The Senate was called to order at 1:45 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President Dorsey Murray
Alario Gautreaux B Nevers
Amedee Guillory Riser
Appel Kostelka Shaw
Broome LaFleur Smith
Claitor Long Thompson
Crowe Morrell
Donahue Morrish
Total - 22

ABSENT

Adley Gray Evans McPherson
Cheek Hebert Michot
Duplessis Heitmeier Mount
Dupre Jackson Quinn
Erdey Marionneaux Walsworth
Gautreaux N Martiny
Total - 17

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

Prayer

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

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of June 8, 2009, was adopted.

Privilege Report of the Legislative Bureau

June 9, 2009

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 39—
BY REPRESENTATIVES HENRY BURNS, BOBBY BADON, FOIL, GISCLAIR, GUINN, HARRISON, HENDERSON, LAMBERT, MORRIS, AND ST. GERMAIN
AN ACT
To amend and reenact R.S. 56:116.1(B)(4) and to enact R.S. 56:116.1(A)(8), relative to use of a laser when hunting; to authorize certain persons to use a laser device when hunting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 55—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 32:378.3, relative to motor vehicles; to prohibit installation of sound amplification systems on the exterior of a vehicle; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—
BY REPRESENTATIVE TALBOT
AN ACT
To amend and reenact R.S. 47:1992(A)(1)(a) and (2), (B), and (F), relative to the inspection period for tax assessment lists in Jefferson Parish; to provide for the time period during which assessment lists shall be open for inspection; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 159—
BY REPRESENTATIVES HENRY BURNS, BOBBY BADON, BILLIOT, BURFORD, CARMODY, CHAMPAGNE, CHENEY, DOWNS, GISCLAIR, GUINN, HENDERSON, HOWARD, LAMBERT, LITTLE, MILLS, MONICA, MONTOUCET, PUGH, AND SIMON AND SENATOR DUPRE
AN ACT
To amend and reenact R.S. 30:28(B), relative to drilling permits; to provide for the validity of drilling permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 162—
BY REPRESENTATIVES SAM JONES AND CHAMPAGNE
AN ACT
To amend and reenact R.S. 30:2000.13 and R.S. 36:359(B) and 917, relative to the Atchafalaya Basin Program; to create an advisory board in the Department of Natural Resources to advise the secretary regarding the Lake Fausse Point and Grand Avon Cove area; to provide relative to board composition, meetings, and functions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 168—
BY REPRESENTATIVES PATRICIA SMITH
AN ACT
To amend and reenact R.S. 17:3973(2)(b)(iii) and (iv), relative to the creation of Type 3 and Type 4 charter schools; to provide relative to the approval by certain persons of a proposal to create a Type 3 or Type 4 charter school by means of converting a preexisting public school; to provide relative to attendance at such schools; to provide an effective date; and to provide for related matters.

Reported without amendments.
HOUSE BILL NO. 233—
BY REPRESENTATIVE GALLOT
AN ACT
To amend and reenact R.S. 56:578.2(A)(1), relative to the Louisiana Seafood Promotion and Marketing Board; to place the board under the jurisdiction of the office of fisheries of the Department of Wildlife and Fisheries; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 234—
BY REPRESENTATIVES DOVE AND ST. GERMAIN AND SENATORS DUPRE AND MARRISH
AN ACT
To enact R.S. 56:1849(D), relative to decisions of the Department of Wildlife and Fisheries; to provide for legal proceedings against the department when a permit is denied; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 288—
BY REPRESENTATIVE HAZEL
AN ACT
To enact R.S. 32:663(A) and (C), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 299—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 56:497(C)(1), relative to bait shrimp; to increase the fee for a bait shrimp permit; to provide for a beginning date for when bait shrimp may be taken; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 334—
BY REPRESENTATIVE CROMER
AN ACT
To authorize and provide for the sale of certain state property in St. Tammany Parish to the St. Tammany Parish School Board from the division of administration; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 349—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 32:663(A) and (C), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.
Reported without amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 349 by Representative Hazel

AMENDMENT NO. 1
In Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways and Public Works, and adopted by the Senate on June 8, 2009, on line 6, change “out of state” to “out-of-state”

HOUSE BILL NO. 410—
BY REPRESENTATIVE BOBBY BADON
AN ACT
To amend and reenact R.S. 56:116.1(C)(2)(a) and to enact R.S. 56:116.1(C)(2)(c), relative to nuisance quadrupeds; to provide for the taking of certain quadrupeds destroying crawfish on private ponds or such ponds; to provide relative to the firearms which may be used to take nuisance quadrupeds; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 423—
BY REPRESENTATIVE LAMBERT
AN ACT
To amend and reenact R.S. 49:214.24(C), relative to the coastal zone boundary; to include Ascension Parish within that zone; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 453—
BY REPRESENTATIVE PUGH
AN ACT
To enact R.S. 32:361.2(E), relative to tinting of motor vehicle windows; to provide for a decal to be issued to persons with medical exemptions; to provide for a fee to be imposed; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 468—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT
To enact R.S. 17:112(A)(1) and (B), relative to student records; to provide for the transfer of certain student education records; to require that such records include certain information relative to the suspension of students; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 504—
BY REPRESENTATIVES LIGL, BILLIOT, CONNICK, GISCRAIR, HENRY, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS APPEL, DUPRE, KOSTELKA, MICHOT, SMITH, AND WALSWORTH
AN ACT
To enact R.S. 17:60.3, relative to term limits for the Jefferson Parish School Board; to provide that a person who will have served as a member of the board for more than two and one-half terms in three consecutive terms shall not be elected to the board for the succeeding term; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 545—
BY REPRESENTATIVE RITCHIE
AN ACT
To amend and reenact R.S. 17:112(A)(1) and (B), relative to student education records; to require principals of certain schools to provide for the transfer of certain student education records; to require that such records include certain information relative to the suspension of students; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 570—
BY REPRESENTATIVES HOFMANN, HENRY BURNS, CHAMPAGNE, CORTEZ, DOVE, FOIL, LITTLE, PERRY, ROBIDEAUX, SMILEY, JANE SMITH, AND THEBAUT AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH
AN ACT
To enact R.S. 17:81(Q) and 3996(B)(21), to require the governing authority of a public elementary or secondary school to formulate, develop, adopt, and implement policies, procedures, and practices applicable to school employees relative to electronic communications by an employee at a school to a student at that school; to provide policy guidelines and requirements; to provide limitations and exceptions; to provide for the occurrence of certain electronic communications be reported by the school employee; to provide for immunity from
civil liability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 576—
BY REPRESENTATIVE JOHNSON
AN ACT
To enact R.S. 17:24.3, relative to the state superintendent of education; to authorize the superintendent to set certain rates and fees for the Cecil J. Picard Educational and Recreational Center; to provide that the setting of such rates and fees by the superintendent shall be subject to approval by the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 609—
BY REPRESENTATIVE LEVAS AND SENATOR LAFLEUR
AN ACT
To enact R.S. 17:436.1(J), relative to the administration of medication to public school students; to require public school governing authorities to permit students with certain conditions to self-administer certain medications; to provide relative to authorization and documentation; to provide a limitation of liability and indemnification of schools and school employees; to provide for definitions; to provide for duration of permission granted to self-administer medications; to provide relative to disciplinary actions for misuse of permitted medications; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 602—
BY REPRESENTATIVE AUBERT
AN ACT
To amend and reenact R.S. 33:4711, relative to surplus property of private persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 606—
BY REPRESENTATIVE LEBAS AND SENATOR LAFLEUR
AN ACT
To enact R.S. 3:4674.1, relative to biodiesel fuel manufacturing; to provide for collection and use of waste fats, oils, and grease; to provide for monitoring; to provide for notices; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 624 by Representative Girod Jackson

AMENDMENT NO. 1
On page 2, line 20, following "Association" delete ", Inc"

HOUSE BILL NO. 636—
BY REPRESENTATIVE MONICA
AN ACT
To amend and reenact R.S. 32:415.1(A)(1)(a) and (B) and R.S. 34:851.24(F)(2) and 851.36(A) and to enact R.S. 32:414(V) and 667(B)(5) and R.S. 34:851.8 and 851.31(B), relative to boat safety; to provide for suspension of the privilege and prohibition to operate a watercraft upon certain waterways; to provide for publication of suspension of license; to provide for hardship appeal; to provide for monitoring; to provide for notices; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1
On page 3, line 18, change "32:378.2(A)(2)" to "32:378.2(B)"

AMENDMENT NO. 2
On page 3, line 27, following "to" and before "the" insert ","
HOUSE BILL NO. 686—
BY REPRESENTATIVE CARMODY
AN ACT
To amend and reenact R.S. 17:3981(4) and 3982(A)(1)(a), relative to the review of proposed school charters by authorizing entities; to provide for an application review process that complies with specified principles and standards; to provide for an independent evaluation of a charter proposal by a qualified third party; to provide an effective date; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 699—
BY REPRESENTATIVE ERNST
AN ACT
To amend and reenact R.S. 33:9091.1(F)(2)(a), relative to the Board of Commissioners of the Port of New Orleans; to provide for their appointment and term of office; to provide for the boundaries, governance, and powers and duties of the district; to provide for financial disclosure; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 718—
BY REPRESENTATIVE HENRY BURNS
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.
Reported without amendments.

HOUSE BILL NO. 725—
BY REPRESENTIVES MICHAEL JACKSON, GEYMANN, HINES, AND LEGER
AN ACT
To reenact R.S. 32:176.1 and 201, relative to bicycles; to provide for penalties; to provide for publications, signage, and a public awareness campaign; to prohibit certain actions against bicyclists; to provide for penalties; and to provide for related matters.
Reported without amendments.

HOUSE BILL NO. 779—
BY REPRESENTATIVE TUCKER
AN ACT
To amend and reenact R.S. 34:1(A) through (H) and 21(A), relative to the Board of Commissioners of the Port of New Orleans; to provide for their appointment and term of office; to provide for the territorial jurisdiction of the Port of New Orleans; to provide for financial disclosure; and to provide for related matters.
Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 779 by Representative Tucker

AMENDMENT NO. 1
In Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 8, 2009, on page 2, line 10, change “(i)” to “(ii)”

AMENDMENT NO. 2
In Senate Committee Amendment No. 3, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 8, 2009, on page 6, line 5, change “B(5)” to “(B)(5)”

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.
Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 785 by Representative Sam Jones

AMENDMENT NO. 1
On page 4, line 8, following "be" change "an" to "a"

AMENDMENT NO. 2
On page 5, line 7, following "of" change "real and personal" to "immovable and movable"

AMENDMENT NO. 3
On page 7, line 10, following "the" change "foregoing powers" to "powers provided in this Section"

AMENDMENT NO. 4
On page 7, line 12, following "all" change "real and personal" to "immovable and movable"

AMENDMENT NO. 5
On page 8, line 27, following "resident" and before "owners" insert "property"

AMENDMENT NO. 6
On page 8, line 28, following "the" and before "owner" insert "property"

AMENDMENT NO. 7
On page 11, line 26, following "insurance" change "moneys" to "monies"
AMENDMENT NO. 8
On page 12, line 7, following "outstanding" and before "it change "hereunder" to "under this Section"

AMENDMENT NO. 9
On page 14, line 28, following "expressly" change "so made" to "made"

AMENDMENT NO. 10
On page 15, line 9, following "board" change "thereafter" to "held following the audit"

AMENDMENT NO. 11
On page 15, line 13, before "intended" change ", being" to "is"

AMENDMENT NO. 12
On page 15, line 14, following "state" and before "affected" change "hereby," to "by this Chapter, and"

HOUSE BILL NO. 821—
BY REPRESENTATIVES CARTER, HENRY BURNS, CHAMPAGNE, CORTEZ, FOIL, LITTLE, PUGH, ROHIDEAUX, SIMON, SMILEY, AND JANE SMITH AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT
To enact R.S. 17:7(2)(f), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide for the use of certain funding by public school boards provided through the minimum foundation program formula; to provide reporting requirements; to provide guidelines and standards for such reports; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 829—
BY REPRESENTATIVE CORTEZ
AN ACT
To amend and reenact R.S. 38:3092(6), 3093, 3094(A)(introductory paragraph) and (1) through (5), (B)(introductory paragraph) and (7), (C)(introductory paragraph) and (1), 3097.3(C)(4)(a) and (F)(1) and (2)(introductory paragraph), 3098(A)(introductory paragraph) and (B), 3098.1(4), 3098.2(A)(introductory paragraph), (2), and (5) and (B), 3098.4(7), 3098.5, 3098.6, and 3098.7(B), to enact R.S. 38:3092(7) and 3097.3(F)(2)(h) and (i) and to repeal R.S. 38:3096, 3097, 3098.3, and 3098.7(C), relative to ground water resources, water wells and drillers; to transfer duties and responsibilities relative to ground water resources, water wells and drillers from the Department of Transportation and Development, office of public works, to the office of conservation, Department of Natural Resources; and to provide for related matters.

Reported without amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 829 by Representative Cortez

AMENDMENT NO. 1
On page 1, line 14, following "3097.3(C)(4)(a)" and before "and" insert "(introductory paragraph)"

AMENDMENT NO. 2
On page 1, line 16, following "3097.3(C)(4)(a)" and before "and" insert "(introductory paragraph)"

HOUSE BILL NO. 859—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 33:226, relative to the Central Thruway; to grant East Baton Rouge Parish the authority to name a bridge after a living person; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report
On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

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

SENATE RESOLUTION NO. 87—
BY SENATOR LAFLEUR
A RESOLUTION
To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 5, 2009, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

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

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

SENATE CONCURRENT RESOLUTION NO. 111—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION
To urge and request each city, parish, and other local public school board and school superintendent to encourage all schools under their jurisdiction and administration to support the formation and ongoing activities of a Parent-Teacher Association unit.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey
Alario Erdey
Amedee Guillory
Appel LaFleur
Broome Long
Cheek McPherson
Claitor Michot
Crowe Morrell
Donahue Morrish
Total - 25

NAYS

Total - 0
to amend and reenact R.S. 44:4.1(B)(7), to enact Chapter 15 of Title
To enact the Omnibus Bond Authorization Act of 2009, relative to
following House Bills and Joint Resolutions:
Representatives has finally passed and asks your concurrence in the
Resolution and ordered it sent to the House.
Total - 14

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 8, 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. 3—
BY REPRESENTATIVE GREENE
AN ACT
To enact the Omnibus Bond Authorization Act of 2009, relative to
the implementation of a five-year capital improvement program;
To provide for the repeal of certain prior bond authorizations; to
provide for new bond authorizations; to provide for authorization
and sale of such bonds by the State Bond Commission; and to provide
for related matters.

HOUSE BILL NO. 33—
BY REPRESENTATIVES Leger, White, Brossett, Abramson,
Baldone, Barrow, Burford, Henry Burns, Dove, Ginclaire,
Hardy, Harrison, Hazel, Honey, Howard, Girod Jackson,
Rosalind Jones, Ligii, Little, Lopinto, Peterson, Richmond,
Roy, Schroeder, Gary Smith, Jane Smith, Patricia Smith, St.
Germain, Stiaes, Templet, Tibaut, Tucker, and Willmott
AN ACT
To amend and reenact R.S. 44:4.1(B)(7), to enact Chapter 15 of Title
15 of the Louisiana Revised Statutes of 1950, to be comprised of
R.S. 15:1601 through 1614, and R.S. 36:4(O), and to repeal
R.S. 15:262, relative to witness protection; to enact the Witness
Protection Services Act; to provide for the development and
administration of the witness protection services program; to
provide for definitions; to provide for legislative findings; to create
the Witness Protection Services Board within the office of the
governor; to provide for the membership of the board; to provide
for the powers and duties of the board; to authorize the
receipt of per diem by certain members of the board; to provide
for the purposes of the program; to provide for the components
of the program; to provide procedures for obtaining witness
protection services; to provide for applicability; to provide for
immunity from lawsuits resulting from the delivery or failure to
deliver witness protection services; to provide that no right or
cause of action is created by the provisions of this Act; to
provide for implementation; to provide public records
exceptions; to provide exceptions to the open meetings laws;
and to provide for related matters.

HOUSE BILL NO. 215—
BY REPRESENTATIVES HUTTER AND LEGER
AN ACT
To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:6035,
relative to tax credits; to establish the Ports of Louisiana
Investor Tax Credit; to authorize the issuance of tax credits for
certain investments in ports in Louisiana; to provide for
definitions; to provide for certain limitations; to provide for the
certification and administration of such tax credits; to authorize
the promulgation of rules and regulations; to authorize the
transfer of certain tax credits; to authorize the recapture and
recovery of such tax credits under certain circumstances; to
provide for a termination date; to provide an exception to the
laws relative to public records and to provide for related matters.

HOUSE BILL NO. 402—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact Sections 1(A), 2(C), and 4(3) of Act No. 164
of the 1984 Regular Session of the Legislature and to enact
Sections 2(G) and 4.1 of Act No. 164 of the 1984 Regular
Session of the Legislature, relative to the Municipal Police
Employees Civil Service in the city of Mandeville; to provide
that the position of chief of police shall not be in the classified
service; to provide relative to the right of selection, appointment,
supervision, and discharge for such position; to provide relative
to the Municipal Police Employees Civil Service Board; to provide relative to the appointment, terms, and
duties and responsibilities of board members; to provide
relative to the political activities of board members and certain
employees of the city; and to provide for related matters.

HOUSE BILL NO. 523—
BY REPRESENTATIVE ERNST
AN ACT
To amend and reenact R.S. 14:95.2.1(A), to enact R.S. 14:95.2.1(D),
and to repeal R.S. 40:1379.3(N)(9), relative to illegal carrying
of a firearm at a parade; to provide for increased penalties for
illegal carrying of a firearm at a parade; to remove element of
the crime requiring that the firearm be used in the commission
of a crime of violence; to provide for exceptions; to repeal
prohibition regarding a concealed weapon being carried at a
parade or demonstration; and to provide for related matters.

HOUSE BILL NO. 582—
BY REPRESENTATIVE BURRELL
AN ACT
To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport
Downtown Development District; to change the boundaries of
the district; and to provide for related matters.

HOUSE BILL NO. 630—
BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER
AN ACT
To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole
eligibility; to provide with respect to eligibility for parole
consideration for certain offenders convicted of certain
controlled dangerous substances violations involving heroin;
and to provide for related matters.

HOUSE BILL NO. 685—
BY REPRESENTATIVE DIXON
AN ACT
To enact Chapter 34 of Title 48 of the Louisiana Revised Statutes of
1950, to be comprised of R.S. 48:2151 through 2162, relative to
the Central Louisiana Regional Infrastructure Beltway
Commission; to create and provide with respect to the Central
Louisiana Regional Infrastructure Beltway Commission; to
provide for the territorial boundaries, governance, plans, powers,
and duties of the board of commissioners; to authorize the board
to contract for certain projects to be performed; to authorize
the board to acquire land and utilities; to provide with respect to
bonds and other revenue for funding; and to provide for related
matters.

HOUSE BILL NO. 832—
BY REPRESENTATIVE GUINN
AN ACT
To amend and reenact the first undesignated paragraph of Section 1
and Section 2 of Act No. 177 of the 2007 Regular Session of the
Louisiana Legislature, relative to the transfer of certain state
property located in Plaquemines Parish; to specify what shall be
used to determine the appraised value of such property.
HOUSE BILL NO. 887—
BY REPRESENTATIVES BARRAS, BOBBY BADON, BALDONE, BILLIOT, BURRELL, CHAMPAGNE, Ganclair, GUINN, HARDY, HARRISON, SAM JONES, MILLS, AND RICHARD
AN ACT
To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the New Iberia Redevelopment Authority; to provide for the formation of a program or programs in the city of New Iberia for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expedient conversion of blighted or underused property into habitable residential dwellings in the city of New Iberia; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

HOUSE BILL NO. 898—
( Substitute for House Bill No. 142 by Representative Henry)
BY REPRESENTATIVE HENRY
AN ACT
To amend and reenact R.S. 47:1705(B)(1) and (2)(a) and (b), relative to tax credits; to provide for the amount of the tax credit; to provide relative to the motion picture investor tax credit; to provide for the promulgation of rules; to provide for the repeal of certain prior bond authorizations; to limit the ability of a taxing authority to increase ad valorem tax millages; to provide for limitations on millage increases by taxing authorities whose membership is not elected; and to provide for related matters.

HOUSE BILL NO. 902—
( Substitute for House Bill No. 38 by Representative Arnold)
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 47:1705(B)(1) and (2)(a) and (b), relative to ad valorem taxes; to limit the ability of a taxing authority to increase ad valorem tax millages; to provide for limitations on millage increases by taxing authorities whose membership is not elected; and to provide for related matters.

HOUSE BILL NO. 904—
( Substitute for House Bill No. 684 by Representative Franklin)
BY REPRESENTATIVE FRANKLIN
AN ACT
To enact Chapter 13-K of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.181, to create the Lake Charles North Redevelopment Authority; to provide for the formation of a program or programs in the city of Lake Charles for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expedient conversion of blighted or underused property into habitable residential dwellings in the city of Lake Charles; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

HOUSE BILL NO. 901—
( Substitute for House Bill No. 206 by Representative Lopinto)
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 33:2002(B), relative to state supplemental pay for fire protection officers; to provide for qualifications of individuals eligible for such supplemental pay; to provide for an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions
on First Reading

Senator Nevers 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. 3—
BY REPRESENTATIVE GREENE
AN ACT
To enact the Omnibus Bond Authorization Act of 2009, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 33—
BY REPRESENTATIVES LEPER, WHITE, BROSSETT, ABRAMSON, BALDONE, BARROW, BURFORD, HENRY BURNS, DOVE, GISCLAIR, HARDY, HARRISON, HAZEL, HONEY, HOWARD, GIRD JACOBS, ROSALIND JONES, LIGI, LITTLE, LOPINTO, PETERSON, RICHMOND, ROY, SCHRODER, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STAESA, TEMPLET, THIBAULT, TUCKER, AND WILMOTT
AN ACT
To amend and reenact R.S. 44:4.1(B)(7), to enact Chapter 15 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1601 through 1614, and R.S. 36:4(O), and to repeal R.S. 15:262, relative to witness protection; to enact the Witness Protection Services Act; to provide for the development and administration of the witness protection services program; to provide for definitions; to provide for legislative findings; to create the Witness Protection Services Board within the office of the governor; to provide for the membership of the board; to provide for the powers and duties of the board; to authorize the receipt of per diem by certain members of the board; to provide for the purposes of the program; to provide for the components of the program; to provide for the implementation of a five-year capital improvement program; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and
recovery of such tax credits under certain circumstances; to provide for a termination date; to provide an exception to the laws relative to public records and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 402—**

**BY REPRESENTATIVE TIM BURNS**

**AN ACT**

To amend and reenact Sections 1(A), 2(C), and 4(3) of Act No. 164 of the 1984 Regular Session of the Legislature and to enact Sections 2(G) and 4.I of Act No. 164 of the 1984 Regular Session of the Legislature, relative to the Municipal Police Employees Civil Service in the city of Mandeville; to provide that the position of chief of police shall not be in the classified service; to provide relative to the right of selection, appointment, supervision, and discharge for such position; to provide relative to the Municipal Police Employees Civil Service Board; to provide relative to the appointment, terms, and duties and responsibilities of board members; to provide relative to the political activities of board members and certain employees of the city; 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. 522—**

**BY REPRESENTATIVE ERNST**

**AN ACT**

To amend and reenact R.S. 14:95:2.1(A), to enact R.S. 14:95:2.1(D), and to repeal R.S. 40:1379.3(N)(9), relative to illegal carrying of a firearm at a parade; to provide for increased penalties for illegal carrying of a firearm at a parade; to remove element of the crime requiring that the firearm be used in the commission of a crime of violence; to provide for exceptions; to repeal prohibition regarding a concealed weapon being carried at a parade or demonstration; and to provide for related matters.

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

**HOUSE BILL NO. 582—**

**BY REPRESENTATIVE BURRELL**

**AN ACT**

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

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

**HOUSE BILL NO. 630—**

**BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER**

**AN ACT**

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; 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. 685—**

**BY REPRESENTATIVE DIXON**

**AN ACT**

To enact Chapter 34 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2151 through 2162, relative to the Central Louisiana Regional Infrastructure Beltway Commission; to create and provide with respect to the Central Louisiana Regional Infrastructure Beltway Commission; to provide for the territorial boundaries, governance, plans, powers, and duties of the board of commissioners; to authorize the board to contract for certain projects to be performed; to authorize the board to acquire land and utilities; to provide with respect to bonds and other revenue for funding; and to provide for related matters.

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

**HOUSE BILL NO. 832—**

**BY REPRESENTATIVE GUINN**

**AN ACT**

To amend and reenact the first undesignated paragraph of Section 1 and Section 2 of Act No. 177 of the 2007 Regular Session of the Louisiana Legislature, relative to the transfer of certain state property located in Plaquemines Parish; to specify what shall be used to determine the appraised value of such property.

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

**HOUSE BILL NO. 887—**

**BY REPRESENTATIVES BARRAS, BOBBY BADON, BALDONE, BILLIOT, BURRELL, CHAMPAGNE, GISCLAIR, GUINN, HARDY, HARRISON, SAM JONES, MILLS, AND RICHARD**

**AN ACT**

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

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

**HOUSE BILL NO. 898—**

**BY REPRESENTATIVE HENRY**

**AN ACT**

To amend and reenact R.S. 47:6007, relative to tax credits; to provide for exceptions; to repeal the crime requiring that the firearm be used in the commission of a crime of violence; to provide for exceptions; to repeal prohibition regarding a concealed weapon being carried at a parade or demonstration; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 901—**

**BY REPRESENTATIVE LOPINTO**

**AN ACT**

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

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

**HOUSE BILL NO. 901—**

**BY REPRESENTATIVE HENRY**

**AN ACT**

To amend and reenact R.S. 47:6007, relative to tax credits; to provide relative to the motion picture investor tax credit; to provide for issuance of the tax credit for state-certified productions; to provide for the amount of the tax credit; to provide relative to the promulgation of rules; to delete certain provisions relative to the tax credit for state-certified infrastructure projects; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 901—**

**BY REPRESENTATIVE LOPINTO**

**AN ACT**

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

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

**HOUSE BILL NO. 901—**

**BY REPRESENTATIVE LOPINTO**

**AN ACT**

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.
HOUSE BILL NO. 902— (Substitute for House Bill No. 38 by Representative Arnold)

BY REPRESENTATIVE ARNOLD

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

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

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

BY REPRESENTATIVE FRANKLIN

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

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 8, 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. 197— BY REPRESENTATIVES CORTEZ, MILLS, AND BARRAS AND SENATOR HEBERT

A CONCURRENT RESOLUTION
To commend Calvin Borel of Catahoula upon winning the 2009 Kentucky Derby and Preakness Stakes.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 32

NAYS

Total - 0

ABSENT

Adley         Gray Evans     Martiny
Dupre         Hebert
Gautreaux N    Marionneau

Total - 7

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

HOUSE CONCURRENT RESOLUTION NO. 198— BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION
To recognize Juneteenth as a day of celebration in Alexandria, Louisiana, in Rapides Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President       Erdey        Morrish
Alario            Gautreaux B    Mount
Amedee           Gray Evans      Murray
Appel            Heitmeier      Nevers
Broome           Jackson        Quinn
Cheek             Kostelka      Riser
Claitor          LaFleur       Shaw
Crowe            Long           Smith
Donahue          McPherson      Thompson
Dorsey           Michot         Walsworth
Duplessis        Total - 33

NAYS

Total - 0
SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATOR CLAIBORNE
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to conduct a comprehensive and thorough study of electronic discovery in civil proceedings.
Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION
To urge and request the Federal Emergency Management Agency (FEMA) to develop a plan for the distribution of benefits after the occurrence of a natural disaster.
Reported favorably.

HOUSE BILL NO. 221—
BY REPRESENTATIVE THIBAUT
AN ACT
To amend and reenact Children's Code Article 818(C), relative to juvenile identification procedures; to provide for the maintenance of juvenile fingerprints; to delete the provision applicable to the destruction of fingerprint records of certain juveniles upon reaching the age of seventeen; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 282—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To amend and reenact Children's Code Article 793.1 (introductory paragraph), 793.2 (introductory paragraph), and 793.3 (A), (B) (introductory paragraph), and (D) and to repeal Children's Code Article 793.3(E), relative to reauthorization of the early intervention program for at-risk children; to make the program permanent; to eliminate a sunset date for the program; to provide for an effective date; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 554—
BY REPRESENTATIVES LANDRY, BOBBY BADON, HENRY BURNS, CARTER, CHAMPAGNE, CHANEY, CORTEZ, DOERGE, DOWNS, HUTTER, SAM JONES, KATZ, LABRIZZO, MILLS, ROBIDEAUX, AND WOOTON
AN ACT
To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 755—
BY REPRESENTATIVES EDWARDS, BURFORD, TIM BURNS, CHANDLER, HINES, JOHNSON, RICHARDSON, AND WILLMOTT
AN ACT
To amend and reenact R.S. 14:81.1(F) and to enact Civil Code Article 2315.3, relative to victims of child pornography; to

--

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
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 9, 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. 711—
BY REPRESENTATIVES RITCHIE, ANDERS, BOBBY BADON, HENRY BURNS, CHANEY, GISCLAIR, MICKEY GUILLORY, GUINN, HOWARD, JOHNSON, LITTLE, PERRY, SIMON, AND ST. GERMAIN
AN ACT
To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4425, relative to forestry; to create the Forestry Product Fairness Act; to provide for legislative purpose; to provide relative to incentives to directly support the purchase of forestry products; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.
Reported favorably.

Respectfully submitted,
FRANCIS C. THOMPSON
Chairman

REPORT OF COMMITTEE ON
JUDICIARY A

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

June 9, 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:

SENATE CONCURRENT RESOLUTION NO. 86—
BY SENATOR QUINN
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations regarding the feasibility of instituting multidistrict litigation in Louisiana.
Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATOR CLAIBORNE
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to conduct a comprehensive and thorough study of electronic discovery in civil proceedings.
Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION
To urge and request the Federal Emergency Management Agency (FEMA) to develop a plan for the distribution of benefits after the occurrence of a natural disaster.
Reported favorably.

HOUSE BILL NO. 221—
BY REPRESENTATIVE THIBAUT
AN ACT
To amend and reenact Children's Code Article 818(C), relative to juvenile identification procedures; to provide for the maintenance of juvenile fingerprints; to delete the provision applicable to the destruction of fingerprint records of certain juveniles upon reaching the age of seventeen; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 282—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To amend and reenact Children's Code Article 793.1 (introductory paragraph), 793.2 (introductory paragraph), and 793.3 (A), (B) (introductory paragraph), and (D) and to repeal Children's Code Article 793.3(E), relative to reauthorization of the early intervention program for at-risk children; to make the program permanent; to eliminate a sunset date for the program; to provide for an effective date; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 554—
BY REPRESENTATIVES LANDRY, BOBBY BADON, HENRY BURNS, CARTER, CHAMPAGNE, CHANEY, CORTEZ, DOERGE, DOWNS, HUTTER, SAM JONES, KATZ, LABRIZZO, MILLS, ROBIDEAUX, AND WOOTON
AN ACT
To enact R.S. 29:735.3.1, relative to homeland security; to provide civil immunity during a declared state of emergency; to provide immunity for gratuitous volunteers providing care in coordination with the state or political subdivisions; to provide an exception for gross negligence or willful misconduct; to provide an exception for care which requires a license; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 565—
BY REPRESENTATIVE ERNST
AN ACT
To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 566—
BY REPRESENTATIVE ERNST
AN ACT
To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 755—
BY REPRESENTATIVES EDWARDS, BURFORD, TIM BURNS, CHANDLER, HINES, JOHNSON, RICHARDSON, AND WILLMOTT
AN ACT
To amend and reenact R.S. 14:81.1(F) and to enact Civil Code Article 2315.3, relative to victims of child pornography; to
To enact Subpart Q of Part II-A of Chapter 1, Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:409.1 through 409.7, and to enact R.S. 36:651(BB), relative to school facilities; to create and provide for the Louisiana Statewide Education Facilities Authority in the Department of Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for rules; to provide relative to program participation; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; and to provide for related matters.

Reported with amendments.

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

Reported with amendments.

SENATE BILL NO. 226—
BY SENATOR GRAY
AN ACT
To enact R.S. 47:870 and R.S. 51:2357, relative to the dedication of certain tobacco proceeds; to establish the Technology Commercialization Fund as a special fund in the state treasury; to provide for the use of monies in the fund; to authorize a grants program related to commercialization of technologies developed at certain institutions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—
BY SENATORS CHEEK AND NEVERS
AN ACT
To enact Part XXIX-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.96.11 through 1299.96.14, relative to the Rural Hospital Information Technology Loan Fund; to provide findings and purpose; to provide definitions; to facilitate access to funding for acquisition and implementation of certified electronic health record technology by rural hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 267—
BY SENATORS MICHOT, APPEL, ROWE, DUPLESSIS, LONG, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOB, LITTLE, MILLS, PERRY, DOE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOB, LITTLE, MILLS, PERRY, DOE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, AND WALSWORTH
AN ACT
To enact R.S. 49:308.5, relative to special funds in the state treasury and dedicated money; to provide for an annual performance report of the activities funded by such special funds; to abolish and repeal certain funds and certain statutory dedications; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 316—
BY SENATORS NEVERS, APPEL, DONAHUE, DORSEY, DUPLESSIS, LAPELLEUR AND LONG
AN ACT
To enact Chapter 18 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2921 through 2932, to enact R.S. 23:6(15), and to repeal certain funds and certain statutory dedications; to provide definitions; to facilitate access to funding for acquisition and implementation of certified electronic health record technology by rural hospitals; and to provide for related matters.

Reported with amendments.
advanced coursework by the state educational accountability system; to provide relative to articulation and transfer of credit; to provide for consultation and collaboration with business and industry and the Louisiana Workforce Commission; to provide relative to the recruitment and training of certain instructional personnel; to provide for reporting and rules; to provide for implementation guidelines and timelines; to provide relative to funding; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 341—
BY REPRESENTATIVES CONNICK AND TUCKER AND SENATOR CHAISON
AN ACT
To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2009-2010 to be used to pay the legal fees and expenses incurred by Dr. Anna Pou; to provide for payment to the Dr. Anna Pou Defense Fund; to provide for payment to the LSU Healthcare Network; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MICHAEL J. “MIKE” MICHOT
Chairman

Senate Bills and Joint Resolutions on Second Reading
Reported by Committees

SENATE BILL NO. 159—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact R.S. 47:6007(C)(1) and (2)(c)(v), 6022(D), and 6034(C)(2)(a), relative to tax credits; to provide that the motion picture investor, the digital interactive media, and the musical and theatrical productions credits be certified by the Department of Economic Development or other appropriate authorities before they are earned; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 159 by Senator Marionneaux

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 47:6007" delete the remainder of the line and insert "(C)(2)(c)(iv)."

AMENDMENT NO. 2
On page 1, line 3, after "to provide" delete the remainder of the line, delete lines 4 and 5, and on line 6, delete "they are earned:" and insert: "for the kinds of expenditures which qualify an infrastructure project for initial certification on or before December 31, 2008;"

AMENDMENT NO. 3
On page 1, line 8, after "R.S. 47:6007" delete the remainder of the line and insert "(C)(2)(c)(iv) is hereby"

AMENDMENT NO. 4
On page 1, delete lines 13 through 17, and on page 2, delete lines 1 through 6

AMENDMENT NO. 5
On page 2, delete lines 11 through 29, on page 3, delete lines 1 through 8, and insert: "(iv)(aa) No tax credit shall be allowed for expenditures made for any infrastructure project after December 31, 2008, unless fifty percent of total base investment provided for in the initial certification of the project pursuant to Subparagraph (D)(2)(d) of this Section has been expended prior to that date. The expenditures may be finally certified at a later date."

(bb) For purposes of this Item, transactions that will qualify for meeting or exceeding the fifty percent expenditure requirement provided for in this Item shall include, but not be limited to a transaction in which the obligation is secured by the subject of the transaction and the maturity date for such obligation occurs after December 31, 2008, if such transaction was executed prior to December 31, 2008.

AMENDMENT NO. 6
On page 3, line 10, after "shall be" delete the remainder of the line, delete line 11, and insert: "applied retroactively."

On motion of Senator Erdey, 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. 320—
BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA
AN ACT
To amend and reenact R.S. 47:301(16)(m)(i) and (ii) and 337.10(I), to exempt from state and local sales and use taxes certain machinery and equipment used by glass container manufacturers; to authorize the granting of exemptions by a political subdivision; to provide for the duration of the exclusion; 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 Reengrossed House Bill No. 320 by Representative Gallot

AMENDMENT NO. 1
On page 2, line 8, after "instrument" insert ", resolution, vote, or other affirmative action"

AMENDMENT NO. 2
On page 2, line 18, after "instrument" insert ", resolution, vote, or other affirmative action"

AMENDMENT NO. 3
On page 3, line 11, after "to be" insert "retroactive."

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

HOUSE BILL NO. 509—
BY REPRESENTATIVE LEGER
A JOINT RESOLUTION
Proposing to amend Article VII, Section 25(A)(1) and (E) of the Constitution of Louisiana, relative to tax sales; to provide relative to the procedure for bidding at ad valorem property tax sales; to provide for the payment of penalties by an ad valorem tax sale bidder; to provide for the payment of penalties, interest, and costs by a taxpayer when taxes on movables are delinquent; to provide for the duration of the exclusion; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.
HOUSE BILL NO. 540—
BY REPRESENTATIVES BOBBY BADON AND MONTOUCET AND SENATOR R. GAUTREAUX
AN ACT
To amend and reenact R.S. 11:103(B)(3)(introductory paragraph) and (e)(introductory paragraph) and (j)(aa) and to enact R.S. 11:103(B)(3)(e)(cc), relative to the Firefighters' Retirement System; to provide with respect to extending the period of amortizing actuarial gains and losses; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 593—
BY REPRESENTATIVE BILLIOT
AN ACT
To enact R.S. 33:2955(A)(1)(j), relative to investments by political subdivisions; to provide for investment in debt instruments issued by the state; to provide for investment in debt instruments issued by other political subdivisions; to provide restrictions on such types of investment; and to provide for related matters.

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 Reengrossed House Bill No. 593 by Representative Billiot

AMENDMENT NO. 1
On page 2, line 2, after "years" delete the period "." and insert the following: "; except that such three year limitation shall not apply to (a) funds held by a trustee, escrow agent, paying agent, or other third party custodian in connection with a bond issue or (b) investment of funds held by either a hospital service district, a governmental 501(c)(3), or a public trust authority.

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

HOUSE BILL NO. 651—
BY REPRESENTATIVE ARMES
AN ACT
To amend and reenact R.S. 11:1007(C) and (F), relative to the Louisiana School Employees' Retirement System; to provide relative to the reemployment of retired school bus drivers; to require the submission of certain information relative to such persons; to require certification of a school bus driver shortage by the employer; to provide for actuarial costs associated with reemploying such school bus drivers; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 651 by Representative Armes

AMENDMENT NO. 1
On page 2, line 25, delete "its pro rata" and insert in lieu thereof "the actuarial"

AMENDMENT NO. 2
On page 2, line 26, delete "share of any actuarial"

AMENDMENT NO. 3
On page 2, line 27, after "driver" insert "in excess of the cost that would have been incurred if the employer had reemployed the driver or drivers pursuant to R.S.11:1006"

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

HOUSE BILL NO. 655—
BY REPRESENTATIVES BOBBY BADON AND MONTOUCET
AN ACT
To amend and reenact R.S. 11:2220(A)(1)(g)(introductory paragraph) and to enact R.S. 11:2220(A)(1)(h), relative to the Municipal Police Employees' Retirement System; to provide for an initial benefit option on a reemployed retiree's additional retirement benefit; 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. 673—
BY REPRESENTATIVE POPE
AN ACT
To enact R.S. 11:163.1, relative to service credit or benefit accruals in certain state retirement systems for certain public university and college employees; to provide relative to employer and employee contributions during periods of furlough for such members of those systems; to provide for accumulation of service credit during such periods; to provide for calculation of benefits for such furloughed members; to provide for funding; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 756—
BY REPRESENTATIVE MONTOUCET
AN ACT
To amend and reenact R.S. 11:163.1, relative to service credit or benefit accruals in certain state retirement systems for certain public university and college employees; to provide relative to employer and employee contributions during periods of furlough for such members of those systems; to provide for accumulation of service credit during such periods; to provide for calculation of benefits for such furloughed members; to provide for funding; to provide an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 756 by Representative Montoucet

AMENDMENT NO. 1
On page 1, line 12, after "equipment." delete the remainder of the line, delete lines 13 through 18, and insert: "The purchaser or his representative shall provide on any exemption certificate required for farm equipment; to require an exemption certificate for relative to the sales and use tax exemption and exclusion for farm equipment; to require an exemption certificate for eligibility to obtain the tax exemption; and to provide for related matters.

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

HOUSE BILL NO. 858— (Substitute for House Bill No. 547)
BY REPRESENTATIVE PONTI
AN ACT
To amend and reenact R.S. 47:6030(A) and (B)(2), relative to the Firefighters' Retirement System; to provide with respect to extending the period of amortizing actuarial gains and losses; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1459—
BY REPRESENTATIVE BOBBY BADON
AN ACT
To amend and reenact R.S. 11:1007(F) relative to the Louisiana School Employees' Retirement System; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1477—
BY REPRESENTATIVE MONTOUCET
AN ACT
To enact R.S. 11:1020.1, relative to service credit or benefit accruals in certain state retirement systems for certain public university and college employees; to provide relative to employer and employee contributions during periods of furlough for such members of those systems; to provide for accumulation of service credit during such periods; to provide for calculation of benefits for such furloughed members; to provide for funding; to provide an effective date; and to provide for related matters.

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

Floor Amendments Sent Up

Senators Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 257 by Senator Quinn.

AMENDMENT NO. 1
On page 3, line 21, following "substandard" delete "per se".

AMENDMENT NO. 2
On page 3, line 24 following "substandard" and before "within" delete "per se".

On motion of Senator Quinn, the amendments were adopted.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 257 by Senator Marionneaux.

AMENDMENT NO. 3
On page 3, line 3, after "the costs of inspection, remediation, demolition, labor, and replacement construction" delete line 5, at the beginning of line 6, delete "and" and insert: "the costs of medical".

AMENDMENT NO. 4
On page 4, line 4, after "materials" delete the remainder of the line, insert: "D. Notwithstanding any other provision of law to the contrary, any excess of allowable credit established by this Section over the tax liabilities against which such credit can be applied as provided in this Section shall constitute an overpayment, as defined in R.S. 47:1621(A), and the secretary shall make a refund of such overpayment from the current collections of the taxes imposed by Chapter 1 of Subtitle II of this Title, together with interest as provided in R.S. 47:1624. The right to a credit or refund of any such overpayment shall not be subject to the requirements of R.S. 47:1621(B). All credits and refunds, together with interest thereon, shall be paid or disallowed within one year of receipt by the secretary of any such claim for refund or credit. Failure of the secretary to pay or disallow, in whole or in part, any claim for a credit or a refund shall entitle the aggrieved taxpayer to proceed with the remedies provided in R.S. 47:1625.

E. The secretary of the Department of Revenue may promulgate such rules and regulations pursuant to the Administrative Procedure Act as she determines is necessary for the administration of this Section. Such rules and regulations may contain a requirement that the individual retain or submit to the secretary such documentation as the secretary determines is necessary to accurately calculate the amount of the individual's tax credit.

Section 2. The provisions of this Act shall be applicable to all tax years beginning on and after January 1, 2009.

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 16 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 Quinn, the amendments were adopted.

On motion of Senator Quinn, the amended bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Senate Concurrent Resolution on Third Reading and Final Passage

Rules Suspended

Senator Nevers asked for and obtained a suspension of the rules to allow staff of the Department of Education on the floor of the Senate.
SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION
To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2009.

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

ROLL CALL
The roll was called with the following result:

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

NAYS
Gautreaux N Hebert
Total - 2

ABSENT
Kostelka
Total - 1

The Chair declared the Senate Concurrent Resolution was passed and sent to the House. Senator Nevers moved to reconsider the vote by which the Concurrent Resolution was passed and laid the motion on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call
Called from the Calendar
Senator McPherson asked that Senate Bill No. 313 be called from the Calendar.

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 Shaw sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Shaw to Engrossed Senate Bill No. 313 by Senator McPherson

AMENDMENT NO. 1
On page 1, line 9, after “disturbed” delete “or removed”

AMENDMENT NO. 2
On page 1, line 12, after “disturb” delete “or remove”

On motion of Senator Shaw, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Dupre McPherson
Adley Erdey Michot
Alario Gautreaux B Morrell
Amedee Gautreaux N Morrish
Appel Guillory Nevers
Broome Heitmeier Murray
Cheek Jackson Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Total - 28

NAYS
Cheek Long Shaw
Crowe Morrish Thompson
Gray Evans Mount
LaFleur Riser
Total - 10

ABSENT
Kostelka
Total - 1

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

Called from the Calendar
Senator Jackson asked that Senate Bill No. 136 be called from the Calendar.

SENATE BILL NO. 136—
BY SENATOR JACKSON
AN ACT
To amend and reenact R.S. 26:73(B) and 272(B), relative to alcoholic beverage permits; to provide for restaurant “R” permits, applications and fees; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up
Senator Jackson sent up floor amendments.
SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 136 by Senator Jackson

AMENDMENT NO. 1
Delete Senate Floor Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 2
Delete Senate Floor Amendment No. 1 through 4 proposed by Senator Marionneaux and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 3
Delete Senate Floor Amendment No. 1 through 6 proposed by Senator Martiny and adopted by the Senate on June 1, 2009.

AMENDMENT NO. 4
Delete Senate Floor Amendment No. 1 through 4 proposed by Senator Adley and adopted by the Senate on June 4, 2009.

AMENDMENT NO. 5
On page 1, delete line 2 and insert the following: “To amend and reenact R.S. 26:73, 272, and 583(C), relative to alcoholic beverage permits; to provide for legal sales characteristics in certain parishes; to”

AMENDMENT NO. 6
On page 1, line 5, after "definitions;" insert "to provide for qualifications;"

AMENDMENT NO. 7
On page 1, line 6 and insert the following: “Section I. R.S. 26:73, 272, and 583(C) are hereby amended and reenacted to read as”

AMENDMENT NO. 8
On page 1, delete lines 8 through 17 and delete page 2, 3, and 4 in their entirety and insert the following:

§73. Restaurant "R" permit; application; fees
A. The legislature hereby finds and declares that the food service industry is a viable industry in Louisiana with significant economic impact and finds that a restaurant establishment's purpose and primary function is to take orders for and serve food and food items. Such service of food may include the serving of alcoholic beverages in conjunction with meals.

B. (1) The commissioner shall issue, upon proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection C of this Section which has been issued a state Class A Retail Liquor Permit for the sale of beverages of high alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; however, the requirements and fees for such permits shall not exceed that required by this Section. The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

C. (1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:
(a) Which operates a place of business whose average monthly revenue from food and nonalcoholic beverages exceeds fifty percent of its total average monthly revenue from the sale of food, nonalcoholic beverages, and alcoholic beverages, purpose and primary function is to take orders for and serve food and food items.
(b) Which serves alcoholic beverages in conjunction with meals.
(c) Which maintains separate sales figures for alcoholic beverages.
(d) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises when food is being offered and served.
(e) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that apply to or have been licensed to sell or serve alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.
(f) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.
(g) Notwithstanding any other provision of law to the contrary, a business’s trade name shall not disqualify such business as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.
(h) Notwithstanding any other provision of law to the contrary, a business which provides live entertainment, requires cover charges, offers alcoholic or other beverages at a reduced cost or engages in similar activity shall not be disqualified as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.
(i) The provisions of this Section shall not prohibit a parish or municipality from enacting ordinances that establish more restrictive requirements for parish or municipal licenses or permits to sell alcoholic beverages at restaurant establishments.
(j) The permit provided for in this Section shall be applied for annually.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain all of the following:
(a) The full name of the applicant.
(b) A complete description and correct street address of the premises in which the restaurant is located.
(c) Proof of issuance of state Class "A" permit.

F. All applications shall be accompanied by an administrative fee, which shall be remitted to the office of alcohol and tobacco control, as follows:
(1) For administrative fees for new or renewal of permit -- twenty-five dollars.
(2) For a temporary permit as provided for in Subsection C -- ten dollars.

G. The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local Alcohol Beverage Control Board for failure to meet or maintain criteria required for the permit.

H. Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or parish governing authority shall issue any and all required local permits to serve high alcohol content beverages for a restaurant establishment, as defined in Subsection B of this Section, if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as a national historic landmark district. The provisions of this Subsection shall be applied only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

§272. Restaurant "R" permit; application; fees
A. The legislature hereby finds and declares that the food service industry is a viable industry in Louisiana with significant economic impact and finds that a restaurant establishment's purpose and primary function is to take orders for and serve food and food items. Such service of food may include the serving of alcoholic beverages in conjunction with meals.

B. (1) The commissioner shall issue, on proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection C of this Section which has been issued a "Retailers, Class A" state permit for the sale of beverages of low alcohol content.

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(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; however, the requirements and fees for such permits shall not exceed that required by this Section. The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

H-C. (1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(a) Which operates a place of business whose average monthly revenue from food and nonalcoholic beverages exceeds fifty percent of its total average monthly revenue from the sale of food, nonalcoholic beverages, and alcoholic beverages, purpose and primary function is to take orders for and serve food and food items.

(b) Which serves food on all days of operation.

(c) Which maintains separate sales figures for alcoholic beverages.

(d) Which operates a fully equipped kitchen for the preparation of uncooked foods for service and consumption of such foods on the premises when food is being offered and served.

(e) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that have applied to or have been licensed to sell or serve alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.

(2) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

(3) Notwithstanding any other provision of law to the contrary, a business's trade name shall not disqualify such business as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(4) Notwithstanding any other provision of law to the contrary, a business which provides live entertainment, requires cover charges, offers alcoholic or other beverages at a reduced cost or engages in similar activity shall not be disqualified as a restaurant establishment provided the business meets the qualifications set forth in this Subsection.

(5) The provisions of this Section shall not prohibit a parish or municipality from enacting ordinances that establish more restrictive requirements for parish or municipal licenses or permits to sell alcoholic beverages at restaurant establishments.

D. For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph B(4) of this Section, the commissioner may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determinations.

E. (1) The permit provided for in this Section shall be applied for and issued annually as determined by the commissioner.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain the following:

(a) The full name of the applicant.

(b) A complete description and correct address of the premises in which the restaurant is located.

(c) Proof of issuance of a state Class A permit.

F. All applications shall be accompanied by an administrative fee which shall be remitted to the commissioner as follows:

(1) For administrative fees for annual new or renewal of permit -- twenty-five dollars.

(2) For a temporary permit as provided for in Subsection C -- ten dollars.

G. The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local political subdivision for failure to meet or maintain criteria required for the permit.

H. Notwithstanding the provisions of R.S. 26:581(B)(1) and (C), 27:5(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or the parish governing authority shall issue any and all required local permits to serve low alcohol content beverages for a restaurant establishment, as defined in R.S. 26:73(B), if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as an interior national historic landmark district.

The provisions of this Subsection shall be applicable only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

I. If proposition five on the local option ballot, as delineated in R.S. 26:588(A), is approved by a majority vote cast in the election, a "Retailers, Class A" state permit shall be authorized for a Class "R" restaurant permittee in the locality for which the local election was held.

§583. Effect of merger

C. (1) Notwithstanding the provisions of Subsections A and B of this Section, any package house in existence and operating as such on August 15, 1985, in an area that is subsequently annexed into a ward, election district, municipality, or city-parish government that prohibits the sale of alcoholic beverages shall be allowed to continue operation and shall not be subject to the provisions of Subsections A and B of this Section.

(2) Notwithstanding any other provision of law to the contrary, any parish with a population between forty thousand and forty-five thousand, based upon the latest federal decennial census, shall not be subject to the provisions of Subsections A and B of this Section and shall retain the legal sales characteristics as provided for by referendum prior to any annexation or reapportionment.

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey Jackson
Adley Duplessis LaFleur
Alario Dupre Martiny
Appel Guillory Michot
Cheek Hebert Morell
Clair Heitmeier Quinn
Total - 18

NAYS

Amedee Long Riser
Broome Marionneaux Shaw
Crowe McPherson Smith
Donahue Morrish Thompson
Erdey Mount Walsworth
Gautreaux N Murray
Gray Evans N Nevers
Total - 19

ABSENT

Gautreaux B Kostelka
Total - 2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Jackson moved to reconsider on the next legislative day the vote by which the bill failed to pass.
House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 620—
BY REPRESENTATIVE CORTEZ
AN ACT
To amend and reenact R.S. 46:438.3(B), 439.1, 439.2(A)(2)(b), 439.3, and 439.4(A)(1) and (3), (C)(1), (D), and (G), relative to the Medical Assistance Program Integrity Law; to provide for false or fraudulent claims; to provide for qui tam actions; to provide for qui tam procedures; to provide for the recovery awarded to a qui tam plaintiff; to comply with the provisions of section 1909 of the federal Social Security Act to increase by ten percent Louisiana’s share of any amounts recovered through a false claims action; and to provide for related matters.

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

Senator Broome in the Chair

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

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Guillory to Engrossed House Bill No. 629 by Representative Landry

AMENDMENT NO. 1
On page 1, line 3, after "(E)" insert "Civil Code Article 136(C)" and after "orders" insert "and other orders"

AMENDMENT NO. 2
On page 1, line 5, after "cause" insert "to provide for visitation by grandparents and siblings in certain circumstances;"

AMENDMENT NO. 3
On page 2, after line 21, insert the following:
"Section 3. Civil Code Article 136(C) is hereby amended and reenacted and Civil Code Article 136(C) is hereby enacted to read as follows:

Art. 136. Award of visitation rights

C. In accordance with Paragraph B of this Article, extraordinary circumstances may include when a parent is addicted to a controlled dangerous substance.

D. In the event of a conflict between this Article and R.S. 9:344 or 345, the provisions of the statute shall supersede those of this Article."

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
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 amended bill was passed and ordered it returned to the House. Senator Guillory moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 62—
BY REPRESENTATIVE BURRELL
AN ACT
To amend and reenact R.S. 15:828(B), relative to additional good time; to provide for the awarding of one hundred eighty days of good time for satisfactory participation in approved certified treatment and rehabilitation programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Guillory sent up floor amendments.

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

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 15:828(B)" to the following: "R.S. 15:711(G) and (H), 827(A)(4), 828(B), 893.1(1) and 1111(B), (C), (E), (F)(introductory paragraph), (H), (I), (J), and (K), to enact R.S. 15:1111(L), and to repeal R.S. 15:1135"

AMENDMENT NO. 2
On page 1, line 2, change "additional good time" to "incarceration"

AMENDMENT NO. 3
On page 1, line 4, between "programs;" and "and" insert the following: "to provide that inmates convicted of violations of controlled dangerous substances law are eligible to participate in work release programs if otherwise eligible and approved by the sheriff or the department of corrections; to provide that inmates convicted of certain offenses are eligible to participate in work release programs during the last twelve months of their term of incarceration if otherwise eligible and approved by the department or the sheriff; to provide that deductions for work release expenses shall not exceed fifty percent of the wages received by the inmate in work release programs operated by the department; to authorize certain inmates participating in work release programs to depart from the state; to provide for technical changes; to provide relative to the collection and accounting of wages of inmates; to provide that inmates participating in work release programs shall not be permitted
AMENDMENT NO. 4
On page 1, line 7, change "R.S. 15:828(B) is hereby amended and reenacted to "R.S. 15:828(G) and (H), 827(A)(4), 828(B), 893. (1)(, 1111(B), (C), (E), (F)(introductory paragraph), (H), (I), (J), and (K) are hereby amended and reenacted and R.S. 15:1111(L) is hereby enacted".

AMENDMENT NO. 5
On page 1, between lines 7 and 8, insert the following:
"§711. Work release program

(1) Notwithstanding the provisions of Subsection B of this Section or any other law to the contrary, any inmate who has been convicted of first degree murder (R.S. 14.30), second degree murder (R.S. 14.30.1), aggravated rape (R.S. 14.42), attempted aggravated rape (R.S. 14.42 and 44), forcible rape (R.S. 14.42.1), aggravated kidnapping (R.S. 14.46), aggravated arson (R.S. 14.51), armed robbery (R.S. 14.64), attempted murder (R.S. 14.27 and 29), attempted armed robbery (R.S. 14.27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in a work release program except during the last six months of their term.

(2) Any inmate convicted of forcible rape (R.S. 14.42.1), aggravated arson (R.S. 14.51), armed robbery (R.S. 14.64), attempted murder (R.S. 14.27 and 29), attempted armed robbery (R.S. 14.27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in a work release program except during the last six months of their term.

§827. Duties of Department of Public Safety and Corrections

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

§893.1. Inmates who may not be assigned to J. Levy Babadie Correctional Center

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

1. Inmates who have been convicted of first or second degree murder, aggravated rape, aggravated kidnapping, or armed robbery.
2. Distribution of a controlled dangerous substance other than marijuana.
3. Aggravated arson, a sex offense as defined in R.S. 15:524, or distribution of a controlled dangerous substance other than marijuana.
4. Except any person convicted of distribution of cocaine where the offense of conviction involves less than twenty-eight grams.

§1111. Work release program

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

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

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

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

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

I. Notwithstanding the provisions of Subsection B of this Section or any other law to the contrary, any inmate who has been convicted of first degree murder (R.S. 14.30), second degree murder (R.S. 14.30.1), aggravated rape (R.S. 14.42), attempted aggravated rape (R.S. 14.42 and 44), forcible rape (R.S. 14.42.1), aggravated kidnapping (R.S. 14.46), aggravated arson (R.S. 14.51), armed robbery (R.S. 14.64), attempted murder (R.S. 14.27 and 29), attempted armed robbery (R.S. 14.27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be prohibited from participation in a work release program except during the last six months of their term. Any inmate who has been convicted of to work on a job or project involved in a labor dispute; to repeal provisions of law providing for work release programs for inmates at a community rehabilitation center; to provide that inmates convicted of controlled dangerous substances violations are eligible to be assigned to the J. Levy Babadie Correctional Center;
forcible rape (R.S. 14:42.1), aggravated arson (R.S. 14:51), armed robbery (R.S. 14:64), attempted murder (R.S. 14:27 and 29), attempted armed robbery (R.S. 14:27 and 64), and persons sentenced as habitual offenders under R.S. 15:529.1 shall be eligible to participate in a work release program during the last six months of their terms. Notwithstanding the provisions of this Section and unless the inmate is eligible at an earlier date, those inmates who have served a minimum of fifteen years in the custody of the department for those crimes enumerated in this Section, shall be eligible to participate in a work release program during the last twelve months of their term.

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

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

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

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

Section 2. R.S. 15:1135 is hereby repealed in its entirety.

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

Senator Guillory moved adoption of the amendments.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel  Guillery  McPherson
Crowe  Heitmeier  Michot
Dorsey  Jackson  Morrell
Duplessis  Kostelka  Murray
Gautreaux  B  LaFleur  Quinn
Gray Evans  Martiny  Walsworth
Total - 17

NAYS

Adley  Erdey  Riser
Alario  Gautreaux  B  N  Shaw
Amedee  Hebert  Smith
Cheek  Long  Thompson
Claitor  Marionneaux  Walsworth
Donahue  Morrish  Nevers
Dupre  McPherson
Total - 19

ABSENT

Mr. President  Broome  Mount

Total - 3
Floor Amendments Sent Up

Senator Hebert sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 551 by Representative Mills

AMENDMENT NO. 1
On page 3, line 20, after "a statement" delete "to include" and insert in lieu thereof "that may be included"

AMENDMENT NO. 2
On page 4, line 14, after "A member" insert "appointed by chairman"

AMENDMENT NO. 3
On page 4, line 16, after "A member" insert "appointed by chairman"

AMENDMENT NO. 4
On page 4, between lines 26 and 27, insert the following:


(12) A public health nutritionist.

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dupre  Michot
Adley  Erdey  Morrish
Alario  Gautreaux B  Mount
Amedee  Gray Evans  Murray
Appel  Guillory  Nevers
Cheek  Heitmeier  Quinn
Claitor  Jackson  Riser
Crowe  LaFleur  Shaw
Donahue  Long  Thompson
Dorsey  Martiny  Walsworth
Duplessis  Marionneaux  Walsworth
Dupre  McPherson  Walsworth
Total - 31

NAYS

Total - 4

ABSENT

Gautreaux N  Marionneaux
Morrell  Morrell
Total - 4

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N  Marionneaux
Hebert  Morrell
Total - 4

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

Rules Suspended

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 9, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 439 by Representative Ellington, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Ellington, Anders and McVea.

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

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

HOUSE BILL NO. 777——

BY REPRESENTATIVE CHAMPAGNE

AN ACT

To amend and reenact R.S. 42:1113(A)(1), relative to public servants and prohibited contractual arrangements; to authorize a municipal or parish governing authority to appoint one of its members to fill certain vacancies and to certain boards or commissions; to provide relative to the eligibility as a candidate in the next election of any governing authority member appointed to fill a vacancy; and to provide for related matters.
Message from the House

PASSED SENATE BILLS AND
JOINT RESOLUTIONS

June 9, 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. 18—
BY SENATOR ALARIO
AN ACT
To enact R.S. 49:191(5) and to repeal R.S. 49:191(2)(e), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 44—
BY SENATORS MORRISH, ERDEY, MCPHERSON, MOUNT AND SHAW AND REPRESENTATIVE PERRY
AN ACT
To designate the Gibbstown bridge on Louisiana Highway 27 in Cameron Parish as the "Conway LeBleu Memorial Bridge," and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 127—
BY SENATOR THOMPSON
AN ACT
To authorize and provide for the transfer of Quebec Road in Madison Parish; to provide for terms and conditions; and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 211—
BY SENATOR CLAITOR
AN ACT
To amend and reenact R.S. 36:801(introductory paragraph), and to enact R.S. 36:109(U) and Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2401, relative to economic development; to create the Louisiana Innovation Council within the Department of Economic Development; to provide for the membership; to provide for the duties and responsibilities; to provide for reporting; and to provide for related matters.
Reported without amendments.

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

Message from the House

CONCOURING IN
SENATE CONCURRENT RESOLUTIONS

June 9, 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. 100—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations regarding the awarding of child custody or visitation rights to grandparents.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to enact legislation to prohibit fetal torture and dismemberment.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To urge and request President Barack Obama to use the full extent of his executive authority and take all executive action necessary to prohibit fetal torture and dismemberment.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATORS HEBERT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISON, CREEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPORE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY EVANS, GUILORY, HEITMEIER, JACKSON, KOSTELKA, LAFEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORNISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH
A CONCURRENT RESOLUTION
To commend Raymond "Coach" Blanco for a long and successful career in education.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR MORRISH
A CONCURRENT RESOLUTION
To recognize and commend Southern, Inc., for continuing a fifty-two year tradition of producing and distributing quality barbeque and other sauces, and to designate June 17, 2009, as Southern Bar-B-Que Sauce Day.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations regarding the feasibility of instituting the Uniform Transfer on Death Security Registration Act in Louisiana.
Reported without amendments.

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

Mr. President in the Chair

Introduction of Senate Resolutions

Senator Heitmeier asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.
SENATE RESOLUTION NO. 88—
BY SENATOR HEITMEIER
A RESOLUTION
To urge and request United States Army Corps of Engineers to exercise all options in maintaining the current location of Coconut Beach Volleyball Complex in New Orleans.

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

SENATE RESOLUTION NO. 89—
BY SENATOR MOUNT
A RESOLUTION
To urge and request the Department of Health and Hospitals and the Louisiana State Board of Medical Examiners to ensure that patient safety and choice of treatment remain central concerns for treating physicians and that quality of care remains at the highest level possible by preventing physician self-referrals for radiation therapy within non-radiation oncology group practices.

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

SENATE RESOLUTION NO. 90—
BY SENATOR GRAY EVANS
A RESOLUTION
To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate June 10, 2009, as Delta Sigma Theta Sorority “Red and White” Day at the Senate of the Legislature of Louisiana.

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

SENATE RESOLUTION NO. 91—
BY SENATOR AMEDEE
A RESOLUTION
To memorialize the Congress of the United States to address the issue of global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for citizens, and maintains America's global competitiveness.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To commend Archbishop Alfred C. Hughes, the leader of the Archdiocese of New Orleans, for his outstanding devotion to his faith, for his many contributions of spiritual leadership and tireless community service, and for his solace rendered to the citizens of the state of Louisiana in their time of need.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre Long Marionneaux
Total - 4

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

SENATE CONCURRENT RESOLUTION NO. 113—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To commend US Airways and Doug Parker for their commitment to Louisiana Honor Air.

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

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR DUPLESSIS
A CONCURRENT RESOLUTION
To memorialize the United States Congress to maintain the private, dual charter banking system as well as to preserve the thrift charter and mutuality.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux B Total - 1

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.
SENATE CONCURRENT RESOLUTION NO. 115—
BY SENATOR CROWE
A CONCURRENT RESOLUTION
To commend the Belle Chasse High School Lady Cardinals on winning the Class 4A girls softball state championship title.

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             Michot
Adley                       Gautreaux N        Morrell
Alario                      Gray Evans          Morrish
Amedee                      Guillory           Mount
Appel                       Hebert             Murray
Broome                      Heitmeier          Nevers
Cheek                       Jackson             Quinn
Claitor                     Kostelka            Riser
Crowe                       LaFleur             Shaw
Donahue                     Long                Smith
Dorsey                      Marionneaua         Thompson
Duplessis                   Martiny             Walsworth
Dupre                       McPherson
Total - 38                  NAYS
Total - 0

ABSENT

Gautreaux B

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

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATORS DONAHUE, ADLEY, ALARIO, AMEDEE, APPEL, CHAISSON, CLAISSON, CROWE, DORSEY, DUROM, EDY, B., GAUTREAUX, N., GAUTREAUX, GRAY EVANS, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINS, MORRELL, MORRISH, MURRAY, NEVERS, QRIN, SHAW AND SMITH
A CONCURRENT RESOLUTION
To authorize and direct that savings generated from cost effective practices in the NOW program be maintained in the NOW program and applied to new slots for those on the waiting list and to provide that the Department of Health and Hospitals report to the Joint Legislative Committee on the Budget the savings achieved and the number of waiver slots for people with developmental disabilities offered, filled, and served on a quarterly basis, beginning July 1, 2009.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

June 9, 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. 199—
BY REPRESENTATIVES HARDY, CHAMPAGNE, CORTEZ, LANDRY, AND MILLS AND SENATOR MICHOT
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Luna McDaniel of Ville Platte.

HOUSE CONCURRENT RESOLUTION NO. 200—
BY REPRESENTATIVE HILL
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development and the Governor's Office of Coastal Activities to jointly develop policy proposals to be submitted to the legislature for reducing or eliminating flooding and for providing funding for these proposals to prevent continuous flooding of Bundicks Lake.

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

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

HOUSE CONCURRENT RESOLUTION NO. 199—
BY REPRESENTATIVES HARDY, CHAMPAGNE, CORTEZ, LANDRY, AND MILLS AND SENATOR MICHOT
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Luna McDaniel of Ville Platte.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President               Erdey             Michot
Adley                       Gautreaux N        Morrell
Alario                      Gray Evans          Morrish
Amedee                      Guillory           Mount
Appel                       Hebert             Murray
Broome                      Heitmeier          Nevers
Cheek                       Jackson             Quinn
Claitor                     Kostelka            Riser
Crowe                       LaFleur             Shaw
Donahue                     Long                Smith
Dorsey                      Marionneaua         Thompson
Duplessis                   Martiny             Walsworth
Dupre                       McPherson
Total - 38                  NAYS
Total - 0

ABSENT

Claitor

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

HOUSE CONCURRENT RESOLUTION NO. 200—
BY REPRESENTATIVE HILL
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development and the Governor's Office of Coastal Activities to jointly develop policy proposals to be submitted to the legislature for reducing or eliminating flooding and for
providing funding for these proposals to prevent continuous
flooding of Bundicks Lake.

The resolution was read by title. Senator Long 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 Guilory Mount
Broune Hebert Murray
Cheek Hetimeier 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 Senate had concurred in the House
Concurrent Resolution and ordered it returned to the House.

Rules Suspended

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

HOUSE BILL NO. 202—
BY REPRESENTATIVES RICHARDSON, HENRY BURNS, LEGER, AND
WHITE AND SENATOR ADLEY
AN ACT
To amend and reenact R.S. 46:1844(W)(1)(a) and (3), relative to the
basic rights of crime victims; to provide for the confidentiality
of crime victims who are minors and victims of sex offenses
regardless of the date of the offense; and to provide for related
matters.

Senator Quinn moved to recommit the bill from the Committee
on Judiciary A to the Committee on Judiciary C.

Without objection, so ordered.

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 9, 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. 399—
   BY REPRESENTATIVES GEYMANN AND WOOTON
   AN ACT
   To enact R.S. 40:964(Schedule IV)(B)(52), relative to controlled
dangerous substances; to add Carisoprodol to Schedule IV; and
to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 703—
   BY REPRESENTATIVES KATZ, HENRY BURNS, CHAMPAGNE,
CORDER, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX,
SIMON, SMILEY, JANE SMITH, THIBAUT, AND WILLMOTT AND
SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHTOM, SMITH, AND
WALSWORTH AND REPRESENTATIVES BARRAS, BARROW,
BURFORD, CHANDLER, CROMER, DOERGE, DOWNS,
GISCLAIR, HARDY, HOFFMANN, HOWARD, JOHNSON, LIGI, NOWLIN,
POPE, SCHRODER, GARY SMITH, ST. GERMAIN, TUCKER, AND
WOOTON
   AN ACT
   To amend and reenact R.S. 15:587(A)(1), (a), (B) and
587.1(A)(1)(a), (B), and (D) and R.S. 46:51.2(A)(1), (D), and
(F)(introductory paragraph) and to enact R.S. 15:587.1(I) and
R.S. 46:51.2(G) and (H), relative to criminal background
checks; to authorize the release of certain national history
information to the Department of Social Services; to provide the
department with the authority to receive such information; to
mandate that national criminal history checks be requested on
certain individuals; to expand hiring prohibitions for certain
individuals; and to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 880—
   BY REPRESENTATIVES TEMPLET, ARMES, AUBERT, HENRY BURNS,
GISCLAIR, GUINN, HOWARD, NORTON, AND POPE
   AN ACT
   To amend and reenact R.S. 40:1322(B), relative to convenience fees;
to authorize the Department of Public Safety and Corrections to
charge a convenience fee when a customer pays for a transaction
in certain ways; and to provide for related matters.

   Reported favorably.

REPORT OF COMMITTEE ON
JUDICIARY C

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

June 9, 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. 36—
   BY REPRESENTATIVE PONTI
   AN ACT
   To amend and reenact R.S. 14:34.1, relative to second degree battery;
to amend the definition of second degree battery; and to provide
for related matters.

   Reported favorably.

HOUSE BILL NO. 43—
   BY REPRESENTATIVES GEYMANN AND KATZ
   AN ACT
   To enact R.S. 40:991 and Code of Criminal Procedure Article
532(10), relative to controlled dangerous substances; to provide
for proof of a valid prescription as a defense against a violation of
the Uniform Controlled Dangerous Substances Act; to
provide for a time period for claiming the prescription as a defense; to
provide that a valid prescription is a ground for a
motion to quash in criminal prosecution; and to provide for
related matters.

   Reported with amendments.

HOUSE BILL NO. 58—
   BY REPRESENTATIVES CHANDLER AND BALDONE
   AN ACT
   To amend and reenact R.S. 46:51.2(G) and (H), relative to criminal background
checks; to authorize the release of certain criminal history
information to the Department of Social Services; to add drugs to Schedule
I classification; and to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 69—
   BY REPRESENTATIVE LOPINTO
   AN ACT
   To enact R.S. 14:95.1(D), relative to the crime of possession of a
firearm or carrying a concealed weapon by a person convicted
of certain felonies; to provide for the definition of a firearm
relative to that crime; and to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 82—
   BY REPRESENTATIVES BILLIOT, ABRAMSON, ANDERS, ARMES,
ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE,
BARRAS, BARROW, BURFORD, HENRY BURNS, TIM BURNS,
BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY,
CONNICK, CORDER, CROMER, DANAHAY, DIXON, DOERGE, DOVE,
DOWNS, EDWARDS, EWING, EYMBL, FANNIN, FOIL, FRANKLIN,
GALLOT, GEYMANN, GISCLAIR, GREENE, ELBERT GUILLOUX,
MICKEY GUILLOUX, GUINN, HARDY, HARRISON, HAZEL,
HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD,
HUTTER, GIROD JACKSON, MICHAEL JACKSON, JACKSON, JOHNSON,
ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LA BRUZZO,
LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE,
LOPINTO, MCEVA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON,
NOWLIN, PEARSON, PERRY, PETERTON, PONTI, POPE, PUGH,
RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY,
SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA
SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT,
TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
   AN ACT
   To enact R.S. 14:95.1(D), relative to the crime of possession of a
firearm or carrying a concealed weapon by a person convicted
of certain felonies; to provide for the definition of a firearm
relative to that crime; and to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 87—
   BY REPRESENTATIVE CARMODY
   AN ACT
   To amend and reenact R.S. 14:81(A)(2), (C), and (E), relative to
the Controlled Dangerous Substances Law; to add drugs to Schedule
I classification; and to provide for related matters.

   Reported favorably.

HOUSE BILL NO. 132—
   BY REPRESENTATIVE GEYMANN
   AN ACT
   To enact R.S. 14:30.1(A)(3) and (4), relative to second
degree murder; to modify the definition of second degree
murder to include the unlawful distribution or dispensing of all
controlled dangerous substances and combinations of those
substances; and to provide for related matters.

   Reported favorably.
25th DAY’S PROCEEDINGS

HOUSE BILL NO. 155—
BY REPRESENTATIVE HARDY
AN ACT
To amend and reenact R.S. 14:81.4(A), (B)(2) and (4), and (E)(1), relative to certain crimes involving criminal negligence; to amend the definition of negligent homicide to include the killing of a human being by a dog or other animal; to amend the definition of negligent criminal injuring to include an injury caused by a dog or other animal; to provide for exceptions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 157—
BY REPRESENTATIVES AUSTIN BADON AND LEGER
AN ACT
To amend and reenact R.S. 14:112.1(B) and to enact R.S. 14:112.1(A)(4) and (C), relative to false personation of a peace officer; to provide for definitions of “badge” and “peace officer”; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 255—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact Code of Criminal Procedure Article 894.2(A) and (G), relative to sentencing in criminal cases; to provide with respect to home incarceration; to authorize home incarceration either in lieu of imprisonment in addition to a term of imprisonment; to increase the maximum number of years a defendant may be sentenced to home incarceration for a felony; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 312—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 14:95.1(A), relative to the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to add a conviction for possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance as a predicate offense for the crime of unlawful possession of a firearm by persons convicted of certain felonies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 476—
BY REPRESENTATIVES CONNICK, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, LIGI, LITTLE, MARTIN, MILLS, PERRY, POPE, PUCH, POMBER, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TALBOT, TEMPLET, TIBAUT, AND WILLMOTT, AND SENATORS CROWE, DULPESI, MICHOT, SMITH, AND WALSWORTH
AN ACT
To amend and reenact R.S. 14:81.4(A), (B)(2) and (4), and (E)(1), 91.1(A)(2), 91.2(A)(3) and (4), and R.S. 15:538(A), (D)(1)(b) and (c), and (6)(b) and (c), and to enact R.S. 14:91.3 and 91.4, relative to the protection of children; to amend the crime of prohibited sexual conduct between educator and student; to amend the crime of unlawful presence of a sexually violent predator to apply to child care facilities and family child care home; to amend the crime of unlawful presence of a sex offender to apply to certain locations; to create the crime of unlawful participation in a child-related business and to provide for criminal penalties; to create the crime of contributing to the endangerment of a minor and to provide for criminal penalties; to provide related to conditions of probation, parole, or suspension of sentence for convicted sex offenders with respect to volunteer work activities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 564—
BY REPRESENTATIVES ABRAMSON, BADON, HENRY BURNS, BALDONE, BILLIOT, BROUSSARD, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHANEY, FOIL, GISCAR, MICOY, GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HILL, JONES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LAPONTA, LERER, LIGI, PEARSON, PETERSON, POPE, RICHARDSON, RICHMOND, ROY, SMILEY, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, AND WILLMOTT AND SENATOR BROOME
AN ACT
To enact R.S. 14:46.3, relative to trafficking of children for sexual purposes; to define the crime of trafficking of children for sexual purposes; to provide for definitions; to prohibit the use of certain defenses; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 688—
BY REPRESENTATIVE MONTOUCET
AN ACT
To enact R.S. 14:40.6, relative to the unlawful disruption of the operation of a school; to create the crime of the unlawful disruption of the operation of a school; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 707—
BY REPRESENTATIVE ROSALIND JONES
AN ACT
To enact Code of Criminal Procedure Article 881.1(A)(4), 893(4)(E)(4), 893(4)(E)(4), 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.

Reported favorably.

HOUSE BILL NO. 710—
BY REPRESENTATIVES ERLAND AND FOIL
AN ACT
To amend and reenact R.S. 29:26(A), 28.1(B), and 148, relative to the Military Department; to provide for benefits paid to members of the military forces of the state; to authorize the operation of certain morale, welfare, and recreational activities; to provide for benefits paid to members of the Military Department; to provide for benefits paid to members of the Military Department; to authorize the filing of a motion to reconsider sentence in certain cases; to provide for resentence in certain cases; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS
June 8, 2009

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:
To urge and request the Department of Insurance to study the disparities in the amounts of co-payments between orally and intravenously administered chemotherapy medications.

To urge and request the secretary of the Department of Health and Hospitals to study whether Louisiana health care providers should be mandated to adopt the VistA electronic medical record system technology utilized by the United States Department of Veterans Affairs.

To declare that the Legislature of Louisiana will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed and will commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to Louisiana by the American taxpayers.

To direct the Office of Financial Institutions to report to the joint committees on commerce updates regarding the investigations into the Stanford Financial Group.

To urge and request the Department of Health and Hospitals to study whether Louisiana health care providers should be mandated to adopt the VistA electronic medical record system technology utilized by the United States Department of Veterans Affairs.

To enact R.S. 33:4574(B)(44) and (F)(7) and 4574.1.1(A)(46), and to amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), relative to pricing and interest on payday loans.

To amend and reenact R.S. 3:4576(A), relative to the West Calcasieu Parish Community Center Authority; to provide for the membership composition of the commission; to provide relative to the use of commission funds; and to provide for related matters.

To amend and reenact R.S. 25:1001(A) and (D), relative to the Caldwell Parish Tourist Development 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.

To urge and request the Louisiana State University School of Veterinary Medicine to study its current practices relating to recruiting, admissions, training, and career counseling and placement in an effort to find ways to increase the number of large animal veterinarians practicing in Louisiana, and to report its findings and recommendations to the House Committee on Education and Senate Committee on Education prior to the convening of the 2010 Regular Session of the Legislature.

To urge and request the Office of Financial Institutions to report to the joint committees on commerce updates regarding the investigations into the Stanford Financial Group.

To urge and request the Department of Health and Hospitals and the Department of Education to study jointly the feasibility and advisability of funding more school nurse positions through the Medicaid program and to report its findings and recommendations to the legislature prior to the convening of the 2010 Regular Session.

Message from the House

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

HOUSE BILL NO. 59—
To amend and reenact R.S. 33:4576(A), relative to the West Calcasieu Parish Community Center Authority; to provide for related matters.

AN ACT

HOUSE BILL NO. 117—
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.

AN ACT

HOUSE BILL NO. 170—
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.

AN ACT

HOUSE BILL NO. 183—
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.

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

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.

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.

HOUSE BILL NO. 432—
BY REPRESENTATIVE BURFORD
AN ACT
To amend and reenact R.S. 40:1300.51(3), 1300.52(D)(1), and 1300.53(C)(1) and to enact R.S. 40:1300.51(2)(n), relative to criminal history checks on nonlicensed persons and licensed ambulance personnel; to amend the definition of employer to include pediatric day care facilities; to make all crimes reportable in background checks; to amend the provisions for waiver; to provide that certain convictions cannot be waived by an employer; and to provide for related matters.

HOUSE BILL NO. 437—
BY REPRESENTATIVES MCVEA, ANDERS, ARNOLD, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CHANDLER, DIXON, DOWNS, ELLINGTON, FANNIN, GISCRAIL, HARRISON, HENDERSON, HOFFMANN, HONEY, HOWARD, SAM JONES, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LIBAS, LEBAS, LIGI, MONICA, MORRIS, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, TUCKER, WHITE, WILLIAMS, AND WILLMOTT
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.

HOUSE BILL NO. 466—
BY REPRESENTATIVES BILLIOT, BARROW, BURFORD, DOERGE, HILL, HINES, KATZ, LABRUZZO, LIBAS, MILLS, NOWLIN, POPE, SIMON, WILLIAMS, AND WILLMOTT
AN ACT
To amend and reenact R.S. 49:219(2)(B)(1) and to enact R.S. 49:219.2(C)(6), relative to the Drug Policy Board; to provide for additional members; to provide for member designees; and to provide for related matters.

HOUSE BILL NO. 503—
BY REPRESENTATIVE MONTOUCET
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. 33:4574.17, 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.
HOUSE BILL NO. 526—
By Representative Chandler
AN ACT
To amend and reenact R.S. 48:250, relative to electronic signatures; 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.

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.

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.

HOUSE BILL NO. 675—
By Representative Drake
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.

HOUSE BILL NO. 698—
By Representative Aubert
AN ACT
To amend and reenact R.S. 33:387(L), relative to special permits issued by the Department of Transportation and Development; to provide for the procedures for any such action; which provided for related matters.

HOUSE BILL NO. 726—
By Representative Aubert
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 members of the governing board of supervisors for attending meetings; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 844—
By Representative Bloodworth
AN ACT
To enact Subpart B-3 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.151 through 130.159, relative to economic development in Jefferson Parish; to create and provide for the Jefferson Parish Economic and Industrial Development District; to provide for the governance, powers, and duties of the district; to authorize the district to issue bonds and levy taxes; and to provide for related matters.

HOUSE BILL NO. 877—
By Representative Amedee
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. 33:130.201 through 130.207, 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.
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<tr>
<th>HOUSE BILL NO. 749—</th>
<th>AN ACT</th>
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<tr>
<td>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.</td>
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<th>HOUSE BILL NO. 784—</th>
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<td>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.</td>
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<th>HOUSE BILL NO. 786—</th>
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<td>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.</td>
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and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

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Total - 39

ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 5:10 o'clock P.M. the Senate adjourned until Wednesday, June 10, 2009, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, June 10, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk