

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

THIRTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 19, 2009

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:

**SENATE
State of Louisiana**

May 19, 2009

Honorable A. G. Crowe
State Senator
195 Strawberry Street
Slidell, LA 70460

RE: Senate Committee on Natural Resources, Interim Member

Dear Senator Crowe:

In accordance with Senate Rule 13.1(C), I hereby appoint you to serve as an interim member of the Senate Committee on Natural Resources.

I appreciate your willingness to serve in this important role. Please call if I can be of any assistance.

Sincerely,
JOEL T. CHAISSON II
Senate President

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.

May 19, 2009

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Erdey, Kostelka, Morrell.

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

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Erdey, Kostelka, Morrell.

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

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Erdey, Kostelka, Morrell.

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

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

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. 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	Marionneau	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 MCPHERSON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of John Wyeth "Jock" Scott, II.

The resolution was read by title. Senator McPherson 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	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
Cheek	Jackson	Riser

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

NAYS

Total - 0

ABSENT

Erdey Morrell
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 71—
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
Duplessis	Marionneau	Thompson
Dupre	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Dorsey Erdey Morrell
Total - 3

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

**Senate Concurrent Resolutions
to be Adopted, Subject to Call**

Called from the Calendar

Senator Michot asked that Senate Concurrent Resolution No. 56 be called from the Calendar.

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.

May 19, 2009

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

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

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Name. Lists Erdey and 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.

HOUSE BILL NO. 439— BY REPRESENTATIVE ELLINGTON AN ACT

To enact Subpart H of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4711 through 4718, relative to country of origin labeling for catfish products; to require retail and food service establishments to notify consumers of the country of origin of catfish; to provide for notification requirements; to provide for definitions; to provide relative to advertising of catfish products; to authorize the commissioner to regulate and inspect retail and food service establishments; to provide for penalties; to provide for testing procedures; to require a cooperative endeavor agreement; to authorize the commissioner to adopt rules and regulations; and to provide for related matters.

Reported favorably.

Respectfully submitted, FRANCIS C. THOMPSON Chairman

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— BY REPRESENTATIVES HENRY, ARMES, BALDONE, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CHANDLER, CROMER, DOVE, DOWNS, ERNST, FANNIN, GEYMAN, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HOFFMANN, KLECKLEY, LABRUZZO, LAMBERT, LIGI, LITTLE, MILLS, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, JANE 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 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. 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. 10:7-101 through 7-105, 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)(D), 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. 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, GISCLAIR, MICKEY GUILLOREY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

HOUSE BILL NO. 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, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS AND SENATOR GUILLOREY

AN ACT

To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurship; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

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 Association, Inc., to the membership of the system; to provide for an effective date; 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 BADON, BALDONE, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, GISCLAIR, HARDY, HAZEL, HINES, KATZ, LABRUZZO, LAFONTA, 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. 39:1593.1(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 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 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.

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. 55—

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

To amend and reenact R.S. 56:699.1, 699.2 and 699.8(B), relative to issuance of hunting licenses; to require completion of a firearm and hunter education course by certain persons; to provide for a firearm and hunter safety card; to provide with respect to persons authorized to issue hunting licenses; to prohibit certain actions; to provide for temporary firearm hunter education deferral license; to provide for nonresident temporary firearm and hunter education deferral license; to provide an effective date; and to provide for related matters.

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

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, CARMODY, CHANDLER, CROMER, DOVE, DOWNS, ERNST, FANNIN, GEYMAN, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HOFFMANN, KLECKLEY, LABRUZZO, LAMBERT, LIGI, LITTLE, MILLS, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SMILEY, GARY SMITH, JANE 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 electors; 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, 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.

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. 10:7-101 through 7-105, 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)(D), 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. 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.

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, MICKEY GULLORY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

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-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.

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, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS AND SENATOR GULLORY

AN ACT

To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurship; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

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 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.

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

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 Association, Inc., to the membership of the system; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 830—

BY REPRESENTATIVES TUCKER, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, BROSETT, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, GISCLAIR, HARDY, HAZEL, HINES, KATZ, LABRUZZO, LAFONTA, 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. 39:1593.1(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 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 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. GAUTREAU, 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. GAUTREAU, 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)(i) 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, CORTEZ, GISCLAIR, SAM JONES, KLECKLEY, LAMBERT, LANDRY, LITTLE, MILLS, MONICA, MONTOUCET, 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 (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 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. 34—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREUX, JACKSON, LAFLEUR, MICHOT, MORRELL, MURRAY, SMITH, THOMPSON AND WALSWORTH

AN ACT

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 he department along with a 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 sales tax being charged due to a computer programming error or 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. GAUTREUX 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. On motion of Senator B. Gautreaux, the bill was read by title, ordered engrossed and passed to a third reading.

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SENATE BILL NO. 69—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 47:1712, relative to ad valorem property tax refunds or credits; to authorize those who qualify for the special assessment level to receive a refund or credit of taxes paid; 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 "B." insert "(1)(a)"

AMENDMENT NO. 2

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 Marionneau, 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 an effective date; 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. 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 Local and Municipal 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 definitions; to provide with respect to contributions into and withdrawals from property and casualty savings accounts; 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. 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 program participation; 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 5-8 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. 33:9091.15, 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 that the Lakewood East Homeowners Association shall govern the district; to provide for the purpose, boundaries, parcel fee, budget, powers and duties of the district; to provide for an effective date; 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. 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 BILL NO. 172—

BY SENATOR QUINN

AN ACT

To enact R.S. 41:1702(B)(4), relative to reclamation of lands lost through erosion, compaction, subsidence, and sea level rise; to provide for certain boundary agreements; to provide terms, conditions, and procedures; to provide for retroactivity; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

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

"(8) 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.**" and insert "C."

AMENDMENT NO. 13

On page 4, line 14, delete "**E.**" and insert "D."

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; 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 8, 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 certain commercial fishermen licenses; 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. 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 for definitions; to provide for civil and criminal penalties; to provide for exceptions; 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. 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"

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 3, line 1, after "within the" delete "designated emergency" and at the beginning of line 2, delete "area" insert in lieu thereof "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)(i) 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 B. 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 pages 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 on that portion 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 received 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 and accumulate 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-assumed interest rate.**

(ii) **Annual 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 employee 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 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 amortization 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 Except as provided in R.S. 11:102.1 and 102.2, 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 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, 2004, 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 for 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.

(c) **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.**

(d)(i) **Except as provided in R.S. 11:102.1 and 102.2, The Employer Credit Account the 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.**

(ii) **Beginning in Fiscal Year 2009-2010 and effective for the June 30, 2009, system valuation, any funds in the system's employer credit account shall be applied to the remaining balance of the original amortization base or the experience account amortization base established in accordance with and as further provided by R.S. 11:102.1 or 102.2.**

§102.1 Consolidation of amortization payment schedules; 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 payments therefor determined as provided in R.S. 11:102, except as otherwise specified in this Section.**

B. **Original amortization base.**

(1) **The remaining balances of outstanding amortization bases in excess of twenty years for the years 1993 through 1995, 1997 and 1998, and 2005 through 2007, excluding the amortization base for liability created by Act No. 414 of the 2007 Regular Session of the Legislature, as specified in the June 30, 2008 system valuation adopted by the Public Retirement Systems' Actuarial Committee on February 5, 2009, shall be consolidated into a single amortization base effective for the June 30, 2009 system valuation.**

(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-assumed interest 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 two 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.

(4) In any year in which the system exceeds its actuarially-assumed 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 calculated as provided in this Subsection or as otherwise provided by law.

(5) 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 through Fiscal Year 2016-2017 in which the system receives an overpayment of employer contributions as determined pursuant to R.S. 11:102(B)(2) and in any year through Fiscal Year 2016-2017 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 original 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.

C. Experience account amortization base.

(1) The remaining balances of outstanding amortization bases for the years 1996, 1999 through 2004, and 2008, as specified in the system valuation adopted by the Public Retirement Systems' Actuarial Committee on February 5, 2009, shall be consolidated into a single amortization base, effective for the June 30, 2009, system valuation.

(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)(iii).

(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 seventy-two 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.

(4) 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.

(5) 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)(2) 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 calculated as provided in this Subsection or as otherwise provided by law.

§102.2. Consolidation of amortization payment schedules; 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.

(1) The remaining balances of outstanding amortization bases for the years 1993 through 1996, 1998 through 2000, and 2005 through 2008 as specified in the June 30, 2008 system valuation adopted by the Public Retirement Systems' Actuarial Committee on February 5, 2009, shall be consolidated into a single amortization base effective for the June 30, 2009 system valuation.

(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-assumed interest rate until the funds in the account are applied as provided in this Subsection.

(b) To this base shall also be added any monies in the employer credit account on June 30, 2009.

(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 Fiscal Year 2010-2011, the payment shall be one hundred ninety-nine million eight hundred forty-one thousand five hundred seventy-seven dollars.

(ii) Payments thereafter shall form an annuity increasing at seven percent annually for three years and at six and one-half 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 shall be made in Fiscal Year 2010-2011 and the final payment in Fiscal Year 2028-2029.

(4) In any year in which the system exceeds its actuarially-assumed 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 as provided in this Subsection or as otherwise provided by law.

C. Experience account amortization base.

(1) The remaining balances of outstanding amortization bases for the years 1997, 2001 through 2004, and 2008, as specified in the system valuation adopted by the Public

Retirement Systems' Actuarial Committee on February 5, 2009, shall be consolidated into a single amortization base, effective for the June 30, 2009 system valuation.

(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. 11:883.1(A)(1)(b)(iii).

(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 calculated as follows:

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

(b) Payments thereafter shall form an annuity increasing at seven percent annually for three years and at six and one-half percent annually for the following four years.

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

(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)(3)(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 Experience account

A.(1)(a) Effective July 1, 2004, 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 29, 2009, shall be allocated in the following order:

(i) To provide for any net investment loss attributable to the balance in the account as provided in Paragraph (B)(1) of this Section.

(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.

(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 is applied as provided in R.S. 11:102.1.

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

(a) To the extent permitted by Paragraph (3) of this Subsection and after allocation to the consolidated amortization bases as provided in R.S. 11:102.1, an amount not to exceed fifty percent of the remaining balance of the prior year's net investment experience gain as determined by the system's actuary.

(b) To the extent permitted by Paragraph (3) of this Subsection, an amount not to exceed that portion of the system's net investment income attributable to the balance in the employee experience account during the prior year.

(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, survivors, and beneficiaries whenever the conditions in Subsection F of this Section are satisfied and the balance in 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 the favorable vote of a majority of the elected members of each house. Any such ~~cost-of-living~~ permanent benefit increase shall be limited to and shall only be payable based on an amount not to exceed seventy thousand dollars of the retiree's annual benefit; however, effective for years after July 1, 1999, the seventy-thousand dollar limit 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. Any increase granted pursuant to the provisions of this Subsection shall begin on the July first following legislative approval, 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.

(4)(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 must be the funds available in the respective experience account to pay for such an increase, and a retiree:

(b) Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary ~~will~~ 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 any permanent benefit increase payable on or after 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.

(e) 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:

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

(ii) In no event before the retiree would have attained age sixty.

(5)(a) Effective September 1, 2001, any retiree receiving a retirement benefit shall be entitled to receive, as a ~~cost-of-living permanent benefit~~ increase, a minimum retirement benefit amounting to not less than thirty dollars per month for each year of creditable service of the retiree or the maximum benefit earned in accordance with the applicable benefit formula selected by the retiree at the time of retirement, whichever is greater.

(i) For any retiree who selected or selects an early retirement, an initial benefit option, or a retirement option allowing the payment of benefits to a beneficiary, there ~~will~~ shall be a comparison of both the minimum benefit provided for in this Paragraph and the maximum benefit and both such benefits shall be actuarially reduced based upon the option selected by the retiree and the current board-approved actuarial assumptions prior to the comparison and for the purpose of determining which of the two benefit amounts results in the greater amount and the greater amount shall be paid to the retiree.

* * *

(b) The minimum benefits provided for in this Paragraph shall apply to all retired members and beneficiaries receiving annuity payments or benefits on September 1, 2001, and to all members retiring on and after September 1, 2001, and to all beneficiaries receiving annuity payments on and after September 1, 2001, and all such payments shall be funded by debiting the employee experience account.

* * *

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

F. (1) The 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.

* * *

§883.1. Employee experience Experience account

A.(1)(a) Effective July 1, 2004, 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 account on June 29, 2009, shall be allocated in the following order:

(i) To provide for any net investment loss attributable to the balance in the account as provided in Paragraph (B)(1) of this Section.

(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.

(iii) To apply to the experience account amortization base pursuant to R.S. 11:102.2(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 is applied as provided in R.S. 11:102.2.

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

(a) To the extent permitted by Paragraph (3) of this Subsection and after allocation to the consolidated amortization bases as provided in R.S. 11:102.2, an amount not to exceed fifty percent of the remaining balance of the prior year's net investment experience gain as determined by the system's actuary.

(b) To the extent permitted by Paragraph (3) of this Subsection, an amount not to exceed that portion of the system's net investment income attributable to the balance in the employee experience account during the prior year.

(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 satisfied and the balance in 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, 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.

(4)(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 must be the funds available in the respective experience account to pay for such an increase, and a retiree:

* * *

(b) Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary ~~will~~ 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 any permanent benefit increase payable on or after 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.

(e) 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:

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

(ii) 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)~~(a)~~ 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.

~~(b)~~ **(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.

~~(2)~~ **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 2. Any provisions of Act No. 4 of the 1994 Regular Session of the Legislature, Act No. 44 of the 1995 Regular Session of the Legislature, Act No. 6 of the 1996 Regular Session of the Legislature, Act No. 471 of the 1997 Regular Session of the Legislature, Act No. 642 of the 2006 Regular Session of the Legislature, and Act No. 7 of the 2008 Second Extraordinary Session of the Legislature which conflict with the provisions of this Act are hereby repealed.

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.

SENATE 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 "**projects project**"

AMENDMENT NO. 2

On page 3, line 26, change "**five**" to "**ten**"

AMENDMENT NO. 3

On page 8, line 12, after "If" delete the remainder of the line and at the beginning of line 13, delete "out-of-state firms and"

AMENDMENT NO. 4

On page 8, line 16, after "**list.**" delete the remainder of the line, delete line 17, and on line 18, delete "explanation of his choice."

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. 321—

BY SENATOR HEBERT

AN ACT

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

Reported 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. 323—

BY SENATOR ADLEY

AN ACT

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

Reported 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 BILL NO. 324—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:2721.8, relative to the Evangeline Parish School Board; to authorize any school district in Evangeline Parish, to levy and collect an additional sales and use tax; to provide for the purpose of the tax; and to provide for related matters.

Reported 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. 327—

BY SENATORS MORRELL, ALARIO, APPEL, HEITMEIER, MARTINY AND MURRAY

AN ACT

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

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Gray Evans, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 339—

BY SENATOR MARIONNEAUX

AN ACT

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

May 19, 2009

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 MORRISH

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 MORRISH

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 MORRISH

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 MORRISH

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:

YEAS

Table listing names of members voting YEAS: Alario, Appel, Crowe, Donahue, Duplessis, Erdey, Gautreaux B, Hebert, Heitmeier, Kostelka, Long, Michot, Morrish, Nevers, Riser, Shaw, Smith, Thompson, Walsworth. Total - 19.

NAYS

Table listing names of members voting NAYS: Mr. President, Adley, Amedee, Broome, Cheek, Claitor, Dorsey, Gautreaux N, Gray Evans, Guillory, Jackson, LaFleur, Marionneaux, Martiny, McPherson, Morrell, Mount, Murray, Quinn. Total - 19.

ABSENT

Dupre Total - 1

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,
 CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS,
 ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY EVANS, HEBERT,
 HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX,
 MARTINY, MICHOT, 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 MORRELL

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	Guillory	Morrish
Alario	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Riser
Cheek	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneau	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 GULLORY

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, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, MICKEY GULLORY, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To commend posthumously law enforcement officers from the Acadiana region who died or were slain in the line of duty.

May 19, 2009

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 GUILLORY
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:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Dorsey, Duplessis, Erdey, Gautreaux B, Total - 34

NAYS

Total - 0

ABSENT

Crowe, Donahue, Dupre, Kostelka, Morrell, Total - 5

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, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

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 Michot moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdey, Total - 38

NAYS

Total - 0

ABSENT

Dupre, Total - 1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Duplessis, Erdey, Total - 36

NAYS

Total - 0

ABSENT

Donahue, Dupre, Walsworth, Total - 3

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 19, 2009

To the President and Members of the Senate:

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

SENATE BILL NO. 253—
BY SENATOR GRAY AND REPRESENTATIVE LEGER
AN ACT

To enact Chapter 9 of Title XV of the Louisiana Children's Code, to be comprised of Articles 1581 through 1592, relative to children's rights; to provide a bill of rights for children held in detention centers, juvenile facilities, and other placements; to provide for responsibilities of children; to provide for the use of restraints; to provide for the confidentiality of records; to provide an ombudsman; to provide for enforcement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 257—
BY SENATOR QUINN
AN ACT

To enact Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.81 through 600.88, relative to construction materials; to provide for damages; to provide for hazardous or toxic materials; to provide for medical monitoring; to provide for legislative findings; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 140—
BY REPRESENTATIVES CHANEY, EDWARDS, ROSALIND JONES,
MILLS, AND TEMPLET
AN ACT

To enact Civil Code Articles 178, 179, 199, and 200, relative to filiation; to authorize the Louisiana State Law Institute to provide comments to Civil Code Article 186 and to include those comments in this Act; to authorize the Louisiana State Law Institute to redesignate and rename the headings of Chapters 1 through 4 of Title VII of Book I of the Civil Code and the headings of the Sections and Subsections within those Chapters; to provide for the establishment of filiation; to provide for the effect of adoption; to provide for the adoption of minors; to provide for retroactive application; to provide a special effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 256—
BY REPRESENTATIVE RICHARDSON
AN ACT

To enact Code of Evidence Article 804(B)(7), relative to hearsay exceptions when declarant is unavailable; to allow the introduction of a statement made by a witness when the declarant is unavailable because of actions taken by a party against whom the statement is offered; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 628—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact Code of Civil Procedure Article 3945(C)(1) and (2) and (D), relative to child custody; to provide relative to orders of temporary custody; to extend the period for the setting

of the hearing of the rule to show cause; to provide relative to the expiration of temporary custody and visitation; and to provide for related matters.

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; 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 WILLMOTT, 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.

Respectfully submitted,
JULIE QUINN
Chairman

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

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

May 19, 2009

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

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

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

ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 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