

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

TWENTIETH 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, June 2, 2009

The Senate was called to order at 1:10 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	Guillory	Murray
Amedee	Jackson	Nevers
Appel	Kostelka	Riser
Broome	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Michot	Walsworth
Dupre	Morrell	
Gautreaux B	Morrish	
Total - 22		

ABSENT

Adley	Erdey	Martiny
Alario	Gautreaux N	McPherson
Cheek	Gray Evans	Mount
Claitor	Hebert	Quinn
Dorsey	Heitmeier	Thompson
Duplessis	LaFleur	
Total - 17		

The President of the Senate announced there were 22 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Don DeLukie, 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 Quinn, the reading of the Journal was dispensed with and the Journal of June 1, 2009, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 1, 2009

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 154—

BY SENATORS THOMPSON, LONG, NEVERS, RISER AND
WALSWORTH

AN ACT

To amend and reenact R.S. 3:2(A), 80, 131, 302, 303, 415, 556.2(10), 556.7(A), 641, 642, 643, 644, 652, 666(9), 734(B)(1) and (6), 741, 825, 832, 851, 1024, 1025, 1311(3) and (12), 1312(A) and (C), 1313(C)(2)(b) and (E), 1362(9) and (24), 1432(A), 1651, 1652, 1732, 1772, 1891(28), 1892(A)(1) and (F), 1900(A) and (B), 2351, 2352, 2353, 2354, 2358.2(A), 2358.4(C), 3113(A), 3202(11) and (13), 3211(B)(3), 3225(A), 3402(1), (2), (7), (9) and (16), 3403(A)(7) and (H), 3404(B), 3405(B)(5) and (6), 3407(A)(2) and (3) and (E), 3408(A)(9)(c) and (10), 3409 (B), (C), (D) and (F), 3410 (E) and (F), 3410.1(A) and (B), 3410.2(J), 3411(B), (C) and (D), 3411.1(B)(2) and (D), 3412, 3413(A), (B), (C), (E) and (F), 3414(B), 3415(A) and (C), 3416(A), (B) and (C), 3417(D) and (F), 3418(A), 3419(A), (C) and (D), 3424(B), 3802(A), 4224, 4603(B)(7), R.S. 29:726(E)(20)(a)(v) and 729(E)(13)(a)(vi), R.S. 36:4(A)(13), 621(C), 622, 623, the introductory paragraph of 624(B), 625, 626(A) and (B), 628(C), (D) and (E), 629(B), the introductory paragraph of (C), the introductory paragraph of (D), the introductory paragraph of (E), (F), (G), (I), (J), (K) and (L), R.S. 37:2202, R.S. 51:2, the introductory paragraph of 6, 472 and R.S. 54:112; to enact R.S. 3:2(F), 283.1 and 751(E); and to repeal R.S. 3:14, 401 through 409, 414, Part I-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:421 through 426, Part I-D of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:446.1 through 446.7, Part IV of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:521 through 538, Part V of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:541 through 550, 824, 1312(H) and 1906(A) and R.S. 36:627(E), 628(B) and 629(C)(2), and R.S. 39:455, relative to the Department of Agriculture and Forestry; to abolish the State Market Commission; to abolish the Farm Youth Loan Program; to abolish other programs administered by the State Market Commission; to authorize the transfer of duties and obligations to the Louisiana Agricultural Finance Authority; to provide relative to the Fertilizer Commission and submission of tonnage reports; to provide for restrictions on the sale of fertilizer; to provide for the powers and duties of the commissioner of agriculture and forestry; to provide relative to the composition of certain boards and commissions; to provide relative to the Louisiana Agricultural Commodities Commission; to provide relative to the functions of the office of agricultural and environmental sciences; to provide for recovery in receiverships; to change the name of the office of animal health services to the office of animal health and food safety; to provide relative to the assessment levied on grain sorghum; to provide for definitions; to direct the Louisiana Law Institute to re-designate certain provisions in current law; to provide for technical changes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 27—

BY SENATOR MARTINY

AN ACT

To enact R.S. 9:203(E)(7), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal judges to preside over a marriage ceremony for a particular period of time; and to provide for related matters.

Reported without amendments.

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

Introduction of Senate Resolutions

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

June 2, 2009

SENATE RESOLUTION NO. 71—

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

A RESOLUTION

To commend the St. John the Evangelist Catholic Church of Prairieville's Welcome Home Group for their hard work and untiring efforts to honor American troops coming home from combat deployments.

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

SENATE RESOLUTION NO. 72—

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend Lee R. Johnson for his brave service in the United States Army during World War II.

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

SENATE RESOLUTION NO. 73—

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend the Baton Rouge Metropolitan Airport staff for their outstanding efforts to assist Louisiana Honor Air in flights of World War II veterans to visit the World War II Memorial in Washington, D.C.

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

SENATE RESOLUTION NO. 74—

BY SENATOR JACKSON

A RESOLUTION

To declare June 2, 2009 as AKA Day at the Capitol.

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

SENATE RESOLUTION NO. 75—

BY SENATOR LONG

A RESOLUTION

To commend Dr. L.R. Collier for 50 years of service to the practice of medicine.

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

SENATE RESOLUTION NO. 76—

BY SENATOR LONG

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Thomas Mitchell.

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

SENATE RESOLUTION NO. 77—

BY SENATOR LONG

A RESOLUTION

To commend Philip A. McClung upon being named middle school teacher of the year for the 2009-10 academic year by the Natchitoches Parish School Board.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the replacement of "REDUCED SPEED AHEAD" signs with the new speed reduction warning signs on Louisiana roadways.

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

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To commend Overseas Distribution Solutions on its tenth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Murray
Amedee	Gautreaux N	Nevers
Appel	Guillory	Quinn
Broome	Jackson	Riser
Claitor	Kostelka	Shaw
Dorsey	Long	Smith
Dupre	Marionneaux	
Total - 23		

NAYS

Total - 0

ABSENT

Alario	Hebert	Morrish
Cheek	Heitmeier	Mount
Crowe	LaFleur	Thompson
Donahue	Martiny	Walsworth
Duplessis	McPherson	
Gray Evans	Morrell	
Total - 16		

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 64—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Brandon Gallow upon his death on active military duty.

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

SENATE RESOLUTION NO. 65—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Chief Warrant Officer 4 Milton E. Suggs upon his death while supporting military operations in Africa and the Middle East.

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

SENATE RESOLUTION NO. 66—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class Caleb Rushing upon his death.

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

SENATE RESOLUTION NO. 67—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Air Force Senior Airman Omar McKnight upon his death in Iraq.

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

SENATE RESOLUTION NO. 68—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Louisiana National Guard Private First Class Dana Carolyn Grafton Zimek upon her death.

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

**Senate Resolutions on
Second Reading, Subject to Call**

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 28 be called from the Calendar.

SENATE RESOLUTION NO. 28—

BY SENATOR MARIONNEAUX

A RESOLUTION

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

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 29 be called from the Calendar.

SENATE RESOLUTION NO. 29—

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

A RESOLUTION

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

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 52 be called from the Calendar.

SENATE RESOLUTION NO. 52—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Bryan M. Thomas upon his death in combat in Iraq.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 53 be called from the Calendar.

SENATE RESOLUTION NO. 53—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family and loved ones of United States Marine Corps Staff Sergeant Daniel Dupre upon his death in a ground combat mission in support of Operation Iraqi Freedom.

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

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 54 be called from the Calendar.

SENATE RESOLUTION NO. 54—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Patriot Guard Rider Michael D. Bares upon his death in the line of duty in support of the United States Armed Forces while rendering military honors to a fallen Louisiana soldier.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 55 be called from the Calendar.

SENATE RESOLUTION NO. 55—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Jonnie L. Stiles upon his death in Operation Enduring Freedom.

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

Called from the Calendar

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

SENATE RESOLUTION NO. 56—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Jason R. Watson upon his death in combat in Operation Enduring Freedom.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 57 be called from the Calendar.

SENATE RESOLUTION NO. 57—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant First Class David R. Hurst upon his death in combat operations in Iraq.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 64 be called from the Calendar.

SENATE RESOLUTION NO. 64—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Brandon Gallow upon his death on active military duty.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 65 be called from the Calendar.

SENATE RESOLUTION NO. 65—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Chief Warrant Officer 4 Milton E. Suggs upon his death while supporting military operations in Africa and the Middle East.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 66 be called from the Calendar.

SENATE RESOLUTION NO. 66—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class Caleb Rushing upon his death.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 67 be called from the Calendar.

SENATE RESOLUTION NO. 67—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Air Force Senior Airman Omar McKnight upon his death in Iraq.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 68 be called from the Calendar.

SENATE RESOLUTION NO. 68—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Louisiana National Guard Private First Class Dana Carolyn Grafton Zimek upon her death.

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

Called from the Calendar

Senator Marionneau asked that Senate Resolution No. 61 be called from the Calendar.

SENATE RESOLUTION NO. 61—
BY SENATOR MARIONNEAUX

A RESOLUTION

To declare Tuesday, June 2, 2009, Military Family Day in the Louisiana Senate in honor of America's military personnel, and in particular, in honor of Louisiana's fallen heroes.

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

Recess

On motion of Senator Chaisson, the Senate took a recess at 2:35 o'clock P.M. until 2:50 o'clock P.M.

After Recess

The Senate was called to order at 2:50 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Duplessis	Morrell
Adley	Dupre	Morrish
Alario	Gautreaux B	Murray
Amedee	Kostelka	Nevers
Appel	LaFleur	Shaw
Broome	Long	Smith
Claitor	Martiny	Walsworth
Crowe	McPherson	
Donahue	Michot	
Total - 25		

ABSENT

Cheek	Guillory	Mount
Dorsey	Hebert	Quinn
Erdey	Heitmeier	Riser
Gautreaux N	Jackson	Thompson
Gray Evans	Marionneau	
Total - 14		

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

Senate Business Resumed After Recess

Petitions, Memorials and Communications

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

**STATE OF LOUISIANA
SENATE**

June 1, 2009

The Honorable Joel T. Chaisson II
President of the Louisiana Senate
P.O. Box 94183
Baton Rouge, LA 70804

Re: Letter of Resignation from State Senate District 20

Dear Mr. President:

Pursuant to and in accordance with LA R.S. 18:652 and LA R.S. 24:32, I hereby submit my resignation as the duly-elected member of the Louisiana State Senate representing Senate District Number 20, effective June 30, 2009, at 11:59 p.m. It has been a great honor and privilege to serve the citizens of Lafourche and Terrebonne Parishes and the State of Louisiana.

Sincerely,
REGGIE P. DUPRE, JR.
State Senator - District 20

STATE OF LOUISIANA
PARISH OF TERREBONNE

THUS DONE AND SIGNED, in the presence of the undersigned Notary Public in Houma, Louisiana, on this 1st day of June, 2009.

James R. Dagate
Notary Public
LA Bar Roll No. 4431

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 2, 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. 77—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to collaborate with the Department of Education to examine the adequacy of current practices for ensuring the preventative health and well-being of adolescents in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR GRAY EVANS

A CONCURRENT RESOLUTION

To commend Paul Lester and Joyce Luerean Brown upon the celebration of their fiftieth wedding anniversary.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR BROOME AND REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Johnnie Emerson Merrick, Sr., and to note his lifetime of contributions made on behalf of the Baton Rouge community.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend and honor the 2009 Foster Parents of the Year from each region of the state and to acknowledge the valuable contributions they provide to the abused children of Louisiana.

Reported without amendments.

June 2, 2009

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATORS WALSWORTH AND THOMPSON
A CONCURRENT RESOLUTION

To commend the Pilots for Patients for their work in bringing vital medical assistance to children, the elderly and others in need.

Reported without amendments.

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

Rules Suspended

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 96—
BY SENATOR ADLEY
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Newman Trowbridge, Jr., of Lafayette.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mount
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATOR CROWE AND REPRESENTATIVES HENDERSON AND HUTTER
A CONCURRENT RESOLUTION

To declare May 27, 2009, as St. Bernard Day at the Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Morrell Mount
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATOR CROWE AND REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To commend the Northshore High School boys baseball team of Slidell, Louisiana, and to congratulate the Panthers on an outstanding 2009 season and their first place finish in the Class 5A state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mount
Total - 1

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to adopt a policy relative to appropriate and acceptable administrative overhead costs for which fees may be charged to a charter school by the chartering authority.

The resolution was read by title and referred by the President to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 88—
BY SENATOR CROWE AND REPRESENTATIVES CROMER AND PEARSON

A CONCURRENT RESOLUTION

To commend and congratulate Floyd Fogg on being inducted in the 2009 class of the New Orleans Professional Baseball Hall of Fame.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mount
Total - 1

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

Rules Suspended

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

Senate Concurrent Resolutions Just Advanced to a Second Reading

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the replacement of "REDUCED SPEED AHEAD" signs with the new speed reduction warning signs on Louisiana roadways.

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

NAYS

Total - 0

ABSENT

Mount
Total - 1

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 2, 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. 813—
BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 45:200.4, relative to motor vehicle liability policies; to increase the minimal automobile insurance policy limits for public carrier vehicles; and to provide for related matters.

HOUSE BILL NO. 666—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:387(H)(1)(c) and (J)(1) and (2)(a), relative to permits for transportation of sealed containers; to provide for a single-trip permit for a sealed ocean container to be issued for the container rather than the transport vehicle; to require certain information on the permit application form; to provide for transfer of the permit to another vehicle under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:3129.9 through 3129.15 and R.S. 36:651(BB) and 801.5(C), relative to public postsecondary education institutions; to provide for a comprehensive system of articulation and transfer of credit between and among public education

June 2, 2009

institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 587—

BY REPRESENTATIVES HARRISON AND BALDONE
AN ACT

To amend and reenact R.S. 56:424.1(A) and 433.1(A) and (B), and to enact R.S. 56:433.2, relative to the Oyster Seed Ground Vessel Permit; to repeal the requirements which must be met to qualify for the permit; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 657—

BY REPRESENTATIVE DANAHAY
AN ACT

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

HOUSE BILL NO. 707—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact Code of Criminal Procedure Articles 881.1(A)(4), 893(E)(4), and 895(B)(3) and R.S. 15:574.4.1(J), relative to criminal sentencing; to authorize the court to sentence a defendant to not more than six months in the intensive incarceration program; to provide for the procedure to set aside the conviction and dismiss prosecution in certain cases; to provide for the expungement of criminal records in certain cases; to provide for applicability; to authorize the filing of a motion to reconsider sentence in certain cases; to provide for resentencing in certain cases; and to provide for related matters.

HOUSE BILL NO. 728—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 40:1300.51(3), 2116(B)(1), 2166.2, 2166.3, 2166.4(A), and 2166.7(A), to enact R.S. 40:1300.51(2)(n), 2166.4(H) and (I), and 2166.5(B)(11) and (C)(introductory paragraph), (4), and (5), and to repeal Part V of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2151 through 2163, relative to licensing of adult residential care homes and adult residential care providers; to provide a statement of legislative intent; to provide for definitions; to require licensure of all adult residential care providers; to provide for the criteria for the review of beds for adult residential care providers; to provide for the transfer of licensing authority for adult residential care homes from the Department of Social Services to the Department of Health and Hospitals; to provide for waivers granted to adult residential care facilities; to establish the levels of adult residential care providers; and to provide for related matters.

HOUSE BILL NO. 731—

BY REPRESENTATIVES DOWNS, ARMES, AUBERT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DIXON, DOVE, FOIL, HARDY, HOFFMANN, LITTLE, PERRY, PUGH, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:92.2(A)(2)(c) and R.S. 17:221(A)(1) and (2) and Children's Code Article 728(4) and to enact R.S. 14:92.2(B)(4) and R.S. 17:233(B)(1)(d)(iii) and (iv), all relative to the habitual absence and tardiness of students from school; to provide relative to the crime of improper supervision of a minor as it relates to habitually absent or tardy students; to provide

penalties and minimum conditions of probation for certain violations by parents or legal custodians of such students including fines, school or community service, attendance in parenting classes and family counseling programs, and the suspension of certain licenses; to provide relative to multiple offenses committed by parents or legal guardians; to provide relative to definitions; and to provide for related matters.

HOUSE BILL NO. 741—

BY REPRESENTATIVES AUSTIN BADON, ARMES, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, HARDY, HINES, HOFFMANN, KATZ, LITTLE, MILLS, PERRY, PUGH, RITCHIE, ROBIDEAUX, ROY, SIMON, SMILEY, JANE SMITH, THIBAUT, TUCKER, AND WOOTON AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 17:81.9(A), (B), and (C) and to enact R.S. 17:81.9(L) and 430, relative to hiring procedures for public school employees; to provide relative to procedures and requirements for the disclosure of information regarding certain instances of sexual misconduct, abuse, and neglect committed by applicants for public school employment; to provide that violation of such disclosure requirements by any such applicant shall be a misdemeanor offense; to provide for penalties; to require applicants to sign certain statements prior to being hired; to provide for exceptions; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 772—

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

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE SAM JONES
AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.12, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; and to provide for related matters.

HOUSE BILL NO. 794—

BY REPRESENTATIVES TUCKER, BALDONE, BILLIOT, BROSETT, TIM BURNS, CARMODY, CARTER, CORTEZ, DIXON, DOVE, DOWNS, FANNIN, FOIL, GISCLAIR, GREENE, HARRISON, HENDERSON, HENRY, HINES, ROSALIND JONES, KATZ, LAMBERT, LIGI, LOPINTO, PETERSON, PONTI, POPE, RICHARDSON, ROBIDEAUX, SCHRODER, SMILEY, JANE SMITH, TEMPLET, THIBAUT, WHITE, AND WILLMOTT
AN ACT

To enact R.S. 17:3138 and R.S. 36:651(N), relative to a comprehensive review of postsecondary education in Louisiana; to provide for the creation of the Postsecondary Education Review Commission and to provide for its composition, powers, duties, compensation, staffing and support, and funding; to require the commission to conduct a review of postsecondary education in the state and to provide for the scope of the review and a report thereon; and to provide for related matters.

HOUSE BILL NO. 827—

BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 18:101(B), 102.1, 106(B) and (C), 114(F)(2), 115(F)(2)(a), 152(C)(4), 425(B)(1), 531(B), 533(A)(1), 564(A), (B)(5), (D), and (E), 1303(F) and (I), 1306(E)(2), 1307(G), 1310(B)(2), 1333, 1334(A)(introductory paragraph) and (1) and (D), to enact R.S. 18:106.1, 1307(H), 1309.3, 1310(C), and 1461(A)(24), and to repeal R.S. 18:1309(E)(5), 1321, 1331, 1332, and 1335, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code, particularly with respect to voters with special needs; to provide relative to the duties of registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to procedures and requirements for voting; to provide relative to commissioners; to provide relative to assistance in voting; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to voting early for certain persons residing in a nursing home; to provide relative to polling places and parish governing authorities duties relative thereto; to remove certain provisions for special programs for physically handicapped voters; to provide relative to election offenses; to provide for penalties; to provide for certain duties of the Louisiana State Law Institute with respect to the revisions; and to provide for related matters.

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

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

Senator Dupre 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. 568—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 17:3129.9 through 3129.15 and R.S. 36:651(BB) and 801.5(C), relative to public postsecondary education institutions; to provide for a comprehensive system of articulation and transfer of credit between and among public education institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 587—

BY REPRESENTATIVES HARRISON AND BALDONE
AN ACT

To amend and reenact R.S. 56:424.1(A) and 433.1(A) and (B), and to enact R.S. 56:433.2, relative to the Oyster Seed Ground Vessel Permit; to repeal the requirements which must be met to qualify for the permit; to provide penalties; and to provide for related matters.

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

HOUSE BILL NO. 657—

BY REPRESENTATIVE DANAHAY
AN ACT

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

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

HOUSE BILL NO. 666—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 32:387(H)(1)(c) and (J)(1) and (2)(a), relative to permits for transportation of sealed containers; to provide for a single-trip permit for a sealed ocean container to be issued for the container rather than the transport vehicle; to require certain information on the permit application form; to provide for transfer of the permit to another vehicle under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 707—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact Code of Criminal Procedure Articles 881.1(A)(4), 893(E)(4), and 895(B)(3) and R.S. 15:574.4.1(J), relative to criminal sentencing; to authorize the court to sentence a defendant to not more than six months in the intensive incarceration program; to provide for the procedure to set aside the conviction and dismiss prosecution in certain cases; to provide for the expungement of criminal records in certain cases; to provide for applicability; to authorize the filing of a motion to reconsider sentence in certain cases; to provide for resentencing in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 728—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 40:1300.51(3), 2116(B)(1), 2166.2, 2166.3, 2166.4(A), and 2166.7(A), to enact R.S. 40:1300.51(2)(n), 2166.4(H) and (I), and 2166.5(B)(11) and (C)(introductory paragraph), (4), and (5), and to repeal Part V of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2151 through 2163, relative to licensing of adult residential care homes and adult residential care providers; to provide a statement of legislative intent; to provide for definitions; to require licensure of all adult residential care providers; to provide for the criteria for the review of beds for adult residential care providers; to provide for the transfer of licensing authority for adult residential care homes from the Department of Social Services to the Department of Health and Hospitals; to provide for waivers granted to adult residential care facilities; to establish the levels of adult residential care providers; 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. 731—

BY REPRESENTATIVES DOWNS, ARMES, AUBERT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DIXON, DOVE, FOIL, HARDY, HOFFMANN, LITTLE, PERRY, PUGH, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:92.2(A)(2)(c) and R.S. 17:221(A)(1) and (2) and Children's Code Article 728(4) and to enact R.S. 14:92.2(B)(4) and R.S. 17:233(B)(1)(d)(iii) and (iv), all relative

June 2, 2009

to the habitual absence and tardiness of students from school; to provide relative to the crime of improper supervision of a minor as it relates to habitually absent or tardy students; to provide penalties and minimum conditions of probation for certain violations by parents or legal custodians of such students including fines, school or community service, attendance in parenting classes and family counseling programs, and the suspension of certain licenses; to provide relative to multiple offenses committed by parents or legal guardians; to provide relative to definitions; and to provide for related matters.

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

HOUSE BILL NO. 741—

BY REPRESENTATIVES AUSTIN BADON, ARMES, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GULLORY, HARDY, HINES, HOFFMANN, KATZ, LITTLE, MILLS, PERRY, PUGH, RITCHIE, ROBIDEAUX, ROY, SIMON, SMILEY, JANE SMITH, THIBAUT, TUCKER, AND WOOTON AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:81.9(A), (B), and (C) and to enact R.S. 17:81.9(L) and 430, relative to hiring procedures for public school employees; to provide relative to procedures and requirements for the disclosure of information regarding certain instances of sexual misconduct, abuse, and neglect committed by applicants for public school employment; to provide that violation of such disclosure requirements by any such applicant shall be a misdemeanor offense; to provide for penalties; to require applicants to sign certain statements prior to being hired; to provide for exceptions; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 772—

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

AN ACT

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

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE SAM JONES
AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.12, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; and to provide for related matters.

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

HOUSE BILL NO. 794—

BY REPRESENTATIVES TUCKER, BALDONE, BILLIOT, BROSETT, TIM BURNS, CARMODY, CARTER, CORTEZ, DIXON, DOVE, DOWNS, FANNIN, FOIL, GISCLAIR, GREENE, HARRISON, HENDERSON, HENRY, HINES, ROSALIND JONES, KATZ, LAMBERT, LIGI, LOPINTO, PETERSON, PONTI, POPE, RICHARDSON, ROBIDEAUX, SCHRODER, SMILEY, JANE SMITH, TEMPLET, THIBAUT, WHITE, AND WILLMOTT
AN ACT

To enact R.S. 17:3138 and R.S. 36:651(N), relative to a comprehensive review of postsecondary education in Louisiana; to provide for the creation of the Postsecondary Education Review Commission and to provide for its composition, powers, duties, compensation, staffing and support, and funding; to require the commission to conduct a review of postsecondary education in the state and to provide for the scope of the review and a report thereon; and to provide for related matters.

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

HOUSE BILL NO. 813—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 45:200.4, relative to motor vehicle liability policies; to increase the minimal automobile insurance policy limits for public carrier vehicles; 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. 827—

BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 18:101(B), 102.1, 106(B) and (C), 114(F)(2), 115(F)(2)(a), 152(C)(4), 425(B)(1), 531(B), 533(A)(1), 564(A), (B)(5), (D), and (E), 1303(F) and (I), 1306(E)(2), 1307(G), 1310(B)(2), 1333, 1334(A)(introductory paragraph) and (1) and (D), to enact R.S. 18:106.1, 1307(H), 1309.3, 1310(C), and 1461(A)(24), and to repeal R.S. 18:1309(E)(5), 1321, 1331, 1332, and 1335, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code, particularly with respect to voters with special needs; to provide relative to the duties of registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to procedures and requirements for voting; to provide relative to commissioners; to provide relative to assistance in voting; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to voting early for certain persons residing in a nursing home; to provide relative to polling places and parish governing authorities duties relative thereto; to remove certain provisions for special programs for physically handicapped voters; to provide relative to election offenses; to provide for penalties; to provide for certain duties of the Louisiana State Law Institute with respect to the revisions; and to provide for related matters.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 2, 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. 1—
 BY REPRESENTATIVES FOIL, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, CROMER, DANAHAY, HARRISON, HENDERSON, HENRY, LANDRY, LEGER, LIGI, LOPINTO, NOWLIN, PEARSON, PERRY, PONTI, PUGH, RICHARDSON, SCHRODER, SIMON, ST. GERMAIN, TALBOT, TEMPLET, AND WILLMOTT

A CONCURRENT RESOLUTION

To create and establish the Constitutional Convention Study Commission to undertake all necessary study to examine the feasibility and advisability of calling a convention to revise the Constitution of Louisiana and, if a convention is found to be feasible and advisable, to make recommendations to the legislature for calling such a convention.

HOUSE CONCURRENT RESOLUTION NO. 102—
 BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, bureau of healthcare financing, to study the use of living wills among Medicaid recipients and report to the House and Senate committees on health and welfare no later than February 1, 2010.

HOUSE CONCURRENT RESOLUTION NO. 176—
 BY REPRESENTATIVE GIROD JACKSON

A CONCURRENT RESOLUTION

To create the Hudson Initiative Task Force to study the feasibility of offering business opportunities through state procurement and public contracts to small entrepreneurs in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 177—
 BY REPRESENTATIVE STIAES

A CONCURRENT RESOLUTION

To urge and request city, parish, and other local public school boards and superintendents to dedicate federal stimulus dollars to low performing schools as defined by the State Board of Elementary and Secondary Education.

HOUSE CONCURRENT RESOLUTION NO. 178—
 BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To urge and request Lafarge North America, Inc. operator of the Lafarge Concrete Factory in Gert Town, New Orleans, Louisiana, to cooperate with local and state entities in relocating the industrial facility so as not to conflict with residential land uses.

HOUSE CONCURRENT RESOLUTION NO. 179—
 BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to study the effects on human health and the environment by the operations of the Lafarge Cement Factory in Gert Town, New Orleans, Louisiana, and to report findings and recommendations to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality prior to 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 3—
 BY REPRESENTATIVES PONTI, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DANAHAY, FOIL, GALLOT, HARRISON, HAZEL, HENRY, HOWARD, LANDRY, LEGER, LIGI, LITTLE, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, POPE, PUGH, RICHARDSON, SCHRODER, SIMON, JANE SMITH, TALBOT, TEMPLET, AND WILLMOTT

A CONCURRENT RESOLUTION

To direct state agencies to maximize efficiency, minimize waste, and save taxpayer dollars, to be prepared to address their efforts in this regard at sunset review hearings and other legislative proceedings, and to deliver an annual report to the House and Senate governmental affairs committees and to direct state agency staff members responsible for monitoring legislation affecting their respective agencies to take immediate notice of this Resolution so that action can begin accordingly.

HOUSE CONCURRENT RESOLUTION NO. 33—
 BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study charter school use of city, parish, and other local public school system-owned facilities and to submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 38—
 BY REPRESENTATIVES HARRISON, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, HENDERSON, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to preserve and maintain the exemption from the Safe Drinking Water Act for hydraulic fracturing.

HOUSE CONCURRENT RESOLUTION NO. 46—
 BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public and state-approved nonpublic high school to collect statistical data relative to students' anterior cruciate ligament (ACL) injuries, with an emphasis on noncontact ACL injuries, and incorporate exercises from the Prevent Injury and Enhance Performance program (PEP) into athletic training programs as the governing authority deems necessary.

HOUSE CONCURRENT RESOLUTION NO. 142—
 BY REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to develop and submit to the Centers for Medicare and Medicaid Services new waiver or state plan options for a sustainable system of home- and community-based services, to continue to implement approved cost control mechanisms for the Long Term/Personal Care Services Program, the Elderly and Disabled Adults Waiver, and the New Opportunities Waiver, and to provide quarterly progress reports to the House and Senate committees on health and welfare and the Joint Legislative Committee on the Budget.

HOUSE CONCURRENT RESOLUTION NO. 180—
 BY REPRESENTATIVE RICHARD

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study of the bases and methodology of tuition charges at Louisiana's public postsecondary education institutions, particularly the feasibility and advisability of charging tuition for full-time students based on credit hours, to consider specified issues, to determine the most effective bases and methodology for imposing tuition charges, and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the convening of the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 181—
 BY REPRESENTATIVES CROMER AND PEARSON AND SENATORS CROWE AND DONAHUE

A CONCURRENT RESOLUTION

To commend the Northshore High School girls swim team upon winning the 2008 Louisiana High School Athletic Association Division 1 state championship.

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

June 2, 2009

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 1— BY REPRESENTATIVES FOIL, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, CROMER, DANAHAY, HARRISON, HENDERSON, HENRY, LANDRY, LEGER, LIGI, LOPINTO, NOWLIN, PEARSON, PERRY, PONTI, PUGH, RICHARDSON, SCHRODER, SIMON, ST. GERMAIN, TALBOT, TEMPLET, AND WILLMOTT

A CONCURRENT RESOLUTION

To create and establish the Constitutional Convention Study Commission to undertake all necessary study to examine the feasibility and advisability of calling a convention to revise the Constitution of Louisiana and, if a convention is found to be feasible and advisable, to make recommendations to the legislature for calling such a convention.

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

HOUSE CONCURRENT RESOLUTION NO. 3— BY REPRESENTATIVES PONTI, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DANAHAY, FOIL, GALLOT, HARRISON, HAZEL, HENRY, HOWARD, LANDRY, LEGER, LIGI, LITTLE, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, POPE, PUGH, RICHARDSON, SCHRODER, SIMON, JANE SMITH, TALBOT, TEMPLET, AND WILLMOTT

A CONCURRENT RESOLUTION

To direct state agencies to maximize efficiency, minimize waste, and save taxpayer dollars, to be prepared to address their efforts in this regard at sunset review hearings and other legislative proceedings, and to deliver an annual report to the House and Senate governmental affairs committees and to direct state agency staff members responsible for monitoring legislation affecting their respective agencies to take immediate notice of this Resolution so that action can begin accordingly.

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

HOUSE CONCURRENT RESOLUTION NO. 33— BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study charter school use of city, parish, and other local public school system-owned facilities and to submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session.

The resolution was read by title and referred by the President to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 38— BY REPRESENTATIVES HARRISON, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, HENDERSON, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to preserve and maintain the exemption from the Safe Drinking Water Act for hydraulic fracturing.

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

HOUSE CONCURRENT RESOLUTION NO. 46— BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public and state-approved nonpublic high school to collect statistical data

relative to students' anterior cruciate ligament (ACL) injuries, with an emphasis on noncontact ACL injuries, and incorporate exercises from the Prevent Injury and Enhance Performance program (PEP) into athletic training programs as the governing authority deems necessary.

The resolution was read by title and referred by the President to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 102— BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, bureau of healthcare financing, to study the use of living wills among Medicaid recipients and report to the House and Senate committees on health and welfare no later than February 1, 2010.

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

HOUSE CONCURRENT RESOLUTION NO. 142— BY REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to develop and submit to the Centers for Medicare and Medicaid Services new waiver or state plan options for a sustainable system of home- and community-based services, to continue to implement approved cost control mechanisms for the Long Term/Personal Care Services Program, the Elderly and Disabled Adults Waiver, and the New Opportunities Waiver, and to provide quarterly progress reports to the House and Senate committees on health and welfare and the Joint Legislative Committee on the Budget.

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

HOUSE CONCURRENT RESOLUTION NO. 176— BY REPRESENTATIVE GIROD JACKSON

A CONCURRENT RESOLUTION

To create the Hudson Initiative Task Force to study the feasibility of offering business opportunities through state procurement and public contracts to small entrepreneurs in the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 177— BY REPRESENTATIVE STIAES

A CONCURRENT RESOLUTION

To urge and request city, parish, and other local public school boards and superintendents to dedicate federal stimulus dollars to low performing schools as defined by the State Board of Elementary and Secondary Education.

The resolution was read by title and referred by the President to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 178— BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To urge and request Lafarge North America, Inc. operator of the Lafarge Concrete Factory in Gert Town, New Orleans, Louisiana, to cooperate with local and state entities in relocating the industrial facility so as not to conflict with residential land uses.

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

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE HINES
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to study the effects on human health and the environment by the operations of the Lafarge Cement Factory in Gert Town, New Orleans, Louisiana, and to report findings and recommendations to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality prior to 2010 Regular Session of the Legislature.

The resolution was read by title and referred by the President to the Committee on Environmental Quality.

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study of the bases and methodology of tuition charges at Louisiana's public postsecondary education institutions, particularly the feasibility and advisability of charging tuition for full-time students based on credit hours, to consider specified issues, to determine the most effective bases and methodology for imposing tuition charges, and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the convening of the 2010 Regular Session of the Legislature.

The resolution was read by title and referred by the President to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 181—

BY REPRESENTATIVES CROMER AND PEARSON AND SENATORS CROWE AND DONAHUE
A CONCURRENT RESOLUTION

To commend the Northshore High School girls swim team upon winning the 2008 Louisiana High School Athletic Association Division 1 state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mount
Total - 1

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 C**

Senator Yvonne Dorsey, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 2, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 44—

BY REPRESENTATIVES LAFONTA, HARDY, AND STIAES
AN ACT

To enact R.S. 14:95.2.2, relative to offenses affecting the public safety; to create the crime of reckless discharge of a firearm at a parade or demonstration; to provide for definitions; to provide for the elements of the crime; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 76—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 14:202.1(D) and (E) and to enact R.S. 14:202.1(F) and (G), relative to the crime of home improvement fraud; to provide for increased penalties for the crime of home improvement fraud under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 265—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 32:393(A) and (C)(1)(b) and 853(A)(1)(a) and (c)(iii), relative to operator's records; to provide for the time in which convictions be sent to the Department of Public Safety and Corrections; to provide for the authority to add conviction to driver's operating record; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 266—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:35.3(K), relative to domestic abuse battery; to provide with respect to the criminal penalties for domestic abuse battery committed upon certain persons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 297—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 15:1354(A), relative to racketeering; to provide for a minimum mandatory sentence for the crime of racketeering in certain cases involving securities violations; and to provide for related matters.

Reported favorably.

June 2, 2009

HOUSE BILL NO. 310—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:81.3(A), relative to computer-aided solicitation of a minor; to amend the elements of the crime of computer-aided solicitation of a minor; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 588—

BY REPRESENTATIVE LANDRY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 757—

BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 14:126.3.1, relative to the unauthorized participation in medical assistance programs; to create the crime of unauthorized participation in medical assistance programs; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 890— (Substitute for House Bill No. 177 by Representative Mills)

BY REPRESENTATIVES MILLS, CHAMPAGNE, HARDY, HAZEL, LEBAS, LOPINTO, NORTON, PERRY, SCHRODER, WOOTON, ANDERS, BALDONE, BARROW, BURFORD, TIM BURNS, BURRELL, CHANDLER, CORTEZ, DIXON, DOWNS, ELLINGTON, FANNIN, GISCLAIR, HOFFMANN, HOWARD, HUTTER, KLECKLEY, LABRUZZO, LAFONTA, LIGI, LITTLE, PEARSON, RICHARDSON, RITCHIE, STIAES, TALBOT, WILLIAMS, AND WILLMOTT

AN ACT

To enact R.S. 40:962.1(E), 962.1.1(F), 964(Schedule V)(E), and 1006(E) and (F), and Part X-F of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1049.1 through 1049.11 and to repeal R.S. 40:962.1.1(D) and 962.1.2, relative to nonprescription compounds, mixtures, or preparations containing ephedrine, pseudoephedrine, or phenylpropanolamine; to provide that such nonprescription compounds, mixtures, and preparations and prescription products not otherwise scheduled are Schedule V drugs; to provide for the production of a photo identification prior to the purchase of nonprescription products containing pseudoephedrine, ephedrine, and phenylpropanolamine; to require the purchaser sign a log book prior to the purchase of nonprescription products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for a central computer monitoring system to monitor the purchase of those products; to provide for the acquisition and implementation of the central computer monitoring system; to provide for the access to information contained in the central computer monitoring system; to provide for the sharing of that information by certain agencies; to provide with respect to funding for the central computer monitoring system; to provide limitations on the quantities of products containing pseudoephedrine, ephedrine, or phenylpropanolamine which may be sold within a specified period of time; to authorize the reporting of suspected violations of law which are discovered due to the Prescription Monitoring Program to appropriate law enforcement and prosecutorial agencies; to repeal the provision of law authorizing the secretary of the Department of Health and Hospitals to exempt certain products containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales and possession restrictions if determined not to be used in the manufacture or production of methamphetamines; to repeal conflicting provisions of law regarding the purchase of products containing ephedrine, pseudoephedrine, and

phenylpropanolamine; to provide for definitions; to repeal provisions of law providing for certain dosage forms containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales restrictions; to provide for legislative findings; to provide for a limitation of liability; to provide for a defense for certain violations of the Uniform Controlled Substances Law; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

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

June 2, 2009

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 78—

BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and recommend guidelines on the professional responsibilities, rights and duties of attorneys who represent fiduciaries, such as succession representatives and trustees.

Reported favorably.

HOUSE BILL NO. 219—

BY REPRESENTATIVE CARMODY
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 favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 600—
BY REPRESENTATIVE JOHNSON

AN ACT

To amend and reenact R.S. 9:315.2(A) and to enact R.S. 9:315.1.1 and 326, relative to support; to provide for the determination of income for the payment of child and spousal support obligations; to provide for redirected income; to provide for deferred income; to provide for the admissibility of evidence of income; to provide for required documentation; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JULIE QUINN
Chairman

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:

June 2, 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. 538—
BY REPRESENTATIVE ANDERS

AN ACT

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

Reported with amendments.

Respectfully submitted,
FRANCIS C. THOMPSON
Chairman

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

SENATE BILL NO. 63—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9038.31(3) and to enact R.S. 33:9038.43, relative to the Thomas H. Delpit Area Special District; to create the district and provide for its authority; to grant to the district certain tax increment finance and tax authority; 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. 63 by Senator Dorsey

AMENDMENT NO. 1

On page 2, delete lines 18 through 27, and insert the following in lieu thereof: **"West on Terrace Street from Braddock Street to Napoleon Street; then south on Napoleon Street to E. Harrison Street; then east on E. Harrison Street to Georgia Street; then north on Georgia Street to Braddock Street; then north on Braddock Street to Terrace Street."**

AMENDMENT NO. 2

On page 5, line 1, after "**F.**" delete the remainder of the line in its entirety and delete line 2 in its entirety and on line 3, delete "**this Subsection, the**" and insert in lieu thereof "**The**"

AMENDMENT NO. 3

On page 5, delete lines 11 through 29 in their entirety and on page 6, delete lines 1 through 12 in their entirety.

AMENDMENT NO. 4

On page 6, line 18, between "**date**" and "**all bonds**" insert "**of**"

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

June 2, 2009

SENATE BILL NO. 108—

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

AN ACT

To amend and reenact amend and reenact R.S. 47:6015(B)(1) and (2)(b), (D)(1), (F)(4), and (I), and to repeal R.S. 47:6015(C)(1) and (G), relative to state taxes; to provide with respect to the research and development tax credit; to extend the duration of the tax credit through 2014; 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. 108 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 13, change "Louisiana individual and corporation" to "any Louisiana"

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. 109—

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

AN ACT

To amend and reenact R.S. 47:6020.1(A), (B)(2)(a) and (c), and (C)(1)(introductory paragraph) and 6020.2(A)(1) and (2)(a), (b) and (c), and to enact R.S. 47:6020.1(D) and 6020.4(3)(g) and (h), relative to state taxes; to provide for the Angel Investor Tax Credit Program for credits against individual and corporation income and corporation income and corporation franchise tax liability; to provide for the amount of the credits; to provide with respect to the limitation on the total credits which may be granted in a year; to authorize the Department of Economic Development to determine the method of awarding tax credits; to extend the duration of the program; 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. 109 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 2, delete "individual or corporation" and insert "Louisiana"

AMENDMENT NO. 2

On page 2, line 27, delete "individual" and on line 28, delete "or corporation"

AMENDMENT NO. 3

On page 3, at the end of line 22, delete the semicolon ";" and insert a period "."

AMENDMENT NO. 4

On page 3, at the end of line 23, delete the semicolon ";" and insert a period "."

AMENDMENT NO. 5

On page 3, at the end of line 24, delete the semicolon ";" and insert a period "."

AMENDMENT NO. 6

On page 3, line 26, after "percent" delete the remainder of the line and insert a period "."

AMENDMENT NO. 7

On page 4, line 11, after "Business" insert a comma ","

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. 153—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 38:330.3(C)(2) and to enact R.S. 38:330.14, relative to the Orleans Levee District; to transfer the control and maintenance of certain non-flood protection assets of the Orleans Levee District to the New Orleans City Park Improvement Association; to designate the board of commissioners of the association as successor to the board of commissioners for the levee board; to provide for funding for the continual maintenance of such assets; to provide for the liability of the board; to provide for the transfer of certain employees to the board; to provide for effectiveness; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways and Public Works. The bill was read by title; the committee substitute bill was read.

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

BY SENATOR MORRELL

AN ACT

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

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:330.14 is hereby enacted to read as follows:

§330.14. Non-flood protection management commission

A. The Non-flood Protection Asset Management Commission, herein referred to as the "commission," is hereby created in order to provide a thorough management plan for all non-flood protection assets of the Orleans Levee District.

B. The commission shall be composed of the following members:

(1) Three members from the board of commissioners of the Southeast Louisiana Flood Protection Authority-East.

(2) The executive director of the Orleans Levee District.

(3) One member from the board of directors for the Orleans Marina, appointed by such board.

(4) The director of aviation for the New Orleans Lakefront Airport.

(5) The state senator whose senatorial district is defined by R.S. 24:35.1(3).

(6) The state senator whose senatorial district is defined by R.S. 24:35.1(4).

(7) One member from each of the neighborhood associations adjacent to each of the non-flood protection assets.

(8) The secretary of the Department of Transportation and Development, or his designee.

(9) The commissioner of administration, or his designee.

(10) The director of the office of Coastal Protection and Restoration, or his designee.

C. The member serving pursuant to Subsection (B)(5) of this Section shall be notified of the members who are appointed and he shall call the first meeting of the commission no later than August 15, 2009. The commission shall hold a minimum of three additional meetings no later than February 1, 2010. Each meeting

of the commission shall be open to the public and shall be convened in a location easily accessible to the general public.

D. All appointments to the commission shall be submitted to the member serving pursuant to Subsection (B)(5) of this Section who shall call the first meeting of the commission no later than August 15, 2009. The commission shall hold three additional meetings no later than February 1, 2010. Each meeting of the commission shall be open to the public and shall be convened in a location easily accessible to the general public.

E. The commission shall submit an interim report to the Senate Committee on Transportation, Highways, and Public Works no later than March 15, 2010. Such report shall detail a proposed procedure and process for the operation, maintenance, sale, lease, or transfer of any facility or improvement which is managed or control by the Orleans Levee District.

F. The commission shall submit its final report to the Senate Committee on Transportation, Highways, and Public Works no later than February 1, 2011. Such report shall detail the final procedure and process for the operation, maintenance, sale, lease, or transfer of any facility or improvement which is managed or controlled by the Orleans Levee District.

G. The commission shall be abolished no later than March 1, 2011.

Section 2. This Act shall become effective on July 1, 2009.

On motion of Senator McPherson, the committee substitute bill was adopted and becomes Senate Bill No. 350 by Senator Morrell, substitute for Senate Bill No. 153 by Senator Morrell.

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

BY SENATOR MORRELL

AN ACT

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

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

SENATE BILL NO. 209—

BY SENATOR WALSWORTH

A JOINT RESOLUTION

Proposing to amend Sections 2(B)(11) and (12) and to add Section 2 (B)(13) of Article X of the Constitution of Louisiana, relative to public officials and employees; to provide that the director, deputy director and all employees of the Governor's Office of Homeland Security and Emergency Preparedness shall serve in unclassified service of the state civil service; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 228—

BY SENATOR GRAY EVANS

AN ACT

To enact R.S. 47:297.8(C), relative to individual income tax; to provide certain tax credits against certain taxes for certain homeowners or residential lessees; to provide for definitions; to provide for effective dates; 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. 228 by Senator Gray Evans

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:297.8(C)" to "R.S. 47:297.13"

AMENDMENT NO. 2

On page 1, line 3, change "or" to "who are also"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 47:297.8(C)" to "R.S. 47:297.13"

AMENDMENT NO. 4

On page 1, delete lines 7 and 8, and insert: "**§297.13. Housing credit for low-income homeowners**"

AMENDMENT NO. 5

On page 1, line 9, change "C." to "A."

AMENDMENT NO. 6

On page 1, line 10, after "**homeowners**" change "**and**" to "**who are also**"

AMENDMENT NO. 7

On page 1, line 11, delete "**not residing in subsidized housing**" and change "**needs to**" to "**needs for**"

AMENDMENT NO. 8

On page 1, line 14, change "**Subsection**" to "**Section**"

AMENDMENT NO. 9

On page 1, delete line 17, and insert "**the taxpayer's primary residence.**"

AMENDMENT NO. 10

On page 2, delete lines 1 through 4, and insert: "**(b) "Housing costs" means the expenses of mortgage, rent, property insurance, property taxes, and utilities.**"

AMENDMENT NO. 11

On page 2, line 6, change "**two hundred**" to "**two hundred fifty**"

AMENDMENT NO. 12

On page 2, delete lines 8 through 13

AMENDMENT NO. 13

On page 2, delete line 14, and insert "**B. For tax**"

AMENDMENT NO. 14

On page 2, line 16, after "**Chapter**" delete the remainder of the line, delete lines 17 through 21, and insert: "**for a homeowner who is also a residential lessee, and who meets the income criteria provided for in Subparagraph (A)(2)(c) of this Section, not to exceed three hundred thirty dollars per tax year.**"

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

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

SENATE BILL NO. 235—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 33:381(C)(29), relative to the town of Duson; to provide that the chief of police of the town shall be appointed; to provide for the time of the initial appointment; to provide for the method of appointment and for the salary, term,

June 2, 2009

duties, and supervision of the police chief; 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. 235 by Senator N. Gautreaux

AMENDMENT NO. 1
On page 1, delete line 9

AMENDMENT NO. 2
On page 2, line 3, between "immediately." and "The board" insert "The term of the police chief shall be concurrent with that of the mayor and board of aldermen."

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. 252—
BY SENATOR WALSWORTH
AN ACT

To enact Chapter 39-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2399.1 through 2399.6, relative to economic development; to provide definitions for words and terms; to provide for a modernization tax credit; to provide the process for approval of the modernization tax credit; to provide for the promulgation of rules and regulations; to provide for penalties for false or fraudulent applications; 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. 252 by Senator Walsworth

AMENDMENT NO. 1
On page 2, line 19, change "rebate" to "credit"

AMENDMENT NO. 2
On page 3, line 8, change "rebate" to "credit"

AMENDMENT NO. 3
On page 3, line 18, change "a taxpayer" to "an employer"

AMENDMENT NO. 4
On page 3, line 20, change "a taxpayer" to "an employer"

AMENDMENT NO. 5
On page 3, line 21, change "their" to "his" and change "a taxpayer's" to "an employer's"

AMENDMENT NO. 6
On page 3, line 25, after "in" change "an" to "a"

AMENDMENT NO. 7
On page 3, line 26, change "require" to "requires"

AMENDMENT NO. 8
On page 4, line 4, change "must" to "shall"

AMENDMENT NO. 9
On page 4, line 27, change "the taxpayer" to "the employer"

AMENDMENT NO. 10
On page 5, line 3, change "taxpayer's" to "employer's" and at the end of the line delete "the" and on line 4, delete "name of the employer."

AMENDMENT NO. 11
On page 6, line 25, change "rebate" to "credit"

AMENDMENT NO. 12
On page 7, line 10, change "rebates" to "credits"

AMENDMENT NO. 13
On page 7, line 11, change "rebates" to "credits"

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. 258—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 48:250.2(A) and (B) and 250.3, to enact R.S. 44:22.1, and to repeal R.S. 48:250.4, relative to design-build contracts; to provide for requirements for design-build contracts of the Department of Transportation and Development; to provide for the confidentiality of records submitted by a design-builder in response to a request for proposals; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways and Public Works. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO.— (Substitute of Senate Bill No. 258 by Senator McPherson)
BY SENATOR MCPHERSON
AN ACT

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

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 48:250.3(B), (C), (D), (E), (F), (G), and (H) are hereby amended and reenacted to read as follows:

§250.3. Design-build contracts; qualifications of design-build entities; public announcement procedures; letters of interest; selection of short list; bid proposals by competitors; ~~technical review committee;~~ qualifications evaluation committee; proposal review committee; selection and process of award

B. Each design-builder shall employ, or have as a partner, member, coventurer, or subcontractor persons or a firm with persons who are duly licensed and registered to provide the services required to complete the project and do business in this state. The standard professional engineer and land surveyor qualifications as provided for in R.S. 37:681 et seq., the rules and regulations of the Louisiana Professional Engineering and Land Surveying Board, and the department's standard technical qualification requirements for firms providing professional engineering and land surveying services as provided for in R.S. 48:290 shall apply to the components providing design services, and the standard contractor qualifications as provided for in R.S. 37:2150 et seq., and the current rules and regulations of the State Licensing Board for Contractors shall apply to the component providing construction services utilized by the design-builder, based upon the applicable categories for the specific project. All registrations and licenses for each component shall be obtained prior to or concurrent with award of the project to the selected design-builder by the department.

C. (†) A notice of intent to request letters of interest for a design-build project shall be distributed by the department through advertisement ~~in the Daily Journal of Commerce, the Baton Rouge Advocate, by appearance on the Department of Transportation and Development's Internet homepage webpage, and by other means to ensure adequate response, including newspapers, trade journals, and other forms of media which may be appropriate for specialty services.~~ All notices of intent shall be advertised a minimum of ~~thirty ten~~ thirty ten days prior to the deadline for receipt of responses and shall contain a ~~brief~~ description of the project, ~~the required scope of~~

services; and sufficient information for a design-builder to determine its interest and to enable it to submit a letter of interest. The department may readvertise the notice of intent using additional media or publications in an attempt to solicit additional responses if the number of responses received by the department is inadequate.

(2)(a) The department may use a private design professional to develop the description of the project and the required scope of services; however, if the department uses a private design professional, the private design professional shall be selected in accordance with the provisions of R.S. 48:291(A).

(b) The description of the project and the required scope of services shall include design criteria, analyses, reports, and cost estimates for the design-build project as prepared by a private design professional or the department.

D. The department shall provide a request for a qualifications package "Request for Qualifications" (RFQ) to design-builders who submit a letter of interest. The department shall identify all required information in the request for qualifications package and in the standard response forms provided by the department. The response to a the request for qualifications package shall include statements of qualification by credentials and experience of design component members for the areas of expertise specific to the project and statements of qualification by experience and resources of the construction team component. The completed response form and any other required information shall be transmitted to the department by the responding design-builder by the deadline to submit such forms and information as provided in the request for qualifications package. Any response failing to meet all of the requirements contained in the request for qualifications package shall not be considered by the department. False or misrepresented information furnished in response to a request for qualifications package shall be grounds for rejection by the department.

E. (1) ~~A primary~~ The chief engineer, with concurrence of the secretary, shall establish a design-build qualifications evaluation committee, whose membership is provided for in R.S. 48:291(A), shall evaluate for evaluation of the responses to the request for qualifications package received by the department. The following general criteria used by the primary qualifications evaluation committee in evaluating responses to the request for qualifications package for design-build services shall apply to both the design and construction components of any responding entity:

(a) Experience of both the design and construction entity components and of key personnel as related to the project under consideration.

(b) Past performance on department projects.

(c) Any project-specific criteria as may apply to project needs.

(2) The primary qualifications evaluation committee shall evaluate the qualifications of responding entities design-builders on the basis of the criteria identified in the request for qualifications and set forth in this Subsection and shall select a short list of not fewer than three and not more than five of the highest rated entities in a number to be determined by the department; however, if fewer than three responses are received, the secretary or designated representative may approve proceeding with the design-build process. The primary qualifications evaluation committee may, at its discretion, be assisted by other department personnel in its evaluation of an entity's qualifications. The primary design-build qualifications evaluation committee shall present its short list to the chief engineer for recommendation to the secretary. The short-listed entities shall be invited by the secretary or designated representative to submit a detailed technical and cost proposal for the design-build project. The invitation ~~from the secretary~~ to the short-listed entities shall specify a deadline for submission of such proposals.

F. (1) Depending upon the complexity of the project and the degree of flexibility in the approach to design and construction methods, the specific requirements of the technical proposal shall be identified by the department to the entities making the short list by means of a "Scope of Services Package Request for Proposal (RFP)". Generally, the technical "Request for Proposal (RFP)" proposal shall include discussions of request design strategy and preliminary design concepts, construction sequencing, techniques, materials, and methods, the schedule for commencement and completion of all phases of work, and a lump sum cost for all services

in fulfillment of the requirements and within the constraints of the "Scope of Services Package" "Request for Proposal".

(2) For more complex projects and projects with scopes which permit flexibility and innovation in the design and construction approach, the department ~~shall may~~ compensate unsuccessful and responsive short-listed entities design-builders for the expense of preparing the technical proposal. The amount of compensation to be paid, if any, for the technical proposal shall be predetermined by the department and shall be included in the department's ~~scope of services package~~ request for proposal (RFP). The department may by plan change use concepts submitted by any paid compensated short-listed entity to design and construct the project design-build proposers.

G. The chief engineer, with concurrence of the secretary, shall establish a technical proposal review committee for evaluation of design-build proposals. The technical proposal review committee shall include representatives from the construction, road design, bridge design, and planning sections of the department be identified in the request for proposals (RFP). The chief engineer, with concurrence of the secretary, shall assign a project manager, who shall become the chairman of the technical proposal review committee for the project. The technical review committee, including the project manager, request for proposals (RFP) shall identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical score. Additionally, the chief engineer, with concurrence of the secretary, may select additional department engineering and technical experts, and nationally recognized design-build experts to serve as committee members to score each technical element of the project. Members of the technical proposal review committee shall not have served as members of the primary qualifications evaluation committee. Each member of the technical proposal review committee shall make his scoring of assigned elements available for public review. Such scores shall be considered public record.

H. (1) An adjusted score approach shall be used by the department in determining the winning proposal. An adjusted score shall be determined using the following three components:

(a)(i) The technical score determined by the technical proposal review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical proposal review committee member shall rate his assigned element of the proposal from each of the entities on the short list and shall submit such scores to the chairman of the technical proposal review committee. The schedule and price bid shall not be made known to the technical proposal review committee during the scoring process. The chairman of the technical proposal review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal.

(ii) Prior to determining the adjusted score, the chairman of the technical proposal review committee shall notify each design-build proposer, in writing, of each proposer's final total technical score.

(b) The time value, consisting of the product of the proposed contract time expressed in calendar days multiplied by the value-per-calendar-day expressed in dollars established by the department and included in the request for proposal "Scope of Services Package".

(2) The winning proposal shall be the proposal with the lowest adjusted score. The adjusted score for each entity's design-build proposal shall be determined by the following formula: Adjusted Score = (Price Bid + Time Value) divided by Technical Score. If the Time Value is not used, the Adjusted Score shall be determined by the following formula: Adjusted Score = Price Bid divided by Technical Score.

Section 2. R.S. 48:250.4 is hereby repealed.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval

On motion of Senator McPherson, the committee substitute bill was adopted and becomes Senate Bill No. 351 by Senator McPherson, substitute for Senate Bill No. 258 by Senator McPherson.

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

BY SENATOR MCPHERSON

AN ACT

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

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

SENATE BILL NO. 270—

BY SENATOR LONG

AN ACT

To enact R.S. 22:1014, relative to health insurance; to provide for definitions; to provide with respect to reduced health insurance copayments for primary care services; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 270 by Senator Long

AMENDMENT NO. 1

On page 1, delete line 17 and insert in lieu thereof the following: "provisions of R.S. 22:996 and 1021."

AMENDMENT NO. 2

On page 2, delete line 1 in its entirety.

AMENDMENT NO. 3

On page 2, line 19, after "pediatricians." delete the remainder of the line and delete lines 20 through 22 in their entirety

AMENDMENT NO. 4

On page 2, line 26, change "physicians." to "physicians, with the exception of chiropractic physicians. A health insurance issuer may apply the same lower copayments for services provided by physician extenders such as physician assistants and nurse practitioners."

AMENDMENT NO. 5

On page 3, between lines 1 and 2, insert the following: "E. Implementation of the provisions of the Section shall have no effect on the total rate of reimbursement specified in an agreement between a health issuer and a health care provider."

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

SENATE BILL NO. 279—

BY SENATOR WALSWORTH AND REPRESENTATIVE PETERSON

AN ACT

To enact R.S. 29:726.2, relative to the use of public facilities as emergency evacuation shelters; to provide for terms; to provide for certain entities to identify and maintain a list of public facilities suitable for use as emergency evacuation shelters; to create the Shelter Inventory Committee; to provide for duties; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 279 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 4, after "shelters;" delete "to create"

AMENDMENT NO. 2

On page 1, line 5, delete "the Shelter Inventory Committee;"

AMENDMENT NO. 3

On page 1, line 16, at the end of the line delete "local office of" and insert "director of the parish Office of Homeland Security and Emergency Preparedness." and on line 17, delete "the Governor's Office of Homeland Security and Emergency Preparedness."

AMENDMENT NO. 4

On page 2, line 1, delete "local office of the Governor's" and insert "director of the parish"

AMENDMENT NO. 5

On page 2, line 5, after "C." delete the remainder of the line and insert the following: "Any public facility that is the recipient of retrofitting or hardening construction that is funded from monies appropriated by the state or federal government for purposes of being used as a shelter, shall make such facility available for use as a public evacuation shelter at the request of the director of the Governor's Office of Homeland Security and Emergency Preparedness. Public facilities shall include all schools, postsecondary education facilities, and other facilities owned or leased by the state or local governments, excluding hospitals or nursing homes, that meet the minimum standards for use as an emergency shelter."

D. The Governor's Office of Homeland Security and Emergency Preparedness shall select from an inventory list of those facilities recommended by the directors of the parish offices of Homeland Security and Emergency Preparedness for retrofitting those public facilities that, with reasonable hardening or retrofitting modifications, would accelerate the state and local efforts to reduce the deficit in shelter space."

AMENDMENT NO. 6

On page 2, delete lines 6 through 24

AMENDMENT NO. 7

On page 2, line 25, change "D." to "E."

AMENDMENT NO. 8

On page 3, delete lines 6 through 24

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

SENATE BILL NO. 289—

BY SENATORS APPEL AND WALSWORTH

AN ACT

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

Reported 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. 289 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S. 47:463.61" insert "(C), (D), and"

AMENDMENT NO. 2

On page 1, line 4, after "Life" insert a quotation mark ""

AMENDMENT NO. 3

On page 1, delete lines 7 and 8, and insert:

"Section 1. R.S. 47:463.61(C), (D), and (E) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, line 9, delete "fund";

AMENDMENT NO. 5

On page 1, line 10, change "funds" to "royalty fees"

AMENDMENT NO. 6

On page 1, between lines 11 and 12, insert:

"C. The annual fee charge for this special prestige license plate shall be a royalty fee of twenty-five dollars, in addition to the regular motor vehicle license fee provided in R.S. 47:463, to be distributed in the manner set forth in Subsection F of this Section and a three dollar and fifty cent handling fee to be retained by the department to offset a portion of administrative costs.

D. (1) The department shall collect the royalty fee for the prestige license plate and forward each quarter shall disburse the royalty fee to the state treasurer for immediate deposit in the state treasury the Louisiana Right to Life Education Committee.

(2) In addition, the Choose Life Fund in the state treasury is hereby abolished as of July 1, 2009, and the state treasurer shall transfer any remaining money in the fund to the Escrow Fund and the money shall be appropriated or otherwise distributed to the Louisiana Right to Life Education Committee for use in accordance with this Section.

AMENDMENT NO. 7

On page 1, line 12, after "E." insert "(1)"

AMENDMENT NO. 8

On page 2, delete lines 16 through 29, on page 3, delete lines 1 and 2, and insert: "The Louisiana Right To Life Education Committee shall distribute the money to qualified organizations according to Paragraph (2) of this Subsection. The Louisiana Right To Life Education Committee may reserve or expend up to five percent of the money received pursuant to this Section for promotion and marketing of the plate and for administrative costs relative to distribution of the money."

AMENDMENT NO. 9

On page 3, line 8, after "demonstrate" insert "that"

AMENDMENT NO. 10

On page 3, line 10, delete "deposited into the fund"

AMENDMENT NO. 11

On page 3, between lines 20 and 21, insert:

"Section 2. R.S. 463.61(F), (G), and (H) are hereby repealed."

AMENDMENT NO. 12

On page 4, delete lines 5 through 9, and insert:

"Section 3. 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 July 1, 2009, or on the day following such approval by the legislature, whichever is later."

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. 320—

BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 13:998(B), the introductory paragraph of (E)(1) and (E)(3), 1141(B) and the introductory paragraph of (E)(1) and (E)(3), 1414(B) and the introductory paragraph of (E)(1) and (E)(3), R.S. 30:2455, R.S. 36:53(H), R.S. 38:330.12(A) through (D), R.S. 39:15.3(A) and (B)(12) through (18), and R.S. 49:1053(B), 1054(1) and (2) and 1054.1(A) and (B)(3), to enact R.S. 36:4.1(D)(18), 239(I) and 477(C)(3) and R.S. 39:15.3(B)(19), and to repeal R.S. 36:4(M) and 4.1(B)(1), Subpart D of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:16.1 through 16.5, and R.S. 46:2522(11), relative to the organization of the executive branch of state government; to transfer certain agencies in the executive branch of state government; to provide relative to the transfer and exercise of the powers, duties, functions, and responsibilities of certain agencies in the executive branch; to abolish the office of electronic services within the office of information technology in the division of administration; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 320 by Senator Alario

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 30:2455" delete the remainder of the line and insert "and the introductory paragraph of 2456(A), R.S. 36:401(C)(1)(b)(i), 405(A)(1)(b), and 642(D)(2), R.S."

AMENDMENT NO. 2

On page 1, line 5, after "(18)," and before "and R.S." insert "R.S. 46:2122, 2123, and 2124(A) and (B)."

AMENDMENT NO. 3

On page 1, at the beginning of line 7, delete "239(I) and 477(C)(3)" and insert "408(I), 409(C)(10), 477(C)(3), and 651(BB)"

AMENDMENT NO. 4

On page 4, line 22, after "R.S. 30:2455" delete "is" and insert "and the introductory paragraph of 2456(A) are"

AMENDMENT NO. 5

On page 4, line 25, change "Department of Environmental Quality" to "Department of Public Safety and Corrections, Public Safety Services"

AMENDMENT NO. 6

On page 4, after line 29, insert the following:

"§2456. General powers and duties of the coordinator

A. The coordinator, under the direction and control of the governor deputy secretary for public safety services, shall:

* * *

AMENDMENT NO. 7

On page 5, line 1, change "R.S. 36:53(H) is" to "R.S. 36:401(C)(1)(b)(i), 405(A)(1)(b), and 642(D)(2) are"

AMENDMENT NO. 8

On page 5, at the beginning of line 2, delete "239(I), and 477(C)(3)" and insert "408(I), 409(C)(10), 477(C)(3), and 651(BB)"

AMENDMENT NO. 9

On page 5, delete lines 14 through 29, and on page 6, delete lines 1 and 2

June 2, 2009

AMENDMENT NO. 10

On page 6, between lines 2 and 3, insert the following:
"\$401. Department of Public Safety and Corrections; public safety services; corrections services; youth services; creation; domicile; composition; purposes and functions

C.(1) * * *
* * *

(b)(i) Public safety services shall include the office of management and finance for public safety services, the office of state police, the office of legal affairs, the office of motor vehicles, and the office of state fire marshal, code enforcement and building safety, and the office of the Louisiana oil spill coordinator and shall also include the deputy secretary of public safety services, the assistant secretaries of the offices, and personnel necessary to carry out their functions.

* * *

\$405. Deputy secretaries for public safety services, corrections services, and youth services

A.(1) There shall be a deputy secretary for public safety services and a deputy secretary for corrections services. Each shall be appointed by the secretary and serve at the pleasure of the secretary at a salary fixed by the secretary, which salary shall not exceed the amount approved for such position by the legislature while in session. Each appointment by the secretary shall be submitted to the Senate for confirmation. The duties and functions of the deputy secretaries provided for in this Subsection shall be determined and assigned by the secretary, except that:

* * *

(b) Public safety services, including the office of state police, the office of legal affairs, the office of motor vehicles, the office of state fire marshal, code enforcement and building safety, the office of the Louisiana oil spill coordinator, and their assistant secretaries, shall be under the supervision and direction of the deputy secretary for public safety services. The deputy secretary for public safety services shall be an ex officio member of each board and commission in the Department of Public Safety and Corrections which is related to the functions of public safety services. However, the deputy secretary may appoint a designee to be his representative as an ex officio member of each board and commission which is related to the functions of public safety services.

* * *

\$408. Offices; purposes and functions

* * *

I. The office of the Louisiana oil spill coordinator shall perform and exercise its powers, duties, functions, and responsibilities as provided and specified in the Oil Spill Prevention and Response Act (R.S. 30:2451 et seq.).

* * *

\$409. Transfer of agencies to Department of Public Safety and Corrections

C. * * *
* * *

(10) The office of the Louisiana oil spill coordinator (R.S. 30:2451 et seq.).

* * *

AMENDMENT NO. 11

On page 6, between lines 8 and 9, insert the following:

* * *

\$642. Department of Education; creation; domicile; composition; purposes and functions

D. * * *
* * *

(2) The Louisiana Student Financial Assistance Commission within the Board of Regents, as provided by law, shall be responsible for the supervision, control, direction, and administration of the state programs on higher education financial assistance and the scholarship programs transferred to it.

* * *

\$651. Transfer of boards, commissions, departments, and agencies to Department of Education; boards, commissions, and agencies within Department of Education

* * *

BB. The Louisiana Student Financial Assistance Commission (R.S. 17:3021 - 3048.7) is placed within the Board of Regents and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.

AMENDMENT NO. 12

On page 9, between lines 11 and 12, insert the following:

"Section 6. R.S. 46:2122, 2123, and 2124(A) and (B) are hereby amended and reenacted to read as follows:

§2122. Program creation; duties of director

A. From federal funds, state funds, or funds made available from private or local sources for this purpose, the executive director of the office of women's services in the office of the governor office of community services within the Department of Social Services is hereby authorized to establish a family violence program, hereafter called the "Family Violence Prevention and Intervention Program," for the development of community-based shelters for victims of family violence. The executive director Department of Social Services shall establish such program within the office of women's services community services which shall be the recipient of any funds made available for the program.

B. The executive director office of community services shall establish standards for the expenditure of state funds made available from federal, private, or local sources and shall assure the availability of personnel, resources, and equipment necessary for the purpose of the Chapter.

§2123. Program functions; duties of the designee of the executive director A designee of the executive director The office of community services shall develop and administer the program to do the following:

(1) Establish full-time, community-based, family-oriented shelters for the victims of family violence and their children.

(2) Increase, improve, and coordinate the delivery of comprehensive services to the victims of domestic or family violence.

(3) Provide the types of innovative approaches and methods in services designed to reduce the problems of domestic and family violence.

§2124. Community shelters; funding; services

A. Through the program the executive director The office of community services shall seek to establish a limited number of community-based shelters and family-oriented shelters for victims of family or domestic violence. Such shelters may be developed on a contract basis with public or private agencies.

B. When applicable, the executive director office of community services shall contract with public or private agencies for the development of such shelters, and they shall choose such agencies from a list which shall be submitted as he it provides.

* * *

AMENDMENT NO. 13

On page 9, line 12, change "Section 6" to "Section 7"

AMENDMENT NO. 14

On page 10, line 28, change "Section 7" to "Section 8"

AMENDMENT NO. 15

On page 11, line 2, change "Section 8" to "Section 9"

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

SENATE BILL NO. 338—

BY SENATOR GRAY EVANS

AN ACT

To amend and reenact R.S. 47:305.59, relative to the sales and use tax of the state and its political subdivisions; to exempt the sale and use of certain construction materials sold to certain organizations; 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. 338 by Senator Gray Evans

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 47:305.59" to "enact R.S. 47:305.62"

AMENDMENT NO. 2

On page 1, line 4, between "organizations;" and "and" insert "to limit the amount of exemptions granted on a calendar year basis;"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 47:305.59 is hereby amended and reenacted" to "R.S. 47:305.62 is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 7 through 12, and insert the following:
"§305.62. Exemption; charitable residential construction, rehabilitation, and renovation; limitation

A. The sales and use tax imposed by the state of Louisiana and all of its tax authorities shall not apply to the sale of construction materials to Hands on New Orleans and Rebuilding Together New Orleans covenant partners located in this state when such materials are intended for use in either constructing, rehabilitating, or renovating residential dwellings in this state which were destroyed or damaged by Hurricane Katrina or Hurricane Rita.

B. No more than five hundred thousand dollars of state and local exemptions authorized pursuant to this Section shall be granted in any calendar year.

C. The secretary of the Department of Revenue shall promulgate rules and regulations necessary to implement the provisions of this Section."

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. 343—

BY SENATORS CROWE AND SHAW

AN ACT

To amend and reenact R.S. 47:6007(B)(4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) and (D)(2)(a)(i)(cc) and (ee) and to enact R.S. 47:6007(B)(14) and (15), (G) and (H), relative to the motion picture investor tax credit; to prohibit a motion picture company from obtaining a motion picture investor tax credit to produce obscenity; to provide for definitions; to provide for incentives to certain film productions; 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. 343 by Senator Crowe

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert: "To amend and reenact R.S. 47:6007(B)(5) and to enact R.S. 47:6007(G) and (H),"

AMENDMENT NO. 2

On page 1, line 5, after "produce" delete the remainder of the line, delete line 6, and insert: "certain motion pictures; and"

AMENDMENT NO. 3

On page 1, delete lines 9 through 11, and insert:
 "Section 1. R.S. 47:6007(B)(5) is hereby amended and reenacted and R.S. 47:6007(G) and (H) are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 16 and 17, delete pages 2 and 3, on page 4, delete lines 1 through 18, and insert:

"(5) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part, for theatrical or television viewing or as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events **or a production for which records are required to be maintained pursuant to 18 U.S.C. § 2257.**"

AMENDMENT NO. 5

On page 4, delete lines 23 through 25

AMENDMENT NO. 6

On page 4, line 26, change "**(b)**" to "**(a)**"

AMENDMENT NO. 7

On page 4, line 27, after "**company**" delete the remainder of the line and delete line 28 and insert: "**produces a production for which records are required to be maintained pursuant to 18 U.S.C. § 2257.**"

AMENDMENT NO. 8

On page 5, line 11, after "**friendly production.**" insert "**(a)**"

AMENDMENT NO. 9

On page 5, after line 19, insert:
"(b) For purposes of this Subsection, "family-friendly production" shall mean a state-certified production which is determined to be "G-rated" by the Motion Picture Association of America and is, thereby, deemed appropriate for general audiences."

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.

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 59—

BY REPRESENTATIVES RICHARDSON, AUBERT, BARROW, BILLIOT, BURRELL, CARMODY, CARTER, CHAMPAGNE, DANAHAY, HILL, GIROD JACKSON, SAM JONES, AND NORTON

AN ACT

To amend and reenact R.S. 25:1001(A) and (D), relative to the Louisiana Naval War Memorial Commission; to change the membership composition of the commission; to provide relative to the use of commission funds; and to provide for related matters.

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

HOUSE BILL NO. 96—

BY REPRESENTATIVE PEARSON

AN ACT

To enact R.S. 11:247, 446(A)(6), and 783(A)(4), relative to state and statewide retirement systems; to provide relative to cost-of-living adjustments; to permit the selection of a retirement option that would provide for automatic cost-of-living adjustments

June 2, 2009

subject to an actuarial reduction of benefits; 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 Engrossed House Bill No. 96 by Representative Pearson

AMENDMENT NO. 1

On page 2, line 6, delete "all prior" and after "adjustments" insert "paid pursuant to this Section, but exclusive of cost-of-living adjustments paid pursuant to any other provision of law"

AMENDMENT NO. 2

On page 2, line 12, delete "all prior"

AMENDMENT NO. 3

On page 2, line 13, after "adjustments" insert "paid pursuant to this Section, but exclusive of cost-of-living adjustments paid pursuant to any other provision of law"

AMENDMENT NO. 4

On page 2, line 20 change "Participant" to "participant"

AMENDMENT NO. 5

On page 2, line 27, delete "July first of each year" and insert in lieu thereof "annually on the retirement anniversary date of the retiree" and change "retirees" to "any retiree"

AMENDMENT NO. 6

On page 2, at the beginning of line 28 change "are" to "is"

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

HOUSE BILL NO. 112—

BY REPRESENTATIVE MONTOUCET AN ACT

To amend and reenact R.S. 11:701(33)(a)(x) and (xi) and (b)(v) and to enact R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain foreign teachers who are teaching in Louisiana on J visas; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 115—

BY REPRESENTATIVE GUINN AN ACT

To enact R.S. 40:1498(G), relative to Jefferson Davis Parish Fire District #2; to provide relative to the per diem for members of the governing board; and to provide for related matters.

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

HOUSE BILL NO. 116—

BY REPRESENTATIVE GUINN AN ACT

To enact R.S. 33:3819(G), relative to certain waterworks districts in Jefferson Davis Parish; to provide relative to the per diem paid to the commissioners of the districts; and to provide for related matters.

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

HOUSE BILL NO. 117—

BY REPRESENTATIVE DANAHAY AN ACT

To amend and reenact R.S. 33:4576(A), relative to the West Calcasieu Parish Community Center Authority; to provide that the authority is a political subdivision of the state; and to provide for related matters.

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

HOUSE BILL NO. 121—

BY REPRESENTATIVE GUINN AN ACT

To enact R.S. 33:3819(G), relative to Waterworks District #8 of Calcasieu Parish; to provide relative to the per diem paid to the commissioners of the district; and to provide for related matters.

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

HOUSE BILL NO. 144—

BY REPRESENTATIVE HOWARD AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), relative to assessment districts; to create an assessment district in Red River Parish to fund the office of the assessor; and to provide for related matters.

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

HOUSE BILL NO. 170—

BY REPRESENTATIVE ELLINGTON AN ACT

To enact R.S. 33:4574(B)(44) and (F)(7) and 4574.1.1(A)(46), relative to Caldwell Parish; to create the Caldwell Parish Tourist Commission; to provide for a board of directors, governance, terms, and duties; to provide the commission with taxing authority; and to provide for related matters.

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

HOUSE BILL NO. 176—

BY REPRESENTATIVE POPE AN ACT

To amend and reenact R.S. 17:270(A) and R.S. 32:402.1(D), relative to the driver education and training program for children operated by the State Board of Elementary and Secondary Education and the state Department of Education; to permit a child who is in at least the ninth grade and is less than fifteen years of age to participate in the classroom instruction component of the program; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 183—

BY REPRESENTATIVE HOFFMANN AN ACT

To enact R.S. 17:7(6)(f), relative to teacher certification; to require the State Board of Elementary and Secondary Education to establish an appeals process with respect to the denial of teacher certification; to provide for appeals to the Teacher Certification Appeals Council; to provide for the membership of the council; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 33:130.471(A) and 130.472(A), (B), (C), (H), and (I), relative to the Concordia Economic and Industrial Development District; to provide relative to the board of commissioners of the district; to provide relative to board membership and appointments; to provide relative to the terms and powers and duties of board members; and to provide for related matters.

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

HOUSE BILL NO. 185—

BY REPRESENTATIVE CORTEZ

AN ACT

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

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 185 by Representative Cortez

AMENDMENT NO. 1

On page 1, line 4, change "an impending" to "a"

AMENDMENT NO. 2

On page 1, line 13, change "an impending" to "a"

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

HOUSE BILL NO. 188—

BY REPRESENTATIVES EDWARDS, AUBERT, BILLIOT, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, HILL, GIROD JACKSON, MICHAEL JACKSON, SAM JONES, MCVEA, NORTON, PEARSON, POPE, PUGH, RICHARDSON, RITCHIE, AND SIMON

AN ACT

To enact Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:571 through 576, and to enact R.S. 36:209(AA), relative to creating the West Florida Republic Commission; to provide for appointment of the commission; to provide for the powers and duties of the commission; to provide for funding of the commission; to provide a termination date for the commission; to establish the commission within the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 39:551.10(B) and (C), relative to Jackson Parish; to provide relative to the Jackson Parish Industrial District; to provide relative to the board of commissioners; to provide relative to board membership and appointments; to provide relative to terms of board members; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 333—

BY REPRESENTATIVES KLECKLEY, ANDERS, CORTEZ, MONICA, PEARSON, ROY, GARY SMITH, AND TALBOT AND SENATORS DUPRE, HEBERT, MORRISH, AND QUINN

AN ACT

To enact R.S. 22:1337, relative to homeowners' insurance and certain fire and allied lines insurance; to provide for limitations on named-storm, hurricane, and wind and hail deductibles; and to provide for related matters.

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

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.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 347 by Representative Downs

AMENDMENT NO. 1

On page 2, line 21, after "investigation;" and before "or" insert "the legislative auditor;"

AMENDMENT NO. 2

On page 2, line 24, after "department" and before "also" delete "may" and insert "shall"

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

HOUSE BILL NO. 353—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(introductory paragraph), relative to public contracts; to increase the contract limit for public works projects undertaken by the public entity's own employees; and to provide for related matters.

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

June 2, 2009

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 353 by Representative Monica

AMENDMENT NO. 1

On page 1, delete lines 3 and 4, and insert: "contracts; to increase the contract limit for public work contracts; and to provide for related matters."

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

HOUSE BILL NO. 358—

BY REPRESENTATIVE ARMES AN ACT

To amend and reenact R.S. 11:1755(A)(2) and to enact R.S. 11:1755(F), relative to the Municipal Employees' Retirement System; to allow for purchases of certain prior service by certain members; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 368—

BY REPRESENTATIVES BURRELL, AUBERT, AUSTIN BADON, BARROW, DIXON, ELLINGTON, HARDY, HAZEL, HINES, GIROD JACKSON, MICHAEL JACKSON, KATZ, LAFONTA, LEBAS, LIGI, PATRICIA SMITH, ST. GERMAIN, AND WILLMOTT AN ACT

To amend and reenact R.S. 26:901(10) through (16) and to enact R.S. 26:901(17) and 910.1, relative to tobacco products; to provide for definitions; to prohibit the sale or delivery of tobacco products through a self-service display; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 370—

BY REPRESENTATIVE LAFONTA AN ACT

To amend and reenact R.S. 22:1124(A)(introductory paragraph) and 1138(D), to enact R.S. 22:821(B)(28), and to repeal R.S. 22:1125, relative to fees collected by the commissioner of insurance; to provide relative to fees collected for Medical Necessity Review Organization licenses; to provide for a fee for filing of annual reports of Medical Necessity Review Organizations; to delete the requirement that Medical Necessity Review Organization licenses are subject to biannual renewal and associated fees; and to provide for related matters.

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

HOUSE BILL NO. 393—

BY REPRESENTATIVE LAFONTA AN ACT

To enact R.S. 22:821(B)(28), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for review of preclicensing or continuing education provider applications; to provide relative to fees collected for review of preclicensing course or continuing education program applications; and to provide for related matters.

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

HOUSE BILL NO. 401—

BY REPRESENTATIVE PERRY AN ACT

To amend and reenact R.S. 33:4067(B), relative to Cameron Parish Water and Wastewater District No. 1; to provide for a change in the membership of the governing board of the district; and to provide for related matters.

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

HOUSE BILL NO. 406—

BY REPRESENTATIVE PEARSON AN ACT

To amend and reenact R.S. 22:1023(A)(8) and (9) and to enact R.S. 22:1023(A)(16) and (17), (B)(4) through (10), and (C)(6), relative to health insurance; to revise the definitions of "genetic information" and "genetic test"; to add the definitions for "genetic services" and "underwriting purposes"; to prohibit health insurers from requesting or requiring genetic testing or genetic information under certain circumstances; to prohibit health insurers from using genetic information for underwriting purposes under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 406 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 2, after "(9)" insert "and 1050(H)(3)"

AMENDMENT NO. 2

On page 1, line 8, after "circumstances;" insert "to provide for exceptions to the required coverage of autism spectrum disorders in individuals less than seventeen years of age;"

AMENDMENT NO. 3

On page 1, line 11, after "(9)" insert "and 1050(H)(3)"

AMENDMENT NO. 4

On page 6, after line 14, insert the following:
"\$1050. Requirement for coverage of diagnosis and treatment of autism spectrum disorders in individuals less than seventeen years of age

H. The provisions of this Section shall not apply to:
* * *
* * *

(3) Individually underwritten, guaranteed renewable limited benefit health insurance policies."

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

HOUSE BILL NO. 411—

BY REPRESENTATIVE PUGH 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. 33:130.791, relative to certain economic development districts; to provide relative to the board of commissioners of any such district; to provide relative to the schedule of regular and special meetings held by any such board; and to provide for related matters.

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

HOUSE BILL NO. 437—
BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 22:1319 and 1332(B)(introductory paragraph) and (2) and to enact R.S. 22:1332(B)(6) and (C), relative to property insurance; to require disclosure of separate hurricane, wind, or named-storm deductibles on homeowners' and fire insurance policies; to otherwise provide with respect to all disclosures on such policies, including providing that such disclosures are for informational purposes only; and to provide for related matters.

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

HOUSE BILL NO. 444—

BY REPRESENTATIVES PERRY, BALDONE, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, LITTLE, MILLS, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:668(A)(introductory paragraph), to enact R.S. 32:668.1, and to repeal 32:668(A)(6) relative to drivers licenses; to provide for scope of administrative hearings related to driver's license suspension; 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 Engrossed House Bill No. 444 by Representative Perry

AMENDMENT NO. 1

On page 1, line 3, delete "to repeal 32:668(A)(6)"

AMENDMENT NO. 2

On page 2, delete line 9

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

HOUSE BILL NO. 449—

BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 37:1049(introductory paragraph) and (3), 1051(C)(1) and (3), 1052, and 1063.1(C)(introductory paragraph) and to enact R.S. 37:1048(6)(c), (d), and (e) and 1049(7), relative to the practice of optometry; to provide for the expansion of the regulatory authority of the Louisiana State Board of Optometry Examiners; to provide for the modification of certain qualifications and requirements of applicants seeking to practice optometry; to name a certain examination that tests an applicant's knowledge of the treatment and management of ocular disease; to change the entity giving the treatment and management of ocular disease examination; to require the payment of fees within a certain period of time for certification to practice optometry; to authorize the practice of therapeutic optometry; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 449 by Representative Anders

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert "1052, 1063.1(C)(introductory paragraph), and 1064, and to enact R.S. 37:1048(6)(c)."

AMENDMENT NO. 2

On page 1, line 4, before "and 1049(7)" delete "and (e)"

AMENDMENT NO. 3

On page 1, line 11, after "optometry;" and before "to" insert "to provide for enforcement procedures;"

AMENDMENT NO. 4

On page 1, line 15, before "are" delete "and 1063.1(C)(introductory paragraph)" and insert "1063.1(C)(introductory paragraph), and 1064"

AMENDMENT NO. 5

On page 1, line 16, after "37:1048(6)(c)" and before "and" delete ", (d), and (e)"

AMENDMENT NO. 6

On page 2, delete lines 6 through 22 in their entirety

AMENDMENT NO. 7

On page 5, after line 3, insert the following:

"§1064. ~~Injunction Enforcement~~; penalty; attorney fees; costs

A. ~~The board, through its president, on motion in any court of competent jurisdiction, may cause to issue an injunction to enjoin any person from practicing optometry or violating any other Section or provision of this Chapter. This injunction shall not be subject to being released upon bond. The board may employ or retain legal counsel to represent the state and the board and to appear in the courts and before agencies of this state, or the courts and agencies of the United States, and of other states to carry out the purposes of this Chapter.~~

B. ~~In the suit for an injunction, the board, through its president, may demand and the court may assess, in addition to the injunction, a penalty of not more than five thousand dollars, reasonable attorney fees, and costs of court. This judgment for penalty, attorney fees, and costs may be rendered in the same judgment in which the injunction is made absolute and shall be payable to the board. The board, through its president, may bring an action in the court having jurisdiction whenever the board has evidence that any person has engaged, is engaged, or is about to engage in any acts or practices constituting a violation of this Chapter or of any rule, regulation, or order of the board issued thereunder to enjoin such acts or practices, or to enforce compliance with this Chapter or any rule, regulation, decision or order of the board. The relief sought by the board may include a mandatory injunction commanding any person to comply with this Chapter or any rule, regulation, decision or order of the board, and to make restitution of money received in violation of any such rule, regulation, decision or order, and for all costs of enforcement, including court costs, deposition, and other discovery costs, and reasonable attorney fees incurred by the board to enjoin such acts or practices and to enforce compliance with this Chapter or any rule, regulation, decision or order of the board. Upon a proper showing a temporary restraining order or a preliminary or permanent injunction shall be granted without bond. In a suit for an injunction, the board, through its president, may demand and the court may assess, in addition to the injunction, a penalty of not more than five thousand dollars, which may be rendered in the same judgment in which the injunction is made absolute and shall be made payable to the board. A trial of this proceeding shall be summary, with preference over ordinary proceedings, and tried by a judge without a jury. A violation of an injunction shall be considered contempt of court and shall be punished accordingly.~~

June 2, 2009

C. Any person adversely affected by a rule or decision of the board shall have standing in a court of competent jurisdiction to seek an injunction against enforcement of the rule or decision. If the court finds that the rule or decision is illegal, it shall issue an injunction against the board and may assess reasonable attorney fees and costs of court. The judgment for attorney fees and costs may be rendered in the same judgment in which the injunction is made absolute and shall be made payable by the board. The board, through its president, may file civil proceedings to collect civil penalties imposed by the board as a result of an investigation or other administrative proceeding which indicates that a violation of this Chapter or of any rule or regulation of the board has occurred which is subject to civil penalties, or upon the failure of any person, firm, association, corporation, limited liability company, or trust to timely pay any civil penalty imposed by the board when due. The board shall be authorized to and shall be entitled to recover, from such party all costs of collection, including court costs, deposition, and other discovery costs, and reasonable attorney fees incurred by the board in collecting such civil penalty. A judgment of a district court assessing civil penalties may be appealed suspensively to the appropriate court of appeal according to the provisions of the Louisiana Code of Civil Procedure. A judgment assessing civil penalties shall become executory when all delays for appeal have expired according to the Louisiana Code of Civil Procedure, and may be enforced as any other money judgment and shall be payable to the board. A trial of this proceeding shall be summary, with preference over ordinary proceedings, and tried by a judge without a jury.

D. The trial of this proceeding shall be summary, with preference over ordinary proceedings, and tried by the judge without a jury. The board, through its president, may transmit such evidence as may be available concerning acts or practices or concerning apparent violations of this Chapter or of any rule, regulation, decision or order of the board, to the district attorney having jurisdiction over such acts, practices, and violations, who, in his or her discretion, may institute criminal proceedings.

E. A violation of the injunction shall be considered as contempt of court and punished accordingly.

F. Any action brought pursuant to this Section shall be in addition to and not in lieu of any penalty provided by this Chapter and may be brought concurrently with other actions to enforce this Chapter."

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

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.

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

HOUSE BILL NO. 499—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 32:295.1(B), relative to seat belts; to require that all motor vehicle occupants wear a seat belt; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 503—
BY REPRESENTATIVE MONTUCET
AN ACT

To amend and reenact R.S. 33:4574(B)(1), 4574.1.1(A)(1), and 4574.2(G) and to enact R.S. 33:4574.2(H) and 4574.17, relative to the Acadia Parish Convention and Visitors Bureau; to change the name to the Acadia Parish Convention and Visitors

Commission; to provide for additional powers of the commission relative to debt, funds, property, and contracting; to authorize the commission to issue bonds and certificates of indebtedness; and to provide for related matters.

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

HOUSE BILL NO. 526—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact Subpart B-6-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.161 through 130.169, relative to economic development in Grant Parish; to create and provide for the Grant Parish Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; to authorize the district to issue bonds and levy taxes; and to provide for related matters.

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

HOUSE BILL NO. 527—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact R.S. 33:4570.14, relative to Grant Parish; to create the Grant Parish Recreation Authority; to provide for the powers and duties of the authority; to provide for a commission and its appointment, duties, and terms; to provide for the funding of the authority; to authorize the authority to levy taxes and issue bonds; and to provide for related matters.

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

HOUSE BILL NO. 528—
BY REPRESENTATIVE CHANDLER
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. 33:130.791 through 130.800, relative to economic development in LaSalle Parish; to create and provide for the Olla, Urania, Tullos, Standard Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; and to provide for related matters.

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

HOUSE BILL NO. 558—
BY REPRESENTATIVES BILLIOT, LABRUZZO, LIGI, LOPINTO,
TALBOT, AND WILLMOTT AND SENATORS MARTINY AND MORRELL
AN ACT

To amend and reenact R.S. 48:711, relative to immovable property in the parish of Jefferson; to authorize and provide for the disposal of immovable property by the municipalities within such parish; and to provide for related matters.

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

HOUSE BILL NO. 561—
BY REPRESENTATIVE POPE AND SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:105(A), 106(A), and 107(A) and to enact R.S. 11:107.1, relative to the authority of boards of trustees of statewide retirement systems or funds; to provide relative to employer contributions; to establish funding deposit

accounts; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 581—
BY REPRESENTATIVE ELLINGTON AND SENATOR RISER
AN ACT

To amend and reenact R.S. 33:3887, relative to the Columbia Heights Sewerage District No. 1 in Caldwell Parish; to authorize the parish governing authority to authorize the treasurer of the district to increase the per diem paid to members of the district board of supervisors for attending meetings; and to provide for related matters.

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

HOUSE BILL NO. 583—
BY REPRESENTATIVE ELLINGTON AND SENATOR RISER
AN ACT

To enact R.S. 33:3819(G), relative to the Columbia Heights Water District in Caldwell Parish; to authorize the governing authority of the parish to authorize the treasurer of the district to increase the per diem paid to district commissioners for attending meetings; and to provide for related matters.

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

HOUSE BILL NO. 586—
BY REPRESENTATIVES DOERGE, CORTEZ, HENDERSON, HOFFMANN, LAFONTA, MONTOUCE, POPE, AND ROBIDEAUX AND SENATORS CROWE, B. GAUTREAUX, AND KOSTELKA
AN ACT

To enact R.S. 11:542.1.1 and 883.3, relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide a minimum benefit increase to certain retirees, beneficiaries, and survivors; to provide for funding; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 597—
BY REPRESENTATIVE LITTLE
AN ACT

To enact R.S. 48:252(C)(2)(e), relative to addenda to advertisement for bids; to provide for the electronic transmission of notice of posting addenda to a bidder's e-mail address; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 598—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 22:366 and 386, relative to annual reports to the commissioner of insurance; to delete reports on premiums received; to delete reports on loss reserves; to provide for annual filing of an audited financial statement; and to provide for related matters.

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

HOUSE BILL NO. 601—
BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 48:250, relative to electronic signatures; to provide relative to electronic signatures on contracts; to provide for the acceptance of electronically signed documents by the recorder of mortgages; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 621—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 17:7(6)(f), relative to the certification of certain teachers; to require the State Board of Elementary and Secondary Education to develop and implement certain policies relative to the certification of foreign associate teachers; and to provide for related matters.

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

HOUSE BILL NO. 646—
BY REPRESENTATIVES SAM JONES AND BILLIOT
AN ACT

To amend and reenact R.S. 11:1733(D) and (E) and 1864(B) and (C) and to enact R.S. 11:1733(F), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to continuing liability of a participating employer which terminates its agreement for coverage of employees; to provide relative to interest rates on delinquent amounts owed to the system; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 647—
BY REPRESENTATIVE DOWNS
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. 33:130.791 through 130.797, relative to Lincoln Parish; to authorize the governing authority of the parish to create a geographic information system district; to provide relative to the board of commissioners for the district; to provide for the powers, duties, and functions of the district; to authorize the board to levy certain taxes; and to provide for related matters.

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

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.

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

June 2, 2009

HOUSE BILL NO. 649—

BY REPRESENTATIVES MONTOU CET, BOBBY BADON, BARRAS, DOERGE, GALLOT, GISCLAIR, LAFONTA, MILLS, RICHARD, AND THIBAUT AND SENATORS DUPRE, B. GAUTREAU X, GUILLORY, HEBERT, AND MURRAY

AN ACT

To enact R.S. 11:546 and R.S. 15:574.4.2, relative to the Louisiana State Employees' Retirement System; to provide for a probation and parole processing fee; to create a fund for the deposit of funds generated by such fees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 649 by Representative Montoucet

AMENDMENT NO. 1

On page 2, line 19, after "assessed" insert "for each case file existing on June 30, 2009, and"

AMENDMENT NO. 2

On page 2, line 20 delete "after June 30, 2009," and insert in lieu thereof "thereafter"

On motion of Senator B. Gautreaux the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal 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.

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

HOUSE BILL NO. 697—

BY REPRESENTATIVE BARROW

AN ACT

Solely to reenact Sections 1, 2, and 3 of Act No. 891 of the 2008 Regular Session of the Legislature as that Act was enacted by the legislature, which Act amended and reenacted R.S. 33:4720.151(B)(6), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), (O)(introductory paragraph), (1), and (4), and (Q)(6), and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23), (Q)(7), and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; which provided relative to the purposes and objects and powers and duties of the authority; which provided relative to the members of the governing board of the authority; which authorized the authority to initiate an expedited quiet title and foreclosure action; which provided relative to the procedures for any such action; which provided relative to the rights of property owners; which provided relative to due process; and which provided for related matters.

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

HOUSE BILL NO. 720—

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

AN ACT

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

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 726—

BY REPRESENTATIVE AUBERT

AN ACT

To enact R.S. 32:387(L), relative to special permits issued by the Department of Transportation and Development; to authorize the governor to delegate authority to the secretary of the Department of Transportation and Development to waive certain permit requirements during certain times; to authorize the Department of Transportation and Development to promulgate rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 749—

BY REPRESENTATIVE SCHRODER

AN ACT

To enact R.S. 48:1309.3, relative to road lighting districts in St. Tammany Parish; to provide for assessment of service charges or rates of service charges within the district; to provide for the use of such charges; to provide for the collection of such charges; and to provide for related matters.

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

HOUSE BILL NO. 784—

BY REPRESENTATIVES KATZ, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BROSETTI, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, GUINN, HILL, HOWARD, SAM JONES, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAU X, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TEMPLET, THIBAUT, WILLIAMS, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 46:51.2(A) and R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(9), relative to information searches in the central registry of justified abuse or neglect within the Department of Social Services; to prohibit certain individuals from obtaining or maintaining a license; to prohibit certain individuals from employment with the Department of Social Services unless a risk evaluation panel has determined that the individuals do not pose a risk to children; to provide for a system of appeal and judicial review; to provide for an exemption to allow the Department of Social Services to handle certain adjudications; to direct the Department of Social Services to conduct an assessment to determine cost of utilizing information in the central registry to prohibit certain individuals from owning or being employed by child care facilities; and to provide for related matters.

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

HOUSE BILL NO. 786—
BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 34:322.1 and to repeal R.S. 34:322, relative to the Morgan City Harbor and Terminal District; to provide for the board of commissioners; to provide for certain powers; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 855—
BY REPRESENTATIVE HENDERSON
AN ACT

To amend and reenact R.S. 32:71(B)(1) and to enact R.S. 32:71(C), (D), and (E), relative to multilane highways; to restrict vehicles to driving in the left-hand lane on multilane highways; to provide for a restriction regarding the speed of a vehicle traveling in a left-hand lane; 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 Reengrossed House Bill No. 855 by Representative Henderson

AMENDMENT NO. 1
On page 2, line 20, after "Highway" insert "Safety"

AMENDMENT NO. 2
On page 2, line 21, change "is" to "are"

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

**Senate Resolutions
on Second Reading
Reported by Committees**

SENATE RESOLUTION NO. 58—
BY SENATORS JACKSON, CHAISSON, BROOME AND MICHOT
A RESOLUTION

To declare the Senate's intent that any general fund revenues that would be retained in the official forecast for Fiscal Year 2009-2010 as a result of the passage of Senate Bill No. 335 of the 2009 Regular Session of the Louisiana Legislature shall be used to reduce the budget reductions to public higher education contained in House Bill No. 1 of the 2009 Regular Session of the Louisiana Legislature.

Reported favorably by the Committee on Finance.

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

Motion to Make Special Order

SENATE BILL NO. 257—
BY SENATOR QUINN
AN ACT

To enact Chapter 5 of Code Title V of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.81 through 2800.88, relative to construction materials; to provide for damages; to provide for toxic materials; to provide for medical monitoring; to provide for legislative findings; to provide for definitions; and to provide for related matters.

Senator Quinn asked for and obtained a suspension of the rules to make Senate Bill No. 257, which had been made Special Order of the Day No. 1 on Wednesday, June 3, 2009, Special Order of the Day No. 1 on Thursday, June 4, 2009.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage**

Bagneris Rule

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

Without objection, so ordered.

SENATE BILL NO. 313—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 32:154, relative to the Open Roads Law; to provide relative to motor vehicle fatalities; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 313 by Senator McPherson

AMENDMENT NO. 1
On page 1, lines 8 and 9, change "a moving conveyance" to "which a moving conveyance is involved."

On motion of Senator McPherson, the amendments were adopted.

On motion of Senator McPherson the amended bill was read by title and returned to its regular order in Third Reading and Final Passage.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 2, 2009

Dorsey Duplessis Total - 36	LaFleur Martiny NAYS	Thompson Walsworth
Total - 0	ABSENT	
Long Total - 3	Marionneaux	Mount

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

SENATE BILL NO. 199—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:6022(C)(8), (D), (E), (F), (G), (I), and (J), relative to tax credits; to change the digital interactive media producer tax credit to a rebate; to remove certain limitations for issuance of the tax rebate; to provide for the amount of the tax rebate for certain years; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 199 by Senator Riser

AMENDMENT NO. 1

On page 1, line 2, following "(G)," and before ", relative" change "(I, and (J)" to "and (I) and to repeal R.S. 47:6022 (J)"

AMENDMENT NO. 2

On page 1, line 7, following "(G)," and before "are" change "(I, and (J)" to "and (I)"

AMENDMENT NO. 3

On page 1, line 15, delete " * * * * "

AMENDMENT NO. 4

On page 6, between lines 5 and 6, insert "Section 2. R.S. 47:6022 (J) is hereby repealed in its entirety."

AMENDMENT NO. 5

On page 6, line 6, change "Section 2" to "Section 3"

AMENDMENT NO. 6

On page 6, line 8, change "Section 3" to "Section 4"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	LaFleur	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Long
Total - 1

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

SENATE BILL NO. 287—

BY SENATORS MARTINY, ALARIO, APPEL, MORRELL AND QUINN AND REPRESENTATIVES LABRUZZO, TEMPLET AND TUCKER
AN ACT

To enact R.S. 47:6034(B)(11) and (C)(1)(e), relative to the musical and theatrical production income tax credit; to provide relative to certain definitions; to authorize a tax credit for limited state-certified musical or theatrical productions; to provide for the amount of the credit; to provide for a sunset of the issuance of such credit; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 287 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 8, following "Section 1." delete the remainder of the line and on line 9 delete "reenacted and"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka Marionneaux
Total - 2

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

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

Without objection, so ordered.

HOUSE BILL NO. 182—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson Marionneaux
Total - 2

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

HOUSE BILL NO. 336—
BY REPRESENTATIVE EDWARDS
AN ACT

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

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

HOUSE BILL NO. 566—
BY REPRESENTATIVE ELLINGTON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Kostelka Mount
Total - 3

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

HOUSE BILL NO. 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.

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

June 2, 2009

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre	Marionneaux
LaFleur	Shaw
Total - 4	

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrell
Adley	Gray Evans	Morrish
Alario	Hebert	Mount
Amedee	Heitmeier	Murray
Appel	Jackson	Nevers
Cheek	Kostelka	Quinn
Crowe	Long	Riser
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Erdey	Michot	
Total - 32		

NAYS

Claitor
Total - 1

ABSENT

Broome	Gautreaux B	LaFleur
Donahue	Guillory	Shaw
Total - 6		

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Broome	LaFleur
Crowe	Walsworth
Total - 4	

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gray Evans
Total - 1

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

HOUSE 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	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		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrell
Amedee	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		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Thompson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thompson to Engrossed House Bill No. 408 by Representative Anders

AMENDMENT NO. 1
On page 1, line 19, after "woodlands" change "and" to "or"

AMENDMENT NO. 2
On page 1, line 20, after "duties." insert "All forestry officers shall be Peace Officers Standard Training (P.O.S.T.) certified."

AMENDMENT NO. 3
On page 2, at the beginning of line 5, change "During the course of normal duties or upon" to "Upon"

June 2, 2009

AMENDMENT NO. 4

On page 2, line 16, after "employed by" delete the remainder of the line and insert "the Louisiana Department of Agriculture and Forestry, or"

AMENDMENT NO. 5

On page 2, at the end of line 20, insert the following: "The emergency vehicle or firefighting equipment shall be equipped with audible and visual signals as required by Federal Motor Carrier Safety Administration rules."

On motion of Senator Thompson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: 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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 439 by Representative Ellington

AMENDMENT NO. 1

On page 2, line 12, after "Ictaluridae" and before the period insert ", Ariidae or Loricariidae"

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Gray Evans

Total - 1

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, McPherson, Adley, Erdey, Michot, Alario, Gautreaux B, Morrell, Amedee, Gautreaux N, Morrish, Appel, Hebert, Mount, Broome, Heitmeier, Murray

Cheek	Jackson	Nevers
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gray Evans	Guillory	Quinn
Total - 3		

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

HOUSE BILL NO. 123—
BY REPRESENTATIVE WOOTON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Dupre	Morrish
Alario	Heitmeier	Murray
Appel	LaFleur	Quinn
Cheek	Martiny	Smith
Dorsey	McPherson	
Total - 17		

NAYS

Amedee	Erdey	Nevers
Broome	Hebert	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Thompson
Donahue	Michot	Walsworth
Total - 15		

ABSENT

Gautreaux B	Guillory	Mount
Gautreaux N	Jackson	
Gray Evans	Marionneau	
Total - 7		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Martiny moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

HOUSE BILL NO. 148—
BY REPRESENTATIVES STIAES, ABRAMSON, EDWARDS, ERNST, HARDY, LEGER, RICHMOND, AND WHITE
AN ACT

To amend and reenact Sections 23(C) and (D) and to enact Section 23(E) of Act No. 621 of the 2006 Regular Session of the

Legislature as amended by Act No. 873 of the 2008 Regular Session of the Legislature, relative to the consolidation of the offices of the civil and criminal sheriffs in Orleans Parish; to provide for consolidation of the offices in 2010; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Broome	Gautreaux N	Mount
Total - 3		

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

HOUSE BILL NO. 161—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 15:571.4(A) and (C) and to enact R.S. 15:571.4(D), relative to forfeiture of diminution of sentence; to provide for the adoption of rules and regulations regarding the restoration of previously forfeited good time for disciplinary violations; to provide for criteria for eligibility to have previously forfeited good time restored; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 2, 2009

NAYS

Gautreaux N Kostelka Riser
Total - 3

ABSENT

Guillory Jackson
Total - 2

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

HOUSE BILL NO. 165—

BY REPRESENTATIVES EDWARDS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HONEY, HOWARD, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NOWLIN, PEARSON, PETERSON, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, TALBOT, TEMPLET, THIBAUT, TUCKER, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS CHEEK, DORSEY, ERDEY, GRAY EVANS, HEITMEIER, MOUNT, NEVERS, AND THOMPSON

AN ACT

To amend and reenact R.S. 29:381, relative to state war veterans hospitals and care facilities; to provide who may use the facilities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 235—

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

AN ACT

To amend and reenact R.S. 14:108.1(A), (C), and (D)(2) and (4), relative to flight from an officer; to provide for operating a

watercraft while fleeing from an officer; to provide for marked police watercraft; to provide for circumstances where human life is endangered; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre Long
Total - 2

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

HOUSE BILL NO. 277—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 37:2102, 2104, 2110, and 2111, relative to sanitarians; to provide for the correction of the name of a referenced state agency; to provide for an increase in the maximum compensation a member of the Louisiana State Board of Examiners for Sanitarians may receive; to provide for the correction of statutory citations; to provide for clarification of the board's authority to issue sanitarian trainee permits; to provide for the revision of the qualifications of applicants seeking to become sanitarians; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Marionneau	Thompson
Dupre	Martiny	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 366—

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

To amend and reenact R.S. 15:560.1, 560.2(B)(introductory paragraph) and (1), (E), and (F), 560.3, 560.4(A), 560.5, 560.6(A), 561.2, and 561.4(A)(1) and (B)(1) and (3) and to enact R.S. 15:560.2(H) and (I) and 560.4(E), relative to sex offenders and child predators; to provide relative to the monitoring of sex offenders and predators; to provide with respect to the determination of which sex offenders are sexually violent predators and child sexual predators; to amend the provisions governing the sex offender assessment panels; to provide for definitions; to provide with respect to the membership of the sex offender assessment panels; to provide for a judicial determination following an assessment by the sex offender assessment panel; to provide for a hearing and notice thereof; to provide with respect to the effects of a determination of status as a sexually violent predator or child sexual predator; to provide with respect to supervision of such persons; to provide for criminal penalties for violations of the conditions of supervision; to provide with respect to supervised release of certain sex offenders; to require that notice be given to the sex offender of supervised release; and to provide for related matters.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 366 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 4, between "560.4(E)," and "relative to" insert the following: "and to repeal R.S. 15:542.1.6 and 543.1(14),"

AMENDMENT NO. 2

On page 1, line 16, between "release;" and "and to provide" insert the following: "to repeal certain requirements for mailing a verification of address by the Louisiana Bureau of Criminal Identification and Information;"

AMENDMENT NO. 3

On page 9, below line 12, add the following:
"Section 2. R.S. 15:542.1.6 and 543.1(14) are hereby repealed."

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Donahue	Gautreaux N	Hebert
Total - 3		

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

HOUSE BILL NO. 407—

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 2, 2009

Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Guillory	Morrell
Total - 2	

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1221 through 1223, and R.S. 36:4(AA) and 917, to create an advisory council in the governor's office to identify obstacles to the effective delivery of governmental services to Latin Americans and to make recommendations for removal of such obstacles; to provide for membership on the council; to provide for its powers and duties; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 521 by Representative LaFonta

AMENDMENT NO. 1

In Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 521 and adopted by the Senate on May 21, 2009, on page 1, between lines 12 and 13, insert "(r) The Louisiana AFL-CIO"

AMENDMENT NO. 2

In Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 521 and adopted by the Senate on May 21, 2009, on page 1, line 13, after "state" delete the remainder of the line and insert a period, and on line 14, delete "state prior to landfall of Hurricane Katrina."

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gray Evans	Michot
Adley	Guillory	Morrell
Alario	Hebert	Morrish
Appel	Heitmeier	Mount
Donahue	Kostelka	Murray
Dorsey	LaFleur	Nevers
Duplessis	Long	Quinn
Dupre	Marionneaux	Riser
Gautreaux B	Martiny	Shaw
Gautreaux N	McPherson	Thompson
Total - 30		

NAYS

Total - 0

ABSENT

Amedee	Claitor	Jackson
Broome	Crowe	Smith
Cheek	Erdey	Walsworth
Total - 9		

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

HOUSE BILL NO. 617—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 29:723, 724(B), and 732, relative to price gouging during a declared state of emergency; to provide for definitions; to provide for powers of the governor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Guillory	Riser
Total - 3		

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

HOUSE BILL NO. 19—
BY REPRESENTATIVE GISCLAIR AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 34:1651(F), relative to the Greater Lafourche Port Commission; to increase the per diem amount for commission members; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Guillory	Kostelka
Total - 3		

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

HOUSE BILL NO. 74—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 48:1671(C)(1), relative to the Southern Rapid Rail Transit Commission; to change the name of the commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Guillory
Total - 1

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

HOUSE BILL NO. 133—

BY REPRESENTATIVE ROY
AN ACT

To authorize and provide for the lease and sublease of certain state property in Rapides Parish; to authorize Community Receiving Home of Rapides Parish to sublease, for a period not to exceed fifty years, all or part of certain land leased to it pursuant to Act No. 443 of the 1972 Regular Session of the Legislature; to provide for supplementing Act No. 107 of the 1988 Regular Session of the Legislature; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Guillory	Kostelka
Total - 2	

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

HOUSE BILL NO. 158—

BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 38:3097.3(C)(9), relative to drought relief wells; to provide for the powers and duties of the commissioner of conservation; to provide for temporary agricultural use; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 2, 2009

Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	
Total - 37		

NAYS

Claitor
Total - 1

ABSENT

Guillory
Total - 1

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

HOUSE BILL NO. 355—
BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 32:408(B)(2)(a)(ii), relative to Class "A" commercial driver's licenses; to provide a tractor-trailer combination gross vehicle weight rating; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue	Guillory
Total - 2	

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

HOUSE BILL NO. 442—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 49:308.3(D), to enact R.S. 32:402.3, and to repeal R.S. 17:282, relative to the Motorcycle Safety, Awareness, and Operator Training Program; to transfer administration of the Motorcycle Safety, Awareness, and Operator Training Program to the Department of Public Safety and Corrections; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Martiny
Total - 1

ABSENT

Guillory
Total - 1

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

HOUSE BILL NO. 490—
BY REPRESENTATIVE PETERSON AND SENATOR GRAY EVANS
AN ACT

To amend and reenact R.S. 47:463.103, relative to motor vehicle prestige license plates; to provide for the Louisiana Delta Sigma Theta Sorority, Inc., prestige license plate; to provide for the issuance; to provide for the color and design; to provide relative to the fees; to provide for the use of such fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Gray Evans sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gray Evans to Engrossed House Bill No. 490 by Representative Peterson

AMENDMENT NO. 1
On page 2, line 13, delete "Fund"

AMENDMENT NO. 2
On page 2, line 21, delete "Fund"

On motion of Senator Gray Evans, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrell

Amedee	Gray Evans	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Smith
Dorsey	Long	Thompson
Duplessis	Marionneaux	
Dupre	Martiny	
Total - 37		

NAYS

Total - 0

ABSENT

Shaw	Walsworth
Total - 2	

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

HOUSE BILL NO. 854—
BY REPRESENTATIVE HILL

AN ACT

To designate Louisiana Highway 26 from Mittie, Louisiana, to the intersection of Highway 377 as the Cecil B. Tramel Memorial Highway; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cheek	Jackson
Total - 2	

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

HOUSE BILL NO. 125—
BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 33:1704.4, relative to the City Court of Bogalusa; to increase the fees the marshal is entitled to collect in civil matters; to provide for a contingent effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Walsworth
Total - 2	

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

HOUSE BILL NO. 160—
BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 33:441.15, relative to the mayor's court for the city of DeQuincy; to provide that the mayor may appoint one or more attorneys to preside as magistrate; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
Adley	Gautreaux B	Michot
Alario	Gautreaux N	Morrell
Amedee	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		

NAYS

Total - 0

ABSENT

Total - 0

June 2, 2009

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

HOUSE BILL NO. 296— BY REPRESENTATIVE HAZEL AN ACT

To enact R.S. 33:1433(E), relative to deputy sheriffs; to provide for time limits for the oath of office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Appel, Broome, Cheek, Claitor, Crowe, Dorsey, Duplessis, Dupre, Erdey and their respective counts.

NAYS

Total - 0

ABSENT

Donahue Total - 1

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

HOUSE BILL NO. 346— BY REPRESENTATIVE POPE AN ACT

To amend and reenact R.S. 15:609(B)(1) and (C) and 610, relative to the method of collecting DNA samples from persons arrested for or convicted of certain offenses for inclusion in the state DNA database; to authorize DNA samples to be drawn or taken from those persons; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Adley, Gautreaux B, Alario, Gautreaux N, Amedee, Gray Evans, Appel, Guillory, Broome, Hebert, Cheek, Heitmeier, Claitor, Jackson, Crowe, Kostelka, Donahue, LaFleur, Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Smith.

Dorsey Duplessis Dupre Total - 38

Long Martiny McPherson

Thompson Walsworth

NAYS

Total - 0

ABSENT

Marionneaux Total - 1

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

HOUSE BILL NO. 359— BY REPRESENTATIVES LOPINTO AND WOOTON AN ACT

To amend and reenact R.S. 16:516(A), relative to district attorneys; to provide for the payment of group health insurance premiums from the district attorney's general fund in the Twenty-Fifth and the Twenty-Third Judicial Districts; to establish criteria for eligibility; to provide for application; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

Rules Suspended

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

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. 99—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Herbert Brown for his contribution to the opening of the North Baton Rouge Clinic.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue LaFleur
Total - 2

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

Senator Broome in the Chair

Rules Suspended

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator Dupre asked that Senate Concurrent Resolution No. 82 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation and appropriate monies in order to provide additional homeland security funding for state maritime enforcement agencies.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue LaFleur
Total - 2

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

Morning Hour Resumed

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 2, 2009

To the President and Members of the Senate:

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

HOUSE BILL NO. 50—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 15:712 and 1113 and R.S. 40:2853, relative to facilities providing housing or temporary residence to individuals referred to or participating in work release programs; to provide for a limitation on the location of those facilities in relationship to schools or day care centers; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 64—
BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact R.S. 15:873(A) and (C), relative to the rate of inmate compensation; to provide for increased wages for inmates who are assigned to Prison Enterprises or who are certified as academic tutors; and to provide for related matters.

Reported favorably.

June 2, 2009

HOUSE BILL NO. 119—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 15:502, relative to testimony by audiovisual transmission; to authorize certain persons to testify through the use of audiovisual equipment in certain proceedings; to provide for written notice to opposing counsel; to provide for limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 197—
BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 13:1899(L), relative to fees charged in specified city courts; to provide for an additional fee in juvenile delinquency matters in the City Court of Minden and in the City Court of Springhill which funds shall be used to fund the office of the marshal; to provide for a contingency effective date; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 361—
BY REPRESENTATIVES TEMPLET AND WOOTON
AN ACT

To enact R.S. 27:310(H) and to repeal R.S. 27:311.1(B)(3), relative to suitability for designated representatives; to repeal provision of law requiring designated representatives to obtain a video draw poker employee permit; to require licensees employing designated representatives to request a record of convictions; to require licensees to maintain the criminal conviction information of designated representatives; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 391—
BY REPRESENTATIVE GALLOT
AN ACT

To enact Code of Criminal Procedure Article 895.5, relative to court-ordered payment of restitution; to authorize district attorneys to create a restitution recovery division for the enforcement and recovery of certain sums ordered by the court; to provide for the recovery of victim compensation; to provide for enforcement; to provide for collection fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 445—
BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, HOWARD, KATZ, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 447—
BY REPRESENTATIVE THIBAUT
AN ACT

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

Reported favorably.

HOUSE BILL NO. 532—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 40:2405(B) and to enact R.S. 40:2402(1)(d), relative to Peace Officer Standards and Training Law; to include the Supreme Court of Louisiana security personnel within the definition of "peace officer"; to prohibit the security personnel from receiving supplemental pay even though they have successfully completed the certified training program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 599—
BY REPRESENTATIVES HILL, CONNICK, ERNST, FOIL, HARRISON, ROSALIND JONES, LEGER, MONICA, AND WHITE
AN ACT

To enact R.S. 37:2556(D), relative to temporary court reporting permits; to provide for qualifications and limitations; to provide for licensing and education requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 701—
BY REPRESENTATIVES THIBAUT, FOIL, AND LEGER
AN ACT

To enact R.S. 15:1093.2, relative to juvenile justice districts; to provide for additional power and authority; and to provide for the establishment and maintenance of certain evidence-based juvenile services and programs; to authorize the boards of commissioners of any juvenile justice district to enter into certain cooperative endeavor agreements; to provide for the expenditure of funds and payment of costs and expenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 716—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 26:805(F)(introductory paragraph) and (1), relative to exceptions for a supplier to terminate, cancel, not renew, or discontinue an agreement to supply specified brands of alcohol or beer to a distributor; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 2, 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. 80—
BY SENATOR SHAW AND REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION

To commend Dr. Kenneth L. Schwab, president of Centenary College of Louisiana, upon his retirement.

SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATOR DONAHUE
A CONCURRENT RESOLUTION

To commend Bruce "Skip" Maclachlan Horack, Jr., on his literary accomplishments and on the debut of his collection of short stories entitled, The Southern Cross.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Mr. President in the Chair

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 5:10 o'clock P.M. the Senate adjourned until Wednesday, June 3, 2009, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, June 3, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

