

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

TENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 13, 2009

The Senate was called to order at 3:05 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Duplessis	Mount
Adley	Erdey	Murray
Alario	Gautreaux B	Nevers
Amedee	Hebert	Riser
Appel	Kostelka	Shaw
Cheek	Long	Thompson
Claitor	Marionneaux	Walsworth
Donahue	Morrell	
Dorsey	Morrish	
Total - 25		

ABSENT

Broome	Heitmeier	Michot
Crowe	Jackson	Quinn
Dupre	LaFleur	Smith
Gautreaux N	Martiny	
Gray Evans	McPherson	
Total - 13		

The President of the Senate announced there were 25 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Lislie Hypolite, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of May 12, 2009, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 12, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR N. GAUTREAU

A CONCURRENT RESOLUTION

To designate May 20, 2009, as Louisiana Housing Council Day.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR QUINN

A CONCURRENT RESOLUTION

To recognize the time period from the first of December until the following sixteenth day of April of each year as the official state camellia season in Louisiana.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 25—

BY SENATOR MCPHERSON

A RESOLUTION

To commend the Oak Hill High School girls' softball team upon winning two consecutive Class B state softball championships and to congratulate the Lady Rams on an outstanding 2008-2009 season.

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

SENATE RESOLUTION NO. 26—

BY SENATOR MORRISH

A RESOLUTION

To commend the members of the Association of Louisiana Electric Cooperatives and to designate Monday, May 18, 2009, as Louisiana Electric Cooperative Day.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATOR B. GAUTREAU

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact the Credit Card Accountability, Responsibility, and Disclosure Act.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Murray
Adley	Hebert	Nevers
Alario	Kostelka	Quinn
Amedee	Long	Riser
Appel	Marionneaux	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Dorsey	Morrell	Walsworth

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Duplessis
Erdey
Total - 28

Morrish
Mount

NAYS

Total - 0

ABSENT

Broome
Crowe
Donahue
Dupre
Total - 10

Gautreaux N
Gray Evans
Heitmeier
Jackson

LaFleur
Michot

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 13, 2009

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 17— BY REPRESENTATIVE PEARSON AN ACT

To amend and reenact R.S. 15:572.1(A) and 574.2(A)(1) and R.S. 46:1803(B), relative to the membership of the Board of Pardons, the Board of Parole, and the Crime Victims Reparations Board; to authorize the Crimefighters, LLC organization to nominate a person to each of the boards; and to provide for related matters.

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.

HOUSE BILL NO. 87— BY REPRESENTATIVE CARMODY AN ACT

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

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

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

HOUSE BILL NO. 185— BY REPRESENTATIVE CORTEZ AN ACT

To enact R.S. 22:1289.1, relative to automobile insurance policies; to prohibit insurers from refusing to issue automobile insurance policies to certain purchasers based solely upon an impending named tropical storm or hurricane; and to provide for related matters.

HOUSE BILL NO. 274— BY REPRESENTATIVE TEMPLET AN ACT

To amend and reenact R.S. 14:34.3 and 38.2(B), relative to crimes committed against school teachers; to provide for increased penalties for battery of a school teacher under certain circumstances; to provide for increased penalties for assault on a school teacher; and to provide for related matters.

HOUSE BILL NO. 407— BY REPRESENTATIVES SMILEY, TUCKER, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOVE, GISCLAIR, HARDY, HARRISON, HENDERSON, KATZ, LABRUZZO, LIGI, LOPINTO, POPE, ROY, JANE SMITH, PATRICIA SMITH, TEMPLET, AND WADDELL AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1301 through 1306, relative to boards, commissions, and like entities; to provide for a website to contain certain information concerning certain boards, commissions, and like entities; to provide for the content of the website; to provide relative to the duties and responsibilities of certain boards, commissions, and like entities concerning the website; to provide relative to the powers and duties of the commissioner of administration concerning the website; to provide relative to notice of meetings of certain boards, commissions, and like entities; to provide relative to minutes of meetings of certain boards, commissions, and like entities; to provide for electronic submission; and to provide for related matters.

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.

HOUSE BILL NO. 588— BY REPRESENTATIVE LANDRY AN ACT

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

HOUSE BILL NO. 591— BY REPRESENTATIVE ELLINGTON AN ACT

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

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

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

HOUSE BILL NO. 636—
BY REPRESENTATIVE MONICA
AN ACT

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

HOUSE BILL NO. 688—
BY REPRESENTATIVE MONTOU CET
AN ACT

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

HOUSE BILL NO. 476—
BY REPRESENTATIVES CONNICK, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, LEGER, LIGI, LITTLE, MILLS, PERRY, POPE, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

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

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.

HOUSE BILL NO. 822—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 15:574.22(G), relative to the Louisiana Risk Review Panel; to provide with respect to those persons who are eligible for a review by the Louisiana Risk Review

Panel; to provide with respect to eligibility of persons sentenced for certain violations of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

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

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

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

HOUSE BILL NO. 17—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 15:572.1(A) and 574.2(A)(1) and R.S. 46:1803(B), relative to the membership of the Board of Pardons, the Board of Parole, and the Crime Victims Reparations Board; to authorize the Crimefighters, LLC organization to nominate a person to each of the boards; and to provide for related matters.

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

HOUSE BILL NO. 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 and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 87—
BY REPRESENTATIVE CARMODY
AN ACT

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

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

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

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

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

HOUSE BILL NO. 185—
BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 22:1289.1, relative to automobile insurance policies; to prohibit insurers from refusing to issue automobile insurance policies to certain purchasers based solely upon an impending

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named tropical storm or hurricane; and to provide for related matters.

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

HOUSE BILL NO. 274—

BY REPRESENTATIVE TEMPLET
AN ACT

To amend and reenact R.S. 14:34.3 and 38.2(B), relative to crimes committed against school teachers; to provide for increased penalties for battery of a school teacher under certain circumstances; to provide for increased penalties for assault on a school teacher; and to provide for related matters.

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

HOUSE BILL NO. 407—

BY REPRESENTATIVES SMILEY, TUCKER, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOVE, GISCLAIR, HARDY, HARRISON, HENDERSON, KATZ, LABRUZZO, LIGI, LOPINTO, POPE, ROY, JANE SMITH, PATRICIA SMITH, TEMPLET, AND WADDELL
AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1301 through 1306, relative to boards, commissions, and like entities; to provide for a website to contain certain information concerning certain boards, commissions, and like entities; to provide for the content of the website; to provide relative to the duties and responsibilities of certain boards, commissions, and like entities concerning the website; to provide relative to the powers and duties of the commissioner of administration concerning the website; to provide relative to notice of meetings of certain boards, commissions, and like entities; to provide relative to minutes of meetings of certain boards, commissions, and like entities; to provide for electronic submission; and to provide for related matters.

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

HOUSE BILL NO. 476—

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

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

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

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.

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

HOUSE BILL NO. 588—

BY REPRESENTATIVE LANDRY
AN ACT

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

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

HOUSE BILL NO. 591—

BY REPRESENTATIVE ELLINGTON
AN ACT

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

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

HOUSE BILL NO. 619—

BY REPRESENTATIVES TIM BURNS AND ANDERS
AN ACT

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

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

HOUSE BILL NO. 636—

BY REPRESENTATIVE MONICA
AN ACT

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

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

HOUSE BILL NO. 688—

BY REPRESENTATIVE MONTOUCE
AN ACT

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

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

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.

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

HOUSE BILL NO. 822—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

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

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 12, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVES LOPINTO, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR CROWE

A CONCURRENT RESOLUTION

To recognize May 10 through May 16, 2009, as Police Week and May 15, 2009, as Peace Officers Memorial Day, to commend law enforcement officers, and to encourage all citizens to join in the week's special commemorative tributes.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVES LOPINTO, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR CROWE

A CONCURRENT RESOLUTION

To recognize May 10 through May 16, 2009, as Police Week and May 15, 2009, as Peace Officers Memorial Day, to commend law enforcement officers, and to encourage all citizens to join in the week's special commemorative tributes.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre	Gautreaux N	LaFleur
Total - 3		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

May 13, 2009

To the President and Members of the Senate:

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

May 13, 2009

SENATE BILL NO. 80—
BY SENATOR CHEEK

AN ACT

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

Reported favorably.

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 793, 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 services during an emergency; to provide for a volunteer health practitioner registration system; to provide for administrative sanctions; to provide for a limitation of liability for volunteer health practitioners; to provide for workers' compensation coverage; 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 favorably.

SENATE BILL NO. 171—
BY SENATOR BROOME

AN ACT

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

Reported with amendments.

SENATE BILL NO. 215—
BY SENATOR MORRISH

AN ACT

To enact Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.291, relative to hospital prospective payment methodology; to provide for designation as a major teaching hospital; to provide for definitions; to provide for criteria; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 238—
BY SENATORS MOUNT, CROWE, DUPLESSIS, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, THIBAUT AND WILLMOTT

AN ACT

To amend and reenact Children's Code Article 1173(A) and R.S. 46:1403(A)(4), 1409(A), the introductory paragraph of 1409(B),

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

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

Senator Troy Hebert, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 13, 2009

To the President and Members of the Senate:

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

SENATE BILL NO. 130—
BY SENATORS HEBERT, DUPRE 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. 164—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 22:1319 and 1332 and to enact R.S. 22:1272, relative to insurance policies having increased deductibles for hurricane, wind, or named storm damage; to provide with respect to only one increased deductible per calendar year; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 331—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 22:832(A), relative to insurance license taxes; to provide for a reduction in the tax based upon the amount of admitted assets of an insurer placed in qualifying Louisiana investments; to require that investments be maintained in the state for a period of time in order to qualify for the reduction; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TROY HEBERT
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 13, 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:

SENATE RESOLUTION NO. 20—

BY SENATOR CHAISSON

A RESOLUTION

To adopt Senate Rule No. 7.6(K) of the Rules of Order of the Senate, relative to requests for legislation to be introduced after the start of a regular session; to provide that requests for legislation to be introduced after the start of a regular session must be received by Senate Legislative Services staff not later than six o'clock in the evening of the day prior to the last day for introduction of such matters.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To recognize May 10 through 16, 2009, as "Christian Heritage Week in Louisiana."

Reported favorably.

SENATE BILL NO. 5—

BY SENATOR RISER

A JOINT RESOLUTION

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

Reported favorably.

SENATE BILL NO. 67—

BY SENATORS MCPHERSON, DUPRE, N. GAUTREAUX, HEITMEIER, LONG AND RISER 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), 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. 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 favorably.

SENATE BILL NO. 261—

BY SENATOR DONAHUE

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 108, relative to streamlining state government; to provide a procedure for the submission, consideration, approval, and implementation of recommendations of the Commission on Streamlining State 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. 280—

BY SENATOR CHAISSON

AN ACT

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

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 31—

BY SENATOR ADLEY

AN ACT

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 31 by Senator Adley

AMENDMENT NO. 1

On page 3, between line 3 and line 4, insert:

"(4) Any person who mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal shall also be guilty of aggravated cruelty to animals."

AMENDMENT NO. 2

On page 3, line 4, delete "(4)" and insert "(5)"

AMENDMENT NO. 3

On page 3, line 8, delete "(5)" and insert "(6)"

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

SENATE BILL NO. 56—

BY SENATOR DONAHUE

AN ACT

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

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 56 by Senator Donahue

AMENDMENT NO. 1

On page 2, line 5, change "four-year term" to "term of four years"

AMENDMENT NO. 2

On page 2, line 6, change "four-year term," to "term of four years,"

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

SENATE BILL NO. 58— BY SENATOR SHAW

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 58 by Senator Shaw

AMENDMENT NO. 1

On page 1, line 11, delete "The Sexual Assault Nurse Examiner" and insert in lieu thereof "A sexual assault nurse examiner"

AMENDMENT NO. 2

On page 1, line 13, delete "as"

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

SENATE BILL NO. 60— BY SENATOR KOSTELKA

AN ACT

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

Reported favorably by the Committee on Judiciary A. On motion of Senator Quinn, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 70— BY SENATOR MURRAY

AN ACT

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

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 70 by Senator Murray

AMENDMENT NO. 1

On page 1, line 4, after "Court;" insert "to provide relative to the uses of such fee amounts;"

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

SENATE BILL NO. 106— BY SENATOR CHEEK

AN ACT

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

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 106 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 5, after "ambulatory" insert "or mobile medical unit"

AMENDMENT NO. 2

On page 1, line 13, after "ambulatory" insert "or mobile medical unit"

AMENDMENT NO. 3

On page 2, line 18, after "facility" insert ", or a mobile medical unit,"

AMENDMENT NO. 4

On page 2, at the end of line 18, delete "and" and on line 19 delete "their spouses, siblings, parents, children and grandchildren;"

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

SENATE BILL NO. 115— BY SENATOR MARTINY

AN ACT

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 115 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 3, after "civil fine of" delete "the greater of"

AMENDMENT NO. 2

On page 2, line 9, after "**introduced**" add a ":" and delete the remainder of the line and delete line 10

AMENDMENT NO. 3

On page 2, line 25, change "**homo**" to "**Homo**"

AMENDMENT NO. 4

On page 2, line 26, after "**earliest**" change "**states**" to "**stages**"

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

SENATE BILL NO. 121—

BY SENATOR LONG

AN ACT

To enact R.S. 11:609, relative to retired peace officers; to allow officers to purchase their firearms upon retirement; to provide for criteria; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Martiny, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 125—

BY SENATOR THOMPSON

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 125 by Senator Thompson

AMENDMENT NO. 1

On page 2, line 17, change "**retired**" to "**retires**"

AMENDMENT NO. 2

On page 2, line 18, change "**sheriffs and deputy sheriffs**" to "**any sheriff or deputy sheriff**"

AMENDMENT NO. 3

On page 2, line 22, after "**with**" and before ":" insert "**either of the following**"

AMENDMENT NO. 4

On page 2, line 23, change "**who are**" to "**and were**" and change ":" to ":"

AMENDMENT NO. 5

On page 2, delete line 24

AMENDMENT NO. 6

On page 2, line 26, change "**sheriffs and deputy sheriffs who retire**" to "**any sheriff or deputy sheriff who retires**"

AMENDMENT NO. 7

On page 2, line 29, change "**provision**" to "**provisions**" and change "**sheriff and deputy sheriffs who have**" to "**any sheriff or deputy sheriff who has**"

AMENDMENT NO. 8

On page 3, line 3, change "**sheriff and deputy sheriffs who retire**" to "**any sheriff or deputy sheriff who retires**"

AMENDMENT NO. 9

On page 3, line 6, change "**retired**" to "**retires**"

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

SENATE BILL NO. 132—

BY SENATOR DORSEY

AN ACT

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

Reported favorably by the Committee on Judiciary C. On motion of Senator Dorsey, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 135—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:112.2(B), relative to offenses affecting law enforcement; to provide relative to fraudulent portrayal of a law enforcement officer or firefighter; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 135 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 12, after "wardens," and before "firemen," insert "**livestock brand inspectors, forestry officers,**"

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

SENATE BILL NO. 140—

BY SENATOR RISER

AN ACT

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

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 140 by Senator Risier

AMENDMENT NO. 1

On page 1, line 6, delete "the Oil Spill Contingency Fund is" and insert "certain funds are"

AMENDMENT NO. 2

On page 1, line 17, after "**manner**" delete "**or**"

AMENDMENT NO. 3

On page 2, delete lines 1 through 3, and insert: "**without regard for the hazards of the material and causes a significant impact to public health and safety as a result of a reportable release of a hazardous material shall be in violation of this Subsection.**"

AMENDMENT NO. 4

On page 2, line 8, after "**who**" delete the remainder of the line, delete lines 9 through 15, and insert: "**causes a reportable release that**"

requires a significant emergency response by the department or is in violation of Subsection D of this Section, shall reimburse the department for reasonable and extraordinary costs of emergency response, including actions taken by the department to mitigate such reportable release."

AMENDMENT NO. 5

On page 2, line 16, delete "a state agency" and insert "the department"

AMENDMENT NO. 6

On page 2, at the end of line 17, delete "by such agency"

AMENDMENT NO. 7

On page 2, line 18, delete "from" and insert: "to the department from other response funds, including but not limited to the Hazardous Waste Protection Fund, R.S. 30:2198, the Motor Fuels Underground Storage Tank Trust Fund, R.S. 30:2195, et seq., and"

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

SENATE BILL NO. 145—

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

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 145 by Senator Crowe

AMENDMENT NO. 1

On page 2, line 8, after "juvenile" delete the remainder of the line and insert "when the victim is"

AMENDMENT NO. 2

On page 2, line 9, delete "victim" and after "thirteen years" and before "the offender" delete "when" and insert "and"

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 254 by Senator Murray

AMENDMENT NO. 1

On page 2, line 1, after "any" delete "biological"

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

SENATE BILL NO. 260—

BY SENATORS CLAITOR AND BROOME AND REPRESENTATIVE GREENE

AN ACT

To amend and reenact Children's Code Articles 604 and 1512 and R.S. 46:236.2(A)(2), relative to jurisdiction; to provide for exclusive jurisdiction with the East Baton Rouge Family Court; to provide for procedures; to provide for support orders; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 260 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "Children's Code Articles 604 and 1512 and"

AMENDMENT NO. 2

On page 1, line 3, after "jurisdiction;" delete the remainder of the line and line 4 and insert the following: "to provide relative to support orders; to provide procedures; to provide relative to the jurisdiction of the Juvenile Court for East Baton Rouge Parish; and"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17

AMENDMENT NO. 4

On page 2, delete lines 1 through 3

AMENDMENT NO. 5

On page 2, line 4, change "Section 2." to "Section 1"

AMENDMENT NO. 6

On page 2, line 7, change "~~and 1621(C)~~" to "and 1621(C)"

AMENDMENT NO. 7

On page 2, line 12, after "registered" and before the period insert "; however, in East Baton Rouge Parish a support order may be transferred pursuant to this Paragraph to the family or juvenile court"

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

SENATE BILL NO. 273—

BY SENATOR MARTINY
AN ACT

To enact R.S. 27:306(C)(2)(a)(iii) and (5), relative to the Video Draw Poker Devices Control Law; to provide relative to the requirements for qualified truck stop facilities; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 273 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 27:306(C)(2)(a)(iii) and (5)," to "R.S. 27:306(C)(5),"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 27:306(C)" delete the remainder of the line and insert in lieu thereof "(5) is hereby enacted to"

AMENDMENT NO. 3

On page 1, delete line 10

AMENDMENT NO. 4

On page 1, line 11, change "(iii)" to "(5)"

AMENDMENT NO. 5

On page 1, line 15, change "residential property" to "designated residential district"

AMENDMENT NO. 6

On page 2, line 4, after "January 1, 2010." insert the following: "If a parish or municipality does not have a zoning ordinance which designates certain property within their jurisdiction as residential districts, the governing authority of the parish or municipality shall have the authority to designate to certain areas of their jurisdiction as residential districts for the purpose of this Paragraph."

AMENDMENT NO. 7

On page 2, delete lines 6 through 13 in their entirety

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

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 favorably by the Committee on Judiciary B. On motion of Senator Martiny, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 317—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2159.1, relative to construction and demolition debris solid waste facilities; to provide certain restrictions; to provide certain exceptions; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 317 by Senator Hebert

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "solid" and at the beginning of line 3, delete "waste"

AMENDMENT NO. 2

On page 1, line 7, delete "solid waste"

AMENDMENT NO. 3

On page 1, line 13, delete "solid waste"

AMENDMENT NO. 4

On page 2, at the end of line 3, delete "solid waste"

AMENDMENT NO. 5

On page 2, at the end of line 4, delete "solid waste"

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

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

HOUSE BILL NO. 182—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact Part III-I of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:139 through 139.7, relative to expropriation by a declaration of taking; to authorize the city of Lafayette and parish of Lafayette to expropriate property for the Kaliste Saloom Road Widening Project; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

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

HOUSE BILL NO. 336—

BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact Code of Civil Procedure Articles 3432(introductory paragraph) and 3434 and to repeal Code of Civil Procedure Article 3433, relative to successions; to provide for the removal of certain references to inheritance taxes and to the inheritance tax collector in succession procedure; to provide for the payment or delivery of money or property of the deceased by certain financial institutions; and to provide for related matters.

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

HOUSE BILL NO. 566—

BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 13:5104(A), relative to the Governmental Claims Act; to provide relative to venue for suits filed against the state, state agency, and officers or employees of the state or state agency under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 620 by Representative Cortez

AMENDMENT NO. 1

On page 3, between lines 16 and 17, insert "G. E. No employer of a qui tam plaintiff shall discharge, demote, suspend, threaten, harass, or discriminate against a qui tam plaintiff at any time arising out of the fact that the qui tam plaintiff brought an action pursuant to this Subpart unless the court finds that the qui tam plaintiff has instituted or proceeded with an action that is frivolous, vexatious, or harassing."

AMENDMENT NO. 2

On page 3, line 17, change "F." to "G."

AMENDMENT NO. 3

On page 3, delete lines 27 through 29

AMENDMENT NO. 4

On page 4, delete lines 1 and 2

AMENDMENT NO. 5

On page 4, line 3, delete "H: G." and insert "H."

AMENDMENT NO. 6

On page 4, line 6, delete "F: H." and insert "I."

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 27—

BY SENATOR ADLEY

A RESOLUTION

To commend the citizens of Cullen, Louisiana, for their economic development efforts.

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

Rules Suspended

Senator B. Gautreaux asked for and obtained a suspension of the rules to recall Senate Bill No. 62 from the Committee on Judiciary B.

SENATE BILL NO. 62—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 15:574.2(B)(2), relative to the Board of Parole; to change the number of votes necessary to grant parole; to provide for an effective date; and to provide for related matters.

On motion of Senator B. Gautreaux, the bill was read by title and withdrawn from the files of the Senate.

Senate Concurrent Resolutions on Third Reading and Final Passage

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATORS DUPRE AND MCPHERSON AND REPRESENTATIVES DOVE AND HUTTER

A CONCURRENT RESOLUTION

To approve the annual Coastal Protection Plan for Fiscal Year 2009-2010, as adopted by the Coastal Protection and Restoration Authority.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Mr. President LaFleur

Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Senator Broome in the Chair

SENATE BILL NO. 8—

BY SENATOR N. GAUTREAUX

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, relative to state funds; to authorize the allocation or appropriation of money designated in the official forecast as nonrecurring for a tax refund or tax rebate to anyone required to file a Louisiana individual income tax return; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator B. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Engrossed Senate Bill No. 8 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, at the end of line 10, insert "No refund or rebate shall be enacted or authorized by the legislature pursuant to the provisions of this Subsubparagraph unless the unfunded accrued liability of the state retirement systems which existed as of June 30, 1988, has been eliminated before the date of such enactment or authorization."

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

Motion

Senator N. Gautreaux moved to reconsider the vote by which Amendment No. 1279 was adopted.

Senator Jackson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Donahue	Martiny
Amedee	Duplessis	Murray
Appel	Gautreaux N	Riser
Broome	Hebert	Smith
Cheek	Kostelka	Thompson
Crowe	Marionneau	Walsworth
Total - 18		

NAYS

Alario	Gray Evans	Morrish
Claitor	Heitmeier	Mount
Dorsey	Jackson	Nevers
Dupre	Long	Quinn
Erdey	Michot	Shaw
Gautreaux B	Morrell	
Total - 17		

ABSENT

Mr. President	LaFleur	McPherson
Total - 3		

The Chair declared the vote was reconsidered.

Floor Amendments Sent Up

Senator B. Gautreaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Engrossed Senate Bill No. 8 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, at the end of line 10, insert "**No refund or rebate shall be enacted or authorized by the legislature pursuant to the provisions of this Subsubparagraph unless the unfunded accrued liability of the state retirement systems which existed as of June 30, 1988, has been eliminated before the date of such enactment or authorization.**"

On motion of Senator B. Gautreaux, the amendments were withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Crowe	Long	Smith
Donahue	Marionneau	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 20—
BY SENATOR CHAISSON

AN ACT

To repeal R.S. 11:1601(3)(b), relative to district attorneys; to provide for eligibility into the District Attorneys' Retirement System; to remove certain prohibitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 20 by Senator Chaisson

AMENDMENT NO. 1

On page 1, after line 7, insert the following:

"Section 2. The provisions of this Act shall apply to any person who took office on or after November 15, 2008. To receive credit for the service rendered before July 1, 2009, the person and his employer shall pay to the system the contributions that would have been paid had membership in the system begun on the day the person first began employment covered by the system.

Section 3. This Act shall become effective July 1, 2009."

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

May 13, 2009

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 28—
BY SENATOR ALARIO

AN ACT

To enact R.S. 47:1992.1, relative to inspection of assessment lists; to change the inspection period for assessment lists in Jefferson Parish; 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	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	

Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 43—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9108(E) and to enact R.S. 33:9106.2(D), relative to the Orleans Parish Communication District; to provide for an extension of the special fixed rate emergency telephone service charge; to provide relative to reestablishing the original charge; and to provide for related matters.

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	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Donahue	Long	Shaw
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Crowe
Total - 2

LaFleur

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

SENATE BILL NO. 44—

BY SENATORS MORRISH, ERDEY, MCPHERSON, MOUNT AND SHAW AND REPRESENTATIVE PERRY

AN ACT

To designate the Gibbstown bridge on Louisiana Highway 27 in Cameron Parish as the "Conway LeBleu Memorial Bridge," and to provide for related matters.

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 49—

BY SENATOR ERDEY

AN ACT

To enact R.S. 13:2575.3, relative to administrative adjudication for code and ordinance violations; to provide for procedures for Livingston Parish; and to provide for related matters.

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

NAYS

Total - 0

ABSENT

LaFleur Nevers
Total - 2

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

SENATE BILL NO. 55—
BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES DOVE AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:699.1, 699.2 and 699.8(B), relative to issuance of hunting licenses; to require completion of a firearm and hunter education course by certain persons; to provide with respect to persons authorized to issue hunting licenses; to prohibit certain actions; to provide for temporary firearm hunter education deferral license; to provide for nonresident temporary firearm and hunter education deferral license; to provide 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 Senate Bill No. 55 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 4, after "persons;" insert "to provide for a firearm and hunter safety card;"

AMENDMENT NO. 2
On page 1, line 11, after "prohibition" insert "**firearm and hunter safety card**"

AMENDMENT NO. 3
On page 1, line 12, before "No" insert "**A.**"

AMENDMENT NO. 4
On page 1, after line 17, insert:
"B. The department shall issue a firearm and hunter safety card to a person born before September 1, 1969, if the person applies to the department for such card. The department shall provide a form for the application. The application and firearm and hunter safety card shall be without cost to the applicant."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

LaFleur Marionneaux Nevers
Total - 3

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

SENATE BILL NO. 66—
BY SENATOR DUPRE

AN ACT

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

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

NAYS

Total - 0

ABSENT

LaFleur Nevers Riser
Total - 3

May 13, 2009

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

SENATE BILL NO. 95—

BY SENATORS MARTINY AND MORRELL AND REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LIGI, LOPINTO, TALBOT AND WILLMOTT

AN ACT

To amend and reenact R.S. 33:2536.2 and to enact R.S. 33:2476.4, relative to Jefferson Parish; to provide for a secretary for any municipal fire and police civil service board in Jefferson Parish; to provide for the assignment of secretarial duties for the Jefferson Parish Fire Civil Service Board; 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 on behalf of the Legislative Bureau to Engrossed Senate Bill No. 95 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, following "R.S. 33:2536.2" insert "(B)"

AMENDMENT NO. 2

On page 1, line 9, following "R.S. 33:2536.2" insert "(B)"

On motion of Senator Marionneaux, 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: Mr. President, Gautreaux B, Morrell, etc. listing names of senators and their counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Appel, Duplessis, LaFleur, Nevers, listing names and counts.

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

SENATE BILL NO. 117—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 2; and to provide for related matters.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 117 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 12, change "meetings" to "a meeting"

AMENDMENT NO. 2

On page 1, line 13, change "each" to "attending an"

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: Mr. President, Dupre, Michot, etc. listing names of senators and their counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: LaFleur, Marionneaux, listing names and counts.

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

SENATE BILL NO. 118—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 1; and to provide for related matters.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 118 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 12, change "meetings" to "a meeting"

AMENDMENT NO. 2

On page 1, line 13, change "each" to "attending an"

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

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

NAYS

Total - 0

ABSENT

LaFleur Nevers
Total - 2

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

SENATE BILL NO. 119—
BY SENATOR ERDEY

AN ACT

To enact R.S. 33:4564.7, relative to the Livingston Parish Recreation District No. 3; to increase the per diem of the board of commissioners; and to provide for related matters.

Floor Amendments Sent Up

Senator Erdey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 119 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 12, change "meetings" to "a meeting"

AMENDMENT NO. 2

On page 1, line 13, change "each" to "attending an"

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

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

NAYS

Total - 0

ABSENT

LaFleur Nevers Walsworth
Total - 3

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

SENATE BILL NO. 120—
BY SENATOR ERDEY

AN ACT

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

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

NAYS

Total - 0

ABSENT

LaFleur Nevers
Total - 2

May 13, 2009

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

SENATE BILL NO. 124—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 11:3719(A) and 3720, and to repeal R.S. 11:3731(E), relative to the police pension fund for the city of Shreveport; to provide for authority of the board of trustees; to provide relative to the board's authority to invest the pension fund's assets; to allow the board to award benefit increases under certain circumstances; to repeal the requirement that the city use excess proceeds for expenses other than payment of pension fund liabilities; to provide for an effective date; and to provide for related matters.

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

NAYS

Total - 0

ABSENT

LaFleur Nevers
Total - 2

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

SENATE BILL NO. 127—

BY SENATOR THOMPSON

AN ACT

To authorize and provide for the transfer of Quebec Road in Madison Parish; to provide for terms and conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gautreaux N	Morrish
Appel	Gray Evans	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Quinn

Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

LaFleur Nevers
Total - 2

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

SENATE BILL NO. 146—

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

AN ACT

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 146 by Senator Duplessis

AMENDMENT NO. 1

On page 3, line 23, following "Paragraph" and before "of" change "B(1)" to "(B)(1)"

On motion of Senator Marionneaux, the amendments were adopted.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Appel sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 146 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 8, delete "qualified third party" and insert "third party with educational, organizational, legal, and financial expertise"

AMENDMENT NO. 2

On page 2, line 21, delete "qualified third party" and insert "third party with educational, organizational, legal, and financial expertise"

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Hebert	Murray
Appel	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

Amedee	Claitor
Total - 2	

ABSENT

Gray Evans	LaFleur
Total - 2	

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

SENATE BILL NO. 150—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9091.1(F)(2)(a), relative to the Lakeview Crime Prevention District; to expand the application of parcel fees to all parcels within the district, subject to voter approval; 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	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gautreaux N	Morrish
Appel	Gray Evans	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

LaFleur	Nevers
Total - 2	

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

SENATE BILL NO. 179—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 34:3494(A) and (B)(5) and (9), 3495(A) and (B), and 3504(F), to enact R.S. 34:3494(B)(10) and (11), and 3506(D), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide relative to the jurisdiction of the authority; to increase the membership of the board of commissioners; to provide for the terms of office for the board of commissioners; to remove legislative oversight of rules and regulations for maintenance and operation of the authority; to provide for budgets and financial reports of the authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 179 by Senator Crowe

AMENDMENT NO. 1

On page 3, line 3, following "**June**" and before ";" change "**30**" to "**thirtieth**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	
Total - 1	

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

May 13, 2009

SENATE BILL NO. 189—
BY SENATOR ALARIO

AN ACT

To enact R.S. 32:127, relative to highway right of way crossings; to authorize golf carts and all-terrain vehicles to cross Louisiana Highway 1 within the town of Grand Isle; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 189 by Senator Alario

AMENDMENT NO. 1

On page 1, line 17, following "of" and before "Grand" insert "the town of"

AMENDMENT NO. 2

On page 2, line 2, following "of" and before "Grand" insert "the town of"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 222—

BY SENATORS ADLEY, MCPHERSON AND SHAW AND REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 34:2309(9), relative to powers and authority of the Red River Waterway Commission; to adjust the uses to which the commission's ad valorem property tax is allocated; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 240—

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:3811.2 and 3812(H), relative to Calcasieu Parish; to provide for the creation of waterworks districts and subdistricts; to provide for the expansion of the board of waterworks districts and subdistricts; 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	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	

Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 241—

BY SENATORS MOUNT, DORSEY, DUPRE, ERDEY, KOSTELKA, LONG, MARIONNEAUX, MORRISH, RISER AND SHAW
AN ACT

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

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	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	Long	Shaw
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Claitor	LaFleur
Total - 2	

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

Senator N. Gautreaux in the Chair

SENATE BILL NO. 244—

BY SENATOR MOUNT
AN ACT

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

The bill was read by title. Senator Mount 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	Hebert	Nevers

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 259—

BY SENATORS KOSTELKA, DONAHUE, DUPLESSIS, LAFLEUR, LONG, NEVERS, RISER AND WALSWORTH
AN ACT

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 259 by Senator Kostelka

AMENDMENT NO. 1

On page 5, line 7, following "**History**" and before "**one**" insert "**and**"

AMENDMENT NO. 2

On page 6, line 22, delete " * * * "

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

May 13, 2009

Dorsey Duplessis Total - 36	Martiny McPherson	Thompson Walsworth
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NAYS

Total - 0

ABSENT

Gray Evans Total - 2	LaFleur
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The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 262—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:531(E), relative to commissioners of local housing authority; to remove requirement of landlord commissioner; 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 Senate Bill No. 262 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 15, change "**recipient of other assistance commissioner**" to "**commissioner who is a recipient of other assistance**"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 262 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:531(E)" insert "and to repeal Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature"

AMENDMENT NO. 2

On page 2, after line 3, insert the following:
"Section 2. Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature are hereby repealed in their entirety.

Section 3. For a housing authority to be deemed in compliance with the provisions of Section 1 of this Act, any vacancy occurring on the housing authority which does not already have a tenant commissioner serving on that authority shall fill that vacancy by the appointment of either a tenant commissioner or a commissioner who is a recipient of other assistance."

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

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

Total - 36

NAYS

Total - 0

ABSENT

LaFleur Total - 2	Quinn
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The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 264—

BY SENATORS KOSTELKA, MORRELL AND B. GAUTREUX
AN ACT

To enact R.S. 11:2175.1, relative to the authority of the board of trustees of the Sheriffs' Pension and Relief Fund; relative to employer contributions; to establish a funding deposit account; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 264 by Senator Kostelka

AMENDMENT NO. 1

On page 2, line 2, following "**and**" and before "**interest**" change "**such**" to "**the**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 281—
BY SENATOR APPEL AND REPRESENTATIVE ELLINGTON
AN ACT

To enact Chapter 5-S of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.161 through 167, and R.S. 36:744(CC) and 801.23, relative to state museums; to create the Schepis Museum advisory board in the Department of State; to provide for powers and duties of the board; to provide for funding; to provide for the disposition of property; 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	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray Evans	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE BILL NO. 303—
BY SENATORS RISER AND WALSWORTH AND REPRESENTATIVE PONTI
AN ACT

To enact R.S. 23:1203.1, relative to medical treatment in workers' compensation matters; to provide for definitions; to provide a process for adoption of a medical treatment schedule for use in making medical treatment decisions in workers' compensation matters; to provide for the promulgation of rules; to provide that

the schedule shall be based on certain guidelines; to provide for appointment of a medical advisory council to be chosen by the director of the office of workers' compensation administration; to provide regarding the membership of such a council; to provide with respect to time frame for authorization of medical services; to provide relative to disputes as to recommended care that varies from the medical treatment schedule; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 303 by Senator Riser

AMENDMENT NO. 1

On page 3, line 11, following "Paragraph" and before "of" change "D(2)" to "(D)(2)"

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

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

NAYS

Total - 0

ABSENT

Dorsey	LaFleur	Marionneaux
Total - 3		

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

SENATE BILL NO. 333—
BY SENATORS BROOME, DORSEY AND ERDEY AND REPRESENTATIVES BARROW, CARTER, FOIL, HONEY, MICHAEL JACKSON, PONTI, POPE, PATRICIA SMITH AND WHITE
AN ACT

To enact R.S. 33:9038.63, relative to East Baton Rouge Parish; to create the Bluebonnet Convention Hotel Taxing District; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district and to engage in tax increment financing; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 333 by Senator Broome

AMENDMENT NO. 1

On page 5, line 18, following "(5)" and before "officers," change "Appoint" to "To appoint"

AMENDMENT NO. 2

On page 5, line 28, following "(8)" and before "such" change "Establish" to "To establish"

AMENDMENT NO. 3

On page 8, line 11, following "to" and before "the" change "affect" to "effect"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Broome sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 333 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "to" and before "East" add "cooperative development in"

AMENDMENT NO. 2

On page 1, line 3, after "District" insert "as a special taxing and tax increment financing district in East Baton Rouge Parish"

AMENDMENT NO. 3

On page 1, line 6, after "occupancy" insert "and food and beverage not intended for home consumption"

AMENDMENT NO. 4

On page 3, line 29, delete "parking" and insert "dormitory style"

AMENDMENT NO. 5

On page 5, line 6, after "shall" insert "be a special taxing district and shall"

AMENDMENT NO. 6

On page 5, line 17, after "person" insert ", including but not limited to pledge and collateral assignment agreements and tax collection agreements"

AMENDMENT NO. 7

On page 5, line 24, after "indebtedness" delete "." and insert ", and in the event the district elects to issue bonds pursuant to the authority under this Section, then"

AMENDMENT NO. 8

On page 5, line 24, delete "For this purpose"

AMENDMENT NO. 9

On page 5, below line 29, insert the following: "(9) To levy and collect the taxes authorized pursuant to this Section.

(10) To enter into one or more agreements to provide for the collection of the taxes collected within the district and remittance of the taxes to the appropriate recipients."

AMENDMENT NO. 10

On page 6, line 5, after "beverage" insert "not intended for home consumption"

AMENDMENT NO. 11

On page 6, line 16, after "rooms" insert "." and delete the remainder of the line and delete lines 17 through 19

AMENDMENT NO. 12

On page 7, line 1, after "recognized" insert "that there are currently no hotel occupancy or sales taxes whatsoever generated at the property and"

AMENDMENT NO. 13

On page 7, line 1, delete "that without the accomplishment of the"

AMENDMENT NO. 14

On page 7, line 2, delete "purposes of the district" and before "that" insert "that but for the hotel project to be developed at the property within the district,"

AMENDMENT NO. 15

On page 7, line 11, after "that" delete "currently secure bonds that have been authorized" and insert: "are currently not available for use for tax increment financing purposes should subsequently cease to be authorized to secure bonds, cease to secure bonds that have been authorized, or cease to be dedicated by other law or by proposition approved by electors voting in an election for such purpose, and thus, become available for the use of the financing purposes hereunder"

AMENDMENT NO. 16

On page 7, line 15, delete "Hotel occupancy tax" and insert "Tax" before "financing"

AMENDMENT NO. 17

On page 7, at the beginning of line 17, after "of" insert "available non-voter elected, pledged or dedicated"

AMENDMENT NO. 18

On page 7, line 20, after "district," delete the remainder of the line and delete lines 21 through 23 and insert the following "Additionally, without the necessity of issuing revenue bonds, the district may pledge the tax increments collected under the authority of this Section to any financing or multiple refinancing of a hotel and related facilities within the district in furtherance of the purposes of the district. Such financing may include, but shall not be limited to, loans, mortgages, the issuance of bonds, or the issuance of certificates of indebtedness. For each of the designated non-voter elected, pledged or dedicated food and beverage and hotel occupancy taxes collected within the district, a tax increment shall consist of that portion of the aggregate of such tax revenues collected by the district each year which exceeds the amount of such taxes that were collected in the year immediately prior to the year in which the district was established."

AMENDMENT NO. 19

On page 7, line 27, after "The" insert "authority granted to the district pursuant to the provisions of this Section shall be subject to the limitations provided in R.S. 33:9038.42." and delete the remainder of the line and delete lines 28 and 29 and on page 8, delete lines 1 and 2

AMENDMENT NO. 20

On page 8, line 3, delete lines 3 and 4

AMENDMENT NO. 21

On page 8, line 9, delete "less" and insert "more"

AMENDMENT NO. 22

On page 8, line 9, after "years" insert "from the date on which the taxes authorized pursuant to this Section are first levied and collected"

AMENDMENT NO. 23

On page 8, between lines 9 and 10, insert:

"I. Contesting ordinance or resolution; time limit. Any ordinance or resolution adopted by the bonds or other debt obligations, or the pledge of tax increments collected under the authority of this Section to any financing authorized by this Section, may be published at least once in the official journal of East Baton Rouge Parish. For thirty days after the date of publication, any person in interest may contest the legality of the ordinance or resolution and of any provision therein made for the security and payment of the debt obligation or the levy and collection of such taxes. After that time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, and provision thereof for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the levy and collection of taxes, the issuance of bonds or other debt obligation, or legal requirement for the levy and collection of taxes, the issuance of bonds or other debt obligations, or the pledge of tax increment collected, including all things pertaining to the authorizing thereof, has been complied with. No court shall have authority to inquire into any of these matters after the thirty day period after publication."

AMENDMENT NO. 24

On page 8, line 10, delete "I" and insert "J"

AMENDMENT NO. 25

On page 8, line 13, delete "J" and insert "K"

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

NAYS

McPherson
Total - 1

ABSENT

Jackson	Kostelka	LaFleur
Total - 3		

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

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

Called from the Calendar

Senator Appel asked that Senate Bill No. 183 be called from the Calendar.

SENATE BILL NO. 183—

BY SENATOR APPEL

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.1 (C) of the Constitution of Louisiana, relative to the constitutional requirements and procedures for the imposition of or increase in a fee; to provide exceptions to such requirements for the increase in tuition or the imposition of or increase in fees at postsecondary institutions; to specify an election for submission of the proposition to electors; and to provide a ballot proposition.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 183 by Senator Appel

AMENDMENT NO. 1

Delete Senate Floor Amendments No. 1 and No. 2 proposed by Senator Alario and adopted by the Senate on May 12, 2009.

AMENDMENT NO. 2

On page 1, at the end of line 16, after "board" and before the period ".", insert the following: **"; provided that an amount in excess of five percent in any calendar year shall require the enactment of a law by a two-thirds vote of the elected members of each house of the legislature"**

AMENDMENT NO. 3

On page 2, at the end of line 10, after "board" and before the period ".", insert the following: ", unless the amount is in excess of five percent"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Morrell
Alario	Erdey	Morrish
Appel	Gautreaux B	Murray
Cheek	Gray Evans	Nevers
Claitor	Heitmeier	Quinn
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Walsworth
Duplessis	Michot	
Total - 26		

NAYS

Adley	Gautreaux N	McPherson
Amedee	Jackson	Riser
Broome	Marionneaux	
Total - 8		

May 13, 2009

ABSENT

Hebert Mount
LaFleur Thompson
Total - 4

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 28— BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death in combat of United States Army Sergeant First Class David J. Todd, Jr., in his country's global war on terrorism.

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

SENATE RESOLUTION NO. 29— BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Air Force Captain Cartize B. Durham upon his death while on active duty in an accidental helicopter crash in Italy.

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

Mr. President in the Chair

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 48— BY SENATOR BROOME

A CONCURRENT RESOLUTION

To create the Southern University Center for Equitable Development Task Force to study and develop statewide recommendations for local strategies and initiatives to meet the economic, social, health, and human resource development needs of economically depressed communities across the state.

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
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Hebert Murray

Broome Heitmeier Nevers
Cheek Jackson Quinn
Claitor Kostelka Riser
Donahue Long Shaw
Dorsey Marionneaux Smith
Duplessis Martiny Thompson
Dupre McPherson Walsworth
Total - 36

NAYS

Total - 0

ABSENT

Crowe LaFleur
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR LONG

A CONCURRENT RESOLUTION

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

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

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 Hebert Nevers
Broome Heitmeier Quinn
Cheek Jackson Riser
Claitor Kostelka Shaw
Crowe Long Smith
Donahue Marionneaux Thompson
Dorsey Martiny Walsworth
Duplessis McPherson
Dupre Michot
Total - 37

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Natural Resources and the secretary of the Department of Transportation and Development to study and provide to the Legislature recommendations for infrastructure uses of mineral revenues from north Louisiana.

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

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	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Dupre	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to appropriate funds to be used for storm-proofing interior pump stations in St. Bernard and Plaquemines parishes.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson
Total - 2

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 12, 2009

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVE TIM BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to accept the property tax assessments contained in the 2008 tax roll for St. Tammany Parish with regard to compliance with the requirements for uniform assessments.

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVES BARROW, AUBERT, AUSTIN BADON, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT GUILLORY, HARDY, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, NORTON, PETERSON, RICHMOND, PATRICIA SMITH, STIAES, AND WILLIAMS AND SENATORS BROOME, DORSEY, DUPLESSIS, GRAY EVANS, JACKSON, MORRELL, AND MURRAY

A CONCURRENT RESOLUTION

To recognize Tuesday, May 12, 2009, as Children's Defense Fund Day and to commend the Children's Defense Fund.

HOUSE CONCURRENT RESOLUTION NO. 85—

BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce Social Security benefits for those receiving benefits from federal, state, or local government retirement systems.

HOUSE CONCURRENT RESOLUTION NO. 95—

BY REPRESENTATIVE DOWNS AND SENATOR THOMPSON

A CONCURRENT RESOLUTION

To commend Dr. Janie Humphries, the McGehee Professor of Family and Child Studies and the Coordinator of Early Childhood/Child Development Programs, upon her retirement and to recognize her for twenty-two years of service to the School of Human Ecology, College of Applied and Natural Sciences at Louisiana Tech University.

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVE MILLS AND SENATOR HEBERT

A CONCURRENT RESOLUTION

To commend David Allemond, owner of McGee's Landing in Henderson, upon being named a 2009 Laureate in the Acadiana Business Hall of Fame.

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

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

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:

May 13, 2009

May 13, 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. 41—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To highly and sincerely commend Sandra Bullock for her significant, substantial, and ongoing support of Warren Easton Senior High School in New Orleans, Louisiana.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

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 5:40 o'clock P.M. the Senate adjourned until Thursday, May 14, 2009, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, May 14, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk