The Senate was called to order at 1:45 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 Michot
Adley Dupre Morrish
Alario Gautreaux B Mount
Amedee Guillory Murray
Appel Hebert Nevers
Broome Heitmeier Quinn
Cheek Kostelka Riser
Claitor LaFleur Shaw
Crowe Long Smith
Donahue Marionneaux Thompson
Dorsey Martiny Walsworth
Total - 33

ABSENT

Erdey Gray Evans McPherson
Gautreaux N Jackson Morrell
Total - 6

The President of the Senate announced there were 33 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Jim Woodard, 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 Michot, the reading of the Journal was dispensed with and the Journal of May 18, 2009, was adopted.

Petitions, Memorials and Communications

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 33—
By Senator Gray Evans
A RESOLUTION
To recognize Wednesday, May 20, 2009, as “Girl Scouts of the USA Day at the Louisiana State Capitol.”

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

SENATE RESOLUTION NO. 34—
By Senator Gray Evans
A RESOLUTION
To designate May 20, 2009 as “YMCA Day in Louisiana.”

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

SENATE RESOLUTION NO. 35—
By Senator Broome
A RESOLUTION
To commend the efforts and accomplishments of the grantees of the Louisiana Children’s Trust Fund.

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

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. 65—
By Senator Broome
A CONCURRENT RESOLUTION
To declare October 1, 2009, as World Peace Day in the state of Louisiana.

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

NAYS

Total - 0

ABSENT

Erdey  Kostelka  Morrell
Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Regional Collaboratives for Excellence in Science and Mathematics Teaching to collaborate with the Board of Regents and institutions of postsecondary education to expand the program statewide.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey  Kostelka  Morrell
Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and make recommendations regarding establishing criteria to be used when considering the renewal of the charter of a charter school that has been labeled academically unacceptable.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey  Kostelka  Morrell
Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission to study the feasibility of assigning weights to all grades earned by students who successfully complete honors and other advanced courses for the purpose of calculating cumulative grade point averages to determine eligibility for Taylor Opportunity Program for Students (TOPS) awards.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dupre  McPherson
Adley  Gautreaux B  Michot
Alario  Gautreaux N  Morrish
Amedee  Gray Evans  Mount
Appel  Guillory  Murray
Broome  Hebert  Nevers
Cheek  Heitmeier  Quinn
Claitor  Jackson  Riser
Crowe  LaFleur  Shaw
Donahue  Long  Smith
Dorsey  Marionneaux  Thompson
Duplessis  Martiny  Walsworth
Total - 36
SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR RISER
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the untimely death of Lloyd Lile Lindsey, Jr., the superintendent of West Feliciana Parish schools.

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

ROLL CALL

The roll was called with the following result:

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

NAYS

Total - 0

ABSENT

Amedee Kostelka
Erdey Morrell
Total - 4

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

SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION
To urge and request the Department of Wildlife and Fisheries to study the use and marketing of “comp vests.”

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

ROLL CALL

The roll was called with the following result:

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

Total - 36

NAYS

Total - 0

ABSENT

Amedee Kostelka
Erdey Morrell
Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Allen Ray Bares, former member of the Louisiana House of Representatives and former president of the Louisiana State Senate.

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.
The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Erdey Morrell
Total - 2

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON
AGRICULTURE, FORESTRY, AQUACULTURE, AND RURAL DEVELOPMENT

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

May 19, 2009

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

HOUSE BILL NO. 203—
BY REPRESENTATIVE KLECKLEY
AN ACT
To amend and reenact R.S. 3:2501(B), relative to animal control agency officers; to provide for the appointment of certain animal control officers by parish governing authorities in certain parishes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 408—
BY REPRESENTATIVE ANDERS
AN ACT
To amend and reenact R.S. 3:4274.1 and R.S. 32:402(C)(1), relative to the duties and powers of forestry officers; to provide for driver's license requirements for certain operators of firefighting equipment; and to provide for related matters.

Reported favorably.

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 19, 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. 55—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 32:378.3, relative to motor vehicles; to prohibit installation of sound amplification systems on the exterior of a vehicle; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 283—
BY REPRESENTATIVE WHITE
AN ACT
To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Greenwood Crime Prevention and Improvement District; to provide the boundaries of the district; to provide for the governance of the district; to provide for the powers, terms, and duties of the board of directors; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide for dissolution of the district; and to provide for related matters.

HOUSE BILL NO. 340—
A JOINT RESOLUTION
PROPOSING TO AMEND ARTICLE I, SECTION 8 OF THE CONSTITUTION OF LOUISIANA, RELATIVE TO FREEDOM OF RELIGION

To enact Article I, Section 8 of the Constitution of Louisiana, relative to freedom of religion; to prohibit government infringement of the right of every person to freely express his religious belief; to provide that the right shall not be burdened without the showing of a compelling governmental interest; to provide for submission of the proposed amendment to the electors; and to provide for related matters.
HOUSE BILL NO. 347—
BY REPRESENTATIVE DOWNS
AN ACT
To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:42.1, relative to the Department of Insurance; to provide with respect to the confidentiality of certain health information; to provide for the definition of protected health information; to provide for limited disclosures by the department; and to provide for related matters.

HOUSE BILL NO. 349—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 32:663(A) and (C), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.

HOUSE BILL NO. 363—
BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT
To amend and reenact Civil Code Articles 2358, 2362.1 through 2364, and 2365 through 2367.2 and R.S. 9:374, to enact Civil Code Article 2367.3, and to repeal Civil Code Article 2364.1, relative to the community property regime; to provide for claims for reimbursement between spouses; to provide for a reduction in reimbursement for obligations paid with respect to certain movable property; to provide when a claim for reimbursement may be made; to provide for the use of a residence of the spouses; and to provide for related matters.

HOUSE BILL NO. 402—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 10:1-201(b)(5), (6), (15), (16), (21), and (42), R.S. 10:4-104(c)(introductory paragraph), 4-210(c)(introductory paragraph), Chapter 7 of Title 10 of the Louisiana Revised Statutes of 1950, formerly comprised of R.S. 10:7-101 through 10-503 through 7-509, 7-601 through 7-603, and 7-701, to be comprised of R.S. 10:7-101 through 7-106, 7-201 through 7-210, 7-301 through 7-309, 7-501 through 7-509, 7-601 through 7-604, 9-102(a)(30), (b), and (d)(7), (9-203(b)(introductory paragraph) and (3)(D), 9-208(b)(3) and (6), 9-301(3), 9-310(b)(3) and (8), 9-312(e), 9-313(a), 9-314(a) and (b), 9-317(b) and (d), 9-338, and 9-601(b) and to enact R.S. 10:8-103(g) and 9-208(b)(7), relative to warehouses and documents of title; to provide for definitions; to provide for documents of title; warehouse receipts, destination bills, and bills of lading; to provide for rules of negotiability of documents of title; to provide for liens of carriers; to provide for a carrier's duty of care; to provide for negotiation of documents of title; to provide for lost or missing documents of title; to provide for conforming amendments to other sections of the Uniform Commercial Code; to provide for applicability and retroactivity; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 445—
BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GLISHER, MICKEY GUILLOY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERREY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH
AN ACT
To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

HOUSE BILL NO. 465—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 33:9097.2(B), relative to the South Burbank Crime Prevention and Development District; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 468—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT
To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Melrose East Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

HOUSE BILL NO. 502—
BY REPRESENTATIVE CORTEZ
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 Youngsville to expropriate property for the Chemin Metairie Phase II Project; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

HOUSE BILL NO. 559—
BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, FANNIN, HARRISON, HAZEL, LEBAS, LIERG, LOGI MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STAES, WHITE, AND WILLIAMS AND SENATOR GUILLORY
AN ACT
To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurships; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

HOUSE BILL NO. 648—
BY REPRESENTATIVE FOIL
AN ACT
To enact R.S. 33:9097.5, relative East Baton Rouge Parish; to create a crime prevention and development district for Hermitage and Cross Creek Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

HOUSE BILL NO. 675—
BY REPRESENTATIVE NOWLIN
AN ACT
To amend and reenact R.S. 11:2031(10), relative to the Registrars of Voters Employees' Retirement System; to provide with respect to membership; to provide with respect to the definition of employee; to add employees of the Louisiana Registrar of Voters Employees' Retirement System; to provide with respect to the definition of employee; to add employees of the Louisiana Registrar of Voters Association, Inc., to the membership of the system; to provide with respect to the definition of protected health information; to provide for the levy of a parcel fee and for the use thereof; and to provide for related matters.

HOUSE BILL NO. 841—
BY REPRESENTATIVE HONEY
AN ACT
To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A), 1378(A)(1), (2), (3)(A)(introductory paragraph) and (B)(introductory paragraph), and (7) and 1472(4), and to enact R.S. 23:1600.1 and 1602(4), and to repeal R.S. 23:1201.1, relative to workers; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt
reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to provide for payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring that workers' compensation indemnity payments be mailed; to provide for the determination of the liability of the Second Injury Fund; to provide for an alternate base period; to provide for benefit eligibility conditions for an individual seeking part-time work; to allow for an extension of benefits; and to provide for related matters.

HOUSE BILL NO. 830
BY REPRESENTATIVES TUCKER, ARNOLD, AUSTIN, RADON, BARDON, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, DISCLAIR, HARDY, HAZEL, HINES, KATZ, LABRUZZO, LAPONTA, LIGI, LOPINTO, NOWLIN, PETERSON, SIMON, JANE SMITH, STIAES, TEMPLET, WILLMOTT, AND WOOTON
AN ACT
To amend and reenact R.S. 17:1519.1, 1519.2(B)(1), 1519.12(B)(introductory paragraph) and (C), and 1519.17, the heading of Part IV of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:141 and 142(1) and (2), R.S. 36:251(B), 254(A)(14), and 801.1(A), R.S. 39:1539.1(A), and R.S. 46:6 and 2761(B), to enact R.S. 17:1519.2(C) and 1519.12(B)(5), R.S. 36:259(N), and R.S. 40:2003 and 2003.1, and to repeal R.S. 17:1519.9, R.S. 40:2002.5, and R.S. 46:2572, relative to the Medical Center of Louisiana at New Orleans; to transfer the Medical Center of Louisiana at New Orleans to a board; to provide the corporation authority to borrow and spend funds; to create a board of trustees; to establish nominating and vacancy procedures and terms for the board of trustees; to provide for the apppointment of a board of trustees; to establish nominating and vacancy procedures and terms for the board of trustees; to provide for the powers, duties, and responsibilities of the board of trustees; to subject the board of trustees to certain laws; to create a corporation to support, manage and operate the Medical Center of Louisiana at New Orleans; to provide for its purpose; to give the corporation authority to borrow and spend funds; to create a board of directors for the corporation; to provide for membership of the board of directors and nominating procedures; to provide for the powers, duties, and responsibilities of the board of directors for the corporation; to provide for bylaws of the corporation; to mandate affiliation with certain institutions; to provide for the payment of affiliated institutions; to subject the board of directors to certain laws and provide for exceptions; to provide for the transfer of the Medical Center of Louisiana at New Orleans to a board; to provide for dissolution of the district; 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 McPherson 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. 283—
BY REPRESENTATIVE WHITE
AN ACT
To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Greenwood Crime Prevention and Improvement District; to provide the boundaries of the district; to provide for the governance of the district; to provide for the powers, terms, and duties of the board of directors; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide for dissolution of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 340—
BY REPRESENTATIVES HENRY, ARMES, BALDONE, BURFORD, HENRY BURNS, TIM BURNS, CARMOBY, CHANDLER, CROMER, DOVE, DOWNS, ERNST, FANNIN, GEYMANN, LISBON, LAMBERT, LIGI, LITTLE, MILLER, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHROEDER, SMILEY, SMITH, SMITH, TALBOT, WADDELL, AND WHITE
A JOINT RESOLUTION
Proposing to amend Article I, Section 8 of the Constitution of Louisiana, relative to freedom of religion; to prohibit government infringement of the right of every person to freely express his religious belief; to provide that the right shall not be burdened without the showing of a compelling governmental interest; to provide for submission of the proposed amendment to the electorate, 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. 347—
BY REPRESENTATIVE DOWNS
AN ACT
To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:42.1 and 22:42.2, relative to the Department of Insurance; to provide with respect to the confidentiality of certain health information; to provide for limited disclosures by the department; and to provide for related matters.

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

HOUSE BILL NO. 349—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 32:663(A) and (C), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 363—
BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT
To amend and reenact Civil Code Articles 2358, 2362.1 through 2364, and 2365 through 2367.2 and R.S. 9:374, to enact Civil Code Article 2367.3, and to repeal Civil Code Article 2364.1, relative to the community property regime; to provide for claims for reimbursement between spouses; to provide for a reduction in reimbursement for obligations paid with respect to certain movable property; to provide when a claim for reimbursement may be made; to provide for the use of a residence of the spouses; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.
HOUSE BILL NO. 403—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 10:1-201(b)(5), (6), (15), (16), (21), and (42), R.S. 10:4-104(c)(introductory paragraph), 4-210(c)(introductory paragraph), Chapter 7 of Title 10 of the Louisiana Revised Statutes of 1950, formerly comprised of R.S. 10:1-105, 7:201 through 7:210, 7:301 through 7:309, 7:401 through 7:404, 7:501 through 7:509, 7:601 through 7:603, and 7:701, to be comprised of R.S. 10:7-101 through 7:106, 7:201 through 7:210, 7:301 through 7:309, 7:401 through 7:404, 7:501 through 7:509, and 7:601 through 7:604, 9-102(a)(30), (b), and (d)(7), 9-203(b)(introductory paragraph) and (3)(b), 9-207(c), 9-208(b)(5) and (6), 9-301(3), 9-310(b)(5) and (8), 9-312(e), 9-313(a), 9-314(a) and (b), 9-317(b) and (d), 9-338, and 9-601(b) and to enact R.S. 9-208(b)(7), relative to warehouses and documents of title; to provide for definitions; to provide for documents of title, warehouse receipts, destination bills, and bills of lading; to provide for rules of negotiability of documents of title; to provide for liens of carriers; to provide for a carrier's duty of care; to provide for negotiation of documents of title; to provide for the duties of public officials; to provide for the application of this Act; to provide for the applicability and retroactivity; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 445—
BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GISCLAIR, MICKEL GUILLORY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALS WORTH
AN ACT
To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

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

HOUSE BILL NO. 465—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 33:9097.2(B), relative to the South Burbank Crime Prevention and Development District; to change the boundaries of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 468—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT
To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Melrose East Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 502—
BY REPRESENTATIVE CORTEZ
AN ACT
To enact Part III-1 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 Youngsville to expropriate property for the Chemin Metairie Phase II Project; to provide procedures for the expropriation by a declaration of taking; 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. 559—
BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, FANNIN, HARRISON, HAZEL, LEBAS, LEEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STAIAES, WHITE, AND WILLIAMS AND SENATOR GUILLORY
AN ACT
To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurships; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 648—
BY REPRESENTATIVE FOIL
AN ACT
To provide for the application of the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurship; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurships; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 675—
BY REPRESENTATIVE NOWLIN
AN ACT
To provide for the levy of a parcel fee within the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 830—
BY REPRESENTATIVES TUCKER, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, GISCLAIR, HARDY, HAZEL, HINES, KATZ, LABRUZZO, LAFONTA, LIGI, LOPINTO, NOWLIN, PETERSON, SIMON, JANE SMITH, STAIAES, TEMPLE, WILLIOMOT, AND WOOTON
AN ACT
To provide for the levy of a parcel fee within the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 826—
BY REPRESENTATIVE NOWLIN
AN ACT
To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create a crime prevention and development district for Hermitage and Cross Creek Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 830—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 1519.1, 1519.2(B)(1), 1519.12(B)(introductory paragraph) and (C), and 1519.17, the heading of Part IV of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:141 and 142(1) and (2), R.S. 36:251(B), 254(A)(14), and 801.1(A), R.S. 39:1593.1(A), and R.S. 46:6 and 2761(B), to enact R.S. 17:1519.2(C) and 1519.12(B)(5), R.S. 36:259(N), and R.S. 40:2003 and 2003-1, and to repeal R.S. 17:1519.9, R.S. 40:2002(5) and R.S. 46:2572, relative to the Medical Center of Louisiana at New Orleans; to transfer the Medical Center of Louisiana at New Orleans to a board; to establish a board of trustees; to provide for the appointment of a board of trustees; to establish nominating and vacancy
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procedures and terms for the board of trustees; to provide for the
powers, duties, and responsibilities of the board of trustees; to
subject the board of trustees to certain laws; to create a
commission to support, manage and operate the Medical Center
of Louisiana at New Orleans; to provide for its purpose; to give
the corporation authority to borrow and spend funds; to create
a board of directors for the corporation; to provide for
membership of the board of directors and nominating
procedures; to provide for the powers, duties, and
responsibilities of the board of directors for the corporation;
for bylaws of the corporation; to mandate affiliation
with certain institutions; to provide for the payment of affiliated
institutions; to subject the board of directors to certain laws and
provide for exceptions; to provide for reporting requirements; to
provide for the transfer of the Medical Center upon completion
of a readiness assessment; to provide for effective dates; and to
provide for related matters.

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

HOUSE BILL NO. 841—
BY REPRESENTATIVE HONEY
AN ACT
To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A),
1378(A)(1), (2), (3)(a)(introductory paragraph) and
(b)(introductory paragraph), and (7) and 1472(4), and to
enact R.S. 23:1600.1 and 1602(4), and to repeal R.S. 23:1201.1
relative to workers; to provide for an examination of an injured
employee when certain disputes arise; to provide for the prompt
reporting of certain information relative to payment of workers'
compensation premiums which may be considered false,
fraudulent, or misleading; to provide for payors and insurers to
make weekly indemnity payments by electronic funds transfer;
to repeal provisions requiring that workers' compensation
indemnity payments be mailed; to provide for the determination
of the liability of the Second Injury Fund; to provide for an
alternate base period; to provide for benefit eligibility conditions
for an individual seeking part-time work; to allow for an
extension of benefits; and to provide for related matters.

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

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 1—
BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N.
GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MORRELL, SMITH,
THOMPSON AND WALSWORTH
A JOINT RESOLUTION
Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the
Constitution of Louisiana, relative to the expenditure of state
funds; to authorize the limited redirection and transfer of funds
supporting appropriations or allocations from the state general
fund and dedicated funds, including those constitutionally
protected or mandated, to be used for other nonmandatory
purposes under certain circumstances; to provide for submission
of the proposed amendment to the electors; and to provide for
related matters.

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

SENATE BILL NO. 2—
BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N.
GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MORRELL, SMITH,
THOMPSON AND WALSWORTH
AN ACT
To repeal R.S. 39:75(F), relative to the avoidance of budget deficits;
to repeal the limitation on the cumulative percentage reduction in
constitutionally or statutorily protected or mandated
appropriations, allocations, or expenditures; and to provide for
an effective date.

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

SENATE BILL NO. 9—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 47:303(D)(1) and 305(D)(1)(a) and (H)
and to enact R.S. 47:321(H)(3), relative to the sales and use tax
of the state and its political subdivisions; to provide for an
exemption for certain property used as demonstrators; and to
provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Revenue and Fiscal
Affairs to Original Senate Bill No. 9 by Senator Long

AMENDMENT NO. 1
On page 3, at the beginning of line 11, delete "(iv)" and insert "(d)"

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

SENATE BILL NO. 10—
BY SENATORS DUPRE, ADLEY AND SHAW AND REPRESENTATIVES
BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, CHAMPAGNE,
CRUMPET, GISCHELAIN, SAM JONES, KLECKLEY, LAMBERT, LANDRY,
LITTLE, MILLS, MONICA, MONTOUFET, MORRIS, PUGH, SIMON AND
WHITE
AN ACT
To enact R.S. 47:301(10)(ff) and (18)(p), relative to sales and use tax
imposed by the state or any political subdivision of the state; to
grant an exclusion for certain tertiary recovery projects; and to
provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Revenue and Fiscal
Affairs to Original Senate Bill No. 10 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 15, after "sale of" insert "anthropogenic"

AMENDMENT NO. 2
On page 2, line 5, after "power over" insert "anthropogenic"

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

SENATE BILL NO. 33—
BY SENATOR CHAISSON
AN ACT
To amend and reenact R.S. 47:305.51, relative to the sales tax
exemption for purchases of utilities used by certain steelworks
and blast furnaces; to change the business classification required
for eligibility for the exemption from Standard Industrial
Classification System (SIC) Sector 3312 to North American Industry
Classification System (NAICS) Sector 331111, as it existed in
2002; to provide relative to terms and definitions; to provide for
classification System (SIC) Sector 3312 to North American Industry
Classification System (NAICS) Sector 331111, as it existed in
2002; to provide relative to terms and definitions; to provide for
an effective date; and to provide for related matters.

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

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AMENDMENT NO. 7
To amend and reenact R.S. 39:75(C)(2)(b), (E)(1) and (2), and (F), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 34 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 2, after "(2)," delete the remainder of the line and insert "to enact R.S. 39:75(E)(5), and to repeal R.S. 39:75(F), relative to the"

AMENDMENT NO. 2
On page 1, line 6, after "circumstances," and before "and to" insert the following: "to define the official forecast of recurring revenues for the current fiscal year for purposes of the budget estimate for the next fiscal year; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; to provide for effective dates;"

AMENDMENT NO. 3
On page 1, line 9, delete "," and insert "and" after "(E)(1) and" and before "are hereby" delete "and (2), and (F)" and insert "and (2)"

AMENDMENT NO. 4
On page 2, delete lines 27 through 29, and on page 3, delete lines 1, 2, and 3, and insert the following: "Section 2. R.S. 39:75(E)(5) is hereby enacted to read as follows: §75. Avoidance of budget deficits E. * * * *(5) For the purpose of Article VII, Sections 10(F) and 10.3 of the Constitution of Louisiana and this Paragraph and for the purpose of the budget estimate and enactment of the budget for the next fiscal year, the official forecast of recurring revenues for the current fiscal year shall mean the May 9, 2008 official forecast of recurring revenues for Fiscal Year 2008-2009, hereinafter the base. At the earlier of the time an official forecast for a fiscal year equals or exceeds the base or the end of Fiscal Year 2012-2013, the provisions of this Paragraph shall no longer be effective and the official forecast for the next fiscal year shall be the most recently adopted forecast."

Section 3. R.S. 39:75(F) is hereby repealed."

AMENDMENT NO. 5
On page 3, at the beginning of line 4, change "Section 2. This" to "Section 4. Section 1 of this"

AMENDMENT NO. 6
On page 3, line 6, after "Senate Bill" delete the remainder of the line, delete line 7 and insert the following: "No. 1 of this 2009 Regular Session of the Legislature is adopted at the congressional election to be held on October 2, 2010 and at the"

AMENDMENT NO. 7
On page 3, after line 8, insert the following: "Section 5. Sections 2, 3, 4, and 5 of this Act shall become effective on July 1, 2009. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 52—
BY SENATOR MARIONNEAUX
AN ACT
To enact R.S. 47:305.62, relative to the state and local sales and use tax; to enact the Annual Second Amendment Weekend Holiday; to provide that the state and local sales and use tax shall not apply to consumer purchases of firearms, ammunition, and hunting supplies each year for a certain period; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 52 by Senator Marionneaux

AMENDMENT NO. 1
On page 1, line 5, after "period;" and before "to" insert "to provide for a penalty;"

AMENDMENT NO. 2
On page 1, line 12, after "(1)" insert "(a)"

AMENDMENT NO. 3
On page 1, at the end of line 16, insert: "(b)(i) If the dealer fails to apply the sales tax exemption during the designated sales tax holidays, a penalty of fifty dollars shall be assessed by the department against the dealer for each reported transaction where the department proves that the dealer failed to apply the sales tax exemption."

(ii) In order for the department to assess the penalty, the department must receive a report concerning the transaction in which the dealer failed to apply the sales tax exemption. The department shall provide such report along with the copy of the transaction receipt and any other information deemed necessary by the department within sixty days after the end of the sales tax holidays.

(iii) The secretary may waive the penalty, in whole or in part, for good cause, such cause to include but not be limited to computer malfunction. The penalty waiver request shall be in writing and be accompanied by supporting documentation."

AMENDMENT NO. 4
On page 2, after line 11, and before line 12, insert the following: "(4) For purposes of this Section, "firearms" shall mean a shotgun, rifle, pistol, revolver, or other handgun."

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

SENATE BILL NO. 57—
BY SENATORS B. GAUTREAX AND NEVERS
AN ACT
To amend and reenact R.S. 11:62(10), 1307(E), and 1335(B), to enact R.S. 11:1312.1, and to repeal R.S. 11:1307(C) and 1312, relative to the State Police Pension and Retirement System; to create the Back-Deferred Retirement Option Program; to provide for eligibility, procedures for application, and calculation of benefits of such program; to provide for effective dates; and to provide for related matters.

Reported favorably by the Committee on Retirement. The motion of Senator B. Gautreaux, the bill was read by title, ordered engrossed and passed to a third reading.
To amend and reenact R.S. 33:1423.1(A), relative to collection and disposition of bonds, fines, fees, licenses, and taxes; to provide for payment by electronic check; to authorize the collection of a fee for electronic check processing; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 69 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 16, after "R." insert "(A)"

On page 2, line 1, after "for it" insert "he may also receive"

AMENDMENT NO. 3
On page 2, delete line 4, and insert: "assessment level as provided for in this Subsection.

(b) The amount of the refund or credit shall be calculated as the difference between the following:

(i) The amount of ad valorem property tax paid with respect to the property for the year in which the person was first eligible for the special assessment level.

(ii) The amount of ad valorem property tax that would have been paid with respect to the property if the person had applied for and received the special assessment level in such year.

(2)(a) Such person shall certify to the assessor of the parish that his adjusted gross income for the year or years in which he was first eligible for the special assessment level, satisfied the income requirement set forth in Article VII, Section (G)(1)(a)(ii) of the Constitution of Louisiana.

(b) The person shall receive a credit against the person's present and future ad valorem property tax. However, in the event a credit will not provide to the person full reimbursement for previous taxes paid because the person's ownership of the property will end because of sale of the property or the death of the last eligible person, or because conditions for the special assessment level will end, the person may receive a refund.

(3) The credit or refund provided for in this Subparagraph shall be only available to the person for the three years immediately preceding the year in which the person applied for and received the special assessment level.

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

SENATE BILL NO. 72—
BY SENATOR MURRAY
AN ACT
To enact R.S. 33:4076.1, relative to the Sewerage and Water Board of New Orleans; to prohibit unauthorized firearms or other explosive devices on board property; to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Gray Evans, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 83—
BY SENATOR SHAW
AN ACT
To amend and reenact R.S. 33:1423.1(A), relative to collection and disposition of bonds, fines, fees, licenses, and taxes; to provide for payment by electronic check; to authorize the collection of a fee for electronic check processing; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 83 by Senator Shaw

AMENDMENT NO. 1
On page 1, line 7, after "R.S. " change "33:1423.1" to "33:1423.1(A)"

AMENDMENT NO. 2
On page 1, line 9, after "electronic" insert "check"

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

SENATE BILL NO. 84—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 38:2212.1(A), relative to public contracts: to increase the limit for the purchase of materials and supplies to the sum of forty thousand dollars for public entities without the necessity of advertisement; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 84 by Senator Adley

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 38:2212.1(A)" to "R.S. 38:2212.1(A)(1)"

AMENDMENT NO. 2
On page 1, line 3, change "forty" to "thirty"

AMENDMENT NO. 3
On page 1, line 7, change "R.S. 38:2212.1(A)" to "R.S. 38:2212.1(A)(1)"

AMENDMENT NO. 4
On page 1, line 11, change "forty" to "thirty"

AMENDMENT NO. 5
On page 1, at the beginning of line 16, change "forty" to "thirty"

AMENDMENT NO. 6
On page 2, delete lines 3 through 20

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

SENATE BILL NO. 88—
BY SENATOR LONG
AN ACT
To enact R.S. 47:297.13, relative to individual income tax; to grant a deduction for contributions made to certain property and casualty savings accounts for the purpose of paying expenses related to weather-related catastrophes; to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 88 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 7, after "R.S." change "47:297.13" to "47:297.13(A)"
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 88 by Senator Long

AMENDMENT NO. 1
On page 1, line 4, change "catastrophes" to "events"

AMENDMENT NO. 2
On page 2, delete lines 14 through 16, and insert:
"(2) 'Qualified expense' means expenses paid or incurred by reason of a weather-related event whereby damages are caused by a hurricane, rising flood waters, wind, hail, or a freeze."

AMENDMENT NO. 3
On page 2, line 20, delete "catastrophe"

AMENDMENT NO. 4
On page 2, line 29, delete "catastrophe"

AMENDMENT NO. 5
On page 3, line 1, delete "catastrophe"

AMENDMENT NO. 6
On page 3, at the beginning of line 6, delete "catastrophe" and after "qualified" delete "catastrophe"

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

SENATE BILL NO. 90—
BY SENATORS GRAY EVANS AND LAFLEUR
AN ACT
To enact Part XII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:409.1 through 409.7, and to enact R.S. 36:651(BB), relative to school facilities; to create and provide for the Louisiana Statewide Education Facilities Authority in the Department of Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for rules; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 90 by Senator Gray Evans

AMENDMENT NO. 1
On page 3, line 14, after "meeting," delete the remainder of the line and delete line 15 in its entirety

AMENDMENT NO. 2
On page 4, line 22, between "safety," and "demographic" change "project" to "projected"

AMENDMENT NO. 3
On page 5, delete lines 20 through 23

AMENDMENT NO. 4
On page 5, at the beginning of line 24, change "(4)" to "(3)"

AMENDMENT NO. 5
On page 5, at the beginning of line 29, change "(5)" to "(4)"

AMENDMENT NO. 6
On page 6, at the beginning of line 6, change "(6)" to "(5)"

AMENDMENT NO. 7
On page 6, at the beginning of line 9, change "(7)" to "(6)"

On motion of Senator Nevers, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 102—
BY SENATOR DUPLESSIS
AN ACT
To amend and reenact R.S. 33:9100.1, 9100.3(A), 9100.4(B), 9100.5, 9100.6(A), 9100.7(A), (C) and (F) and 9100.11; to enact R.S. 33:9100.9(E), to repeal R.S. 33:9100.10, relative to the East New Orleans Neighborhood Advisory Commission; to provide for commission membership; to provide for commission jurisdiction; to provide for terms; to provide for officers and meetings; to provide for staff; to require notice from governing authority regarding zoning and building permits; to require that views of the commission to be presented only by their officers; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 102 by Senator Duplessis

AMENDMENT NO. 1
On page 1, at the end of line 2, after "9100.7(A)" delete the comma"," and on line 3, delete "(C) and (F) and 9100.11;" and insert "and (C), and 9100.11;"

AMENDMENT NO. 2
On page 1, line 12, after "9100.7(A)" delete the comma"," and delete "(C)" and at the beginning of line 13, delete "and (F)," and insert in lieu thereof "and (C),"

AMENDMENT NO. 3
On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 4
On page 2, line 24, at the beginning of the line delete "nonprofit"

AMENDMENT NO. 5
On page 3, line 4, after "or" and before "organization" delete "nonprofit"

AMENDMENT NO. 6
On page 3, line 13, after "or" and before "organization" delete "nonprofit"

AMENDMENT NO. 7
On page 3, line 14, after "or" and before "organization" delete "nonprofit"

AMENDMENT NO. 8
On page 4, line 3, change "a nonprofit organization" to "an organization"

AMENDMENT NO. 9
On page 4, line 4, after "the" and before "organization" delete "nonprofit"

AMENDMENT NO. 10
On page 4, line 6, after "years," insert "Such members shall not be term limited."

AMENDMENT NO. 11
On page 5, delete lines 3-8 in their entirety
AMENDMENT NO. 12
On page 5, line 17, after "A." insert "(1)"

AMENDMENT NO. 13
On page 5, between lines 21 and 22 insert the following:

"(2) For purposes of this Chapter, all notices shall be sent either by email, facsimile, or certified mail to the commission's office."

AMENDMENT NO. 14
On page 6, line 14, after "improvements," strike the remainder of the line and on line 15, strike "permits affecting the area,"

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

SENATE BILL NO. 103—
BY SENATOR DUPLESSIS
AN ACT
To enact R.S. 33:9991.15, a bill relative to Orleans Parish; to create the Oak Island Neighborhood Improvement District; to provide for district boundaries, purpose, governance, and funding, including the levy of a parcel fee; to provide relative to the powers and duties of the district and its governing board; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 103 by Senator Duplessis

AMENDMENT NO. 1
On page 2, line 11, delete "Improvement District" and insert "Association"

AMENDMENT NO. 2
On page 2, line 12, delete "Improvement District" and insert "Association"

AMENDMENT NO. 3
On page 4, line 22, delete "shall" and insert "may"

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

SENATE BILL NO. 104—
BY SENATOR DUPLESSIS
AN ACT
To enact R.S. 33:9080.3, relative to improvement districts in Orleans Parish; to create the Lakewood East Security and Neighborhood Improvement District; to provide for district boundaries, purpose, governance, and funding, including the levy of a parcel fee; to provide relative to the powers and duties of the district and its governing board; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs. On motion of Senator Gray Evans, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 113—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact R.S. 47:297.6(A)(1), relative to individual income tax credits; to provide for increases in tax credits for the rehabilitation of residential structures in certain areas; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 113 by Senator Marionneaux

AMENDMENT NO. 1
On page 2, line 3, delete "forty" and insert "ten"

AMENDMENT NO. 2
On page 2, line 28, delete "January 1" and insert "August 15"

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

SENATE BILL NO. 128—
BY SENATOR MARTINY
AN ACT
To enact R.S. 47:301(10)(ff) and (18)(p), relative to the sales and use tax of the state; to provide an exclusion for the resale of certain Mardi Gras items by certain nonprofit organizations from such tax; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Marionneaux, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 168—
BY SENATORS RISER AND B. GAUTREAUX
AN ACT
To amend and reenact R.S. 32:295.1(B), relative to seat belts; to provide that all occupants who are thirteen years of age or older shall wear a seat belt in certain vehicles; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator McPherson, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 172 by Senator Quinn

AMENDMENT NO. 1
On page 1, line 2, delete "R.S. 41:1702(B)(4)," and insert "R.S. 41:1702(B)(4),(5),(6),(7), and (8),"

AMENDMENT NO. 2
On page 1, line 7, delete "R.S. 41:1702(B)(4) is" and insert "R.S. 41:1702(B)(4),(5),(6),(7), and (8) are"

AMENDMENT NO. 3
On page 1, line 14, after "land" insert "located east of the Mississippi River, and not an island, that has been"

AMENDMENT NO. 4
On page 2, line 12, after "(4)(a)," insert "As a condition of the boundary agreement, the landowner shall waive any claim against the state for return of mineral revenues from the reclaimed land."
AMENDMENT NO. 5
On page 2, delete lines 26 and 27, and insert

"(9) The provisions of Paragraphs (4) through (7) shall apply
only to parishes with a population of more than four hundred and
fifty thousand and less than four hundred and eighty thousand,
according to the latest regular federal census."

On motion of Senator Dupre, the committee amendment was
adopted. The amended bill was read by title, ordered engrossed
and recommitted to the Committee on Finance.

SENATE BILL NO. 182—
BY SENATOR CROWE
AN ACT
To authorize and provide for the transfer of certain state property;
to authorize the transfer of certain state property in St. Tammany
Parish; to provide for the property description; to provide for
reservation of mineral rights; to provide terms and conditions;
and to provide for related matters.

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

SENATE BILL NO. 187—
BY SENATOR HEITMEIER
AN ACT
To amend and reenact R.S. 32:361.2, relative to motor vehicle
equipment; to provide relative to medical exemptions from
prohibitions on certain window tinting; to provide relative to the
contents of an affidavit for such medical exemption; to require
certain information; to provide for decals and display of decals;
to provide for certain departmental and board actions; to provide
for violations; and to provide for related matters.

Reported with amendments by the Committee on Transportation,
Highways and Public Works.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Transportation,
Highways and Public Works to Original Senate Bill No. 187 by
Senator Heitmeier

AMENDMENT NO. 1
On page 1, line 5, after "information;" delete "to provide for decals
and display of decals;"

AMENDMENT NO. 2
On page 2, delete lines 3 through 5 in their entirety, and at the
beginning of line 6, delete "this state. The standard form" and
insert "The affidavit"

AMENDMENT NO. 3
On page 2, line 7, after "Association" delete "Journal" and insert
"International Classification of Disease ICD-9-CM"

AMENDMENT NO. 4
On page 2, line 9, change "form" to "affidavit"

AMENDMENT NO. 5
On page 2, line 11, change "form" to "affidavit"

AMENDMENT NO. 6
On page 2, line 12, after "Section," delete the remainder of the line
and delete lines 13 through 16, and insert "The office of state police
may seek the opinion of the Louisiana Medical Advisory Board
on whether to grant a medical exemption. A copy of this affidavit
shall be kept in the"

AMENDMENT NO. 7
On page 3, line 2, after "Association" delete "Journal" and insert
"International Classification of Disease ICD-9-CM"

AMENDMENT NO. 8
On page 3, line 8, after "every" change "three years" to "three years"

AMENDMENT NO. 9
On page 3, delete lines 23 through 29 and on page 4, delete lines 1
through 5

AMENDMENT NO. 10
On page 4, at the beginning of line 6, delete "(3)" and insert "(2)"

AMENDMENT NO. 11
On page 4, delete lines 9 through 11

AMENDMENT NO. 12
On page 4, line 12, delete "D."

AMENDMENT NO. 13
On page 4, line 14, delete "E."

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

SENATE BILL NO. 208—
BY SENATOR AMEDEE
AN ACT
To amend and reenact the introductory paragraph of R.S.
38:291(F)(2), 291(F)(2)(f), and 334(A), relative to levee
districts; to provide relative to the Lafourche Basin Levee
District; to increase the number of levee commissioners;
and to provide for revenue utilization; and to provide for related
matters.

Reported with amendments by the Committee on Transportation,
Highways and Public Works.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Transportation,
Highways and Public Works to Original Senate Bill No. 208 by
Senator Amedee

AMENDMENT NO. 1
On page 1, line 2, after "reenact" delete the remainder of the line
and insert "R.S. 38:"

AMENDMENT NO. 2
On page 1, line 4, delete "to increase the number of levee
commissioners;"

AMENDMENT NO. 3
On page 1, line 8, after "Section 1."
delete the remainder of the line
and insert "R.S. 38:334(A)"

AMENDMENT NO. 4
On page 1, at the beginning of line 9, change "are" to "is"

AMENDMENT NO. 5
On page 1, delete lines 10 through 17 and on page 2, delete lines 1
and 2

AMENDMENT NO. 6
On page 2, line 6, change "forty-three" to "fifty"

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

SENATE BILL NO. 217—
BY SENATOR MORRISH
AN ACT
To amend and reenact R.S. 33:4067(B), relative to the Cameron
Parish Water and Wastewater Board for District No.1; to
decrease the membership of the board of commissioners; and to
provide for related matters.
Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 217 by Senator Morrish

**AMENDMENT NO. 1**

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

"Section 2. If more than five members are serving on the Cameron Parish Water and Wastewater Board for District No. 1 on the effective date of this Act, the governing authority of Cameron Parish may remove members to reduced the number to five or may allow the number to be reduced by attrition."

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

**SENATE BILL NO. 224—**

BY SENATOR N. GAUTREAUX

AN ACT

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

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Gray Evans, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 239—**

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

AN ACT

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

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Marionneaux, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 272—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:329.6(A)(9) and R.S. 29:734 and to enact R.S. 29:732.1 and R.S. 51:422.1(C)(5), relative to fuel; to prohibit excessive fuel pricing during a declared state of emergency; to allow sales below costs during such time; to provide terms, conditions, procedures, and requirements; to provide for exceptions; to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 272 by Senator Heitmeier

**AMENDMENT NO. 1**

On page 2, at the end of line 12, strike "29:701" and at the beginning of line 13, strike "through 716" and insert "29:732 and 734."

**AMENDMENT NO. 2**

On page 2, delete line 15, and insert "29:732.1(A)(2)(b), for a value exceeding 29:732.1(A) for a value exceeding."

**AMENDMENT NO. 3**

On page 2, delete line 23, and insert "provisions of R.S. 29:732.1 and 734."

**AMENDMENT NO. 4**

On page 2, line 29, after "governor" delete "or by the parish president."

**AMENDMENT NO. 5**

On page 2, after "within the" delete "designated emergency" and at the beginning of line 2, delete "area" and insert "state."

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

**SENATE BILL NO. 296—**

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:42(B)(5) and (11), 102(B)(1), (2)(b), (3)(b), and (5), 542(A), (B), (C)(1)(introductory paragraph), (2), (3), (4)(a)(introductory paragraph), (b)(introductory paragraph), and (c), (5)(a) and (b), and (E), and 883.1(A), (B), (C)(1)(introductory paragraph), (2), (3), (4)(a)(introductory paragraph), (b)(introductory paragraph), and (c), (E), and (F), to enact R.S. 11:102.1, 102.2, 542(C)(4)(d) and (e) and (F), and 883.1(C)(4)(d) and (e) and (G), and to repeal R.S. 11:542(D) and 883.1(D), relative to the liabilities of the state retirement systems; to provide for payment of such liabilities; to provide for employer contributions; to limit creation of certain additional liabilities through benefit increases; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 296 by Senator Gautreaux

**AMENDMENT NO. 1**

On page 1, line 2 after "102(B)(1)," delete the remainder of the line and insert "(2)(b)(i) and (ii) and (c), (3)(b) and (c), and (5), 542(A)."

**AMENDMENT NO. 2**

On page 1, line 14 after "102(B)(1)," delete the remainder of the line and insert "(2)(b)(i) and (ii) and (c), (3)(b) and (c), and (5), 542(A), (B)."

**AMENDMENT NO. 3**

On page 2, delete lines 15 through 29 in their entirety and delete page 3,through 16 and on page 17 delete lines 1 through 22 in their entirety and insert in lieu thereof:

"(b) The outstanding balance of this unfunded accrued liability as of June 30, 2009, shall be consolidated with other amortization bases and credits as provided in R.S. 11:102.1, and that consolidated total shall be amortized over the remaining constitutionally-mandated period with annual payments beginning in Fiscal Year 2010-2011. The final payment shall be made in Fiscal Year 2028-2029."
(11)(a) Teachers' Retirement System of Louisiana. The unfunded accrued liability, as of June 30, 1988, determined under the funding method specified in R.S. 11:22:B(13), shall be amortized over a forty-year period, commencing with the Fiscal Year 1989-1990. The outstanding balance of the unfunded accrued liability as of July 1, 1992, shall be amortized over the remaining thirty-seven-year period with payments forming an annuity increasing at four and one-half percent annually.

(b) The outstanding balance of this unfunded accrued liability as of June 30, 2009, shall be consolidated with other amortization bases and credits as provided in R.S. 11:102.2, and that consolidated total shall be amortized over the remaining constitutionally-mandated period with annual payments beginning in Fiscal Year 2010-2011. The final payment shall be made in Fiscal Year 2028-2029.

§102. Employer contributions; determination; state systems

B.(1) Except as provided in R.S. 11:102.1 and 102.2 and in Paragraph (5) of this Subsection, for each fiscal year, commencing with Fiscal Year 1989-1990, for each of the public retirement systems referenced in Subsection A of this Section, the legislature shall set the required employer contribution rate equal to the actuarially required employer contribution, as determined under Paragraph (3) of this Subsection, divided by the total projected payroll of all active members of each particular system for the fiscal year. Each entity funding a portion of a member's salary shall also fund the employer's contribution at the rate of the member's salary at the employer contribution rate specified in this Subsection.

(2) At the end of each fiscal year, the difference between the actuarially required employer contribution for the fiscal year, as determined under Paragraph (3) of this Subsection, and the amount of employer contributions actually paid for the fiscal year excluding any amounts received for the extraordinary purchase of additional benefits or service, shall be determined.

(b) At the end of each fiscal year, the difference between the minimum employer contribution, as required by the Constitution of Louisiana, and the actuarially required employer contribution for the fiscal year, as determined under Paragraph (3) of this Subsection, shall be determined and applied in accordance with the following provisions.

(i) The amount, if any, shall be accumulated in an Employer Credit Account. The Employer Credit Account employer credit account, for any fiscal year beginning on or before July 1, 2008, the employer credit account shall be credited annually with interest at the actuarial rate of return earned by the system annually. For the 2009-2010 Fiscal Year and for each fiscal year thereafter, the employer credit account shall be credited annually with interest at the actuarially-anticipated interest rate.

(ii) Amount After the unfunded accrued liability that existed as of June 30, 2004, has been extinguished, annual contributions required in accordance with this Subsection, or the constitutional minimum if greater, may be funded in whole or in part from the Employer Credit Account employer credit account, provided the employer contribution rate for the system as set forth in R.S. 11:62 has been reduced to an amount equal to or less than fifty percent of the annual normal cost, rounded to the nearest one-quarter percent.

(c) Differences Except as provided in R.S. 11:102.1 and 102.2, differences occurring for any other reason shall be added to or subtracted from the following fiscal year's actuarially required employer contribution in accordance with Subparagraph (3)(c) of this Subsection.

(3) With respect to each state public retirement system, the actuarially required employer contribution for each fiscal year, commencing with Fiscal Year 1989-1990, shall be that dollar amount equal to the sum of:

(b) That fiscal year's payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially-assumed interest rate, taking into account consolidation with other amortization bases, if any, as provided in R.S. 11:42, 102.1, and 102.2, and using the system's actuarial funding method specified in R.S. 11:42, necessary to amortize the unfunded accrued liability as of June 30, 1988, such unfunded accrued liability computed using the system's actuarial funding method as specified in R.S. 11:22.

(c) That fiscal year's payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially-assumed interest rate, necessary to amortize the prior year's over or underpayment as a level dollar amount over a period of five years.

(5)(a) Notwithstanding the provisions of this Section, the gross employer contribution rate, exclusive of any funds from the Texaco settlement, for the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana shall not be less than fifteen and one-half percent per year until such time as the unfunded accrued liability that existed on June 30, 1988, is fully funded.

(b) At the end of each fiscal year, the difference, if any, by which the fixed minimum employer contribution rate established pursuant to this Paragraph exceeds the greater of the minimum employer contribution required by Article X, Section 29 of the Constitution of Louisiana or the statutory minimum employer contribution rate calculated according to the methodology provided in Items (i) through (iv) of Paragraph (3) of this Subsection shall be accumulated in an Employer Credit Account employer credit account for the respective system.

(g) The Employer Credit Account For fiscal years beginning on or before July 1, 2008, the employer credit account shall be credited annually with that portion of the system's net investment income attributable to the balance in the account. For the 2009-2010 Fiscal Year and for each fiscal year thereafter, the employer credit account shall be credited annually with interest at the actuarially-assumed interest rate.

(h) Except as provided in R.S. 11:102.1 and 102.2, The Employer Credit Account employer credit account of a system shall be used exclusively to reduce any unfunded accrued liability of that system created before July 1, 2004, and shall not be debited for any other purpose.

(i) Beginning in Fiscal Year 2009-2010 and effective for the June 30, 2009, system valuation and with payments beginning in Fiscal Year 2010-2011, all amortization bases existing on July 1, 2008, shall be consolidated and applied in accordance with R.S. 11:102.1 or 102.2.

§102.1 Consolidation of employer credit accounts; Louisiana State Employees' Retirement System

A.(1) For the Louisiana State Employees' Retirement System, effective for the June 30, 2009, system valuation and with payments beginning in Fiscal Year 2010-2011, all amortization bases existing on July 1, 2008, shall be consolidated as provided in this Section.

(2) There shall be two consolidated amortization bases calculated and amortized as provided in this Section. Any existing amortization base not included in a consolidated base pursuant to this Section shall remain separate and continue to be amortized and funded as otherwise provided by law.

(3) Beginning with Fiscal Year 2008-2009 and for each fiscal year thereafter, that year's changes, gains, and losses shall be calculated and paidtherefor determined as provided in R.S. 11:102, except as otherwise specified in this Section.

B. Original amortization base.

(2)(a) To this base shall be added any monies in the separate fund known alternatively as the "Texaco Account" or the "Initial Unfunded Accrued Liability Account" on June 30, 2009, and any appropriation provided in the 2009 Regular Session of the Legislature.

(b) The balance in this account as of June 30, 2008, shall be credited with interest at the system's actuarially-forecast rate until the funds in the account are applied as provided in this Subsection.

(3)(a) This consolidated amortization base shall be known as the "original amortization base" and shall be amortized with annual payments as follows:

(i) For the Fiscal Year 2010-2011, the payment shall be one hundred forty-six million sixty-one thousand eight hundred eighty-eight dollars.

(ii) Payments thereafter shall form an annuity increasing at six and one-half percent for one year, at five and one-half percent annually for the following four years, and at five percent annually for the following four years.

(iii) Beginning in Fiscal Year 2018-2019, the payments shall be amortized over the remaining period with payments forming an annuity at two percent annually.

(b) The first payment after this consolidation shall be made in Fiscal Year 2010-2011 and the final payment in Fiscal Year 2028-2029.

(c) In any year in which the system exceeds its actuarially-forecasted rate of return, the first fifty million dollars of excess returns shall be applied to the remaining balance of the original amortization base established in this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments as provided in this Subsection or as otherwise provided by law.

(4) Notwithstanding the provisions of R.S. 11:102(B)(3)(c) and (5) or any other provision of law to the contrary, in any year from Fiscal Year 2017-2018 through Fiscal Year 2039-2040 in which the system receives an overpayment of employer contributions as determined pursuant to R.S. 11:102(B)(5) and in any year from Fiscal Year 2017-2018 through Fiscal Year 2039-2040 in which the system receives additional contributions pursuant to R.S. 11:102(B)(5), the amount of such overpayment or additional contribution shall be applied to the remaining balance of the experience account amortization base established pursuant to this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments as provided in this Subsection or as otherwise provided by law.

Teachers' Retirement System of Louisiana
A.(1) For the Teachers' Retirement System of Louisiana, effective for the June 30, 2009, system valuation and with annual payments beginning in Fiscal Year 2010-2011, all amortization bases existing on July 1, 2008, shall be consolidated as provided in this Section.

(2) There shall be two consolidated amortization bases calculated and amortized as provided in this Section.

(3) Beginning with Fiscal Year 2008-2009 and for each fiscal year thereafter, that year's changes, gains, and losses shall be calculated and payments therefor determined as provided in R.S. 11:102, except as otherwise specified in this Section.

B. Original amortization base.


(2)(a) To this base shall be added any monies in the separate fund known alternatively as the "Texaco Account" or the "Initial Unfunded Accrued Liability Account" on June 30, 2009, and any appropriation provided in the 2009 Regular Session of the Legislature. The balance in this account as of June 30, 2008, shall be credited with interest at the system's actuarially-forecasted interest rate until the funds in the account are applied as provided in this Subsection.

(b) The balance in this account as of June 30, 2008, shall be consolidated as provided in this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments as provided in this Subsection or as otherwise provided by law.

C. Experience account amortization base.


(2) To this shall be added the balance in the experience account or the balance in the subaccount of the Texaco Account pursuant to R.S. 11:542(A)(1)(b)(iil).

(3) This consolidated amortization base shall be known as the "experience account amortization base" and shall be amortized with annual payments over a thirty-year period beginning in Fiscal Year 2010-2011 as follows:

(a) For Fiscal Year 2010-2011, the payment shall be one hundred sixty-four million nine hundred seven thousand one hundred fifty-six dollars.

(b) Payments thereafter shall form an annuity increasing at six and one-half percent for one year, five and one-half percent for the following four years, and five percent for the following two years.

(c) Beginning in Fiscal Year 2018-2019, the outstanding balance shall be amortized over the remaining period with annual level dollar payments.

(d) In any year in which the excess returns of the system exceed the amount in Paragraph (b)(4) of this Section, the next fifty million dollars of excess returns shall be applied to the experience account amortization base established in this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments calculated as provided in this Subsection or as otherwise provided by law.

(4) In any year in which the system exceeds its actuarially-forecasted rate of return, the first one hundred million dollars of excess returns shall be applied to the remaining balance of the original amortization base established in this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments calculated as provided in this Subsection or as otherwise provided by law.
Retirement Systems’ Actuarial Committee on February 5, 2009, shall be consolidated into a single amortization base, effective for the June 30, 2009 system valuation.

(b) To this shall be added the balance in the experience account or the balance in the subaccount of the Texaco Account pursuant to R.S. 11:883.1(A)(1)(b)(ii) of thirty-year period beginning in Fiscal Year 2010-2011 calculated as follows:

(1) For Fiscal Year 2010-2011, the payment shall be two hundred forty-eight million two hundred twenty-two thousand six hundred eighty-one dollars.

(2) The employee experience account shall be credited as follows:

- (a) To the extent permitted by Paragraph (3) of this Section, and after allocation of the consolidated amortization bases as provided in R.S. 11:102.1(A)(1)(b)(ii) of the effects of the system’s net investment income attributable to the balance in the employee experience account during the prior year.

- (b) In no event shall the amount in the employee experience account exceed the reserve necessary to grant two cost-of-living permanent benefit increases as provided in Subsection C of this Section.

- (2) An amount sufficient to fund a cost-of-living permanent benefit increase granted pursuant to Subsection C of this Section.

- (3) In no event shall the amount in the employee experience account fall below zero.

- (4) In any year in which the excess returns exceed the amount in Paragraph (B)(4) of this Section, the next one hundred million dollars of excess returns shall be applied to the experience account amortization base established in this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments calculated as provided in this Subsection or as otherwise provided by law.

- (5) Notwithstanding the provisions of R.S. 11:102(B)(5)(c) and (5) or any other provision of law to the contrary, in any year from Fiscal Year 2009-2010 through Fiscal Year 2039-2040 in which the system receives an overpayment of employer contributions as determined pursuant to R.S. 11:102(B)(2) and in any year from Fiscal Year 2009-2010 through Fiscal Year 2039-2040 in which the system receives additional contributions pursuant to R.S. 11:102(B)(5), the amount of such overpayment or additional contribution shall be applied to the remaining balance of the experience account amortization base established pursuant to this Subsection. After such application, the net remaining liability shall be reamortized over the remaining amortization period with annual payments calculated as provided in this Subsection or as otherwise provided by law.

§542. Employee experience account

A. (1)(a) Effective July 1, 2009, the balance in the employee experience account shall be zero.

(b) Effective June 30, 2009, the balance in the experience account shall be zero. Any funds in the experience account on June 30, 2009, shall be allocated as provided in Subparagraph (b)(i) of this Section.

(b)(i) To provide for any net investment loss attributable to the balance in the account as provided in Paragraph (B)(4) of this Section.

(b)(ii) To fund any permanent benefit increase or minimum benefit pursuant to the Act that originated as House Bill No. 586 of the 2009 Regular Session of the Legislature.

(b)(iii) To apply to the experience account amortization base as provided in R.S. 11:102.1(C)(2); however, as of June 30, 2009, these funds shall be transferred to the system’s Texaco Account and retained in a subaccount of that account until that account as provided in R.S. 11:102.1.

(b)(iv) To fund any permanent benefit increases as provided in Paragraph (B)(4) of this Section.

B. The employee experience account shall be credited as follows:

(1) An amount equal to that portion of the system’s net investment loss attributable to the balance in the employee experience account during the prior year.

(2) An amount sufficient to fund a cost-of-living permanent benefit increase granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the employee experience account fall below zero.

(4)(a) Except as provided in Subparagraph (c) of this Paragraph, in order to be eligible for a cost-of-living permanent benefit increase, a recipient on the effective date of the increase.

(b) Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary shall be eligible for the cost-of-living permanent benefit increase payable on or before June 30, 2009.

(c)(i) The provisions of Items (a)(ii), and (b)(ii), (d)(ii), and (e)(ii) of this Paragraph shall not apply to any person who receives disability benefits from this system, or who receives benefits based on the death of a disability retiree of this system.

(ii) The actuarial cost of implementing the provisions of Acts 2001, No. 1162, shall be paid by debiting the employee experience account which must have the funds available in the respective experience account to pay for such an increase.

(d) Except as provided in Subparagraph (c) of this Paragraph, in order to be eligible for a permanent benefit increase payable on or before July 1, 2009, there shall be the funds available in the experience account to pay for such an increase, and a retiree:

(i) Shall have received a benefit for at least one year; and

(ii) Shall have attained at least age sixty.
(c) Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary shall be eligible for the permanent benefit increase payable on or after July 1, 2009:

(1) If benefits had been paid to the retiree or the beneficiary, or both combined, for at least one year; and

(2) An amount sufficient to fund a cost-of-living adjustment permanent benefit increase granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the employee experience account exceed the reserve necessary to grant two cost-of-living adjustments permanent benefit increases as provided in Subsection C of this Section.

B. The employee experience account shall be debited as follows:

(1) An amount equal to that portion of the system's net investment loss attributable to the balance in the employee experience account during the prior year.

(2) An amount sufficient to fund a cost-of-living adjustment permanent benefit increase granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the employee experience account fall below zero.

C. (1) In accordance with the provisions of this Section, the board of trustees may recommend to the president of the Senate and the speaker of the House of Representatives that the system be permitted to grant a cost-of-living permanent benefit increase to retirees and beneficiaries whenever the conditions in Subsection G of this Section are met. The employee experience account is sufficient to fund such benefit fully on an actuarial basis, as determined by the system's actuary. If the legislative auditor's actuary disagrees with the determination of the system's actuary, a cost-of-living permanent benefit increase shall not be granted. The board of trustees shall not grant a cost-of-living permanent benefit increase unless such cost-of-living permanent benefit increase has been approved by the legislature by concurrent resolution adopted by a favorable vote of a majority of the elected members of each house. Any increase granted shall begin on the July first following legislative approval and shall be payable annually, and shall equal an amount not to exceed the lesser of:

* * *

(2) If the increase in the consumer price index, U.S. city average for all urban consumers (CPI-U), as prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the cost-of-living permanent benefit increase is less than three percent, then the cost-of-living permanent benefit increase shall be a sum equal to the CPI-U increase for that prior calendar year, if any. If the balance in the experience account is not sufficient to fund that sum, no increase shall be granted.

(3) The percentage of each recipient's cost-of-living permanent benefit increase shall be based on the benefit being paid to the recipient on the effective date of the increase.

A. Except as provided in Subparagraph (c) of this Paragraph, in order to be eligible for the cost-of-living any permanent benefit increase payable on or before June 30, 2009, there shall be the funds available in the experience account to pay for such an increase, and a retiree:

* * *

(b) Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary shall be eligible for the cost-of-living permanent benefit increase payable on or before June 30, 2009:

(1) If benefits had been paid to the retiree or the beneficiary, or both combined, for at least one year; and

(2) An amount sufficient to fund a cost-of-living adjustment permanent benefit increase granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the employee experience account exceed the reserve necessary to grant two cost-of-living adjustments permanent benefit increases as provided in Subsection C of this Section.
In no event before the retiree would have attained age sixty.

E. The first normal cost-of-living permanent benefit increase shall be effective July 1, 1999.

F. (1) Notwithstanding any other provisions of this Section to the contrary, any cost-of-living permanent benefit increase shall be calculated only on the first seventy thousand dollars of the retiree's annual retirement benefit.

(2) The seventy-thousand dollar limit provided for in Subparagraph (a) of this Paragraph shall be increased each year in an amount equal to any increase in the consumer price index, U.S. city average for all urban consumers (CPI-U) for the preceding year, if any.

G. (1) The cost-of-living permanent benefit increase which is authorized by Subsection C of this Section shall be limited to the lesser of either two percent or an amount as determined in Paragraph (C)(2) of this Section in or for any year in which the system does not earn an actuarial rate of return of at least eight and one-quarter percent interest on the investment of the system's assets.

(2) No permanent benefit increase shall be authorized based on any actuarial valuation in which both of the following apply:

(a) The system fails to earn an actuarial rate of return which exceeds the board-approved actuarial valuation rate.

(b) The system is less than eighty percent funded.


Section 3. R.S. 11: 542(D) and 883.1(D) are hereby repealed.

Section 4. The provisions of this Act shall not affect the system valuations and the required employer contribution rates contained therein as adopted by the Public Retirement Systems' Actuarial Committee and shall not affect the employer contributions due and payable for the fiscal year beginning July 1, 2009.

Section 5. This Act shall become effective on June 30, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2009, or on the day following such approval by the legislature, whichever is later.

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

SENEATE BILL NO. 308—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 48:285, 286(A)(1) and (B), 287, 288, 289(B), the introductory paragraph of 290(B), the introductory paragraph of 290(C), and (D), 291, the introductory paragraph of 292(B), 292.1(B), 293, and 294, relative to employment of consultants; to provide relative to the requirements for employment of consultants by the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 308 by Senator McPherson

AMENDMENT NO. 1
On page 2, line 21, change "projects" to "project"
Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Marionneaux, the 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. 231—**
BY REPRESENTATIVES LITTLE AND DOVE AND SENATORS DUPRE AND MORMISH
AN ACT
To amend and reenact R.S. 56:116.1(A)(6) and 116.4(A)(1), relative to hunting with a crossbow; to authorize the use of crossbows to take turkey; to authorize the use of crossbows to take wild birds and wild quadrupeds; and to provide for related matters.

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

**HOUSE BILL NO. 232—**
BY REPRESENTATIVES SMILEY, DOVE, ST. GERMAIN, AND MONICA AND SENATORS KOSTELKA, DUPRE, AND MORMISH
AN ACT
To amend and reenact R.S. 32:681(A), (B), and (C), relative to postaccident drug testing; to provide for certain testing for operators of watercraft; and to provide for related matters.

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

**HOUSE BILL NO. 236—**
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATORS DUPRE AND MORMISH
AN ACT
To amend and reenact R.S. 34:855.3(E) and (F) and 855.4(A), relative to personal watercraft; to provide for the minimum age to operate a personal watercraft; to provide for the minimum age to lease, hire, or rent a personal watercraft; and to provide for related matters.

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

**HOUSE BILL NO. 237—**
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATORS DUPRE AND MORMISH
AN ACT
To amend and reenact R.S. 56:302.1(C)(1) and to repeal R.S. 56:302.1(C)(2)(a), relative to fishing licenses; to provide for a temporary nonresident license; and to provide for related matters.

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

Special Order of the Day No. 1

SENATE BILL NO. 65—
BY SENATOR DONAHUE AND REPRESENTATIVES ABRAMSON AND CROMER
AN ACT
To amend and reenact Code of Civil Procedure Article 1471(B) and to enact Code of Civil Procedure Article 1461.1, relative to discovery; to provide for discovery of electronically stored information; to provide for specific limitations on the discovery of electronically stored information; to provide for sanctions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

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The Chair declared the bill failed to pass.

**Notice of Reconsideration**

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

**Message from the House**

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 19, 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. 40—**
BY SENATORS SMITH AND CROWE
A CONCURRENT RESOLUTION
To recognize May 10 through 16, 2009, as "Christian Heritage Week in Louisiana."

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 53—**
BY SENATORS GRAY EVANS AND NEVERS AND REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION
To commend the Louisiana Foster and Adoptive Parent Association (LFAPA) for its outstanding achievements and to designate Monday, May 18, 2009, as Louisiana Foster and Adoptive Parent Association Day at the Louisiana State Capitol.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 58—**
BY SENATOR ERDEY
A CONCURRENT RESOLUTION
To commend Micaela de Gruy on being selected for the prestigious Truman Scholarship.

Reported without amendments.
SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATORS DUPRE, ALARIO, AMEDEE, APPEL, BROOME, CHAISON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHE, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH AND THOMPSON
A CONCURRENT RESOLUTION
To designate May 18, 2009, as "Coastal Day" in Louisiana.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 60—
BY SENATOR DUPRE
A CONCURRENT RESOLUTION
To urge and request the Coastal Protection and Restoration Authority to conduct a science-based study of the adequacy of the current inland boundary of the coastal zone of Louisiana to meet the state's current and future needs to manage, protect and restore its coastal resources.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR CLAITOR
A CONCURRENT RESOLUTION
To commend the members of the Special Response Team of the Baton Rouge Police Department, also known as the Special Weapons and Tactics team (SWAT), on a first-place finish in the annual state competition held by the Louisiana Tactical Police Officers Association and to congratulate the team on a third consecutive win.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATORS DUPLESSIS AND DORSEY AND REPRESENTATIVE AUSTIN BADON
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the feasibility of requiring local school boards to adopt a teen dating violence policy.
Reported without amendments.

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

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

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

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR MORELL
A CONCURRENT RESOLUTION
To urge and request the New Orleans City Council to reject any proposed ordinance or other change that would weaken the standards applicable to the inspector general or office of inspector general.
The resolution was read by title. Senator Morrell moved to adopt the Senate Concurrent Resolution.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President
Gray Evans Morrell
Adley Guillard Morrish
Alario Hebert Murray
Appel Heitmeier Nevers
Broome Jackson Riser
Cheek LaFleur Shaw
Dorsey Long Smith
Duplessis Marionneaux Thompson
Erdey Martiny Walsworth
Gautreaux B McPherson
Gautreaux N Michot
Total - 31

NAYS
Claitor Mount Quinn
Total - 3

ABSENT
Amedee Donahue Kostelka
Crowe Dupre
Total - 5

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 CONCURRENT RESOLUTIONS
May 19, 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. 122—
BY REPRESENTATIVE MICKEY GUILLORY
A CONCURRENT RESOLUTION
To recognize May 20, 2009, as Louisiana Housing Council Day.

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVES HARDY, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARRY, BILLIOT, BOSSETTE, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMCY, CARTER, CHAMPAIGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIR, FRANKLIN, GALLOW, GEYMANN, GISCLAIR, GREENE, MICKEY GUILORY, GUINN, HARRISON, HAYZEL, HENDERSON, HENRY, HILL, HINES, HOFMANN, HONEY, HOWARD, HUTTER, GIORD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUSZZO, LAPOLETA, LAMBERT, LANDRY, LEBAS, LEE, LIGT, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOCET, 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, THIBAUD, TUCKER, WADDELL, WHITE, WILLIAMS, WILEY, AND WOOTON
A CONCURRENT RESOLUTION
To recognize May 20, 2009, as Louisiana Housing Council Day.
HOUSE CONCURRENT RESOLUTION NO. 124—
BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION
To recognize May 20, 2009, as Girl Scouts of the USA Day at the state capitol.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE MICKEY GUILLOIRE
A CONCURRENT RESOLUTION
To recognize May 20, 2009, as Louisiana Housing Council Day.

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

**ROLL CALL**

The roll was called with the following result:

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

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVES HARDY, ABRAMSON, ANDERS, ARMES, ARNOLD, AUDIBERT, AUSTIN BANDON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSERT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDELIER, CHANEY, CONNIEK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ENST, FANNIN, FOIL, FRANKLIN, GALLOW, GEYMANN, GISCLAIR, GREENE, MICKEY GUILLOIRE, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIORD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBA, LEGER, LIE; LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBBEAD, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STAIGES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
A CONCURRENT RESOLUTION
To commend posthumously law enforcement officers from the Acadiana region who died or were slain in the line of duty.

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

**ROLL CALL**

The roll was called with the following result:

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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:
To amend and reenact Code of Civil Procedure Article 3945(C)(1) and (2) and (D), relative to child custody; to provide relative to the expiration of temporary custody and visitation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 629—
BY REPRESENTATIVE LANDRY
AN ACT
To amend and reenact R.S. 46:2135(B) and (E) and Children's Code Article 1569(B) and (E), relative to temporary restraining orders in domestic abuse cases; to extend the period for the setting of the hearing of the rule to show cause; and to extend the period for continuances of the rule to show cause; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 671—
BY REPRESENTATIVES WILL, MOTT, BURFORD, TIM BURNS, CHANEY, HINES, LANDRY, AND MILLS
AN ACT
To amend and reenact R.S. 40:1299.39(A)(1)(a)(ii)(introductory paragraph) and 1299.41(A)(10), relative to medical malpractice; to add occupations to the definition of health care provider under the private and state medical malpractice acts; and to provide for related matters.

Reported favorably.

Rules Suspended

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

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.

Senator Heitmeier moved to recommit the bill from the Committee on Judiciary C to the Committee on Judiciary B.

Without objection, so ordered.

Rules Suspended

Senator Crowe asked for and obtained a suspension of the rules to recall House Bill No. 60 from the Committee on Judiciary A.

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 the registrar of vital records may only issue a new record of birth to an adoptive parent or parents under a new record of birth to an adoptive parent who adopts a child in another state or a foreign country may obtain a record of birth listing the adoptive parent’s name; to clarify that the registrar of vital records may only issue a new record of birth to an adoptive parent or parents under certain circumstances; and to provide for related matters.

On motion of Senator Crowe, House Bill No. 60 was read by title and recommitted to the Committee on Judiciary A.
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 19, 2009

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 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.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR DUPRE
A CONCURRENT RESOLUTION
To designate the week of May 16 through May 22, 2009, as "Safe Boating Week" in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR MURRAY AND REPRESENTATIVES BARROW, HONEY, MICHAEL JACKSON AND PATRICIA SMITH
A CONCURRENT RESOLUTION
To commend the Southern University Jaguars 1959 baseball team on the Fiftieth Anniversary of winning the National Association of Intercollegiate Athletics (NAIA) Baseball Championship.

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATOR CROWE AND REPRESENTATIVE WOOTON
A CONCURRENT RESOLUTION
To commend and congratulate the South Plaquemines High School Hurricanes football team for winning the Class 1A State Football Championship.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

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<th>Mr. President</th>
<th>Erdey</th>
<th>McPherson</th>
</tr>
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<tbody>
<tr>
<td>Adley</td>
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<td>Gray Evans</td>
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<td>Marionneaux</td>
<td>Thompson</td>
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<td>Dupre</td>
<td>Martiny</td>
<td>Walsworth</td>
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ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 4:00 o'clock P.M. the Senate adjourned until Wednesday, May 20, 2009, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 20, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk