY REPRESENTATIVES ELLINGTON, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, RICHMOND, RITCHIE, AND JANE SMITH AN ACT

To enact R.S. 47:301(3)(k), relative to the sales and use tax; to phase-in an exclusion from state sales and use taxes for certain tangible property related to the manufacturing process; to provide for certain limitations; to provide for certain definitions; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

HOUSE BILL NO. 863— BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 870— BY REPRESENTATIVE FANNIN AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2009-2010; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 898— (Substitute for House Bill No. 142 by Representative Henry) BY REPRESENTATIVE HENRY AN ACT

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

certified infrastructure projects; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

HOUSE BILL NO. 903— (Substitute for House Bill No. 375 by Representative Arnold) BY REPRESENTATIVE ARNOLD A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) and to add Article VII, Section 18(H) of the Constitution of Louisiana, relative to the levy of ad valorem property tax by taxing authorities; to further limit certain taxing authorities' power to increase millage rates without voter approval; to require the election for approving ad valorem property tax levies or renewals of certain taxing authorities to occur only at certain elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without amendments.

Respectfully submitted, ROB MARIONNEAUX Chairman

Adoption of Legislative Bureau Report

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

Privilege Report of the Legislative Bureau

June 21, 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.

HOUSE BILL NO. 2— BY REPRESENTATIVE GREENE AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 364— BY REPRESENTATIVE FANNIN AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to special treasury funds; to create the American Recovery and Reinvestment Act Fund as a special

fund in the state treasury; to dedicate certain revenues to the fund; to provide for the deposit, investment, and use of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 365—
BY REPRESENTATIVE SIMON
AN ACT

To enact Part VII-B of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.2, to establish and provide for the Percent for Universal Design Program; to require that a certain percent of the expenditure for construction or renovation of a state building shall be used to implement principles of universal design; to provide exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 667—
BY REPRESENTATIVE FANNIN
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported without amendments.

HOUSE BILL NO. 720—
BY REPRESENTATIVES JANE SMITH, BOBBY BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HOFFMANN, JOHNSON, KLECKLEY, LAFONTA, LITTLE, MILLS, MONICA, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, TUCKER, WADDELL, AND WILLIAMS AND SENATORS CROWE, DUPLESSIS, MICHOT, AND SMITH
AN ACT

To enact the Louisiana Tax Delinquency Amnesty Act of 2009; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for the disposition of the monies collected pursuant to the tax amnesty program; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 869—
BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds for Fiscal Year 2009-2010 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported without amendments.

HOUSE BILL NO. 879—
BY REPRESENTATIVES TUCKER, CONNICK, LEGER, AND PETERSON
AN ACT

To appropriate funds and to make certain changes in appropriations from certain sources and purposes in specific amounts for the making of supplemental appropriations for Fiscal Year 2008-2009; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 881—
BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2008-2009; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

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

Motion to Make Special Order

HOUSE BILL NO. 2—
BY REPRESENTATIVE GREENE
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Senator Marionneaux asked for and obtained a suspension of the rules to make House Bill No. 2, which was just advanced to Third Reading and Final Passage, Special Order of the Day No. 1 on Monday, June 22, 2009, at 1:00 o'clock P.M.

Motion to Make Special Order

HOUSE BILL NO. 3—
BY REPRESENTATIVE GREENE
AN ACT

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

Senator Marionneaux asked for and obtained a suspension of the rules to make House Bill No. 3 which is on Third Reading and Final Passage, Special Order of the Day No. 2 on Monday, June 22, 2009, after 1:00 o'clock P.M.

Message to the Governor

SIGNED SENATE BILLS

June 19, 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. 43—
BY SENATOR MURRAY
AN ACT

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

June 21, 2009

SENATE BILL NO. 49—
BY SENATOR ERDEY

AN ACT

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

SENATE BILL NO. 117—
BY SENATOR ERDEY

AN ACT

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

SENATE BILL NO. 118—
BY SENATOR ERDEY

AN ACT

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

SENATE BILL NO. 121—
BY SENATOR LONG

AN ACT

To enact R.S. 11:609, relative to retired peace officers; to allow officers to purchase their firearms upon retirement; to provide for criteria; and to provide for related matters.

SENATE BILL NO. 124—
BY SENATOR JACKSON

AN ACT

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

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.

SENATE BILL NO. 217—
BY SENATOR MORRISH

AN ACT

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

SENATE BILL NO. 264—
BY SENATORS KOSTELKA, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, GRAY EVANS, HEBERT, HEITMEIER, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MOUNT, MURRAY, NEVERS, QUINN, RISER, SMITH, THOMPSON AND WALSWORTH

AN ACT

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

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)(introductory paragraph) and (3), (C)(2), and (D)(2), 635(A)(introductory paragraph)(3), (7), and (9) and (C)(2), 636(A)(introductory paragraph) and (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(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), 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.

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)(introductory paragraph) and (3), (C)(2), and (D)(2), 635(A)(introductory paragraph)(3), (7), and (9) and (C)(2), 636(A)(introductory paragraph) and (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(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), 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.

and they are hereby presented for executive approval on June 19, 2009.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Privilege Report of the Committee on
Senate and Governmental Affairs

ENROLLMENTS

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

June 21, 2009

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 58—
BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 15:555(A)(3), relative to sexual assault task force; to provide for membership; and to provide for related matters.

SENATE BILL NO. 66—
BY SENATOR DUPRE

AN ACT

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

SENATE BILL NO. 84—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to public contracts; to increase the limit for the purchase of materials and supplies to the sum of thirty thousand dollars for public entities without the necessity of advertisement; and to provide for related matters.

SENATE BILL NO. 114—
BY SENATOR NEVERS

AN ACT

To repeal R.S. 47:6033(B)(4), relative to tax credits; to repeal a requirement that the Workforce Development Commission provide the Department of Revenue a certain annual list; and to provide for related matters.

SENATE BILL NO. 125—
BY SENATOR THOMPSON

AN ACT

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

SENATE BILL NO. 134—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b)(ii)(bb) and (3)(c)(ii), relative to public contracts; to provide for the submission of other documentation and information; and to provide for related matters.

SENATE BILL NO. 147—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:6019(A)(3)(b)(i)(aa), relative to the tax credit for the rehabilitation of historic structures; to increase the number of allowable transfers; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 158—
BY SENATOR B. GAUTREUX AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 36:4(U), R.S. 43:111(A)(9), and R.S. 51:1317, 1318(A) and (D), and 1319(A)(1), (2), (3), (4), and (B)(5), relative to the Louisiana Retirement Development Commission; to change the name of the commission to the Encore Louisiana Commission; to provide that the commission shall market Louisiana to persons fifty years old and above; and to provide for related matters.

SENATE BILL NO. 160—
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 47:1675(A)(6), relative to tax credits; to provide that any tax credit against income or corporate franchise tax with a "cap" on the amount of the credit allowed be administered on a first-come, first-serve basis unless otherwise provided by the statute granting the tax credit; to provide an exception when the total tax credits requested on a single business day exceed tax credits available under the credit "cap"; and to provide for related matters.

SENATE BILL NO. 171—
BY SENATORS BROOME, CHEEK, DORSEY, ERDEY, GRAY EVANS, HEITMEIER, MOUNT AND NEVERS

AN ACT

To enact R.S. 46:1414, relative to child care facilities; to provide for the dissemination of information relating to the benefits of immunizing certain children against influenza; to provide for duties of a licensed child care facility; to provide for duties of the Department of Health and Hospitals and the Department of Social Services; and to provide for related matters.

SENATE BILL NO. 187—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 32:361.2, relative to motor vehicle equipment; to provide relative to medical exemptions from prohibitions on certain window tinting; to provide relative to the contents of an affidavit for such medical exemption; to require certain information; to provide for certain departmental and board actions; to provide for violations; and to provide for related matters.

SENATE BILL NO. 193—
BY SENATOR LONG

AN ACT

To repeal R.S. 22:2372, relative to the Insure Louisiana Incentive Program; to repeal the requirement for use of unused monies in the program to assist individuals with homeowners' insurance premiums and to accelerate payoff of the Unfunded Accrued Liability of the state retirement systems; and to provide for related matters.

SENATE BILL NO. 215—
BY SENATOR MORRISH

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, relative to hospital prospective payment methodology; to provide for designation as a major teaching hospital; to provide for definitions; to provide for criteria; and to provide for related matters.

SENATE BILL NO. 229—
BY SENATOR GRAY EVANS AND REPRESENTATIVES BARROW, BROSSETT, CHANDLER, HENDERSON, HINES, ROSALIND JONES, LEGER, MILLS, NORTON, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES AND WILLIAMS

AN ACT

To amend and reenact R.S. 32:403, the introductory paragraph of 412.1(A), 413(B), and R.S. 40:1321(C), to enact R.S. 32:412(J), 412.1(D), and 429(C), relative to motor vehicles; to provide an exemption for the payment of fees and handling charges for state issued driver's licenses and identification cards to children who are in the care, custody, or guardianship of the office of community services; and to provide for related matters.

SENATE BILL NO. 239—
BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES DOVE, HONEY, RICHARD AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 47:305.20(A), the introductory paragraph of (C), (1) and (2) and R.S. 56:303(E)(1) and 304(A), relative to tax exemptions; to provide for certain exclusions and exemptions from state sales, use, lease, and services taxes; to provide for a rebate of such taxes; to include possession of a vessel license by a commercial fisherman as qualifying for such tax exemptions; to provide for issuance of a vessel license to certain commercial fishermen; to provide for certification of certain commercial fishermen licenses; and to provide for related matters.

SENATE BILL NO. 241—
BY SENATORS MOUNT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREUX, N. GAUTREUX, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ARMES, AUSTIN BADON,

June 21, 2009

BOBBY BADON, BALDONE, BILLIOT, BROSSETT, BURRELL, DANAHAY, DOWNS, GISCLAIR, GREENE, GUINN, HINES, HOFFMANN, HOWARD, KATZ, LEGER, NORTON, PERRY, PETERSON, POPE, RITCHIE, ROY, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL AND WOOTON

AN ACT

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

SENATE BILL NO. 262—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:531(E) and to repeal Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature, relative to commissioners of local housing authority; to remove requirement of landlord commissioner; and to provide for related matters.

SENATE BILL NO. 323—

BY SENATOR ADLEY AND REPRESENTATIVES HENRY BURNS, MORRIS AND JANE SMITH

AN ACT

To enact R.S. 38:291(J), relative to levee districts; to create and provide relative to the North Bossier Levee and Drainage District; to provide for its authority, powers, duties, functions, and responsibilities, including the authority to incur debt and levy ad valorem taxes subject to voter approval; to provide for its board of commissioners and for the nomination and appointment of members to the board; to provide for the transfer of assets; and to provide for related matters.

SENATE BILL NO. 339—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 51:1927.1(C), relative to the Louisiana Capital Companies Tax Credit Program; to provide relative to the placement of the investment pool in qualified investments; and to provide for related matters.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

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

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 21, 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. 135—

BY SENATOR BROOME AND REPRESENTATIVES BARROW AND HONEY

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Johnny L. Thomas, Sr.

SENATE CONCURRENT RESOLUTION NO. 136—

BY SENATORS DUPLESSIS, MURRAY AND MORRELL

A CONCURRENT RESOLUTION

To recognize the fortieth anniversary of the first lunar landing and to mark this occasion by recalling Louisiana's role in that mission.

SENATE CONCURRENT RESOLUTION NO. 137—

BY SENATOR CHAISSON AND REPRESENTATIVE TUCKER AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation preventing unintended consequences of the Medicaid Federal Medical Assistance Percentage calculation on Louisiana's and other state's Medicaid programs caused by the substantial and temporary infusion of public and private funds into state economies following major disasters such as hurricanes, floods and earthquakes.

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 BILLS AND JOINT RESOLUTIONS

June 19, 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. 39—

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

AN ACT

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

HOUSE BILL NO. 44—

BY REPRESENTATIVES LAFONTA, ARMES, BROSSETT, BURRELL, DIXON, GISCLAIR, HARDY, GIROD JACKSON, MICHAEL JACKSON, LEGER, NORTON, RICHMOND, STIAES, TEMPLET, TUCKER, AND WOOTON

AN ACT

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

HOUSE BILL NO. 143—

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 47:1992(A)(1)(a) and (2) and (B) and to enact R.S. 47:1992.1, relative to the inspection period for tax assessment lists in Jefferson Parish; to provide for the time period during which assessment lists shall be open for inspection; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 187—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:3973(2)(b)(iii) and (iv), relative to the creation of Type 3 and Type 4 charter schools; to provide relative to the approval by certain persons of a proposal to create a Type 3 or Type 4 charter school by means of converting a

preexisting public school; to provide relative to attendance at such schools; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 351—

BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 40:1730.35(C), relative to building code enforcement; to establish a period of validity for provisional certificates of registration; to provide for certificates of registration for building code enforcement officers with ten years of experience; and to provide for related matters.

HOUSE BILL NO. 444—

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

AN ACT

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

HOUSE BILL NO. 445—

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

AN ACT

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

HOUSE BILL NO. 499—

BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 32:295.1(B), relative to seat belts; to require that all motor vehicle occupants who are thirteen years of age or older shall wear a seat belt; and to provide for related matters.

HOUSE BILL NO. 551—

BY REPRESENTATIVES MILLS, ABRAMSON, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOERGE, DOVE, EDWARDS, FANNIN, GISCLAIR, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, SAM JONES, KATZ, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LIGI, LITTLE, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, STIAES, THIBAUT, WADDELL, WILLIAMS, AND WILLMOTT AND SENATORS CHEEK, DORSEY, ERDEY, GUILLORY, HEITMEIER, MOUNT, NEVERS, AND THOMPSON

AN ACT

To amend and reenact R.S. 40:4(A)(1)(b) and to enact R.S. 40:5.5.2 and 5.5.3, relative to seafood products; to create a seafood safety campaign regarding the risk of consumption of Chinese seafood; to grant the state health officer rulemaking authority; to encourage the labeling of certain seafood products; to encourage the posting of signs; to create the Seafood Safety Task Force; to provide for the membership of the task force; to provide for the purpose and duties of the task force; and to provide for related matters.

HOUSE BILL NO. 624—

BY REPRESENTATIVES GIROD JACKSON, BOBBY BADON, HENRY BURNS, GISCLAIR, GUINN, LAMBERT, MONTOUCET, AND ST. GERMAIN

AN ACT

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

provide for monitoring; to provide for notices; and to provide for related matters.

HOUSE BILL NO. 649—

BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BARRAS, DOERGE, GALLOT, GISCLAIR, LAFONTA, MILLS, RICHARD, AND THIBAUT AND SENATORS DUPRE, B. GAUTREAU, GUILLORY, HEBERT, AND MURRAY

AN ACT

To enact R.S. 11:546 and R.S. 15:574.4.2, relative to the Louisiana State Employees' Retirement System; to provide for a probation and parole processing fee; to create a fund for the deposit of funds generated by such fees; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 718—

BY REPRESENTATIVE HENRY BURNS
AN ACT

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

HOUSE BILL NO. 757—

BY REPRESENTATIVE DIXON
AN ACT

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE SAM JONES
AN ACT

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

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

BY REPRESENTATIVES MILLS, ANDERS, BALDONE, BARROW, BURFORD, TIM BURNS, BURRELL, CHAMPAGNE, CHANDLER, CORTEZ, DIXON, DOWNS, ELLINGTON, FANNIN, GISCLAIR, HARDY, HAZEL, HOFFMANN, HOWARD, HUTTER, KLECKLEY, LABRUZZO, LAFONTA, LEBAS, LIGI, LITTLE, LOPINTO, NORTON, PEARSON, PERRY, RICHARDSON, RITCHIE, SCHRODER, STIAES, TALBOT, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CHEEK, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY EVANS, GUILLORY, HEBERT, KOSTELKA, LAFLEUR, LONG, MARTINY, MICHOT, MORRELL, MORRISH, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

AN ACT

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

June 21, 2009

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

HOUSE BILL NO. 891— (Substitute for House Bill No. 799 by Representative Michael Jackson)
 BY REPRESENTATIVE MICHAEL JACKSON
 AN ACT

To amend and reenact R.S. 23:1538(A), relative to unemployment compensation; to provide for penalties to an employer for failure to file a payroll report; 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 on June 19, 2009.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 19, 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. 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 of the Legislature.

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.

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.

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.

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 177—
 BY REPRESENTATIVE STIAES AND SENATORS APPEL, DORSEY, DUPLESSIS, LONG, AND NEVERS
 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.

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.

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.

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. 212—
BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION
To commend J.J. Witmeyer, Jr., of Harahan upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

HOUSE CONCURRENT RESOLUTION NO. 213—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the need for and benefits of developing and implementing a uniform ten-point grading scale in all public elementary and secondary schools and to report study findings and recommendations.

HOUSE CONCURRENT RESOLUTION NO. 215—
BY REPRESENTATIVES HENRY BURNS AND JANE SMITH
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a cosponsor.

HOUSE CONCURRENT RESOLUTION NO. 216—
BY REPRESENTATIVE LIGI
A CONCURRENT RESOLUTION
To commend Martin Richard of Metairie upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

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 on June 19, 2009.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 21, 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. 76—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION
To urge and request the attorney general to study the training requirements for justices of the peace who have attained the age of seventy and consider a reduction or elimination of such training requirements.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVES ROSALIND JONES AND BALDONE
A CONCURRENT RESOLUTION
To authorize and direct the Louisiana State Law Institute to study all aspects of the laws regarding discovery in criminal cases, and

report its findings and make specific recommendations for legislation to the House of Representatives prior to the convening of the 2011 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 219—
BY REPRESENTATIVE CARMODY AND SENATOR CHEEK
A CONCURRENT RESOLUTION
To commend and congratulate Ethan Traveny Skaggs of Caddo Parish Magnet High School, son of Raymond and Michelle Skaggs, upon his selection as an alternate representative of Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 220—
BY REPRESENTATIVES HONEY, BARROW, AND PATRICIA SMITH
A CONCURRENT RESOLUTION
To commend and salute Coach Roger Cador upon his twenty-fifth year at the helm of the Southern University baseball program.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION
To commend Trevor Joseph Eymard of South Lafourche High School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 224—
BY REPRESENTATIVE SMILEY
A CONCURRENT RESOLUTION
To urge and request the commissioner of administration to study options to reduce the number of state employees contained in the General Appropriation Act and Ancillary Appropriation Act and to report recommendations of reductions from the study to the Joint Legislative Committee on the Budget in conjunction with submission of the Executive Budget for Fiscal Year 2010-2011.

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.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Adley, Alario, Amedee, Appel, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Total - 38, and absent members including Broome, Total - 1.

ABSENT

Broome
Total - 1

June 21, 2009

Leaves of Absence

The following leaves of absence were asked for and granted:

Broome 1 Day

Adjournment

On motion of Senator Thompson, at 7:10 o'clock P.M. the Senate adjourned until Monday, June 22, 2009, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Monday, June 22, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk