

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 22, 2009

The Senate was called to order at 9:15 o'clock A.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	McPherson
Alario	Gray Evans	Morrell
Amedee	Hebert	Mount
Appel	Heitmeier	Nevers
Broome	Kostelka	Shaw
Claitor	Long	Smith
Donahue	Marionneau	Thompson
Duplessis	Martiny	
Total - 23		

ABSENT

Adley	Gautreaux N	Murray
Cheek	Guillory	Quinn
Crowe	Jackson	Riser
Dorsey	LaFleur	Walsworth
Erdey	Michot	
Gautreaux B	Morrish	
Total - 16		

The President of the Senate announced there were 23 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Bill Hines, 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 Donahue, the reading of the Journal was dispensed with and the Journal of June 21, 2009, was adopted.

**Petitions, Memorials and
Communications**

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

PORT OF KROTZ SPRINGS

June 18, 2009

Senator Joel T. Chaisson
President of the Senate
P.O. Box 94183
Baton Rouge, Louisiana 70804

Dear President Chaisson,

In accordance with the provisions of R.S. 24:14 (K) we hereby submit the names of the following members of the Greater Krotz Springs Port Commission for reconfirmation:

Cheryl Carter 652 Nimitz St. Eunice, LA 70535	Salvador L. Diesi 175 Lago Avenue Opelousas, LA 70570	Alphonse Frilot 1925 Jake Drive Opelousas, LA 70570
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Vernon Haynes P.O. Box 1335 Opelousas, LA 70570	Arlen Lafleur 3576 Grand Prairie Hwy.140 Washington, LA 70589	Malcolm McMillan Matte Lane Opelousas, LA 70570
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Monita Reed P.O. Box 156 Krotz Springs, LA 70750	Barry Soileau 350 South 9th St. Eunice, LA 70535	James Soileau P.O. Box 234 Krotz Springs, LA 70750
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John K. Soileau P.O. Box 292 Washington, LA 70589	Michael Thibodeaux 530 Perry Lane Opelousas, LA 70570
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Thanks,
GARY SOILEAU
Executive Director
Greater Krotz Springs Port Commission

**Appointment of Conference Committee
on Senate Bill No. 143**

The President of the Senate appointed the following members to confer with a like committee from the House to consider the disagreement on Senate Bill No. 143:

Senators Amedee,
Martiny
and Chaisson.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 21, 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. 251—
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 46:1426(C), relative to the Department of Social Services; to provide for disclosure of information by licensed day care centers to parents; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 348— (Substitute of Senate Bill No. 275 by
Senator McPherson)**

BY SENATOR MCPHERSON

AN ACT

To enact Part II-I of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.51 thru 2120.57, relative to employees providing nursing services; to

provide for certified nurse aides in nursing facilities; to provide for state registration of certified nurse aides in nursing homes and skilled nursing facility units; to provide for medical staffing agencies; to provide for minimum requirements to maintain certification; to provide for rules and regulations; to provide for complaint investigations and restricted registrations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 162—
BY SENATOR MARIONNEAUX
AN ACT

To provide for the continuation of parishwide economic development districts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 93—
BY SENATOR THOMPSON
AN ACT

To enact Part I-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:651 through 654, relative to food safety; to provide for definitions; to provide for written plans for food processing and food recalls; to provide for required reporting and testing of adulterated food by food processing plants; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 292—
BY SENATOR N. GAUTREUX
AN ACT

To amend and reenact R.S. 4:185(A), relative to amusements and sports; to provide for certain investments of monies in the Horsemen's Bookkeeper Account; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 212—
BY SENATOR CLAITOR
AN ACT

To amend and reenact R.S. 18:134(A), relative to registrars of voters; to provide for office hours of registrars of voters; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 23—
BY SENATOR DORSEY
AN ACT

To amend and reenact R.S. 33:9097.1(F)(1) and (F)(3)(b), relative to neighborhood improvement districts; to provide relative to the Concord Estates Crime Prevention District; to increase the parcel fee; to extend the term of the imposition of the parcel fee; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 285—
BY SENATOR NEVERS AND REPRESENTATIVE HUTTER AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREUX, GRAY EVANS, GUILLORY, HEBERT, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARMES, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CROMER, DOERGE, EDWARDS, ELLINGTON, GISCLAIR, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, LAFONTA, LEGER, MILLS, MONTOU CET, PETERSON, POPE, PUGH, RICHARD, RICHARDSON, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, THIBAUT, TUCKER, WADDELL AND WILLMOTT

AN ACT

To enact Chapter 25-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3161 through 3169, relative to educational institutions and programs; to provide for a comprehensive system of articulation and transfer of credit between and among public secondary and postsecondary educational institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for a statewide course numbering system; to provide relative to course levels and designations; to provide relative to accreditation of educational institutions; to provide for voluntary participation of certain independent colleges and universities; to provide relative to a comprehensive student information system; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 256—
BY SENATORS MURRAY AND DORSEY
AN ACT

To amend and reenact R.S. 25:799(D)(2)(b) and (F), and to enact R.S. 25:799(I), (J), and (K), relative to the French Quarter-Marigny Historic Area Management District; to provide relative to powers; to authorize the levying of taxes and parcel fees; to provide for a budget; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 94—
BY SENATORS DONAHUE, APPEL, CROWE, DORSEY, DUPLESSIS, MORRELL, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND THIBAUT
AN ACT

To amend and reenact R.S. 17:15(E) and to enact R.S. 14:81.2(F), relative to molestation of a juvenile; to provide for the crime of molestation of a juvenile involving an educator; to provide for penalties; to provide for definitions; to provide for reporting of criminal history; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 137—
BY SENATOR JACKSON
AN ACT

To amend and reenact R.S. 36:477(C)(1) and R.S. 46:1404 and to repeal R.S. 36:474(A)(10), relative to child care facilities and child-placing agencies; to provide for the transfer of functions related to the licensure of child care facilities and child-placing agencies from the secretary of the Department of Social Services to the office of community services within the Department of Social Services; to provide for the functions of the office of community services with the Department of Social Services; to provide for the licensure of child care facilities and child-placing agencies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 130—
BY SENATORS HEBERT, DUPRE, N. GAUTREUX, MORRELL AND MORRISH AND REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:2303(A)(1) and (2) and (D)(1), relative to the Louisiana Citizens Property Insurance Corporation; to provide with respect to the powers, duties,

functions and responsibilities of the corporation; to provide for the determination of rates charged by the corporation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 107—
BY SENATOR CHEEK

AN ACT

To enact Chapter 10 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:781 through 792, and to repeal R.S. 29:735.2(A), relative to emergency volunteer health practitioners; to provide for definitions; to provide for the regulation of health services during a declared emergency; to provide for volunteer health practitioner registration systems; to provide for administrative sanctions; to provide for a limitation of liability for volunteer health practitioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 156—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:1545(C), 1546(D), 1547(A), the introductory paragraph of R.S. 22:1547(I), R.S. 22:1551(C), 1571(A)(1), (B), (C)(4), and (E), and 1573(B), (C), (D), (E) and the introductory paragraph of R.S. 22:1573(I)(1)(a) and R.S. 44:4.1(B)(10) and to repeal R.S. 22:1545(F), 1546(B)(3), 1553(C), 1572, and 1573(F)(2), relative to insurance producers; to provide for exemptions to preclicensing education requirements; to provide for the fingerprinting and criminal history check of applicants; to provide for confidentiality; to provide for application for license; to provide for lines of authority for licenses; to provide for exemptions from licensing examinations; to provide for preclicensing requirements; to provide for preclicensing and continuing education programs; to abolish the Insurance Education Advisory Council; to repeal certain temporary licenses; to provide for continuing education requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 191—
BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 44:4.1(B)(24) and to enact R.S. 40:2020, relative to the authority of the Department of Health and Hospitals to conduct certain mortality reviews; to provide for legislative intent; to provide for definitions and duties; to provide for records; to provide for confidentiality; to provide for a public records exception; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 223—
BY SENATORS CLAITOR, APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH AND THIBAUT

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e), and to enact R.S. 17:252(C), relative to the discipline of pupils; to provide relative to circumstances under which pupils may be removed from the classroom; to require principals to provide parental notification when a pupil is removed from the classroom; to allow principals to provide feedback and guidance to teachers; to authorize school boards to adopt policies relative to parental attendance at certain intervention sessions and consequences for parents who fail to comply; to require that certain students be assigned and required to complete missed school work under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 214—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1892(A)(3), relative to insurance; to authorize the commissioner of insurance to extend the time period for the filing of certain claims on policies covering damage that occurs during certain declared emergencies or disasters; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 259—

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

AN ACT

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

Reported with amendments.

SENATE BILL NO. 254—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 14:35.3(A) and (B)(2), relative to the crime of domestic abuse battery; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 273—
BY SENATOR MARTINY

AN ACT

To enact R.S. 27:306(C)(5), relative to the Video Draw Poker Devices Control Law; to provide relative to licenses for truck stop facilities; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 282—
BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1879, relative to a consumer health provider information system; to provide for a database concerning health care related information; to provide for duties of the Department of Insurance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 309—
BY SENATORS GRAY EVANS AND DORSEY

AN ACT

To enact R.S. 17:17.5, relative to physical fitness; to provide for physical fitness assessments in schools; to provide for continuation of a program conducting fitness assessments; to provide a plan for statewide implementation of such assessments; to provide for legislative intent; to provide for program participants; to provide relative to the results from such assessments; to provide for reports; to provide for rules and guidelines; to provide for funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 347— (Substitute of Senate Bill No. 243 by Senator Mount)

BY SENATOR MOUNT

AN ACT

To enact R.S. 14:92(E)(3), relative to delinquency; to provide for contributing to the delinquency of a juvenile; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 32—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:1098.7(D), relative to the authority of the governing authority of the parish of St. John the Baptist; to expend an annual tax of one mill for a period of twenty years to fund the cost of housing juveniles; to permit the expenditure of such funds on hand and to be received for operation and maintenance cost and for construction and/or renovation of a facility to house the juvenile probation officers, judges, counselors, and other personnel associated with juvenile services; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 82—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 40:1472.1, the introductory paragraph of 1472.2(7), 1472.6(A), 1472.7(A), and 1472.12(A), and to enact R.S. 40:1472.3(L), 1472.4(B)(2), and 1472.5(I), relative to public health and safety; to provide with respect to the regulation of explosives; to provide for the purchase and storage of commercially manufactured black powder; to provide for use in antique devices; to provide exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 224—

BY SENATOR N. GAUTREUX

AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.790 through 130.793, inclusive; to provide relative to local governmental subdivisions; to authorize the creation of sustainable energy financing districts; to provide terms, conditions, procedures, and requirements; to provide for the powers and duties of the districts; to authorize certain financing concerning property within the district; to provide for property assessment and collection of such assessments within the district; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 304—

BY SENATOR HEBERT AND REPRESENTATIVES BARRAS, CHAMPAGNE, SAM JONES, MILLS, MONTOUCET AND PERRY

AN ACT

To provide for the membership of the transportation policy committee of certain metropolitan planning organizations; and to provide for related matters.

Reported with amendments.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 599 by Representative Hill, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 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. 599 by Representative Hill:

Representatives Hill, Richmond and Foil.

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. 404 by Representative Kleckley:

Representatives Kleckley, Roy and Cortez.

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. 729 by Representative Billiot:

Representatives Billiot, Arnold and Ponti.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 114

BY SENATOR THOMPSON A RESOLUTION

To urge and request the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to study the security rights of a lessee farmer to crops on the land of another.

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

SENATE RESOLUTION NO. 115

BY SENATOR KOSTELKA A RESOLUTION

To commend Super 1 Foods of Ruston, Louisiana, on being named a Distinguished Partner in Education by the Louisiana Department of Education in 2009.

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

SENATE RESOLUTION NO. 116

BY SENATOR DONAHUE A RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to submit all of its existing business plans and all supporting data for the development of a replacement for the Medical Center of Louisiana at New Orleans to the office of the president of the Louisiana Senate by 3:00 pm on Tuesday, June 23, 2009.

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

SENATE RESOLUTION NO. 117

BY SENATOR KOSTELKA A RESOLUTION

To commend Trinity United Methodist Church on being named a Distinguished Partner in Education by the Louisiana Department of Education in 2009.

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

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

HOUSE BILL NO. 118

BY REPRESENTATIVE JANE SMITH AN ACT

To amend and reenact Code of Criminal Procedure Article 682, relative to the appointment of a substitute for a recused district attorney; to remove requirement that the substitute attorney be from the same judicial district as the district attorney who has been recused; 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 Engrossed House Bill No. 118 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 2, after "Article 682" insert "and to enact R.S. 16:2(G)"

AMENDMENT NO. 2

On page 1, line 5, after "recused;" insert "to provide for duties and recusal of district attorneys;"

AMENDMENT NO. 3

On page 1, after line 18, insert the following: "Section 2. R.S. 16:2(G) is hereby enacted to read as follows: §2. Duty of district attorney to act as counsel for parish boards and commissions * * *

G. Notwithstanding any provision of law to the contrary, the governing authority of the parish of Iberia or any municipal or parish board may employ or retain its own attorney to represent it, if such governing authority or board finds it necessary in certain circumstances and approves such employment or retention by a majority vote."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Dupre, Martiny, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT. Lists names like LaFleur, Quinn, Riser.

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

HOUSE BILL NO. 171

BY REPRESENTATIVE HILL AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and Code of Criminal Procedure Article 895(A)(13), relative to persons on probation and parole; to authorize law enforcement officers to conduct searches of convicted sex offenders while on probation or parole; 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 Engrossed House Bill No. 171 by Representative Hill

AMENDMENT NO. 1

On page 2, line 10, after "officer" insert the following: ", duly commissioned in the parish or municipality where the sex offender resides or is domiciled."

AMENDMENT NO. 2

On page 2, line 13, after "activity" insert "for which the person has not been charged or arrested"

AMENDMENT NO. 3

On page 3, line 2, after "officer" insert ", duly commissioned in the parish or municipality where the sex offender resides or is domiciled."

AMENDMENT NO. 4

On page 3, line 5, after "activity" insert "for which the person has not been charged or arrested"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Dupre, Total - 32; Erdey, Gautreaux B, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny; McPherson, Michot, Morrish, Mount, Murray, Nevers, Shaw, Smith, Thompson, Walsworth

NAYS

Morrell
Total - 1

ABSENT

Table with 3 columns of names: Donahue, Duplessis, Total - 6; Gautreaux N, LaFleur; Quinn, Riser

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

HOUSE BILL NO. 276—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 40:1730.26(2), relative to the state uniform construction code; to provide for oversight by the legislature with regards to the updated state uniform construction code; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Total - 28; Duplessis, Dupre, Erdey, Gray Evans, Hebert, Heitmeier, Kostelka, Long, Marionneaux, McPherson; Michot, Morrish, Mount, Murray, Nevers, Shaw, Smith, Thompson

NAYS

Morrell
Total - 1

ABSENT

Table with 3 columns of names: Dorsey, Gautreaux B, Gautreaux N, Guillory, Total - 10; Jackson, LaFleur, Martiny, Quinn; Riser, Walsworth

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

HOUSE BILL NO. 367—

BY REPRESENTATIVES DOVE, BALDONE, AND HARRISON AND SENATORS DUPRE AND B. GAUTREAUX
AN ACT

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

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 367 by Representative Dove

AMENDMENT NO. 1

On page 1, line 15, change "are" to "is"

AMENDMENT NO. 2

On page 2, line 11, change "to" to "in"

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 367 by Representative Dove

AMENDMENT NO. 1

On page 1, delete lines 14 through 19 and insert

"A. Notwithstanding any provision of law to the contrary, the position of chief of police for the city of Houma is in the unclassified service, and the right of selection, appointment, supervision, and discharge for such position is vested in the president of the parish of Terrebonne. The chief of police shall have not less than five years of full time law enforcement experience and shall have successfully completed a certified training program approved by the Council on Peace Officers Standards and Training. The appointment of the chief of police shall be subject to the approval of the parish governing authority. Any person appointed to the position of chief of police shall meet all qualifications and requirements as provided in the parish compensation plan in effect at the time of his appointment.

B. Any person who resigns from a position in the classified service to be appointed chief of police shall not forfeit his seniority accumulated to the date of his resignation, but he shall not accumulate seniority during the time he is not in the classified service. If any such person resigns from the position of chief of police or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. If the position has been filled or no longer exists, then his former employer shall employ him to a comparable position.

C. The provisions of this Section shall be null and void on July 1, 2012."

AMENDMENT NO. 2

On page 2, delete lines 1 through 11

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Shaw
Cheek	Kostelka	Smith
Crowe	Long	Thompson
Dorsey	Martiny	
Duplessis	McPherson	
Total - 25		

NAYS

Claitor	Donahue	Morrell
Total - 3		

ABSENT

Amedee	Jackson	Quinn
Gautreaux B	LaFleur	Riser
Gautreaux N	Marionneaux	Walsworth
Gray Evans	Mount	
Total - 11		

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

Notice Regarding Vote

Senator B. Gautreaux stated he appeared as absent on the vote on House Bill No. 367. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 420—

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1), 423(E), 427(A), 428(A), (B), and (C), 431(B)(5), 433(A)(3), (B)(4), (G)(1) and (2)(introductory paragraph), (H)(1)(introductory paragraph), (I), and (J), 465(E)(1), 562(A)(2), 566.2(C), 1253(E), 1254(A) and (C), 1255(A), 1272(A), 1275.1(B), 1275.8, 1306(A)(2) and (3) and (B)(1), 1307(B)(2), 1308(C), 1309(A)(3), (B)(1), (C), (D)(1), (E)(2), (I), and (J), 1315(C)(2) and (3)(a), 1363(A), 1373, 1400.3(D), 1505.1(D), and 1505.2(H)(6)(a)(introductory paragraph), (Q)(3)(a)(ii), and (R)(3)(a)(ii), to enact R.S. 18:1253(F), 1254(E), 1309(K), and 1363(H), and to repeal R.S. 18:433(A)(2) and 1372, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to deputy registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to records used for the conduct of the registrar's office; to provide relative to the duties of registrars; to provide relative to reports and lists produced by the Department of State; to provide relative to the inactive list of voters; to provide relative to allocation of voting machines for precincts; to provide relative to parish boards of election supervisors; to provide relative to watchers; to provide relative to law enforcement officers; to provide relative to courses of instruction conducted by the clerk; to provide relative to election commissioners; to provide relative to nominating petitions; to provide relative to procedures and requirements for voting; to provide relative to provisional voting; to provide relative to nominations for candidates for presidential electors; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to election expenses; to provide relative to congressional elections; to provide relative to early voting commissioners; to provide relative to challenges of absentee by mail and early voting ballots; to provide relative to the preparation and testing of voting machines; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 420 by Representative Richard

AMENDMENT NO. 1

On page 6, line 6 change "will" to "shall"

AMENDMENT NO. 2

On page 21, line 6, delete "Federal Savings and Loan Insurance Corporation,"

AMENDMENT NO. 3

On page 21, on lines 20 and 21, delete "Federal Savings and Loan Insurance Corporation,"

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 420 by Representative Richard

AMENDMENT NO. 1

On page 1, line 5, between "(J)," and "465(E)(1)" insert "463(A)(2)(a)(vii)"

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AMENDMENT NO. 2

On page 1, line 9, change "R.S. 18:1253(F)" to "R.S. 18:463(A)(2)(a)(viii), 492(A)(7), 1253(F)"

AMENDMENT NO. 3

On page 1, line 20, between "commissioners;" and "to" insert "to provide qualifications for candidacy for public office, notice of candidacy, and grounds for objection to candidacy;"

AMENDMENT NO. 4

On page 2, line 12, between "(J)," and "465(E)(1)" insert "463(A)(2)(a)(vii)"

AMENDMENT NO. 5

On page 2, line 16, change "R.S. 18:1253(F)" to "R.S. 18:463(A)(2)(a)(viii), 492(A)(7), 1253(F)"

AMENDMENT NO. 6

On page 11, between lines 14 and 15, insert the following:
"§463. Notice of candidacy; financial statements; political advertising; penalties

A. * * *

(2)(a) The notice of candidacy also shall include a certificate, signed by the candidate, certifying all of the following:

* * *

(vii) That he has either filed his federal and state income tax returns, filed for an extension of time for filing either or both tax returns, or is not required to file either or both returns.

(viii) That all of the statements contained in it are true and correct.

* * *

AMENDMENT NO. 7

On page 11, after line 29, add the following:
"§492. Grounds for an objection to candidacy

A. An action objecting to the candidacy of a person who qualified as a candidate in a primary election shall be based on one or more of the following grounds:

* * *

(7) The defendant falsely certified on his notice of candidacy that he has filed his federal and state income tax returns, filed for an extension of time for filing either or both tax returns as provided in R.S. 18:463(A)(2), or is not required to file either or both returns.

* * *

Senator Heitmeier moved adoption of the amendments.

Senator Donahue objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Alario, Amedee, Appel, Dorsey, Duplessis, Dupre, Total - 17
Gautreaux B, Gray Evans, Heitmeier, Kostelka, Marionneaux, Morrell, Murray, Shaw, Smith, Thompson, Walsworth

NAYS

Adley, Broome, Cheek, Total - 9
Claitor, Crowe, Donahue, Hebert, Long, Michot

ABSENT

Amedee, Erdey, Gautreaux N, LaFleur, Martiny, McPherson, Nevers, Quinn, Riser

Guillory, Jackson, Total - 13, Morrish, Mount

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Total - 32, Duplessis, Dupre, Gautreaux B, Gray Evans, Guillory, Hebert, Heitmeier, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Shaw, Smith, Thompson, Walsworth

NAYS

Total - 0

ABSENT

Erdey, Gautreaux N, Jackson, Total - 7, Kostelka, LaFleur, Quinn, Riser

The Chair declared the amended 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. 518— BY REPRESENTATIVE AUSTIN BADON AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Cheek, Crowe, Donahue, Duplessis, Dupre, Total - 29, Erdey, Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, Long, Martiny, McPherson, Michot, Morrish, Mount, Murray, Nevers, Smith, Thompson, Walsworth

NAYS

Broome	Dorsey	Morrell
Claitor	Marionneau	Shaw
Total - 6		

ABSENT

Kostelka	Quinn
LaFleur	Riser
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. 523—

BY REPRESENTATIVE ERNST

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gray Evans	Murray
Appel	Guillory	Nevers
Broome	Heitmeier	Shaw
Cheek	Jackson	Smith
Claitor	Long	Thompson
Donahue	Marionneau	Walsworth
Dorsey	Martiny	
Duplessis	Michot	
Total - 31		

NAYS

Total - 0

ABSENT

Crowe	Kostelka	Quinn
Gautreaux N	LaFleur	Riser
Hebert	McPherson	
Total - 8		

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. 578—

BY REPRESENTATIVES RICHMOND, ABRAMSON, ARNOLD, BALDONE, BARRAS, BARROW, BILLIOT, BURRELL, DANAHAY, DIXON, GALLOT, HARDY, HENDERSON, HINES, HOFFMANN, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, MILLS, NOWLIN, PERRY, RITCHIE, JANE SMITH, PATRICIA SMITH, STIAES, AND WILLIAMS

AN ACT

To amend and reenact R.S. 47:297(K) and (O) and 287.752, to enact R.S. 47:287.786, and to repeal R.S. 47:287.748, relative to state income tax credits to reduce recidivism of persons released from custody in Louisiana; to provide for and increase the individual and corporation income tax credits for the employment of

certain persons convicted of certain crimes; and to provide for related matters.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 578 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 15, after "offense" delete the remainder of the line and insert "at the"

AMENDMENT NO. 2

On page 2, line 22, after "offense" delete the remainder of the line and at the beginning of line 23 delete "age"

AMENDMENT NO. 3

On page 4, line 24, after "offense" delete the remainder of the line and insert "at the time of initial"

AMENDMENT NO. 4

On page 5, line 12, after "offense" delete the remainder of the line and insert "at the time of initial"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Shaw
Claitor	Jackson	Smith
Crowe	Long	Thompson
Dorsey	Marionneau	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Donahue	LaFleur	Riser
Kostelka	Quinn	
Total - 5		

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

HOUSE BILL NO. 630—

BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER

AN ACT

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

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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	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gray Evans	Morrish
Broome	Guillory	Mount
Cheek	Heitmeier	Murray
Crowe	Jackson	Nevers
Dorsey	Long	Shaw
Duplessis	Martiny	Smith
Dupre	McPherson	Thompson
Total - 27		

NAYS

Amedee	Gautreaux N	Marionneaux
Appel	Hebert	
Claitor	Kostelka	
Total - 7		

ABSENT

Donahue	Quinn	Walsworth
LaFleur	Riser	
Total - 5		

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. 658—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 23:1209(A)(3), relative to the prescriptive period for claiming workers' compensation benefits; to provide for an interruption of prescription for developmental injuries; 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	Duplessis	Marionneaux
Alario	Dupre	Martiny
Appel	Gautreaux B	Morrell
Broome	Gray Evans	Morrish
Cheek	Guillory	Murray
Crowe	Heitmeier	Quinn
Dorsey	Jackson	Smith
Total - 21		

NAYS

Claitor	Kostelka	Walsworth
Erdey	Long	
Hebert	McPherson	
Total - 7		

ABSENT

Adley	LaFleur	Riser
Amedee	Michot	Shaw
Donahue	Mount	Thompson
Gautreaux N	Nevers	
Total - 11		

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. 687—

BY REPRESENTATIVES PEARSON AND TUCKER

AN ACT

To enact R.S. 37:796, 796.1, and 796.2, relative to the practice of dentistry; to authorize the Louisiana State Board of Dentistry to adopt rules to provide for the issuance of a permit to dentists who wish to provide dental services at locations other than the dental office; to provide for the adoption of rules to establish criteria and standards for providing dental services at locations other than the dental office; to provide for time periods for the adoption of the rules; to require that dentists providing dental services at locations other than the dental office shall be licensed to practice dentistry in Louisiana; to provide for minimum coverage of malpractice insurance; to provide for the removal of board members for the failure to timely adopt rules; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gautreaux N	Morrish
Alario	Gray Evans	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Dupre	McPherson	Walsworth
Erdey	Michot	
Total - 32		

NAYS

Broome	Jackson	Kostelka
Total - 3		

ABSENT

Crowe	LaFleur
Duplessis	Riser
Total - 4	

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

HOUSE BILL NO. 761—

BY REPRESENTATIVE BILLIOT

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

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. 801—
BY REPRESENTATIVES SIMON AND WILLIAMS
AN ACT

To amend and reenact R.S. 38:2212.7 and R.S. 39:1496.2 and 1594.3, relative to procurement; to provide exceptions in the prohibition of bids or proposals for public contracts by certain contract consultants; 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	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Shaw
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

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.

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules to reconsider the vote on House Bill No. 367.

Reconsideration

On motion of Senator Dupre the vote by which House Bill No. 367 failed to pass earlier today was reconsidered.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Erdey	Martiny
Alario	Gautreaux B	McPherson
Amedee	Gautreaux N	Michot
Appel	Gray Evans	Murray
Broome	Guillory	Nevers
Cheek	Hebert	Quinn
Crowe	Heitmeier	Shaw
Donahue	Jackson	Smith
Dorsey	Kostelka	Thompson
Duplessis	Long	Walsworth
Total - 33		

NAYS

Claitor	Morrish
Morrell	Mount
Total - 4	

ABSENT

LaFleur	Riser
Total - 2	

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

House Bills on Third Reading and Final Passage, Resumed

HOUSE BILL NO. 827—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 18:101(B), 102.1, 106(B) and (C), 114(F)(2), 115(F)(2)(a), 152(C)(4), 425(B)(1), 531(B), 533(A)(1), 564(A), (B)(5), (D), and (E), 1303(F) and (I), 1306(E)(2), 1307(G), 1310(B)(2), 1333, 1334(A)(introductory paragraph) and (1) and (D), to enact R.S. 18:106.1, 1307(H), 1309.3, 1310(C), and 1461(A)(24), and to repeal R.S. 18:1309(E)(5), 1321, 1331, 1332, and 1335, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code, particularly with respect to voters with special needs; to provide relative to the

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duties of registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to procedures and requirements for voting; to provide relative to commissioners; to provide relative to assistance in voting; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to voting early for certain persons residing in a nursing home; to provide relative to polling places and parish governing authorities duties relative thereto; to remove certain provisions for special programs for physically handicapped voters; to provide relative to election offenses; to provide for penalties; to provide for certain duties of the Louisiana State Law Institute with respect to the revisions; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 827 by Representative Simon

AMENDMENT NO. 1

On page 1, line 3, between "425(B)(1)," and "531(B)" insert "463(A)(2)(a)(vii),"

AMENDMENT NO. 2

On page 1, line 5, between "R.S. 18:106.1," and "1307(H)" insert "463(A)(2)(a)(viii), 492(A)(7),"

AMENDMENT NO. 3

On page 1, line 11, between "commissioners;" and "to" insert "to provide qualifications for candidacy for public office, notice of candidacy, and grounds for objection to candidacy;"

AMENDMENT NO. 4

On page 2, line 3, between "425(B)(1)," and "531(B)" insert "463(A)(2)(a)(vii)"

AMENDMENT NO. 5

On page 2, line 5, between "R.S. 18:106.1," and "1307(H)" insert "463(A)(2)(a)(viii), 492(A)(7),"

AMENDMENT NO. 6

On page 8, between lines 3 and 4, insert the following:
 "§463. Notice of candidacy; financial statements; political advertising; penalties

A. * * *

(2)(a) The notice of candidacy also shall include a certificate, signed by the candidate, certifying all of the following:

* * *

(vii) **That he has either filed his federal and state income tax returns, filed for an extension of time for filing either or both tax return, or is not required to file either or both returns.**

(viii) That all of the statements contained in it are true and correct.

* * *

§492. Grounds for an objection to candidacy

A. An action objecting to the candidacy of a person who qualified as a candidate in a primary election shall be based on one or more of the following grounds:

* * *

(7) **The defendant falsely certified on his notice of candidacy that he has filed his federal and state income tax returns, filed for an extension of time for filing either or both tax returns as provided in R.S. 18:463(A)(2), or is not required to file either or both returns.**

* * *

Senator Heitmeier moved adoption of the amendments.

Senator Donahue objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Martiny
Adley	Gautreaux B	McPherson
Alario	Gautreaux N	Morrell
Amedee	Gray Evans	Murray
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Cheek	Heitmeier	Shaw
Dorsey	Jackson	Smith
Duplessis	Marionneaux	Thompson
Total - 27		

NAYS

Claitor	Kostelka	Walsworth
Donahue	Long	
Erdey	Michot	
Total - 7		

ABSENT

Crowe	Morrish	Riser
LaFleur	Mount	
Total - 5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

The Chair declared the amended 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. 872—
 BY REPRESENTATIVE DOWNS

AN ACT

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

management and supervision of each board; to provide for waivers; to provide for effectiveness; and to provide for related matters.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 872 by Representative Downs

AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Education and adopted by the Senate on June 18, 2009, on Page 1, line 21 of Amendment No. 6, change "academic session" to "academic session, which shall be inclusive of the increase in graduate student tuition authorized in Paragraph (1) of this Subsection"

AMENDMENT NO. 2

On page 2, line 3, between "semester" and the period "." insert " which shall be inclusive of the increase in graduate student tuition authorized in Paragraph (1) of this Subsection"

AMENDMENT NO. 3

On page 3, line 3, between "semester" and the period "." insert " which shall be inclusive of the increase in graduate student tuition authorized in Paragraph (1) of this Subsection"

On motion of Senator Nevers, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrish
Adley	Dupre	Mount
Alario	Erdey	Murray
Appel	Gautreaux B	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Shaw
Claitor	Kostelka	Smith
Crowe	Long	Thompson
Donahue	Michot	Walsworth
Dorsey	Morrell	
Total - 29		

NAYS

Amedee	Gray Evans	Marionneaux
Gautreaux N	Hebert	
Total - 5		

ABSENT

Guillory	Martiny	Riser
LaFleur	McPherson	
Total - 5		

The Chair declared the amended 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. 896— (Substitute for House Bill No. 49 by Representative Richard)

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 42:1124.3(A) and to enact R.S. 42:1124.2(G)(4) and (J) and 1124.3(D)(3), relative to financial

disclosure; to require certain disclosures by certain public servants; to provide for the content of such disclosures; to provide for effectiveness; 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	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Shaw
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

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

BY REPRESENTATIVE FRANKLIN
AN ACT

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

Floor Amendments Sent Up

Senator Mount sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount on behalf of the Legislative Bureau to Reengrossed House Bill No. 904 by Representative Franklin

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 18, 2009.

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AMENDMENT NO. 2

On page 4, line 16, change "Two members" to "One member"

AMENDMENT NO. 3

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 18, 2009, on line 16 thereof, change "Adoption of" to "To adopt"

AMENDMENT NO. 4

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 18, 2009, on line 18 thereof, change "The incurring of" to "To incur"

AMENDMENT NO. 5

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 18, 2009, on line 19 thereof, change "Adoption or amendment of" to "To amend or adopt"

AMENDMENT NO. 6

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 18, 2009, on line 20 thereof, change "The acquisition, sale, lease, encumbrance, or alienation of" to "To acquire, sell, lease, encumber, or alienate"

AMENDMENT NO. 7

On page 19, line 15, change "Paragraph" to "Subsection"

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

NAYS

Morrish
Total - 1

ABSENT

LaFleur
Riser
Total - 2

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. 5—

BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTUCET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATORS GUILLORY AND HEBERT

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.

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	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Cheek	Heitmeier	Shaw
Crowe	Jackson	Smith
Donahue	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Claitor	LaFleur	Riser
Kostelka	Michot	
Total - 5		

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur Riser
Total - 2

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Kostelka Riser
Hebert LaFleur
Total - 5

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

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.

Floor Amendments Sent Up

Senator Adley sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 83 by Representative Tim Burns

AMENDMENT NO. 1
On page 1, line 2, after "47:1705(B)(2)(c)" and before "enact" delete "(i), (ii), and (vi)" and insert "(ii)"

AMENDMENT NO. 2
On page 1, line 3, after "47:1705(B)(2)" and before "," delete "(c)(vii) and (f)" and insert "(f)"

AMENDMENT NO. 3
On page 1, delete lines 8 and 9 in their entirety and insert "Section 1. R.S. 47:1705(B)(2)(c)(ii) is hereby amended and reenacted and R.S. 47:1705(B)(2)(f) is hereby enacted to read as follows:"

AMENDMENT NO. 4
On page 1, delete lines 17 through 19 in their entirety and insert the following:
"(c) * * *

AMENDMENT NO. 5
On page 2, delete lines 1 through 19 in their entirety

AMENDMENT NO. 6
On page 2, line 25, after "authority," delete the remainder of the line and insert "if such taxing authority maintains an Internet website."

AMENDMENT NO. 7
On page 2, line 26, before "The Internet" delete "on the websites of the assessor and the parish governing authority."

AMENDMENT NO. 8
On page 3, delete lines 1 through 9 in their entirety

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis McPherson
Adley Dupre Michot
Alario Erdey Murray
Appel Gray Evans Nevers
Broome Guillory Quinn
Cheek Hebert Shaw
Claitor Heitmeier Smith
Crowe Jackson Thompson
Donahue Marionneaux
Dorsey Martiny
Total - 28

NAYS

Amedee Long Mount
Kostelka Morrell
Total - 5

ABSENT

Gautreaux B LaFleur Riser
Gautreaux N Morrish Walsworth
Total - 6

The Chair declared the amended 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.

June 22, 2009

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GUILLORY, HEBERT, LONG, MARTINY, MCPHERSON, MICHOT, MORRELL, MURRAY, NEVERS, QUINN, SHAW, SMITH, AND THOMPSON

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.

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: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 37, LaFleur, Total - 2.

NAYS

Total - 0

ABSENT

LaFleur Total - 2

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 128 by Representative Henry

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 47:305.54(B)(2) and to"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 47:305.54(B)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17, on page 2, delete lines 1 through 29, and on page 3 delete lines 1 through 7, and insert the following:

"Section 1. R.S. 47:305.62 is hereby enacted to read as follows: §305.62. Exemption: Annual Louisiana Second Amendment

Weekend Holiday

A. This Act shall be known as the Annual Louisiana Second Amendment Weekend Holiday Act.

B.(1) Notwithstanding any other provisions of law to the contrary, the sales and use tax levied by the state of Louisiana and its political subdivisions shall not apply to the sales price or cost price of any consumer purchases of firearms, ammunition, and hunting supplies which shall begin each calendar year at 12:01 a.m. on the Friday after Thanksgiving and end at 11:59 p.m. on the Sunday after Thanksgiving.

(2) For purposes of this Section, "consumer purchases" shall mean purchases by individuals of firearms, ammunition, and hunting supplies not for business purposes. Consumer purchases shall not include the purchase of animals for the use of hunting.

(3) For the purposes of this Section, "hunting supplies" shall mean purchases of any tangible personal property for the use of hunting, including but not limited to archery, off-road vehicles, and vessels such as ATVs, airboats, and pirogues, accessories, animal feed, apparel, shoes, bags, float tubes, binoculars, tools, firearm and archery cases, firearm and archery accessories, range finders, knives, decoys, treestands, blinds, chairs, optics, hearing protection and enhancements, holsters, belts, slings and miscellaneous gear.

(4) For purposes of this Section, "firearms" shall mean a shotgun, rifle, pistol, revolver, primitive weapon, or other handgun.

C. This provision will apply if and only if during the time period provided for in Paragraph (B)(1) of this Section, one of the following occurs:

(1) Title to or possession of firearms, ammunition and hunting supplies are transferred from a selling dealer to a purchaser.

(2) A customer selects an eligible item from the selling dealer's inventory for layaway that is physically set aside in the selling dealer's inventory for future delivery to that customer.

(3) The customer makes final payment and withdraws an item from layaway that might have been placed before the time period provided for in Paragraph (B)(1) of this Section.

(4) The customer orders and pays for an eligible item and the selling dealer accepts the order for immediate shipment, even if delivery is made after the time period provided for in Paragraph (B)(1) of this Section, provided that the customer has not requested delayed shipment.

D. Eligible items that customers purchase during the time period provided for in Paragraph (B)(1) of this Section with "rain checks" will qualify for exemption, regardless of when the "rain checks" were issued. However, issuance of "rain checks" during the exemption period will not qualify items for exemption if the otherwise eligible items are actually purchased after the time period provided for in Paragraph (B)(1) of this Section.

E.(1) When a customer purchases an eligible item during the time period provided for in Paragraph (B)(1) of this Section and exchanges the item without additional cash consideration after such time period for an essentially identical item of different size, caliber, color, or other feature, no additional tax is due.

(2) When a customer after the time period provided for in Paragraph (B)(1) of this Section, returns an eligible item that was purchased during such time period and receives credit on the purchase of a different item, the appropriate sales tax is due on the purchase of the new item.

F. For a sixty-day period after the time period provided for in Paragraph (B)(1) of this Section, when a customer returns an item that would qualify for an exemption, no credit or refunds of sales tax shall be given unless the customer provides a receipt or invoice that shows that the sales tax was paid, or the retailer has sufficient documentation that shows that the tax was paid on the specific item. This sixty-day period is not intended to change a dealer's policy

concerning the time period during which returns will be accepted.
Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mr. President	LaFleur
Gray Evans	Riser
Total - 4	

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 189 by Representative Greene

AMENDMENT NO. 1

On page 2, line 18, change "Item (i)" to "Item(a)(i)"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 189 by Representative Greene

AMENDMENT NO. 1

On page 1, at the end of line 14, delete "and" and delete line 15 and at the beginning of line 16, delete "Extraordinary Session"

AMENDMENT NO. 2

On page 2, line 18, change "Item (i)" to "Item (a)(i)"

AMENDMENT NO. 3

On page 2, at the end of line 28, delete "and" and delete line 29

AMENDMENT NO. 4

On page 3, at the end of line 9, delete "and" and delete line 10 and at the beginning of line 11, delete "Extraordinary Session"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka	LaFleur	Riser
Total - 3		

The Chair declared the amended 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.

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.

June 22, 2009

Floor Amendments Sent Up

Senator Alario sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Re-Reengrossed House Bill No. 215 by Representative Hutter

AMENDMENT NO. 1

In Amendment No. 17 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 3, at the beginning of line 4, after "on the Budget" insert "and the state bond commission"

AMENDMENT NO. 2

In Amendment No. 20 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 3, line 18, after "the committee" insert "and the state bond commission"

AMENDMENT NO. 3

In Amendment No. 41 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 5, at the beginning of line 6, after "Budget" insert "and the state bond commission"

AMENDMENT NO. 4

In Amendment No. 41 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 5, line 20, after "Budget" insert "and the state bond commission"

AMENDMENT NO. 5

In Amendment No. 41 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 5, line 38, after "Budget" insert "and the state bond commission"

On motion of Senator Alario, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Re-Reengrossed House Bill No. 215 by Representative Hutter

AMENDMENT NO. 1

In Senate Committee Amendment No. 27 proposed by Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 29, 2009, on page 3, line 34, after "for use" delete "or transfer"

AMENDMENT NO. 2

On page 1, at the end of line 6, delete "to" and on line 7, delete "authorize to transfer of certain tax credits;"

AMENDMENT NO. 3

On page 4, at the end of line 18, delete "or" and on line 19, delete "transferred"

AMENDMENT NO. 4

On page 5, delete lines 19 through 29 and delete page 6 and on page 7, delete lines 1 and 2

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

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists LaFleur, Riser.

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. 261— BY REPRESENTATIVE CONNICK AND SENATOR THOMPSON 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.

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: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists LaFleur, Riser.

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. 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.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 365 by Representative Simon

AMENDMENT NO. 1

In Amendment No. 4 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 18, 2009, on page 1, line 23, after "Section," insert "No member of the general public shall have a cause of action for damages against the state, the commissioner of administration, nor any employee of the division of administration for the inclusion or failure to include a particular design feature."

Senator McPherson moved adoption of the amendments.

Senator Claitor objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario Gray Evans Morrish
Appel Guillory Mount
Broome Hebert Murray
Cheek Heitmeier Nevers
Crowe Jackson Quinn
Donahue Kostelka Shaw
Dorsey Long Smith
Duplessis Martiny Thompson
Dupre McPherson Walsworth
Erdey Michot
Gautreaux B Morrell
Total - 31

NAYS

Adley Amedee Claitor
Total - 3

ABSENT

Mr. President LaFleur Riser
Gautreaux N Marianneaux
Total - 5

The Chair declared 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

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

NAYS

Total - 0

ABSENT

Mr. President LaFleur Riser
Total - 3

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.

Senator Broome in the Chair

HOUSE BILL NO. 389—

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

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.

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 Dupre McPherson
Adley Erdey Michot
Alario Gautreaux B Morrell
Amedee Gautreaux N Morrish
Appel Guillory Mount
Broome Hebert Murray
Cheek Heitmeier Quinn
Claitor Jackson Shaw
Crowe Kostelka Thompson
Donahue Long Walsworth
Dorsey Marianneaux
Duplessis Martiny
Total - 34

NAYS

Total - 0

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ABSENT

Gray Evans Nevers Smith
LaFleur Riser
Total - 5

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. 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.

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

NAYS

Total - 0

ABSENT

Donahue LaFleur Riser
Total - 3

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. 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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 458 by Representative Talbot

AMENDMENT NO. 1

On page 4, line 4, delete "Until January 1, 2010, there There" and insert "Until January 1, 2015, there"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Gautreaux B Long McPherson
Total - 3

ABSENT

Broome LaFleur Riser
Total - 3

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

Mr. President in the Chair

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 563 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "1856(E) and (G), 1857(B)(2), 1998(A)(2), (B)(3) and (F)," and after "2134" delete "(D)"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 47:" insert "1856(E) and (G), 1857(B)(2), 1998(A)(2), (B)(3) and (F)," and after "2134" delete "(D) is" and insert "are"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert the following:
"§1856. Notice of valuation, hearings, appeals

E. Any company instituting suit under the provisions of Subsection D of this Section shall pay the disputed portion of its taxes under protest to the officer or officers designated by law for the collection of such taxes and shall cause notice or notices to issue in such suit to such officer or officers as provided in R.S. 47:2110(E) 47:2134(B). However, the portion of taxes that are not in dispute by the taxpayer shall be paid without being made subject to the protest.

G. Any taxpayer asserting that a law or laws, including the application thereof, related to the valuation or assessment of public service properties is in violation of any act of the Congress of the United States, the Constitution of the United States, or the constitution of the state shall file suit in accordance with the provisions of R.S. 47:2110(B) and (C) 47:2134(C) and (D). The provisions of R.S. 47:1856(E) and (F) shall be applicable to such proceedings; however, the tax commission and all affected assessors and the officers responsible for the collection of any taxes owed pursuant to such assessment shall be made parties to such suit. If such suit affects assessments of property located in more than one parish, such suit may be brought in either the district court for the parish in which the tax commission is domiciled or the district court of any one of the parishes in which the property is located and assessed. No bond or other security shall be necessary to perfect an appeal in such suit. Any appeal from a judgment of the district court shall be heard by preference within sixty days of the lodging of the record in the court of appeal. The appeal shall be taken thirty days from the date the judgment of the district court is rendered.
§1857. Corrections and changes

B.(1)

(2) Any company that has filed suit under these provisions and whose taxes have become due shall pay such taxes under protest to the officer or officers designated by law for the collection of such taxes and shall cause notice or notices to issue in such suit to the officer or officers as provided in R.S. 47:2110(E) 47:2134(B). Upon receipt of such notice or notices, the amount paid under protest shall be segregated and invested by such officer or officers either in an interest-bearing account or in a certificate of deposit pending a final, nonappealable judgment in the suit.

§1998. Judicial review; generally

A.(1)

(2) Any taxpayer who has filed suit under this provision and whose taxes have become due shall pay such taxes under protest and shall cause to issue notice to the officer designated by law for the collection of such tax under the provisions of R.S. 47:2110(E) 47:2134(B), and shall cause service of process to be made on the Louisiana Tax Commission as the officer designated by law to assess the property as provided for in R.S. 47:2110(B) 47:2134(B). However, the portion of taxes that is not in dispute shall be paid without being made subject to the protest.

B.(1)

(3) Any taxpayer in the state who has filed suit under these provisions and whose taxes have become due shall pay said taxes under protest and shall cause to issue a notice to the officer designated by law for the collection of such tax under the provisions of R.S. 47:2110(E) 47:2134(B), and shall cause service of process to be made on the Louisiana Tax Commission as provided for in R.S. 47:2110(B) 47:2134(B). However, the portion of taxes that is not in dispute shall be paid without being made subject to the protest.

F. If the assessed valuation finally determined under this Section is greater than the taxpayer's own assessed valuation, the court shall enter judgment against the taxpayer for the additional taxes due

together with interest at the actual rate earned on the money paid under protest in the escrow account during the period from the date of notice of intention to file suit for recovery of taxes pursuant to R.S. 47:2110(E) 47:2134(B) until paid. If the taxpayer prevails in his suit to recover taxes paid under protest, the appropriate amount of taxes shall be refunded to the taxpayer together with interest at the rate set forth above during the period from the date of payment until the date of such refund.

AMENDMENT NO. 4

On page 1, delete lines 11 through 14, and insert:

"A.(H) No court of this state shall issue any process to restrain, or render any decision that has the effect of impeding, the collection of an ad valorem tax imposed by any political subdivision, under authority granted to it by the legislature or by the constitution.

(2) B.(1) A person resisting the payment of an amount of tax due or the enforcement of a provision of the tax law taxpayer challenging the correctness of an assessment under either R.S. 47:1856, 1857, or 1998 shall timely pay the disputed amount of tax due under protest to the officer or officers designated by law for the collection of this tax and shall give him, the assessor, and the Louisiana Tax Commission notice at the time of payment of his intention to file suit for the recovery of the tax. Upon receipt of notice, the amount paid shall be segregated and held by the officer for a period of thirty days. The portion of the taxes that is paid by the taxpayer to the collecting officer or officers that is neither in dispute nor the subject of a suit contesting the correctness of the assessment shall not be made subject to the protest.

(2)(a) If at the time of the payment of the disputed taxes under protest the taxpayer has previously filed a correctness challenge suit under the provisions of R.S. 47:1856, 1857, or 1998, such taxpayer shall give notice of the suit to the collecting officer or officers in the parish or parishes in which the property is located. This notice shall be sufficient to cause the collecting officer or officers to further hold the amount paid under protest segregated pending the outcome of the suit.

(b) If at the time of the payment of the protested tax, a correctness challenge suit is not already pending under the provisions of R.S. 47:1856, 1857, or 1998, then a suit seeking recovery of the protested payment need not be filed until thirty (30) days from the date a final decision is rendered by the Louisiana Tax Commission under either R.S. 47:1856, 1857, or 1998. The taxpayer making the payment under protest under these circumstances must advise the collecting officer or officers in the parish or parishes in which the property is located at the time of the protest payment that the protest payment is in connection with a correctness challenge and must promptly notify the collecting officer or officers when a final decision is rendered by the Louisiana Tax Commission under either R.S. 47:1856, 1857, or 1998. The collecting officer or officers shall continue to segregate and hold the protested amount in escrow until a timely correctness challenge suit is filed.

(c) If a suit is timely filed contesting the correctness of the assessment pursuant to R.S. 47:1856, 1857, or 1998 and seeking the recovery of the tax paid under protest, then that portion of the taxes paid that are in dispute shall be deemed as paid under protest, and that amount shall be segregated and shall be further held pending the outcome of the suit. The portion of the taxes that is paid by the tax debtor to the officer and is neither in dispute nor the subject of the suit contesting the correctness shall not be made subject to the protest.

(3) In a correctness challenge suit under either R.S. 47:1856, 1857, or 1998 the officer or officers designated for the collection of taxes in the parish or parishes in which the property is located, the assessor or assessors for the parish or district, or parishes or districts, in which the property is located, and the Louisiana Tax Commission shall be the sole necessary and proper party defendants in any such suit.

(4) If the taxpayer prevails, the collecting officer or officers shall refund the amount to the taxpayer with interest at the actual rate earned on the money paid under protest in the escrow account during the period from the date such funds were received by the collecting officer or officers to the date of the refund. If the taxpayer does not prevail, the taxpayer shall be liable for the additional taxes together

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with interest at the rate set forth above during the period from the date the notice of intention to file suit for recovery of taxes was given to the officer until the date the taxes are paid.

C.(1) A person resisting the payment of an amount of ad valorem tax due or the enforcement of a provision of the ad valorem tax law and thereby intending to maintain a legality challenge shall timely pay the disputed amount due under protest to the officer or officers designated by law for the collection of the tax and shall give such officer or officers, notice at the time of payment of his intention to file suit for the recovery of the protested tax. Upon receipt of a notice, the protested amount shall be segregated and held by the collecting officer for a period of thirty (30) days.

(2) A legality challenge suit must be filed within thirty (30) days from the date of the protested payment. If a suit is timely filed contesting the legality of the tax or the enforcement of a provision of the tax law and seeking recovery of the tax, then that portion of the taxes paid that are in dispute shall be further deemed as paid under protest, and that amount shall be segregated and shall be further held pending the outcome of the suit. The portion of the taxes that is paid by the taxpayer to the collecting officer or officers that is neither in dispute nor the subject of a suit contesting the legality of the tax shall not be made subject to the protest.

(3) In any such legality challenge suit, service of process upon the officer or officers responsible for collecting the tax, the assessor or assessors for the parish or district, or parishes or districts in which the property is located, and the Louisiana Tax Commission shall be sufficient service, and these parties shall be the sole necessary and proper party defendants in any such suit.

(4) If the tax debtor taxpayer prevails, the collecting officer or officers shall refund the such amount to the tax debtor taxpayer with interest at the actual rate earned on the money paid under protest in the escrow account during the period from the date such funds were received by the collecting officer or officers to the date of the refund. If the tax debtor taxpayer does not prevail, the tax debtor taxpayer shall be liable for the additional taxes together with interest at the rate set forth above during the period from the date the notice of intention to file suit for recovery of taxes was given to the officer until the date the taxes are paid.

B-D. The right to sue for recovery of a tax paid under protest as provided in this Section shall afford a legal remedy and right of action in any state or federal court having jurisdiction of the parties and subject matter for a full and complete adjudication of all questions arising in connection with a correctness challenge or the enforcement of the right rights respecting the legality of any tax accrued or accruing or the method of enforcement thereof. In any such suit, service of process upon the officer or agency designated and provided for in R.S. 47:1998(A)(2) or (B)(3), or Subsection A of this Section, shall be required. C. The right to sue for recovery of a tax paid under protest as provided in this Section shall afford a legal remedy and right of action at law in the state or federal courts where any tax or the collection thereof is claimed to be an unlawful burden upon interstate commerce, or in violation of any act of the Congress of the United States, the Constitution of the United States, or the constitution of the state. The portion of the taxes which is paid by the taxpayer to the collecting officer or officers that is neither in dispute nor the subject of such suit shall not be made subject to the protest.

E.(1) Upon request of a tax debtor taxpayer and upon proper showing by the tax debtor taxpayer that the principle of law involved in an additional assessment is already pending before the courts for judicial determination, the tax debtor taxpayer, upon agreement to abide by the pending decision of the courts, may pay the additional assessment under protest but need not file an additional suit. In such cases, the tax so paid under protest shall be segregated and held by the collecting officer or officers designated by law for the collection of the tax until the question of law involved has been determined by the courts and shall then be disposed of as provided in the decision of the court.

(2) If the taxpayer prevails, the officer or officers shall refund such amount to the taxpayer with interest at the actual rate earned on the money paid under protest in the escrow account during the period

from the date such funds were received by the officer or officers to the date of the refund. If the taxpayer does not prevail, the taxpayer shall be liable for the additional taxes together with interest at the rate set forth above during the period from the date the notice of intention to file suit for recovery of taxes was given to the officer until the date the taxes are paid.

D. An assessment valuation or claim of exemption shall be challenged only pursuant to the method or procedures as provided first in R.S. 47:1992, then in R.S. 47:1989, and finally in R.S. 47:1998.

E. Any tax debtor in the state who has paid his disputed taxes under protest as provided in this Section and who has filed suit under the provisions of R.S. 47:1856, 1857, or 1998 shall cause to be served in the suit notice to the officer or officers designated for the collection of taxes in the parish or parishes in which the property is located, the assessor or assessors for the parish or district, or parishes or districts, in which the property is located, and the chairman of the Louisiana Tax Commission. This notice shall be sufficient to cause the officer or officers to further hold the amount segregated pending the outcome of the suit."

On motion of Senator Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur Riser

Total - 2

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Riser
Total - 2	

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

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, MICKY 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor	LaFleur	Riser
Total - 3		

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Morrell sent up floor amendments.

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Re-Reengrossed House Bill No. 733 by Representative Leger

AMENDMENT NO. 1

On page 5, at the beginning of line 4, after "System" insert "or graduates of an apprenticeship program registered with the Louisiana Workforce Commission"

On motion of Senator Morrell, 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 listing YEAS for Mr. President, Dupre, McPherson, Adley, Erdey, Michot, Alario, Gautreaux B, Morrell, Amedee, Gray Evans, Morrish, Appel, Guillory, Mount, Broome, Hebert, Murray, Cheek, Heitmeier, Nevers, Claitor, Jackson, Quinn, Crowe, Kostelka, Shaw, Donahue, Long, Smith, Dorsey, Marionneau, Thompson, Duplessis, Martiny, Walsworth. Total - 36

NAYS

Total - 0

ABSENT

Table listing ABSENT: Gautreaux N, LaFleur, Riser. Total - 3

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS for Mr. President, Dupre, Michot, Adley, Gautreaux B, Morrell, Alario, Gautreaux N, Morrish, Amedee, Gray Evans, Mount, Appel, Guillory, Murray.

Table listing NAYS: Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Hebert, Heitmeier, Jackson, Long, Marionneau, Martiny, McPherson, Nevers, Quinn, Shaw, Smith, Thompson, Walsworth.

Total - 35

NAYS

Total - 0

ABSENT

Table listing ABSENT: Erdey, Kostelka, LaFleur, Riser. Total - 4

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

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.

Floor Amendments Sent Up

Senator Marionneau sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneau to Engrossed House Bill No. 771 by Representative Hutter

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on line 3 thereof, change "on page 1, line 16" to "line 10 thereof"

On motion of Senator Marionneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS for Mr. President, Dupre, Michot, Adley, Erdey, Morrell, Alario, Gautreaux B, Morrish, Amedee, Gray Evans, Mount, Appel, Guillory, Murray, Broome, Hebert, Nevers, Cheek, Heitmeier, Quinn, Claitor, Kostelka, Shaw, Crowe, Long, Smith, Donahue, Marionneau, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson. Total - 35

NAYS

Total - 0

ABSENT

Gautreaux N LaFleur
 Jackson Riser
 Total - 4

The Chair declared the amended 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.

Regular Order of the Day

Reconsideration

Pursuant to the previous notice given, the vote by which House Bill No. 495 failed to pass on Sunday, June 21, 2009, was reconsidered.

HOUSE BILL NO. 495—
 BY REPRESENTATIVE DIXON AND SENATOR DORSEY
 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

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

NAYS

Total - 0

ABSENT

Crowe	LaFleur	Riser
Gautreaux N	Marionneaux	Walsworth
Total - 6		

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.

Recess

On motion of Senator Mount, the Senate took a recess at 11:45 o'clock A.M. until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:10 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Alario	Erdey	Morrell
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Shaw
Crowe	Kostelka	Walsworth
Donahue	Long	
Dorsey	Marionneaux	
Total - 31		

ABSENT

Gautreaux B	Martiny	Smith
Gautreaux N	Morrish	Thompson
LaFleur	Riser	
Total - 8		

The President of the Senate announced there were 31 Senators present and a quorum.

Senate Business Resumed After Recess

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 22, 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. 105—
 BY SENATOR DUPLESSIS
 AN ACT

To enact R.S. 14:71.3, relative to mortgage fraud; to provide for elements of the crime; to provide for penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 284—
 BY SENATOR HEBERT
 AN ACT

To enact R.S. 26:74(E), relative to local license and permit fees; to provide for wholesaler of beverages of high alcoholic content; to provide for restrictions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 129—
 BY SENATOR DORSEY
 AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(g) and (W), relative to the Taylor Opportunity Program for Students; to authorize the administering agency to promulgate rules to provide for the receipt and consideration of applications from students returning from out-of-state colleges and universities under certain circumstances and conditions; and to provide for related matters.

Reported without amendments.

June 22, 2009

SENATE BILL NO. 182—
BY SENATOR CROWE

AN ACT

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

Reported without amendments.

SENATE BILL NO. 289—
BY SENATORS APPEL AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.61(C), (D), and (E) and to repeal R.S. 47:463.61 (F), (G) and (H), relative to the dedication of revenue; to provide for the distribution of revenues collected from "Choose Life" prestige license plate fees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 321—
BY SENATOR HEBERT

AN ACT

To enact R.S. 47:1925.10, relative to the assessor in the Iberia Parish Assessment District; to authorize the assessor in such district to receive an automobile expense allowance; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 67—
BY SENATORS MCPHERSON, DUPRE, N. GAUTREAUX, HEITMEIER, LONG, RISER AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, DIXON, HINES, LEGER, PEARSON, RICHARD AND ROY

A JOINT RESOLUTION

Proposing to amend Article IV, Section 4 and to add Article III, Section 4(G) and Article IV, Section 21(F) of the Constitution of Louisiana, relative to state elected officials; to provide for the implementation of any salary increase enacted by law for certain state elected officials; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 149—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:2244, relative to redemptions; to provide for actual costs incurred by a political subdivision; to provide for the imposition of a fee for preparation of redemption certificates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 271—
BY SENATORS NEVERS, THOMPSON, LONG, RISER AND WALSWORTH

AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4425, relative to creation of the "Forestry Product Fairness Act"; to provide for legislative purpose; to provide relative to distribution of tax credits, tax exemptions, tax exclusions, tax deductions, rebates, incentives, investments, contracts, or grants made available by the state to any existing individual, partnership, corporation, association or other legal entity purchasing forest products to produce the generation of steam, heat, electricity or the production of wood-based fuels; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 350— (Substitute of Senate Bill No. 153 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R. S. 38:330.14, relative to the non-flood protection assets of the Orleans Levee District; to create and provide relative to a non-flood protection management commission; to provide for the composition of the commission; to provide for the meetings of the commission; to provide for submittal of the plan from the commission; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 277—

BY SENATORS DUPLESSIS, ERDEY, GRAY EVANS, KOSTELKA, LONG, MARIONNEAUX, MICHOT, QUINN, RISER AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARNOLD, CORTEZ, DOWNS, LEGER, LIGI AND ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:6022, relative to digital interactive media producer tax credit; to provide terms and conditions; to provide relative to qualifications, administration and procedures; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 351— (Substitute of Senate Bill No. 258 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:250.3(B), (C), (D), (E), (F), (G), and (H) and to repeal R.S. 48:250.4, relative to design-build contracts; to provide for requirements for design-build contracts of the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 136—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 26:73, 272, and 583(C), relative to alcoholic beverage permits; to provide for legal sales characteristics in certain parishes; to provide for restaurant "R" permits, applications and fees; to provide for definitions; to provide for qualifications; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 195—

BY SENATOR KOSTELKA

AN ACT

To enact R.S. 42:1124.6, relative to financial disclosure; to require disclosure relative to campaign contributions by persons hired by statewide elected officials to serve as agency heads and by persons appointed to certain state boards and commissions; and to provide for related matters.

Reported with amendments.

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

Rules Suspended

Senator Marionneaux 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

HOUSE BILL NO. 338—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:293(9)(a)(xvi), 297.10(A), 297.11, and 297.12(A)(introductory paragraph) and (B)(1), relative to individual income tax deductions; to provide for eligibility for deductions for tuition and other educational expenses related to elementary and secondary education; to provide with respect to eligible expenses; 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	Dupre	Michot
Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Gray Evans	Kostelka	LaFleur
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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.

HOUSE BILL NO. 657—

BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 48:755(B)(1) and to enact R.S. 48:755(D), relative to the Parish Transportation Fund; to provide that only certain funds are subject to the Parish Transportation Fund provisions; and to provide for related matters.

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

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.

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

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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 693 by Representative Greene

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on line 4 thereof, between "page 1," and "after" insert "line 3"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed House Bill No. 693 by Representative Greene

AMENDMENT NO. 1

Delete the set of amendments proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on June 21, 2009.

AMENDMENT NO. 2

On page 1, line 3, after "Legislature" and before "," insert "and to enact Section 3(D), (E), (F), (G), (H), and (I) of Act No. 456 of the 2007 Regular Session of Legislature"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted" and before "to" insert "and Section 3(D), (E), (F), (G), (H), and (I) of the Act No. 456 of the 2007 Regular Session of the Legislature is hereby enacted"

AMENDMENT NO. 4

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

"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 for which applications for certification were filed August 1, 2007, and shall not apply to any project for which an application for certification was filed 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 by the Office of Entertainment Industry Development, the Secretary of the

Department of Economic Development and the division of Administration, in any fiscal year for state certified infrastructure projects defined in Subsection (D)(2) of Section 3 of this Act. However, if less than twenty-five million dollars of tax credits are certified in a fiscal year, the remaining amount of available tax credit certifications shall be added to the amount available for certification for the next fiscal year and 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.

F. "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.

G. 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.

H.(1) 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, 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.

(2) 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.

(3) 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.

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

(b) 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.

(c) 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).

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

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

(f) 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.

I. 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."

On motion of Senator Erdey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Includes Adley, Amedee, Appel, Broome, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gray Evans, Hebert, Heitmeier, Kostelka, Long, Marionneaux, Morrell, Morrish, Nevers, Quinn, Riser, Shaw, Smith, Walsworth. Total - 26

NAYS

Table with 3 columns: Name, Name, Name. Includes Alario, Cheek, Gautreaux N, Jackson, Martiny, McPherson, Michot, Mount, Murray, Thompson. Total - 10

ABSENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Guillory, LaFleur. Total - 3

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

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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 765 by Representative Gallot

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on line 25 thereof, delete "Item (b) of this Subparagraph" to "Subparagraph (3)(b)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on line 45 thereof, change "Paragraph (3)" to "Subparagraph (3)(a)"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Morrell
Alario	Erdey	Mount
Amedee	Gray Evans	Murray
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Cheek	Heitmeier	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Walsworth
Donahue	Marionneaux	
Dorsey	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Gautreaux B	LaFleur	Smith
Gautreaux N	Martiny	Thompson
Jackson	Morrish	
Total - 8		

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Alario	Erdey	Morrell
Amedee	Gautreaux B	Mount
Appel	Gray Evans	Murray
Broome	Guillory	Nevers
Cheek	Hebert	Quinn
Claitor	Heitmeier	Riser

Crowe	Kostelka	Shaw
Donahue	Long	Walsworth
Dorsey	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Gautreaux N	Martiny	Thompson
Jackson	Morrish	
LaFleur	Smith	
Total - 7		

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

HOUSE BILL NO. 798—

BY REPRESENTATIVES CARTER, BALDONE, HONEY, RICHMOND, RITCHIE, AND GARY SMITH AND SENATORS MOUNT AND MURRAY
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Marionneaux
Adley	Duplessis	McPherson
Alario	Dupre	Michot
Amedee	Erdey	Morrell
Appel	Gray Evans	Mount
Broome	Guillory	Murray
Cheek	Hebert	Nevers
Claitor	Heitmeier	Quinn
Crowe	Kostelka	Shaw
Donahue	Long	Walsworth
Total - 30		

NAYS

Total - 0

ABSENT

Gautreaux B	LaFleur	Riser
Gautreaux N	Martiny	Smith
Jackson	Morrish	Thompson
Total - 9		

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.

June 22, 2009

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.

Floor Amendments Sent Up

Senator Long sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Long to Reengrossed House Bill
No. 818 by Representative Ellington

AMENDMENT NO. 1
On page 2, line 13, after "3222" insert "or 113310"

On motion of Senator Long, the amendments were adopted.

Floor Amendments Sent Up

Senator Alario sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Reengrossed House Bill
No. 818 by Representative Ellington

AMENDMENT NO. 1
On page 2, line 3, after "beginning" change "January " to "July" and
after "June 30," change "2010" to "2011"

AMENDMENT NO. 2
On page 2, line 5, after "July 1," change "2010" to "2011" and after
"June 30," change "2011" to "2012"

AMENDMENT NO. 3
On page 2, line 7, after "July 1," change "2011" to "2012" and after
"June 30," change "2012" to "2013"

AMENDMENT NO. 4
On page 2, line 9, after "July 1," change "2012" to "2013"

On motion of Senator Alario, the amendments were adopted.

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

NAYS

Total - 0

ABSENT

Cheek LaFleur
Total - 2

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

Notice Regarding Vote

Senator Cheek asked for and obtained the floor of the Senate on
a point of personal privilege, and stated she appeared as absent on the
vote on House Bill No. 818. She had intended to vote yea on the bill.
She asked that the Official Journal so state.

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

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1
On page 2, line 9, change "an" to "a residential rental"

AMENDMENT NO. 2
On page 2, line 12, between "constructed" and "apartment" insert
"residential rental"

On motion of Senator Marionneaux, the amendments were
adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N LaFleur
 Jackson Thompson
 Total - 4

The Chair declared the amended 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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson LaFleur Thompson
 Total - 3

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

HOUSE BILL NO. 869—
 BY REPRESENTATIVES TUCKER, ARMES, BALDONE, BARRAS, BROSSETT, BURFORD, TIM BURNS, CHANEY, CROMER, DOWNS, HARRISON, HENRY, HINES, GIROD JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LIGI, MILLS, MONICA, PEARSON, PONTI, PUGH, RITCHIE, ROBIDEAUX, ROY, SCHRODER, WILLMOTT, WOOTON, DIXON, JOHNSON, AND LOPINTO

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N LaFleur Thompson
 Jackson McPherson
 Total - 5

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Gray Evans
 Total - 1

ABSENT

Jackson LaFleur Thompson
 Total - 3

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

June 22, 2009

HOUSE BILL NO. 877—

BY REPRESENTATIVES MICHAEL JACKSON, BARROW, CARTER, HONEY, PATRICIA SMITH, AND WHITE AND SENATORS BROOME, DORSEY, AND N. GAUTREAUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario, Broome, Dorsey, Duplessis, Erdey, Guillory, Heitmeier, Kostelka, Michot, Morrish, Murray, Nevers, Riser, Smith, Walsworth

NAYS

Adley, Amedee, Appel, Cheek, Claitor, Donahue, Dupre, Gautreaux B, Gautreaux N, Hebert, Long, Marionneaux, McPherson, Morrell, Mount, Quinn, Shaw

ABSENT

Mr. President, Crowe, Gray Evans, Jackson, LaFleur, Martiny, Thompson

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Dupre, Hebert, Heitmeier, Kostelka, Long, Marionneaux, Martiny, McPherson, Michot, Quinn, Riser, Shaw, Smith, Thompson, Walsworth

Total - 37

NAYS

Total - 0

ABSENT

Jackson, Total - 2, LaFleur

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

HOUSE BILL NO. 885—

BY REPRESENTATIVE PERRY

AN ACT

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

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 885 by Representative Perry

AMENDMENT NO. 1

On page 1, line 2, after "(Q)(1)(b)" delete the remainder of the line, on line 3, delete "33:4574.1.1(Q)(1)(b)(iii)" and insert ", (2), and (3)"

AMENDMENT NO. 2

On page 1, line 7, after "parish;" insert: "to authorize certain governmental entities to enter into cooperative endeavor agreements with certain"

AMENDMENT NO. 3

On page 1, line 12, after "(Q)(1)(b)" delete the remainder of the line, delete line 13, and insert: ", (2), and (3) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 18 and 19, on page 2, delete lines 1 through 25, and insert:

"(b)(i) The tourist commission shall provide athletic programs for the youth of the parish and shall enter into cooperative endeavors with the governing authorities of the parish and any municipality with a population of not less than six thousand and not more than twelve thousand persons according to the most recent federal decennial census within the parish, as appropriate, for such purposes, including the expenditure or allocation of revenue, as provided in this Subsection, for such purposes.

(ii) The provisions of Item (i) of this Subparagraph shall not be applicable to the Vermilion Parish Tourist Commission. Two-thirds of the monies collected by the Vermilion Parish Tourist Commission from the levy of the additional three percent tax on the occupancy of hotel rooms, motel rooms, and overnight camping facilities as authorized by law, shall be used to fund athletic recreation programs for all youth in Vermilion Parish. The commission shall enter into

a cooperative endeavor with the governing authority of Vermilion Parish and each entity provided for in this Subparagraph to provide for the allocation and expenditure of revenue collected for such purposes. The revenue shall be allocated as follows:

(aa) Twenty-eight and one-half percent shall be allocated to the city of Abbeville.

(bb) Twenty-three and one-half percent shall be allocated to the city of Kaplan.

(cc) Fourteen percent shall be allocated to the North Vermilion Youth Athletic Association.

(dd) Eight percent shall be allocated to the town of Delcambre.

(ee) Eight percent shall be allocated to the town of Erath.

(ff) Eight percent shall be allocated to the town of Gueydan.

(gg) Five percent shall be allocated to the village of Maurice.

(hh) Five percent shall be allocated to the Vermilion Parish Police Jury.

(ii) Any revenue collected by the Vermilion Parish Tourist Commission to fund athletic programs for all youth in Vermilion Parish and not expended prior to the effective date of this Item shall be allocated to the entities provided for in Item (i) of this Subparagraph and shall be used to fund recreation programs in Vermilion Parish as provided in Paragraphs (2) and (3) of this Subsection.

(2)(a) The two-thirds of the proceeds of the tax collected pursuant to this Subsection shall be dedicated for youth athletic programs recreation purposes throughout the parish pursuant to Subparagraph (b) and shall be used as follows:

(i) A minimum of seventy-five percent of the allocations to the governmental entities provided for in such Subparagraph shall be used by each governmental entity to provides funds to any qualified non-profit youth recreation organization within the territorial jurisdiction of the governmental entity which agrees to enter into a cooperative endeavor with the governmental entities agreeing to use such funds for purposes of youth recreation as provided for in this Paragraph. The remaining funds may be used for youth recreation purposes by the governmental entities themselves.

(ii) As used in this Subsection:

(aa) "Youth recreation purposes" means any use of funds which is related to recreation of persons eighteen years of age or younger, including but not limited to the purchase of insurance, uniforms, and athletic equipment and supplies.

(bb) "Qualified non-profit youth recreation organizations" means an organization whose primary function is related to youth recreation purposes and is recognized by the United States Internal Revenue Service as entitled to exemption under Section 501(c)(3) of the United States Internal Revenue Code. The term shall not include any organization which is in default on any filing or payment with or to the state or any of its agencies or political subdivisions and against which an assessment or judgement that is final and nonappealable has been rendered, and remains outstanding, in favor of the state, or any of its agencies, or political subdivisions.

(b) The proceeds of the tax shall be distributed by the governmental entities to the qualified non-profit youth recreation organizations on a pro-rata basis, based upon the number of youth participating in athletic recreational programs on a per capita basis of the organization compared to the total number of youth participating in programs of all the qualified non-profit youth recreation organizations receiving funds from the governmental entity.

(b) (3) One-third of the proceeds of the tax collected pursuant to this Subsection shall be dedicated for the promotion of tourism, including advertisements promoting festivals and other events within the parish.

(c) None of the proceeds of the tax collected pursuant to this Subsection shall be used or expended for capital outlay purposes.

(3) If the tax provided for in this Subsection is not levied within sixty days after July 11, 2005, such failure shall be considered a failure to perform a ministerial duty required by law of public officials. To this end, the district attorney for the parish shall provoke the issuance of a writ of mandamus to compel the appropriate officials to act as provided by law."

On motion of Senator N. Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

LaFleur

Total - 1

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

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.

Floor Amendments Sent Up

Senator Adley sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 898 by Representative Henry

AMENDMENT NO. 1

On page 3, delete lines 1 through 4, and insert: "shall mean services procured and performed in the state means an expenditure to lease immovable property located in the state; an expenditure as compensation for services performed in the state; or an expenditure to purchase or lease tangible personal property within the state where the transaction is subject to the state sales or lease tax provisions of Title 47 of the Louisiana Revised Statutes of 1950. A transaction that is subject to the state sales or lease tax provisions of Title 47 of the Louisiana Revised Statutes of 1950 shall include transactions which are also subject to a statutory exclusion or exemption."

AMENDMENT NO. 2

On page 4, line 5, delete "ten percent"

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AMENDMENT NO. 3

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2009, on page 1, line 26, after "credits" delete the period "." and insert: "in accordance with the procedures and requirements of Item (i) of this Subparagraph."

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 898 by Representative Henry

AMENDMENT NO. 1

On page 3, line 5, change "shall mean" to "means"

AMENDMENT NO. 2

On page 3, line 7, change "shall mean" to "means"

AMENDMENT NO. 3

On page 8, at the beginning of line 3 add "(d)"

AMENDMENT NO. 4

On page 14, line 10, change "0.2" to "Two-tenths of one"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 898 by Representative Henry

AMENDMENT NO. 1

On page 1, line 2, between "reenact" and "R.S. 47:6007," insert the following: "R.S. 22:832(A) and (C)(1) and (7) and"

AMENDMENT NO. 2

On page 1, line 2, change "tax credits;" to "tax credits and reductions;"

AMENDMENT NO. 3

On page 1, line 7, after "projects;" insert the following: "to provide for reduction in certain insurance license taxes based upon certain admitted assets;"

AMENDMENT NO. 4

On page 17, below line 28, add the following: "Section 2. R.S. 22:832(A) and (C)(1) and (7) are hereby amended and reenacted to read as follows: §832. Reduction of tax when certain investments are made in Louisiana

A. The amount of the license payable shall be reduced from the amount otherwise fixed in this Part if the payer files a sworn statement with the annual report required by this Part showing as of December thirty-first of the the end of each fiscal quarter reporting period that at least the following amounts of the total admitted assets of the payer, less assets in an amount equal to the reserves on its policies issued in foreign countries in which it is authorized to do business and which countries require an investment therein as a condition of doing business, are invested and maintained in qualifying Louisiana investments as hereinafter defined in Subsection C of this Section. The amount of tax credit granted shall be the average of the percentage of qualifying Louisiana Securities held at the end of each fiscal quarter for the fiscal year.

* * *

C. For the purposes of this Part, "a qualifying Louisiana investment" is hereby defined as:

(1) Certificates of deposit issued in Louisiana by any bank or savings and loan association or savings bank, any of which are operating in the state of Louisiana or a trust company operating in the state of Louisiana with a main office or one or more branches where the trust company holds such funds in trust and invests them in certificates of deposit issued by a bank, savings and loan association or savings bank operating in the state of Louisiana with a main office or one or more branches.

* * *

(7) Cash on deposit in an account in Louisiana in any bank or savings and loan association, or savings bank, or trust company holding such funds in trust, operating in the state of Louisiana with a main office or one or more branches.

Section 3. The provisions of Section 2 shall become effective on July 1, 2010."

AMENDMENT NO. 5

On page 18, change "Section 2." to "Section 4."

On motion of Senator Quinn, 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

Table listing names of members and their votes (Yeas, Nays, Absent) for the roll call.

NAYS

Total - 0

ABSENT

LaFleur Total - 1

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

BY REPRESENTATIVE ARNOLD AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Michot
Total - 2	

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. 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.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Reengrossed House Bill No. 903 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No.6 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2007, on page 1, line 16, after "districts" insert "or ports, port harbor, and terminal districts."

AMENDMENT NO. 2

In Senate Committee Amendment No.7 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 21, 2007, on page 1, line 22, after "districts" insert "or ports, port harbor, and terminal districts,"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Murray
Total - 2	

The Chair declared the amended 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.

Motion to Make Special Order

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.

On motion of Senator Michot, House Bill No. 881, which is on Third Reading and Final Passage, was made Special Order of the Day No. 3 on Monday, June 22, 2009.

Rules Suspended

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

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

Called from the Involuntary Calendar

Senator Appel moved to call House Bill No. 779 from the Involuntary Calendar for which a record vote is required.

HOUSE BILL NO. 779—

BY REPRESENTATIVE TUCKER

AN ACT

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

Senator Crowe objected.

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Murray
Appel Heitmeier Quinn
Cheek Martiny Thompson
Donahue Michot
Dorsey Morrell
Total - 13

NAYS

Adley Gautreaux N McPherson
Alario Guillory Mount
Broome Hebert Nevers
Crowe Kostelka Shaw
Dupre Long
Total - 14

ABSENT

Amedee Gray Evans Morrish
Claitor Jackson Riser
Erdey LaFleur Smith
Gautreaux B Marionneaux Walsworth
Total - 12

The Chair declared the Senate refused to call the bill from the Involuntary Calendar.

Rules Suspended

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

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

Called from the Calendar

Senator Marionneaux asked that House Bill No. 447 be called from the Calendar.

HOUSE BILL NO. 447— BY REPRESENTATIVE THIBAUT AND SENATOR MARIONNEAUX AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux B Morrish
Adley Gautreaux N Mount
Alario Hebert Murray
Amedee Heitmeier Nevers
Broome Jackson Quinn
Cheek Kostelka Riser
Crowe Long Shaw
Donahue Marionneaux Smith

Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Dupre Michot
Erdey Morrell

Total - 34

NAYS

Total - 0

ABSENT

Appel Gray Evans LaFleur
Claitor Guillory

Total - 5

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

Called from the Calendar

Senator Guillory asked that House Bill No. 62 be called from the Calendar.

HOUSE BILL NO. 62— BY REPRESENTATIVE BURRELL AN ACT

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

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 15:828(B)" and the comma "," insert the following: ", 1199.3(7), 1199.4(C), (D)(introductory paragraph), (E) (introductory paragraph), and (G), 1199.5(C)(2) and (F)(1)(introductory paragraph), 1199.6(A)(1), (B)(introductory paragraph) and (C), 1199.9(B), 1199.10(B)(1) and (H), 1199.11, 1199.12(D)(2), (3), and (4) and (E), to enact R.S. 15:1199.3(8), 1199.4(D)(7) and (E)(6), and 1199.5(F)(1)(d), and to repeal R.S. 15:1199.5(F)(7)"

AMENDMENT NO. 2

On page 1, line 3, change "additional good time" to "incarceration"

AMENDMENT NO. 3

On page 1, line 4, between "programs;" and "and" insert the following: "to provide that inmates who are participating in the inmate rehabilitation and workforce development program are eligible to participate in inmate workforce work release; to increase the number of members and the composition of the inmate rehabilitation and workforce development advisory council; to provide for a quorum of the council; to authorize the adoption of regulations for implementation of the Inmate Rehabilitation and Workforce Development Act; to provide for apprenticeships and other on-the-job training opportunities; to remove requirement that rules be adopted pursuant to the Administrative Procedure Act; to remove requirement that the department report cooperative endeavors or contracts regarding studies or reports to the Legislative Fiscal Office; to repeal requirement that the department submit an annual report to the legislative auditor; to provide for the awarding of credit for participation in certain workforce development work release programs; to provide relative to release and parole upon completion of one-year work release program;"

AMENDMENT NO. 4

On page 1, line 7, change "is hereby amended and reenacted" to ", 1199.3(7), 1199.4(C), (D)(introductory paragraph), (E)(introductory paragraph), and (G), 1199.5(C)(2) and (F)(1)(introductory paragraph), 1199.6(A)(1), (B)(introductory paragraph), and (C), 1199.9(B), 1199.10(B)(1) and (H), 1199.11, 1199.12(D)(2), (3), and (4) and (E) are hereby amended and reenacted and 1199.3(8), 1199.4(D)(7) and (E)(6), and 1199.5(F)(1)(d) are hereby enacted"

AMENDMENT NO. 5

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

"§1199.3. Definitions

As used in this Part, the following words have the following meanings:

* * *

(7) "Workforce development work release" means a program for on-the-job training of inmates who are participating in or have completed the inmate rehabilitation and workforce development program authorized by the provisions of this Part.

(8) "Certification" means a certificate or certification received from an industry recognized organization or a Work Ready Certificate from the Louisiana Workforce Commission or a competency certification developed by the department.

§1199.4. Inmate Rehabilitation and Workforce Development Advisory Council; creation; members; powers and duties

* * *

C. The council shall be comprised of ~~eleven~~ thirteen members.

D. ~~Six~~ Seven members of the council shall be comprised as follows:

* * *

(7) The secretary of the Department of Social Services, or his designee.

E. The governor shall appoint ~~five~~ six members in accordance with the following provisions:

* * *

(6) One member shall be appointed from a list of three members nominated by the Louisiana Chaplains' Association.

* * *

G. ~~Six~~ Seven members shall constitute a quorum, and all actions of the council shall require the affirmative vote of ~~at least six~~ members the majority of the members present.

* * *

§1199.5. Administration of program; purposes

* * *

C.

* * *

(2) Should the department enter into cooperative endeavors or contracts or receive studies or reports as provided in Paragraph (1) of this Subsection, it shall transmit the summary and the reports to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B, the Legislative Fiscal Office, and the persons or entities which made the recommendations by April on or before March first of each year.

* * *

F. In the administration of this program, the secretary, with the assistance of the council shall:

(1) Make an annual report to the legislature on or before March first each year to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B regarding the program. The report shall include at a minimum:

* * *

(d) A copy of any regulation adopted to implement the provisions of the program including any subsequent changes to the regulation.

* * *

§1199.6. Rulemaking Adoption of regulations

A.(1) The secretary, with the advice of the council, shall adopt rules regulations necessary to implement the provisions of this Part.

* * *

B. The rules regulations shall include but not be limited to:

* * *

C. All rules shall be adopted pursuant to the provisions of the Administrative Procedure Act and shall be subject to legislative

oversight by A copy of any regulation adopted to implement the provisions of this Part shall be submitted to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B.

* * *

§1199.9. Workforce development work release for participants and graduates of program administered by the department

* * *

B. Workforce development work release shall be for inmates who have graduated from the inmate rehabilitation and workforce development program and have been certified or licensed as skilled craftsmen, or who are participating in the inmate rehabilitation and workforce development program and are working toward licensing or certification as a skilled craftsman pursuant to R.S. 15:1199.12.

* * *

§1199.10. Workforce development work release for participants and graduates of the program administered by the sheriff

* * *

B.(1) Only an inmate who Inmates sentenced to the department and housed in other facilities as provided for in Subsection A of this Section shall be eligible to participate in workforce development work release pursuant to R.S. 15:1199.12 or a workforce development work release program administered by the sheriff provided the inmate has graduated from the inmate rehabilitation and workforce development program and obtained the proper certification or licensing as a skilled craftsman, may participate in a workforce development work release program administered by the sheriff or is participating in the inmate rehabilitation and workforce development program and is working toward licensing or certification as a skilled craftsman.

* * *

H. Deductions for room, board, and other administrative costs expenses listed in Subsection F of this Section resulting from participation in a workforce development work release program authorized by this Section shall not exceed seventy-five percent of the wages received by an inmate.

§1199.11. Traditional work release programs not affected Participation in workforce development work release programs as authorized by the provisions of R.S. 15:1199.9 and 1199.10 shall not be construed to prohibit an inmate from participating in a work release program authorized by the provisions of R.S. 15:711 or 1111 if the inmate is otherwise eligible for participation. However, only those inmates who have graduated from the program and have been certified or licensed as skilled craftsmen or those inmates who are participating in the inmate rehabilitation and workforce development program and are working toward licensing or certification as a skilled craftsman pursuant to R.S. 15:1199.12 may participate in workforce development work release as authorized by the provisions of R.S. 15:1199.9 and 1199.10.

§1199.12. Program duration; development; selection of craft

* * *

D.

* * *

(2) Upon completion of the one-year intensive training program, the inmate shall qualify for any necessary examination to become a skilled craftsman continuing training, if available, including workforce development, work release apprenticeship, or similar on-the-job training that leads to the fulfillment of the requirements for licensing or certification in the selected craft, to the extent and in the manner permitted by regulations adopted by the department.

(3) The inmate shall take any necessary examination required or certification or licensing as a skilled craftsman in the selected craft if the inmate fulfills all requirements for taking the examination.

(4) Upon successful completion of any certification or licensing as a skilled craftsman, the inmate shall begin a one-year workforce development work release program. The department may by rule provide for the crediting of work release pursuant to the provisions of this Subsection toward this requirement.

E. Upon completion of the one-year workforce development work release program, the inmate shall be placed upon supervised parole released on his diminution of sentence release date and placed under good time parole supervision for the remainder of his sentence. It shall be an additional condition of the inmate's supervised parole that he maintain employment as a skilled craftsman at a location

approved by the department, unless extenuating circumstances prevent such employment.

Section 2. R.S. 15:1199.5(F)(7) is hereby repealed in its entirety.

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

On motion of Senator Guillory, the amendments were adopted.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 4, between "programs;" and "and" insert the following: "to provide that inmates convicted of violations of controlled dangerous substances law are eligible to participate in work release programs if otherwise eligible and approved by the sheriff or the department of corrections; to provide that inmates convicted of certain offenses are eligible to participate in work release programs during the last twelve months of their term of incarceration if otherwise eligible and approved by the department or the sheriff; to provide that deductions for work release expenses shall not exceed fifty percent of the wages received by the inmate in work release programs operated by the department; to authorize certain inmates participating in work release programs to depart from the state; to provide for technical changes; to provide relative to the collection and accounting of wages of inmates; to provide that inmates participating in work release programs shall not be permitted to work on a job or project involved in a labor dispute; to repeal provisions of law providing for work release programs for inmates at a community rehabilitation center; to provide that inmates convicted of controlled dangerous substances violations are eligible to be assigned to the J. Levy Dabadie Correctional Center;"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

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

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

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

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

§827. Duties of Department of Public Safety and Corrections

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

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

AMENDMENT NO. 6

On page 2, after line 5, insert the following: "§893.1. Inmates who may not be assigned to J. Levy Dabadie Correctional Center

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

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

§1111. Work release program

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

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

* * *

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

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

* * *

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

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

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

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

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

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

Section 2. R.S. 15:1135 is hereby repealed in its entirety.
Section 3. If any provision or item of an act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the act which can be given effect without the invalid provision, item, or application."

On motion of Senator Guillory, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 4, between "Subsection" and the period "." insert " but no offender shall receive more than five hundred forty days total good time for program participation"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Martiny
Adley	Duplessis	McPherson
Alario	Dupre	Michot
Amedee	Gautreaux B	Morrell
Appel	Gray Evans	Morrish
Broome	Guillory	Murray
Cheek	Heitmeier	Nevers
Crowe	Jackson	Quinn
Donahue	Long	Thompson
Total - 27		

NAYS

Claitor	Hebert	Riser
Erdey	Kostelka	Shaw
Gautreaux N	Mount	Walsworth
Total - 9		

ABSENT

LaFleur	Marionneaux	Smith
Total - 3		

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

Called from the Calendar

Senator Martiny asked that House Bill No. 123 be called from the Calendar at this time for its reconsideration.

HOUSE BILL NO. 123—

BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:306(A)(5)(d), relative to video draw poker devices; to provide that the owner or lessor of a qualified truck stop facility may close the restaurant at a qualified truck stop facility during a legal holiday; and to provide for related matters.

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

June 22, 2009

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Martiny
Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gray Evans	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Donahue	Kostelka	Shaw
Dorsey	Long	Thompson
Duplessis	Marionneaux	Walsworth
Total - 33		

NAYS

Riser
Total - 1

ABSENT

Crowe	LaFleur	Smith
Gautreaux N	McPherson	
Total - 5		

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.

Called from the Calendar

Senator Amedee asked that House Bill No. 604 be called from the Calendar.

HOUSE BILL NO. 604—
BY REPRESENTATIVE AUBERT
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka	LaFleur	McPherson
Total - 3		

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.

Regular Order of the Day, Resumed

Special Order of the Day No. 1

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.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 2, delete line 25, and insert the following:

"Payable from the State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 7,000,000"</u>

AMENDMENT NO. 2

In Senate Committee Amendment No. 37, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 6, delete line 14 and insert the following: "and Equipment Replacement/Repair"

AMENDMENT NO. 3

In Senate Committee Amendment No. 37, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 6, delete line 18 and insert the following:

"Priority 2	\$ 1,000,000
Payable from State General Fund (Direct) -	
Non-Recurring Revenue	<u>\$ 1,000,000</u>
Total	<u>\$ 3,000,000"</u>

AMENDMENT NO. 4

In Senate Committee Amendment No. 40, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 6, delete line 40, and insert the following:

"Priority 2	<u>\$ 280,000"</u>
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AMENDMENT NO. 5

In Senate Committee Amendment No. 49, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 8, delete lines 18 and 19, and insert the following:

"Priority 2	\$ 180,000
Payable from State General Fund (Direct) -	
Non-Recurring Revenues	<u>\$ 180,000</u>
Total	<u>\$ 1,680,000"</u>

AMENDMENT NO. 6

In Senate Committee Amendment No. 69, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 11, delete line 35.

AMENDMENT NO. 7

In Senate Committee Amendment No. 99, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 16, delete line 29, and insert the following:

"Priority 2 \$ 130,000"

AMENDMENT NO. 8

In Senate Committee Amendment No. 120, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009, on page 20, delete lines 4 through 8 and insert the following:

"Payable from State General Fund (Direct) -
Non-Recurring Revenues \$ 750,000"

AMENDMENT NO. 9

Delete Senate Committee Amendments Nos. 4, 5, 7, 9, 71, 85, 88, and 129 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 4, 2009.

AMENDMENT NO. 10

In Senate Committee Amendment No. 23, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 4, delete lines 18 through 20, and insert the following:

"Nonrecurring Revenues \$ 5,000,000
Payable from State General Fund (Direct) \$ 5,000,000
Total \$ 10,000,000"

AMENDMENT NO. 11

In Senate Committee Amendment No. 29, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 5, delete line 16 and insert the following:

"Total \$ 4,850,000"

AMENDMENT NO. 12

In Senate Committee Amendment No. 35, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 6, delete line 13 and insert the following:

"Total \$ 250,000"

AMENDMENT NO. 13

In Senate Committee Amendment No. 61, proposed by the Senate Committee on Finance on June 21, 2009, on page 10, delete line 6, and insert the following:

"Priority 2 \$ 350,000
Payable from State General Fund (Direct) \$ 500,000
Payable from State General Fund (Direct) -
Nonrecurring Revenues \$ 350,000
Total \$ 1,200,000"

AMENDMENT NO. 14

Delete Senate Committee Amendments No. 2, 3, 4, 12, 13, 16, 17, 21, 26, 30, 32, 33, 34, 35, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 58, 59, 60, 63, and 64 proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009.

AMENDMENT NO. 15

On page 14, between lines 19 through 23, insert the following:

"Priority 2 \$ 50,000
Payable from the balance of General Obligation Bond
proceeds previously allocated by the authority of Act 2 of
2004 for Baton Rouge Louisiana Arts and Science Center
Planetarium/Space Theater and Train Renovations and
Pavilion (East Baton Rouge) \$ 300,000
Total \$ 450,000"

AMENDMENT NO. 16

On page 15, delete line 10, and insert the following:

"Payable from General Obligation Bonds
Priority 1 \$ 750,000
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 2,000,000
Total \$ 2,750,000"

AMENDMENT NO. 17

On page 17, between lines 29 and 30, insert the following:

"(1847)Economic Development Award Program
for Infrastructure Assistance
(Supplemental Funding)
(Statewide)
Payable from General Obligation Bonds
Priority 2 \$ 7,200,000"

AMENDMENT NO. 18

On page 19, after line 48, insert the following:

"(1253)Construction of Maintenance Facility,
City Park, Planning and Construction
(Cash and/or In-Kind Match)
(Orleans)
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 50,000"

AMENDMENT NO. 19

On page 21, delete lines 19 through 22, and insert the following:

"Nonrecurring Revenues \$ 3,000,000
Payable from General Obligation Bonds
Priority 1 \$ 7,000,000
Total \$ 10,000,000"

AMENDMENT NO. 20

On page 25, delete lines 24 through 27, and insert the following:

"Non-Recurring Revenues \$ 163,977,466
Payable from Transportation Trust Fund-
Regular \$ 139,099,185
Payable from Transportation Trust Fund -
Federal \$ 775,000,000
Total \$ 1,078,076,651"

AMENDMENT NO. 21

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)
Payable from General Obligation Bonds
Priority 2 \$ 150,000
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 45,000
Total \$ 195,000"

AMENDMENT NO. 22

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

"(1881)US 167 Corridor Study
(Evangeline, St. Landry)
Payable from General Obligation Bonds
Priority 2 \$ 100,000
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 300,000
Total \$ 400,000"

AMENDMENT NO. 23

On page 26, delete line 9, and insert the following:

"Non-Recurring Revenues \$ 1,000,000"

June 22, 2009

AMENDMENT NO. 24

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

"Priority 1	\$ 23,955,000
Priority 2	\$ 300,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 300,000
Total	<u>\$ 24,555,000"</u>

AMENDMENT NO. 25

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

"Priority 1	\$ 1,500,000
Priority 2	\$ 200,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 150,000
Total	<u>\$ 1,850,000"</u>

AMENDMENT NO. 26

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

" () CCD Bridge Projects Subject to the Provisions of R.S. 47:820.5, Planning and Construction (Jefferson, Orleans, St. Bernard)
Payable from the balance of Series 85D (29T) \$ 22,643,188"

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

AMENDMENT NO. 27

On page 35, between lines 13 and 14, insert the following:

" () New South Louisiana Human Services Authority Administrative Building, Land Acquisition, Planning and Construction (Terrebone)
Payable from General Obligation Bonds Priority 2 \$ 985,000""

AMENDMENT NO. 28

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

"Priority 1	\$ 25,325,000
Priority 2	\$ 150,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 300,000
Total	<u>\$ 25,775,000"</u>

AMENDMENT NO. 29

On page 39, between lines 28 and 29, insert the following:

"(2016)Parking Facilities, Planning and Construction (East Baton Rouge)
Payable from Revenue Bonds \$ 32,125,000"

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

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

AMENDMENT NO. 30

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

"Priority 2	\$ 50,000
Priority 3	\$ 1,000,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 100,000
Total	<u>\$ 1,150,000"</u>

AMENDMENT NO. 31

On page 48, between lines 15 and 16, insert the following:

" () Facilities Improvement for Economic Development, Planning and Construction (Orleans)
Priority 2 \$ 20,000"

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

AMENDMENT NO. 32

On page 48, between lines 21 and 22, insert the following:

"(2017)Nursing and Allied Health Facility; SOWELA Technical Community College, Planning and Construction (Supplemental Funding) (Calcasieu)
Payable from Revenue Bonds \$ 6,000,000""

AMENDMENT NO. 33

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

"Priority 1	\$ 750,000
Priority 2	\$ 100,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 45,000
Total	<u>\$ 895,000"</u>

AMENDMENT NO. 34

On page 50, after line 45, insert the following:

"36/L10 ORLEANS LEVEE DISTRICT

" () Beautification and Maintenance Projects, Planning and Construction (Orleans)
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000"

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

AMENDMENT NO. 35

On page 51, delete line 45, and insert the following:

"Priority 1	\$ 2,000,000
"Payable from the State General Fund (Direct)	
Non-Recurring Revenues	\$ 6,000,000
Total	<u>\$ 8,000,000"</u>

AMENDMENT NO. 36

On page 52, delete line 44, and insert the following:

"Priority 1	\$ 500,000
Payable from the State General Fund (Direct)	
Non-Recurring Revenues	\$ 4,000,000
Total	<u>\$ 4,500,000"</u>

AMENDMENT NO. 37

On page 54, between lines 30 and 31, insert the following:

"50/J03 ASCENSION PARISH

(1535) Oak Grove Community and Recreational Center, Planning and Construction (Cash and/or In-Kind Match Required) (Ascension)
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000""

AMENDMENT NO. 38

On page 56, between lines 43 and 44, insert the following:

"50/J11 CALDWELL PARISH

(1543) Wiles Road Reconstruction, Planning and Construction (Caldwell)
 Payable from State General Fund (Direct)
 Non-Recurring Revenues \$ 65,000"

AMENDMENT NO. 39

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 \$ 150,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 300,000
 Total \$ 450,000

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

AMENDMENT NO. 40

On page 59, delete line 44, and insert the following:

"Priority 1 \$ 8,280,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 75,000
 Total \$ 8,355,000"

AMENDMENT NO. 41

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

"(867) B and C Canal Bank Stabilization (at Johnny Jacobs Playground), Planning and Construction (Jefferson)
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 25,000"

AMENDMENT NO. 42

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 \$ 25,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 45,000
 Total \$ 70,000"

AMENDMENT NO. 43

On page 61, delete line 16, and insert the following:

"Priority 2 \$ 50,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 100,000
 Total \$ 150,000"

AMENDMENT NO. 44

On page 61, between lines 21 and 22, insert the following:

"(946) Woodmere Non Profit Incubator, Planning and Construction (Cash and/or In-Kind Match Required) (Jefferson)
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000"

AMENDMENT NO. 45

On page 61, delete line 30, and insert the following:

"Priority 2 \$ 150,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 25,000
 Total \$ 175,000"

AMENDMENT NO. 46

On page 61, delete lines 36 and 37, and insert the following:

"Priority 2 \$ 700,000
 Payable from State General Fund (Direct) \$ 1,000,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 350,000
 Total \$ 2,550,000"

AMENDMENT NO. 47

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

"(1836) Belle Chasse Water Tower, Planning and Construction (Plaquemines)
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 20,000"

AMENDMENT NO. 48

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 \$ 75,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 25,000
 Total \$ 100,000"

AMENDMENT NO. 49

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

"Priority 1 \$ 200,000
 Priority 2 \$ 50,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 45,000
 Total \$ 295,000"

AMENDMENT NO. 50

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

"Priority 2 \$ 540,000
 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
 Payable out of the State General Fund (Direct) \$ 300,000
 Total \$ 945,600"

AMENDMENT NO. 51

On page 65, delete line 23 and insert the following:

"Priority 1 \$ 250,000
 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000
 Total \$ 300,000"

AMENDMENT NO. 52

On page 65, between lines 37 and 38, insert the following:

"(1361) St. James Parish Judicial Building Construction of Courthouse and Administration Building, Planning and

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Construction (Cash and/or In-Kind Match Required)
(St. James)
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 150,000"

AMENDMENT NO. 53
On page 69, delete lines 11 through 15

AMENDMENT NO. 54
On page 69, delete lines 42 and 43, and insert the following:

"Priority 2 \$ 100,000
Priority 5 \$ 125,000
Total \$ 575,000"

AMENDMENT NO. 55
On page 70, delete line 18, and insert the following:

"Priority 1 \$ 75,000
Priority 2 \$ 10,000
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 10,000
Total \$ 95,000"

AMENDMENT NO. 56
On page 70, between lines 18 and 19, insert the following:

"(1730)Isabel Swamp Road, Planning and Construction
(Washington)
Payable from State General Fund (Direct)
Non-Recurring Revenues \$ 50,000"

AMENDMENT NO. 57
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 \$ 15,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 30,000
Total \$ 45,000"

AMENDMENT NO. 58
On page 73, delete line 21, and insert the following:

"Priority 1 \$ 100,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 75,000
Total \$ 175,000"

AMENDMENT NO. 59
On page 73, delete line 50, and insert the following:

"(East Baton Rouge) \$ 198,361"

AMENDMENT NO. 60
On page 77, delete line 20, and insert the following:

"Priority 2 \$ 450,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000
Total \$ 500,000"

AMENDMENT NO. 61
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 \$ 30,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 20,000
Total \$ 50,000"

AMENDMENT NO. 62
On page 81, delete lines 17 through 18, and insert the following:

"Priority 2 \$ 50,000
Payable from State General Fund (Direct) \$ 75,000
Total \$ 175,000"

AMENDMENT NO. 63
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 \$ 30,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 20,000
Total \$ 50,000"

AMENDMENT NO. 64
On page 82, between lines 38 and 39, insert the following:

"50/ME3 JENA

(1536) Revitalization of Downtown Area of the Town of Jena, Planning and Construction (\$80,000 Federal Funds; Cash and/or In-Kind Match Required) (LaSalle)
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 30,000"

AMENDMENT NO. 65
On page 83, delete line 15, and insert the following:

"Priority 1 \$ 450,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 300,000
Total \$ 750,000"

AMENDMENT NO. 66
On page 83, delete line 27, and insert the following:

"Priority 1 \$ 350,000
Priority 2 \$ 25,000
Payable from State General Fund (Direct) Non-Recurring Revenues \$ 20,000
Total \$ 395,000"

AMENDMENT NO. 67
On page 84, delete line 20, and insert the following:

"Priority 1 \$ 460,000
Priority 2 \$ 50,000
Total \$ 510,000"

AMENDMENT NO. 68

On page 84, between lines 30 and 31, insert the following:

"(1649)Emergency Evacuation Shelter/Multi-Purpose Facility, Lions Club Drive (Pointe Coupee) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 75,000"

AMENDMENT NO. 69

On page 86, between lines 6 and 7, insert the following:

"(411) Civic Center - Post Hurricane Shelter (\$400,000 Local Match) (Vermilion) Payable from General Obligation Bonds Priority 1 \$ 250,000"

AMENDMENT NO. 70

On page 87, delete lines 14 through 17, and insert the following:

"Non-Recurring Revenues \$ 450,000 Payable from General Obligation Bonds Priority 5 \$ 1,000,000 Total \$ 1,450,000"

AMENDMENT NO. 71

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

"Priority 2 \$ 350,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 100,000 Total \$ 950,000"

AMENDMENT NO. 72

On page 89, between lines 30 and 31, insert the following:

"(1583)Algiers Regional Library, Planning and Construction (Cash and/or In-Kind Match Required) (Orleans) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 30,000"

AMENDMENT NO. 73

On page 89, between lines 30 and 31, insert the following:

"(1731)Historic Algiers Courthouse Renovation, Planning and Construction (Cash and/or In-Kind Match Required) (Orleans) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000"

AMENDMENT NO. 74

On page 89, between lines 30 and 31, insert the following:

"() New Orleans Recreation Department, Planning and Construction (Orleans) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000"

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

AMENDMENT NO. 75

On page 89, after line 46, insert the following:

"50/MM5 OLLA

(1788) Potable Water Reservoir, Planning and Construction (LaSalle) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000"

AMENDMENT NO. 76

On page 92, delete line 17 and insert the following:

"Priority 1 \$ 250,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 100,000 Total \$ 350,000"

AMENDMENT NO. 77

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 \$ 150,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 45,000 Total \$ 195,000"

AMENDMENT NO. 78

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

"Priority 1 \$ 75,000 Priority 2 \$ 25,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 20,000 Total \$ 120,000"

AMENDMENT NO. 79

On page 96, delete lines 21 through 22, and insert the following:

"Priority 1 \$ 200,000 Priority 2 \$ 50,000 Total \$ 1,170,000"

AMENDMENT NO. 80

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

"Priority 1 \$ 1,000,000 Priority 2 \$ 50,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 350,000 Total \$ 1,400,000"

AMENDMENT NO. 81

On page 98, delete line 36, and insert the following:

"Priority 1 \$ 50,000 Payable from State General Fund (Direct) Non-Recurring Revenues \$ 50,000 Total \$ 100,000"

AMENDMENT NO. 82

On page 99, between lines 39 and 40, insert the following:

"50/N51 NEW ORLEANS JAZZ AND HERITAGE FESTIVAL AND FOUNDATION

(1915) Renovation and Addition of Current Building (Orleans) Payable from State General Fund (Direct) Non-Recurring Revenues \$ 150,000"

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AMENDMENT NO. 83

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

"Priority 1	\$ 900,000
Priority 2	\$ 100,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 50,000
Total	<u>\$ 1,050,000"</u>

AMENDMENT NO. 84

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

"Priority 1	\$ 175,000
Priority 2	\$ 200,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 200,000
Total	<u>\$ 575,000"</u>

AMENDMENT NO. 85

On page 100, delete lines 44 through 47, and insert the following:

"Payable from General Obligation Bonds	
Priority 1	\$ 400,000
Priority 2	\$ 1,500,000
Payable from the Overcollections Fund	\$ 500,000
Payable from State General Fund (Direct) -	
Non-Recurring Revenues	\$ 1,000,000
Total	<u>\$ 3,400,000"</u>

AMENDMENT NO. 86

On page 101, between lines 23 and 24, insert the following:

"50/NAS POINTE COUPEE FIRE DISTRICT #4

(1399) Fire Station for Southern Pointe Coupee (Pointe Coupee)	
Payable from State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 100,000"</u>

AMENDMENT NO. 87

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

"Priority 1	\$ 500,000
Priority 2	\$ 150,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 300,000
Total	<u>\$ 950,000"</u>

AMENDMENT NO. 88

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

"Priority 2	\$ 150,000
Priority 5	\$ 500,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 345,000
Total	<u>\$ 1,325,000"</u>

AMENDMENT NO. 89

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

"Priority 1	\$ 75,000
Priority 2	\$ 10,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 10,000
Total	<u>\$ 95,000"</u>

AMENDMENT NO. 90

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
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 110,000
Total	<u>\$ 200,000"</u>

AMENDMENT NO. 91

On page 112, between lines 6 and 7, insert the following:

"50/NIU FAMILY COUNSELING AGENCY, INC.

(1910) Family Counseling Facility (Rapides)	
Payable from State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 300,000"</u>

AMENDMENT NO. 92

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

"Priority 1	\$ 50,000
Priority 2	\$ 25,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 20,000
Total	<u>\$ 95,000"</u>

AMENDMENT NO. 93

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

"Priority 1	\$ 50,000
Priority 2	\$ 55,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 55,000
Total	<u>\$ 160,000"</u>

AMENDMENT NO. 94

On page 113, between lines 38 and 39, insert the following:

"50/NKC WEBSTER VOLUNTARY COUNCIL ON AGING, INC.

(1182) New Building for Webster Voluntary Council on Aging, Inc., Planning and Construction (Cash and/or In-Kind Match Required) (Webster)	
Payable from State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 140,000"</u>

AMENDMENT NO. 95

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

"50/NML GRETNA POLICE DEPARTMENT

(1837) Gretna Police Department Crime Cameras (Jefferson)	
Payable from State General Fund (Direct)	
Non-Recurring Revenues	<u>\$ 50,000"</u>

AMENDMENT NO. 96

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
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 300,000
Total	<u>\$ 400,000"</u>

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

AMENDMENT NO. 97

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

"Priority 1	\$ 305,000
Priority 2	\$ 30,000
Payable from State General Fund (Direct)	
Non-Recurring Revenues	\$ 45,000
Total	<u>\$ 380,000</u>

AMENDMENT NO. 98

On page 120, line 13, after "state treasury." insert the following"

"In accordance with R.S. 36:768, no later than 60 days following the end of each quarter, the state treasurer shall report to the Joint Legislative Committee on the Budget and the commission of administration, all funds contained in the Miscellaneous Fund of the Comprehensive Capital Outlay Escrow Account."

AMENDMENT NO. 99

On page 124, at the end of line 16, insert the following:

"Notwithstanding anything contained in this Act to the contrary or any other provision of law, contracts may be entered into or funds otherwise obligated for the appropriation made for the Franklin Parish Union Church Road in Act 29 of 2008 prior to execution of a cooperative endeavor agreement."

AMENDMENT NO. 100

On page 124, at the end of line 16, insert the following:

"Notwithstanding anything contained in this Act to the contrary or any other provision of law, contracts may be entered into or funds otherwise obligated for the appropriation made for the Natchitoches Parish Equipment Purchase (Pothole Patcher) for Road Improvements in Act 28 of 2007 prior to execution of a cooperative endeavor agreement."

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Re-Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 13, delete lines 29 through 32

AMENDMENT NO. 2

On page 131, between lines 4 and 5, insert:

"Section 19.A. Eighty five million dollars payable from State General Fund (Direct), Non-Recurring Revenues, is hereby appropriated into the Budget Stabilization Fund provided for in Article VII, Section 10.3 of the Constitution of Louisiana.

(2) Notwithstanding R.S. 39:24(F), 94(C)(1), or any other law to the contrary:

(a) This Act hereby expresses the consent of the legislature that an amount of money equal to the amount provided for in Paragraph (1) of this Section shall be appropriated from the Budget Stabilization Fund to the general fund for Fiscal Year 2009-2010, not to exceed one-third of the fund, all as provided for in Article VII, Section 10.3(C)(1).

(b) The secretary of the Senate and the clerk of the House of Representatives shall notify the Revenue Estimating Conference in writing that the legislature hereby approves the use of such amount as money available for appropriation for the Fiscal Year 2009-2010

and the conference shall incorporate such amount in its official forecast for that fiscal year.

B.(1) Eighty five million dollars is hereby appropriated to the state treasurer to be deposited by the treasurer into a special fund hereby created in the state treasury to be known as the "Higher Education Emergency Fund II." The money in the fund shall be appropriated by the legislature to be used in the 2009-2010 Fiscal Year solely as provided for in Paragraph (3) of this Subsection.

(2)(a) The money in the fund shall be invested by the treasurer in the same manner as money in the state general fund and interest earned on the investment of the money shall be credited to the fund after compliance with the requirements of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund.

(b) All unexpended and unencumbered money in the fund at the end of the year shall remain in the fund.

(3) The money in the Higher Education Emergency Fund II shall be appropriated by the legislature to be used solely for funding higher education."

AMENDMENT NO. 3

On page 131, line 5, change "Section 19." to "Section 20.""

Motion

Senator Michot moved the previous question on the amendment.

Senator Amedee moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Gautreaux N	Riser
Amedee	Guillory	Shaw
Claitor	Kostelka	Thompson
Dupre	McPherson	Walsworth
Erdey	Morrish	
Gautreaux B	Nevers	
Total - 16		

NAYS

Mr. President	Dorsey	Martiny
Alario	Duplessis	Michot
Appel	Gray Evans	Morrell
Broome	Hebert	Murray
Cheek	Heitmeier	Quinn
Crowe	Jackson	Smith
Donahue	Marionneaux	
Total - 20		

ABSENT

LaFleur	Long	Mount
Total - 3		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Re-Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 88, delete lines 50 through 52 and insert the following:

"Priority 1 \$ 500,000"

June 22, 2009

AMENDMENT NO. 2

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

"Priority 1	\$ 500,000
Priority 2	\$ 250,000
Total	<u>\$ 750,000"</u>

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator Morrish sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Re-Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

In Senate Floor Amendment No. 26 of No. 3769, proposed by Senator Marionneaux and adopted by the Senate on June 22, 2009, on page 5, line 8, after "39:112." insert: "All projects built using these proceeds shall have a sign erected that shall say "This project funded through the perseverance, hard work, and diligence of the agricultural community and legislative delegation of southwest Louisiana."

Senator Morrish moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Donahue	Michot	Smith
Dupre	Morrish	Thompson
Hebert	Mount	
Long	Riser	
Total - 10		

NAYS

Mr. President	Duplessis	McPherson
Adley	Erdey	Morrell
Alario	Gautreaux B	Murray
Amedee	Heitmeier	Nevers
Appel	Jackson	Quinn
Broome	Kostelka	Shaw
Claitor	Marionneaux	Walsworth
Dorsey	Martiny	
Total - 23		

ABSENT

Cheek	Gautreaux N	Guillory
Crowe	Gray Evans	LaFleur
Total - 6		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	

Total - 37

NAYS

Total - 0

ABSENT

Crowe	LaFleur
Total - 2	

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

Special Order of the Day No. 2

HOUSE BILL NO. 3—
BY REPRESENTATIVE GREENE
AN ACT

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

The bill was read by title. Senator Marionneaux 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
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	

Total - 37

NAYS

Total - 0

ABSENT

Crowe	LaFleur
Total - 2	

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

Special Order of the Day No. 3

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.

Floor Amendments Sent Up

Senator Michot sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 881 by Representative Fannin

AMENDMENT NO. 1
In Senate Committee No. 11, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 4, line 2, change "\$325,000" to "\$575,000" and, on page 4, delete lines 7 through 10

AMENDMENT NO. 2
In Senate Committee No. 11, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 4, line 14, change "Management and Finance" to "Administration"

AMENDMENT NO. 3
In Senate Committee No. 11, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 4, between lines 27 and 28, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Poverty Point Reservoir Development Fund for Black Bear Golf Course \$ 250,000"

AMENDMENT NO. 4
In Senate Committee Amendment No. 31, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 8, between lines 18 and 19, insert the following:

""Payable out of the State General Fund by Interagency Transfers from the Board of Regents to the Scholarships/Grants Program to meet Fiscal Year 2008-2009 funding requirements for GO Grants \$ 1,800,000"

AMENDMENT NO. 5
In Senate Committee Amendment No. 31, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 8, at the beginning of line 19, delete ""

AMENDMENT NO. 6
In Senate Committee Amendment No. 33, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 10, delete line 10, and insert the following:

"Washington Parish \$ 440,500
Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for the Choose Life Fund \$ 3,000
Payable out of the State General Fund by Statutory Dedications out of the Overcollections Fund for 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 the Algiers Economic Development Foundation Fund \$ 5,000"

AMENDMENT NO. 7
In Senate Committee No. 35, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 10, delete lines 24 through 38, and insert the following: ""Payable out of the State General Fund (Direct)"

AMENDMENT NO. 8
In Senate Committee Amendment No. 41, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 12, line 41, change "2009" to "2008"

AMENDMENT NO. 9
In Senate Committee Amendment No. 41, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 13, line 1, change "E" to "E.(1)"

AMENDMENT NO. 10
In Senate Committee Amendment No. 41, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 13, delete line 3, and insert the following: "appropriation in this Section 2.

(2) The following sums are hereby appropriated from the State General Fund for the purpose of making supplemental capital outlay appropriations for fiscal year 2008-2009.

19/604S LSU Health Science Center Shreveport
()Children's Hospital, Planning and Construction
(Caddo)
Payable from State General Fund (Direct) \$5,000,000"

AMENDMENT NO. 11
In Senate Committee Amendment No. 47, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 27, delete line 17

AMENDMENT NO. 12
Delete Senate Committee Amendment No. 48, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009

AMENDMENT NO. 13
On page 24, line 20, change "Section 8. This" to "Section 7. Sections 1, 2, 3, 4, 5, 7, and 8 of this"

AMENDMENT NO. 14
On page 24, line 23, after "legislature," and before "this" insert "Sections 1, 2, 3, 4, 5, 7, and 8 of"

AMENDMENT NO. 15
On page 24, after line 24, insert the following:
"Section 8. Sections 6, 6.1, 6.2, and 6.3 of this Act shall become effective on July 1, 2009; if vetoed by the governor and subsequently approved by the legislature, Sections 6, 6.1, 6.2, and 6.3 of this Act shall become effective on July 1, 2009, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Michot, the amendments were adopted.

Floor Amendments Sent Up

Senator Michot sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 881 by Representative Fannin

AMENDMENT NO. 1

In Senate Committee Amendment No. 41, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 12, delete lines 43 through 46 and insert the following:

On page 20, delete line 46, and insert the following:

"Payable from State Highway Improvement Fund \$ 25,300,000"

E. The appropriation contained in 07/270 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - ADMINISTRATION of Act 29 of the 2008 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 \$ 99,300,000 Payable from Transportation Trust Fund - Federal \$ 561,300,000 Total \$ 660,600,000"

F. The appropriation contained in 07/270 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - ADMINISTRATION of Act 29 of the 2008 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 23, delete lines 40 through 46

G. The appropriation contained in 07/274 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - PUBLIC IMPROVEMENTS of Act 29 of the 2008 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 24, delete line 24, and insert the following:

"Payable from Transportation Trust Fund - Regular \$9,900,000"

H. The appropriation contained in 07/274 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - PUBLIC IMPROVEMENTS of Act 29 of the 2008 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 24, delete line 35, and insert the following:

"Payable from Transportation Trust Fund - Regular \$ 19,700,000"

I. The appropriation contained in 07/276 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT - ENGINEERING AND OPERATIONS of Act 29 of the 2008 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

On page 27, delete line 15, and insert the following:

"Payable from Transportation Trust Fund - Regular \$2,900,000"

AMENDMENT NO. 2

In Senate Committee Amendment No. 41, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 13, line 1, change "E." to "J."

On motion of Senator Michot, the amendments were adopted.

Floor Amendments Sent Up

Senator Michot sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 881 by Representative Fannin

AMENDMENT NO. 1

In Senate Committee No. 47, proposed by the Senate Committee on Finance and adopted by the Senate on June 21, 2009, on page 16, at the end of line 35, change "\$1,186,683" to "\$1,386,683"

On motion of Senator Michot, the amendments were adopted.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed House Bill No. 881 by Representative Fannin

AMENDMENT NO. 1

On page 24, between lines 19 and 20, insert the following:

"Section 6.3. Notwithstanding any other law to the contrary, for only Fiscal Year 2009-2010, all non-instructional classified or unclassified employees compensated at a salary exceeding \$100,000 annually and paid either entirely or partially from funds appropriated in Schedule 19 - Higher Education as contained in that Act which originated as House Bill No. 1 of the 2009 Regular Session or as provided in this Act shall have their annual salaries reduced by five percent. In the event such salary reductions reduce an employee's salary to below \$100,000, the employee's salary shall be reduced to \$100,000. Provided, such salary reductions shall not apply to those personnel employed in instruction, research and academic support activities as defined by the National Association of College and University Business Officers. Provided, further, that any savings resulting from such salary reductions shall be used to help offset any projected budget deficits in instruction, research and academic support activities during Fiscal Year 2009-2010 at the state's public postsecondary institutions pursuant to a plan developed by the Board of Regents and approved by the Joint Legislative Committee on the Budget no later than December 31, 2009."

Senator Hebert moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Gautreaux B Hebert
Gautreaux N McPherson
Total - 4

NAYS

Mr. President Dorsey Morrell
Adley Duplessis Morrish
Alario Dupre Mount
Amedee Erdey Murray
Appel Gray Evans Nevers
Broome Heitmeier Quinn
Cheek Jackson Riser
Claitor Long Shaw
Crowe Martiny Smith
Donahue Michot Thompson
Total - 30

ABSENT

Guillory LaFleur Walsworth
Kostelka Marionneaux
Total - 5

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

LaFleur

Total - 1

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

Rules Suspended

Senator Duplessis 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, Subject to Call

Called from the Calendar

Senator Duplessis asked that House Bill No. 810 be called from the Calendar.

HOUSE BILL NO. 810—

BY REPRESENTATIVE ARNOLD AND SENATORS BROOME AND DUPLESSIS

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1083(3.1)(introductory paragraph), (3.2), (4)(introductory paragraph), (5), (6), (9), (11), and (12), 1084, 1086, 1087(E) and (F), 1088, 1088.1(A)(4) and (C), 1089, 1090(A), (C), (D), (E), (F), and (H), 1091, 1092(A)(introductory paragraph), (1), (5), (6), (B), (C), (E), (G), (I), and (K), 1092.2, 1094, 1096(I)(1), 1098(C), and 1099, and R.S. 9:3511(F), to enact R.S. 6:1083(6.1), (13), (14), (15), (16), (17), (18), (19), and (20), 1087(D) and (G), 1088.1(A)(9) and (E), 1088.2, 1088.3, 1088.4, 1092(A)(17)(a)(iv) and (v), 1094.1, and 1097(C) and R.S. 9:3557(C), and to repeal R.S. 6:1083(1), 1092(A)(3), (4), (7), (8), (9), (10), (11), (12), (13), (15), and (17), 1093, and R.S. 9:3560(A)(10), relative to mortgages; to provide for a change in definitions; to provide for new definitions; to provide for prohibitions for certain mortgage lenders; to provide for licensure requirements; to provide for

exemptions to licensure; to provide for application for licensure for persons in the mortgage industry; to provide for surety bonds for persons in the mortgage industry; to provide for a licensing system for persons in the mortgage industry; to provide for fees; to provide for information reporting for persons in the mortgage industry; to provide for notification of name or location changes and closures for persons in the mortgage industry; to provide for restrictions for persons in the mortgage industry; to provide for recordkeeping and retention of records for persons in the mortgage industry; to provide for the investigation of persons in the mortgage industry by the commissioner; to provide for the suspension and revocation of licensure for persons in the mortgage industry; to provide for educational requirements for licensure for persons in the mortgage industry; to provide for testing of loan originators; to provide for residential mortgage loan brokerage contracts; to provide for criminal penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 810 by Representative Arnold

AMENDMENT NO. 1

In Legislative Bureau Amendments, proposed by the Legislative Bureau and adopted by the Senate on June 15, 2009, delete Amendments No. 1, No. 3, No. 12, and No. 13.

AMENDMENT NO. 2

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 1, line 4, change "delete" to "change" and at the end of the line, add "to "1092(D)""

AMENDMENT NO. 3

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 1, line 11, change "delete" to "change" and at the end of the line, add "to "1092(D)""

AMENDMENT NO. 4

In Senate Committee Amendment No. 13, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 2, line 9, change "or individual" to "required to be licensed under this Part who is"

AMENDMENT NO. 5

In Senate Committee Amendment No. 23, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, on page 4, line 18, change "either the" to "either"

AMENDMENT NO. 6

On page 1, line 10, after "1093," and before "and R.S. 9:3560(A)(10)" insert "1094(C), (D), (E), (F) and (G)"

AMENDMENT NO. 7

On page 40, line 14, after "or prior" and before "to January" delete the comma " , "

AMENDMENT NO. 8

On page 44, line 10, after "beginning on," and before "prior" insert "or"

AMENDMENT NO. 9

On page 44, line 11, after "to" delete the comma " , "

AMENDMENT NO. 10

On page 49, line 25, change "R.S. 9:3560(A)(10)" to "1094(C), (D), (E), (F) and (G)"

June 22, 2009

AMENDMENT NO. 11

On page 49, between lines 25 and 26, insert the following:
"Section 4. R.S. 9:3560(A)(10) is hereby repealed, effective
July 31, 2010."

AMENDMENT NO. 12

On page 49, at the beginning of line 26, change "Section 4." to
"Section 5."

AMENDMENT NO. 13

On page 50, at the beginning of line 1, change "Section 5." to
"Section 6."

AMENDMENT NO. 14

On page 50, line 1, after "If" delete ", prior to October 1, 2010,"

AMENDMENT NO. 15

On page 50, delete lines 7 through 12, and insert "In the"

AMENDMENT NO. 16

On page 50, at the beginning of line 25, change "Section 6." to
"Section 7."

AMENDMENT NO. 17

On page 51, at the beginning of line 1, change "Section 7." to
"Section 8."

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House
Bill No. 810 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 6, change "1094," to "1093(B), 1094,"

AMENDMENT NO. 2

On page 1, line 9, delete "1083(1),"

AMENDMENT NO. 3

On page 1, line 10, delete "1093,"

AMENDMENT NO. 4

On page 2, line 9, change "1094," to "1093(B), 1094,"

AMENDMENT NO. 5

On page 39, between lines 14 and 15, insert the following:

* * *

§1093. Residential Mortgage Lending Board; creation; membership;
qualifications; powers and duties

* * *

B. The board shall:

(1) Advise the commissioner in connection with the
commissioner's adoption of standards and policies under which credit
shall be given for participation in a program of continuing
professional education such as the commissioner, in consultation with
the board, may consider courses which have been reviewed and
approved by the NMLS&R and that are offered by the Mortgage
Bankers Association or the National Association of Mortgage
Brokers necessary and appropriate to satisfy maintain the Louisiana
specific pre-licensing and continuing education course requirements
established by this Chapter highest standards of the residential
mortgage lending business in the state.

(2) Advise the commissioner in connection with user fees paid
by licensees to utilize the NMLS&R licensing system.

(3) Advise the commissioner in connection with the
development of call reports required by the S.A.F.E. Act.

(4) To review with the commissioner the kinds of acts
constituting "violations" reportable to the NMLS&R so that the
information provided to the licensing system satisfies the
requirements of the S. A. F. E. Act, to establish guidelines for the
reporting of information to the NMLS&R consistent with the
confidentiality requirements applicable to the deliberations of the
office and of its staff.

(2) (5) Engage in such other advisory activities as the board, in
consultation with the commissioner, in his sole discretion, shall deem
useful to the maintenance of state oversight of the residential
mortgage lending industry.

* * *

AMENDMENT NO. 6

On page 49, line 24, delete "1083(1),"

AMENDMENT NO. 7

On page 49, line 25, delete "1093,"

On motion of Senator McPherson, 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

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Donahue, Dorsey, Duplessis, Dupre, Total - 36.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Crowe, LaFleur, Smith, Total - 3.

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.

Called from the Calendar

Senator Appel asked that House Bill No. 821 be called from the
Calendar.

HOUSE BILL NO. 821—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

LaFleur

Total - 1

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

Called from the Calendar

Senator Quinn asked that House Bill No. 363 be called from the Calendar.

HOUSE BILL NO. 363—

BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT

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

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	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Cheek	Heitmeier	Riser
Claitor	Jackson	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson

Dorsey
Duplessis
Dupre
Total - 37

Martiny
McPherson
Michot

Walsworth

NAYS

Total - 0

ABSENT

Kostelka
Total - 2

LaFleur

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.

Called from the Calendar

Senator Broome asked that House Bill No. 564 be called from the Calendar.

HOUSE BILL NO. 564—

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

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

Floor Amendments Sent Up

Senator Broome sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Reengrossed House Bill No. 564 by Representative Abramson

AMENDMENT NO. 1

On page 1, at the end of line 10, delete "solicit."

On motion of Senator Broome, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

June 22, 2009

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

Called from the Calendar

Senator Amedee asked that House Bill No. 517 be called from the Calendar.

HOUSE BILL NO. 517—

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

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

Floor Amendments Sent Up

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 517 by Representative LeBas

AMENDMENT NO. 1

On page 2, delete lines 14 and 15 in their entirety

Senator Amedee moved adoption of the amendments.

Senator Morrell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Mount
Alario	Gautreaux B	Nevers
Amedee	Gautreaux N	Quinn
Appel	Gray Evans	Riser
Broome	Hebert	Shaw
Cheek	Heitmeier	Smith
Crowe	Kostelka	Thompson
Donahue	Long	Walsworth
Dorsey	Michot	
Dupre	Morrish	
Total - 28		

NAYS

Claitor	Marionneau	Murray
Duplessis	McPherson	
Jackson	Morrell	
Total - 7		

ABSENT

Mr. President	LaFleur
Guillory	Martiny
Total - 4	

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 517 by Representative LeBas

AMENDMENT NO. 1

In Amendment No. 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate June 11, 2009, on page 1, line 27, after "following" delete "Any pharmacy who employs a" and delete lines 28 through 31 in their entirety and on line 32, delete "or moral conviction."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Mount
Alario	Gautreaux B	Murray
Amedee	Gautreaux N	Nevers
Appel	Gray Evans	Quinn
Broome	Hebert	Riser
Cheek	Heitmeier	Shaw
Claitor	Kostelka	Smith
Crowe	Long	Thompson
Donahue	Martiny	Walsworth
Duplessis	Michot	
Dupre	Morrish	
Total - 31		

NAYS

Jackson
Total - 2

ABSENT

Mr. President	Guillory	Marionneau
Dorsey	LaFleur	McPherson
Total - 6		

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

Notice Regarding Vote

Senator Gray Evans stated she had voted in error on House Bill No. 517. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

Called from the Calendar

Senator Guillory asked that House Bill No. 628 be called from the Calendar.

HOUSE BILL NO. 628—

BY REPRESENTATIVE LANDRY
AN ACT

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

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 628 by Representative Landry

AMENDMENT NO. 1

On page 1, line 2, after "(D)" and before the comma "," insert "and Civil Code Article 136(C) and to enact Civil Code Article 136(D)"

AMENDMENT NO. 2

On page 1, line 3, after "custody" and before the semicolon ";" insert "and visitation"

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2, after line 4, add the following: "Section 2. Civil Code Article 136(C) is hereby amended and reenacted and Civil Code Article 136(D) is hereby enacted to read as follows:

Art. 136. Award of visitation rights * * *

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

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

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 35

ABSENT

Table listing names of members voting ABSENT: Hebert, LaFleur, Kostelka, Morrell.

Total - 4

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

Called from the Calendar

Senator Thompson asked that House Bill No. 682 be called from the Calendar.

HOUSE BILL NO. 682—

BY REPRESENTATIVE CHANDLER AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

LaFleur Total - 1

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

Called from the Calendar

Senator Crowe asked that House Bill No. 60 be called from the Calendar.

HOUSE BILL NO. 60—

BY REPRESENTATIVE PERRY AN ACT

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

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

Motion

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

Senator Chaisson objected.

June 22, 2009

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Erdey	Quinn
Appel	Gautreaux N	Shaw
Broome	Hebert	Smith
Crowe	Kostelka	Walsworth
Donahue	Long	
Dupre	Nevers	
Total - 16		

NAYS

Mr. President	Gautreaux B	Morrell
Adley	Gray Evans	Mount
Alario	Heitmeier	Murray
Cheek	Jackson	Riser
Claitor	Marionneaux	Thompson
Dorsey	Martiny	
Duplessis	Michot	
Total - 19		

ABSENT

Guillory	McPherson
LaFleur	Morrish
Total - 4	

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

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

Called from the Calendar

Senator Mount asked that House Bill No. 595 be called from the Calendar.

HOUSE BILL NO. 595—

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

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

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	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount

Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

Called from the Calendar

Senator Michot asked that House Bill No. 620 be called from the Calendar.

HOUSE BILL NO. 620—

BY REPRESENTATIVE CORTEZ
AN ACT

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

Floor Amendments Sent Up

Senator Claitor sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 620 by Representative Cortez

AMENDMENT NO. 1

On page 5, at the end of line 29, change "and" to "or"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Duplessis Dupre Total - 38	Martiny McPherson	Walsworth
	NAYS	
Total - 0	ABSENT	
LaFleur Total - 1		

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

Called from the Calendar

Senator Martiny asked that House Bill No. 880 be called from the Calendar at this time for its reconsideration.

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

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

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

NAYS

Riser
Total - 1

ABSENT

LaFleur
Total - 1

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.

Called from the Calendar

Senator Heitmeier asked that House Bill No. 453 be called from the Calendar at this time for its reconsideration.

HOUSE BILL NO. 453—
BY REPRESENTATIVE PUGH
AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 453 by Representative Pugh

AMENDMENT NO. 1
On page 1, line 3, after "exemptions;" delete the remainder of line 3

AMENDMENT NO. 2
On page 1, line 4, delete "imposed;"

AMENDMENT NO. 3
On page 1, line 13, after "this Section." delete the remainder of line 13 and delete line 14

AMENDMENT NO. 4
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 8, 2009, on page 1, line 3, change "32:361.2(E) and (F)" to "R.S. 32:361.2(E)"

AMENDMENT NO. 5
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 8, 2009, on page 1, line 4, after "check;" delete the remainder of line 4 and delete line 5

AMENDMENT NO. 6
In Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 8, 2009, on page 1, line 8, after "amended" delete the remainder of line 8 and insert the following: "and R.S. 32:361.2(E) is"

AMENDMENT NO. 7
In Senate Committee Amendment No. 3, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 8, 2009, on page 1, delete lines 24 through 26

AMENDMENT NO. 8
Delete Senate Committee Amendment No. 4, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 8, 2009

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Martiny
Adley	Dupre	McPherson
Alario	Erdey	Michot
Amedee	Gautreaux B	Morrish
Appel	Gray Evans	Mount
Broome	Guillory	Murray

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Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Walsworth

Total - 33

NAYS

Hebert	Riser
Morrell	Thompson

Total - 4

ABSENT

Gautreaux N	LaFleur
-------------	---------

Total - 2

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

Called from the Calendar

Senator Hebert asked that House Bill No. 777 be called from the Calendar.

HOUSE BILL NO. 777—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

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

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

Rules Suspended

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

Petitions, Memorials and Communications

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

LSU HEALTH SYSTEM
HEALTH CARE SERVICES DIVISION

May 8, 2009

The Honorable Joel T. Chaisson II, President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804-9183

Dear Senator Chaisson:

In accordance with L. R.S. 17:1519.7B the board has appointed the following members to the community advisory committee of the LSU Health Care Services Division. In that regard, I hereby acknowledge the following appointments effective May 6, 2009 and submit to you the names for consideration of Senate confirmation as required by law.

Shelia S. Champagne
4710 Ponderosa Drive
Lake Charles, LA 70605
Vice: Self

Seat: Represents area served by Dr. Walter O. Moss Regional Medical Center
Term: Pleasure

Alice Duhon-Ross
4703 W. Quail Hollow Lane
Lake Charles, LA 70605
Vice: Self

Seat: Represents area served by Dr. Walter O. Moss Regional Medical Center
Term: Pleasure

Colleau A. Polak
2628 Lorraine Lane
Lake Charles, LA 70605
Vice: Self

Seat: Represents area served by Dr. Walter O. Moss Regional Medical Center
Term: Pleasure

Nancy Seger Roach
161 E. Greenway Street
Lake Charles, LA 70605
Vice: Charles Monlezun

Seat: Represents area served by Dr. Walter O. Moss Regional Medical Center
Term: Pleasure

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Sincerely,
MICHAEL BUTLER, MD, MHA, CPE
Chief Executive Officer

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 22, 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. 2—
BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE BALDONE
AN ACT

To repeal R.S. 39:75(F), relative to the avoidance of budget deficits; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; and to provide for an effective date.

Reported without amendments.

SENATE BILL NO. 324—
BY SENATOR LAFLEUR
AN ACT

To amend and reenact R.S. 33:2721.8, relative to the Evangeline Parish School Board; to authorize any school district in Evangeline Parish, to levy and collect an additional sales and use tax; to provide for the purpose of the tax; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 278—
 BY SENATORS AMEDEE, ALARIO, APPEL, CHEEK, CROWE,
 DONAHUE, DUPLESSIS, DUPRE, ERDEY, N. GAUTREAUX, HEBERT,
 HEITMEIER, LAFLEUR, LONG, MARIONNEAUX, MARTINY,
 MCPHERSON, MICHOT, MOUNT, NEVERS, RISER, SHAW, THOMPSON
 AND WALSWORTH

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of laws relative to public records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 231—
 BY SENATOR N. GAUTREAUX
 AN ACT

To amend and reenact R.S. 4:214.1, relative to horse racing; to provide for a minimum number of live quarter horse racing dates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 235—
 BY SENATOR N. GAUTREAUX
 AN ACT

To enact R.S. 33:381(C)(29), relative to the town of Duson; to provide that the chief of police of the town shall be appointed; to provide for the time of the initial appointment; to provide for the method of appointment and for the salary, term, duties, and supervision of the police chief; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 261—
 BY SENATORS DONAHUE AND THOMPSON
 AN ACT

To enact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:101 through 109, relative to streamlining state government; to create the Commission on Streamlining Government and provide for the membership, powers, duties, and functions of the commission; to provide a procedure for the submission, consideration, approval, and implementation of recommendations of the Commission on Streamlining Government; to provide for staff support and finances for the commission; to provide for cooperation with and support for the commission; to provide for the applicability of other laws; to provide for termination; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 209—
 BY SENATOR WALSWORTH
 A JOINT RESOLUTION

Proposing to amend Sections 2(B)(11) and (12) and to add Section 2 (B)(13) of Article X of the Constitution of Louisiana, relative to public officials and employees; to provide that the director, deputy director and all employees of the Governor's Office of Homeland Security and Emergency Preparedness shall serve in unclassified service of the state civil service; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 279—
 BY SENATOR WALSWORTH AND REPRESENTATIVE PETERSON
 AN ACT

To enact R.S. 29:726.2, relative to the use of public facilities as emergency evacuation shelters; to provide for terms; to provide for certain entities to identify and maintain a list of public facilities suitable for use as emergency evacuation shelters; to provide for duties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 320—
 BY SENATOR ALARIO
 AN ACT

To amend and reenact R.S. 13:621.42.1(B), the introductory paragraph of (E)(1) and (E)(3), and 998(B), the introductory paragraph of (E)(1) and (E)(3), 1414(B) and the introductory paragraph of (E)(1) and (E)(3), R.S. 30:2455 and the introductory paragraph of 2456(A), R.S. 36:401(C)(1)(b)(i), 405 (A)(1)(b), and 642(D)(2), R.S. 39:15.3(A), the introductory paragraph of (B), and (B)(12) through (18), R.S. 46:2122, 2123, and 2124(A) and (B), and R.S. 49:1053(B), 1054(1) and (2) and 1054.1(A) and (B)(3), to enact R.S. 36:4.1(D)(18), 408(I), 409(C)(10), 477(C)(3), and 651(BB) and R.S. 39:15.3(B)(19), and to repeal R.S. 36:4(M) and 4.1(B)(1), Subpart D of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:16.1 through 16.5, and R.S. 46:2522(11), relative to the organization of the executive branch of state government; to transfer certain agencies in the executive branch of state government; to provide relative to the transfer and exercise of the powers, duties, functions, and responsibilities of certain agencies in the executive branch; to abolish the office of electronic services within the office of information technology in the division of administration; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 272—
 BY SENATORS HEITMEIER AND WALSWORTH
 AN ACT

To amend and reenact R.S. 14:329.6(A)(9) and to enact R.S. 29:732(E) and (F) and R.S. 51:422.1(C)(5), relative to fuel; to prohibit excessive fuel pricing during a declared state of emergency; to allow sales below costs during such time; to provide for definitions; to provide for civil and criminal penalties; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1—
 BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH
 A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 26—
 BY SENATORS N. GAUTREAUX, ADLEY, ALARIO, CHEEK, DUPRE, HEBERT, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MURRAY, RISER, SHAW, SMITH AND WALSWORTH AND REPRESENTATIVES JANE SMITH, BILLIOT, BURFORD, HENRY BURNS, CHAMPAGNE, ELLINGTON, GISCLAIR, GUINN, MONTOUCET AND SIMON
 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 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

June 22, 2009

vehicles to alternative fuel usage; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 118—

BY SENATOR CHEEK

A RESOLUTION

To designate June 22, 2009, as "Shrine Awareness Day" in Louisiana.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Original Senate Resolution No. 118 by Senator Cheek

AMENDMENT NO. 1

At the top of the page 1, change "Senator Cheek" to "Senators Jackson and Cheek"

On motion of Senator Cheek, the amendments were adopted.

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

SENATE RESOLUTION NO. 119—

BY SENATOR NEVERS

A RESOLUTION

To commend and congratulate Kimberlyn J. "Kim" Denson upon her selection as East Baton Rouge Parish High School Teacher of the Year and Region II High School Teacher of the Year, and upon her standing as a regional finalist for the prestigious Louisiana Teacher of the Year Award in 2009.

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

SENATE RESOLUTION NO. 120—

BY SENATOR BROOME

A RESOLUTION

To urge and request the Louisiana Recovery Authority to provide new action plans to spend Community Development Block Grant funds allowing nonprofit organizations to perform cost, construction and case management and emergency rental assistance and to use unallocated Community Development Block Grant or other identified funds to fill discrepancies for Louisiana recipients receiving housing grants.

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

SENATE RESOLUTION NO. 121—

BY SENATOR HEITMEIER

A RESOLUTION

To urge and request the Department of Transportation and Development Crescent City Connection Division to redesignate the Gretna-Jackson Avenue Ferry route to operate from the city of Gretna to the Canal Street Ferry Landing.

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

SENATE RESOLUTION NO. 122—

BY SENATOR N. GAUTREUX

A RESOLUTION

To commend Admiral James M. Loy on his accomplishments and his service to the United States of America.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 138—

BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to meet and to function as a joint committee to study and make recommendations with respect to allowing certain persons to have concealed weapons at a place of worship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Alario, Amedee, Appel, Broome, Cheek, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Kostelka, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Nevers, Quinn, Riser, Shaw, Thompson, Walsworth.

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names: Adley, Claitor, Jackson, LaFleur, Mount, Murray, Smith.

Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 139—

BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To support the progress of the Department of Health and Hospitals, the Louisiana Public Health Institute, its local partner administering the Primary Care Access and Stabilization Grant (which expires September 30, 2010), and the 25 public and private not-for-profit organizations participating in the grant in meeting essential primary medical and behavioral health care needs in Greater New Orleans Region and continuing efforts at the local, state and federal level to create a sustainable financing model which will support high-quality, community-based health care in the region once the PCASG grant expires.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Adley	Jackson	Mount
Donahue	LaFleur	Smith

Total - 6

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

SENATE CONCURRENT RESOLUTION NO. 140—
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To create the Republic of West Florida Bicentennial Commission; to provide for its membership, powers, and responsibilities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Adley	LaFleur	Smith
Jackson	Mount	

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 141—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To create and provide with respect to a special joint legislative committee to study the economic impact that East New Orleans has on the city of New Orleans and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Adley	LaFleur	Smith
Claitor	Mount	

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 142—

BY SENATOR BROOME AND REPRESENTATIVE PATRICIA SMITH

A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana State University men's basketball team and Coach Trent Johnson on an outstanding season in the one hundredth year of Tiger Basketball.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

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ABSENT

Adley LaFleur
Jackson Smith
Total - 4

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

SENATE CONCURRENT RESOLUTION NO. 143— BY SENATOR MARTINY AND REPRESENTATIVE LIGI A CONCURRENT RESOLUTION

To commend G. Frank Purvis, Jr., as the recipient of the 2009 EXCELENCIA Award for Lifetime Achievement in Business by the Hispanic Chamber of Commerce of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux B Michot
Alario Gautreaux N Morrell
Amedee Gray Evans Morrish
Appel Guillory Murray
Broome Hebert Nevers
Cheek Heitmeier Quinn
Claitor Jackson Riser
Crowe Kostelka Shaw
Donahue Long Thompson
Dorsey Marionneau Walsworth
Dupre Martiny
Erdey McPherson
Total - 34

NAYS

Total - 0

ABSENT

Adley LaFleur Smith
Duplessis Mount
Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 144— BY SENATOR MARTINY AND REPRESENTATIVE LIGI A CONCURRENT RESOLUTION

To commend José S. Suquet as the recipient of the 2009 EXCELENCIA Award as Business Leader of the Year by the Hispanic Chamber of Commerce of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux B Michot
Alario Gautreaux N Morrell
Amedee Gray Evans Morrish
Appel Guillory Murray
Broome Hebert Nevers
Cheek Heitmeier Quinn
Claitor Jackson Riser
Crowe Kostelka Shaw

Donahue Long Thompson
Dorsey Marionneau Walsworth
Dupre Martiny
Erdey McPherson
Total - 34

NAYS

Total - 0

ABSENT

Adley LaFleur Smith
Duplessis Mount
Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 145—

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

A CONCURRENT RESOLUTION

To commend John D. Carpenter for his many years of exemplary public service to the state of Louisiana and to congratulate him upon the occasion of his retirement as director of legislative services for the division of administration.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley Mount
LaFleur Smith
Total - 4

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

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 22, 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. 93—
BY SENATOR THOMPSON

AN ACT

To enact Part I-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:651 through 654, relative to food safety; to provide for definitions; to provide for written plans for food processing and food recalls; to provide for required reporting and testing of adulterated food by food processing plants; to provide for rules and regulations; and to provide for related matters.

SENATE BILL NO. 162—
BY SENATOR MARIONNEAUX

AN ACT

To provide for the continuation of parishwide economic development districts; and to provide for related matters.

SENATE BILL NO. 212—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 18:134(A), relative to registrars of voters; to provide for office hours of registrars of voters; and to provide for related matters.

SENATE BILL NO. 251—
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 46:1426(C), relative to the Department of Social Services; to provide for disclosure of information by licensed day care centers to parents; and to provide for related matters.

SENATE BILL NO. 285—

BY SENATOR NEVERS AND REPRESENTATIVE HUTTER AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAU, GRAY EVANS, GUILLORY, HEBERT, JACKSON, KOSTELKA, LALEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARMES, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CROMER, DOERGE, EDWARDS, ELLINGTON, GISCLAIR, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, LAFONTA, LEGER, MILLS, MONTOUCET, PETERSON, POPE, PUGH, RICHARD, RICHARDSON, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, THIBAUT, TUCKER, WADDELL AND WILLMOTT

AN ACT

To enact Chapter 25-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3161 through 3169, relative to educational institutions and programs; to provide for a comprehensive system of articulation and transfer of credit between and among public secondary and postsecondary educational institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for a statewide course numbering system; to provide relative to course levels and designations; to provide relative to accreditation of educational institutions; to provide for voluntary participation of certain independent colleges and universities; to provide relative to a comprehensive student information system; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; and to provide for related matters.

SENATE BILL NO. 289—
BY SENATORS APPEL AND WALSWORTH
AN ACT

To amend and reenact R.S. 47:463.61(C), (D), and (E) and to repeal R.S. 47:463.61 (F), (G) and (H), relative to the dedication of revenue; to provide for the distribution of revenues collected from "Choose Life" prestige license plate fees; and to provide for related matters.

SENATE BILL NO. 292—
BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 4:185(A), relative to amusements and sports; to provide for certain investments of monies in the Horsemen's Bookkeeper Account; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 348— (Substitute of Senate Bill No. 275 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To enact Part II-I of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.51 thru 2120.57, relative to employees providing nursing services; to provide for certified nurse aides in nursing facilities; to provide for state registration of certified nurse aides in nursing homes and skilled nursing facility units; to provide for medical staffing agencies; to provide for minimum requirements to maintain certification; to provide for rules and regulations; to provide for complaint investigations and restricted registrations; and to provide for related matters.

SENATE BILL NO. 23—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9097.1(F)(1) and (F)(3)(b), relative to neighborhood improvement districts; to provide relative to the Concord Estates Crime Prevention District; to increase the parcel fee; to extend the term of the imposition of the parcel fee; and to provide for related matters.

SENATE BILL NO. 182—
BY SENATOR CROWE

AN ACT

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

SENATE BILL NO. 105—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 14:71.3, relative to mortgage fraud; to provide for elements of the crime; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 129—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(g) and (W), relative to the Taylor Opportunity Program for Students; to authorize the administering agency to promulgate rules to provide for the receipt and consideration of applications from students returning from out-of-state colleges and universities under certain circumstances and conditions; and to provide for related matters.

SENATE BILL NO. 284—
BY SENATOR HEBERT

AN ACT

To enact R.S. 26:74(E), relative to local license and permit fees; to provide for wholesaler of beverages of high alcoholic content; to provide for restrictions; and to provide for related matters.

June 22, 2009

SENATE BILL NO. 321—
BY SENATOR HEBERT

AN ACT

To enact R.S. 47:1925.10, relative to the assessor in the Iberia Parish Assessment District; to authorize the assessor in such district to receive an automobile expense allowance; 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 22, 2009

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Message from the House

SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

June 22, 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. 622—

BY REPRESENTATIVE WILLMOTT

AN ACT

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

HOUSE BILL NO. 666—

BY REPRESENTATIVE HENRY

AN ACT

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

HOUSE BILL NO. 670—

BY REPRESENTATIVE ERNST

AN ACT

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

HOUSE BILL NO. 731—

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

AN ACT

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

HOUSE BILL NO. 741—

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

AN ACT

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

HOUSE BILL NO. 767—

BY REPRESENTATIVES WILLIAMS AND SIMON AND SENATORS GRAY EVANS AND WALSWORTH

AN ACT

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

HOUSE BILL NO. 787—

BY REPRESENTATIVES BALDONE, AUBERT, BILLIOT, HENRY BURNS, DIXON, DOVE, GUINN, HOWARD, AND WOOTON AND SENATORS DUPRE AND MORRISH

AN ACT

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

HOUSE BILL NO. 883—

BY REPRESENTATIVE PERRY

AN ACT

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

HOUSE BILL NO. 14—

BY REPRESENTATIVE BURFORD

AN ACT

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

HOUSE BILL NO. 95—

BY REPRESENTATIVE MILLS

AN ACT

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

HOUSE BILL NO. 112—

BY REPRESENTATIVE MONTOUCET

AN ACT

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

HOUSE BILL NO. 162—

BY REPRESENTATIVES SAM JONES AND CHAMPAGNE

AN ACT

To enact R.S. 56:796 and R.S. 36:610(F) and 917, relative to the Atchafalaya Basin Program; to create an advisory board in the Department of Wildlife and Fisheries to advise the secretary regarding the Lake Fausse Point and Grand Avoille Cove area; to provide relative to board composition, meetings, and functions; and to provide for related matters.

HOUSE BILL NO. 179—

BY REPRESENTATIVES STIAES, BALDONE, BARROW, BURRELL, DIXON, FRANKLIN, GISCLAIR, HARDY, HINES, NORTON, AND PATRICIA SMITH

AN ACT

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

HOUSE BILL NO. 191—

BY REPRESENTATIVE DOVE

AN ACT

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

HOUSE BILL NO. 320—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATORS KOSTELKA, THOMPSON, AND WALSWORTH

AN ACT

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

HOUSE BILL NO. 347—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:42.1, relative to the Department of Insurance; to provide with respect to the confidentiality of certain health information; to provide for the definition of protected health information; to provide for limited disclosures by the department; and to provide for related matters.

HOUSE BILL NO. 349—

BY REPRESENTATIVE HAZEL

AN ACT

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

HOUSE BILL NO. 354—

BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY

AN ACT

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

HOUSE BILL NO. 390—

BY REPRESENTATIVES HENDERSON AND BALDONE

AN ACT

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

HOUSE BILL NO. 400—

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

AN ACT

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

June 22, 2009

HOUSE BILL NO. 481—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

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

HOUSE BILL NO. 501—

BY REPRESENTATIVE HOFFMANN AND SENATORS THOMPSON AND
WALSWORTH
AN ACT

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

HOUSE BILL NO. 540—

BY REPRESENTATIVES BOBBY BADON AND MONTOUCE AND
SENATOR B. GAUTREAUX
AN ACT

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

HOUSE BILL NO. 546—

BY REPRESENTATIVE PERRY
AN ACT

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

HOUSE BILL NO. 557—

BY REPRESENTATIVE HOWARD
AN ACT

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

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER AND SENATORS DORSEY,
THOMPSON, AND WALSWORTH
AN ACT

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

HOUSE BILL NO. 570—

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

To enact R.S. 17:81(Q) and 3996(B)(21), to require the governing authority of a public elementary or secondary school to

formulate, develop, adopt, and implement policies, procedures, and practices applicable to school employees relative to electronic communications by an employee at a school to a student enrolled at that school; to provide policy guidelines and requirements; to provide limitations and exceptions; to provide that the occurrence of certain electronic communications be reported by the school employee; to provide for immunity from civil liability; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 582—

BY REPRESENTATIVE BURRELL AND SENATOR JACKSON
AN ACT

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

HOUSE BILL NO. 593—

BY REPRESENTATIVE BILLIOT
AN ACT

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

HOUSE BILL NO. 636—

BY REPRESENTATIVE MONICA AND SENATORS AMEDEE, DUPRE, N.
GAUTREAUX, AND MICHOT
AN ACT

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

HOUSE BILL NO. 651—

BY REPRESENTATIVE ARMES AND SENATOR SMITH
AN ACT

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

HOUSE BILL NO. 829—

BY REPRESENTATIVE CORTEZ
AN ACT

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

HOUSE BILL NO. 34—

BY REPRESENTATIVES FANNIN, CHANDLER, HARDY, ROY, AND
SIMON AND SENATOR SHAW
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.

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.

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.

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.

HOUSE BILL NO. 110—

BY REPRESENTATIVE JANE SMITH AND SENATOR N. GAUTREAU AND REPRESENTATIVES 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, MICKY 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 ADLEY, ALARIO, AMEDEE, CHEEK, CROWE, DUPRE, B. GAUTREAU, GUILLORY, HEBERT, HEITMEIER, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MORRELL, MOUNT, MURRAY, QUINN, RISER, SMITH, THOMPSON, AND WALSWORTH

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.

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.

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.

HOUSE BILL NO. 218—

BY REPRESENTATIVE HARDY

AN ACT

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

HOUSE BILL NO. 223—

BY REPRESENTATIVE ARMES

AN ACT

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

HOUSE BILL NO. 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.

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.

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.

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

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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.

HOUSE BILL NO. 507—
BY REPRESENTATIVE PUGH AND SENATOR THOMPSON
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.

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.

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.

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.

HOUSE BILL NO. 626—
BY REPRESENTATIVE DOWNS
AN ACT

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

HOUSE BILL NO. 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.

HOUSE BILL NO. 685—
BY REPRESENTATIVE DIXON
AN ACT

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

HOUSE BILL NO. 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.

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.

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.

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.

HOUSE BILL NO. 5—
BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTOU CET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATORS GUILLORY AND HEBERT
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.

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.

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.

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GUILLORY, HEBERT, LONG, MARTINY, MCPHERSON, MICHOT, MORRELL, MURRAY, NEVERS, QUINN, SHAW, SMITH, AND THOMPSON

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.

HOUSE BILL NO. 261—

BY REPRESENTATIVE CONNICK AND SENATOR THOMPSON
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.

HOUSE BILL NO. 389—

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

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.

HOUSE BILL NO. 495—

BY REPRESENTATIVE DIXON AND SENATOR DORSEY
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.

HOUSE BILL NO. 518—

BY REPRESENTATIVE AUSTIN BADON
AN ACT

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

HOUSE BILL NO. 630—

BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER
AN ACT

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

HOUSE BILL NO. 658—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 23:1209(A)(3), relative to the prescriptive period for claiming workers' compensation benefits; to provide for an interruption of prescription for developmental injuries; and to provide for related matters.

HOUSE BILL NO. 761—

BY REPRESENTATIVE BILLIOT
AN ACT

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

HOUSE BILL NO. 801—

BY REPRESENTATIVES SIMON AND WILLIAMS
AN ACT

To amend and reenact R.S. 38:2212.7 and R.S. 39:1496.2 and 1594.3, relative to procurement; to provide exceptions in the prohibition of bids or proposals for public contracts by certain contract consultants; and to provide for related matters.

HOUSE BILL NO. 896— (Substitute for House Bill No. 49 by Representative Richard)

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 42:1124.3(A) and to enact R.S. 42:1124.2(G)(4) and (J) and 1124.3(D)(3), relative to financial disclosure; to require certain disclosures by certain public servants; to provide for the content of such disclosures; to provide for effectiveness; and to provide for related matters.

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.

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

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

ATTENDANCE ROLL CALL

PRESENT

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

Total - 38

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ABSENT

LaFleur
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur 1 Day

Adjournment

On motion of Senator Thompson, at 6:10 o'clock P.M. the Senate adjourned until Tuesday, June 23, 2009, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Tuesday, June 23, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk