

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 16, 2009

The Senate was called to order at 1:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Guillory	Morrish
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Kostelka	Riser
Claitor	Long	Shaw
Crowe	Martiny	Thompson
Dorsey	McPherson	
Gray Evans	Morrell	
Total - 22		

ABSENT

Adley	Erdey	Michot
Alario	Gautreaux B	Mount
Cheek	Gautreaux N	Quinn
Donahue	Jackson	Smith
Duplessis	LaFleur	Walsworth
Dupre	Marionneau	
Total - 17		

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

Prayer

The prayer was offered by Pastor Neil Everett, 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 Mount, the reading of the Journal was dispensed with and the Journal of June 15, 2009, was adopted.

**Privilege Report of the
Legislative Bureau**

June 16, 2009

To the President and Members of the Senate:

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

The following bill is approved as to construction and duplication.

HOUSE BILL NO. 813—
BY REPRESENTATIVE CONNICK
AN ACT

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

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneau, the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 107—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the passing of Michael S. Baer III, former secretary of the Senate, and to remember him as an invaluable asset to the legislative process.

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

SENATE RESOLUTION NO. 108—

BY SENATORS CROWE AND HEITMEIER
A RESOLUTION

To commend Daybrook Fisheries, Inc., and the Chairman, CEO, and founder, Gregory F. Holt and the COO, W. Borden Wallace, and their entire management team, for their commitment to the state of Louisiana and for their recovery efforts after Hurricane Katrina.

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

SENATE RESOLUTION NO. 109—

BY SENATOR CHAISSON
A RESOLUTION

To declare Tuesday, June 16, 2009, as "Boys and Girls Club of America Louisiana Alliance Day."

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 131—

BY SENATOR CLAITOR AND REPRESENTATIVE CARTER
A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana State University Fighting Tigers football team and Head Coach Les Miles for their accomplishments in the 2008 season and for winning the Chick-fil-A Bowl.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gray Evans	Mount
Alario	Guillory	Murray
Amedee	Hebert	Nevers
Appel	Heitmeier	Quinn
Broome	Kostelka	Riser
Claitor	Long	Shaw
Crowe	Martiny	Smith
Dorsey	McPherson	Thompson
Dupre	Morrell	Walsworth
Total - 30		

NAYS

Total - 0

ABSENT

Cheek	Erdey	LaFleur
Donahue	Gautreaux N	Marionneaux
Duplessis	Jackson	Michot
Total - 9		

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 101—

BY SENATOR THOMPSON
A RESOLUTION

To commend Lawrence K. Van Hoose, Sr., and Myra Van Hoose for their support of the American Heart Association and designate June 16, 2009, as their "Day at the Louisiana Senate."

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 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. 733—

BY REPRESENTATIVES LEGER, ABRAMSON, AUBERT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, HINES, HOWARD, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, PETERSON, RICHMOND, ROBIDEAUX, ST. GERMAIN, AND STIAES

AN ACT

To enact R.S. 47:6035, relative to tax credits; to authorize a tax credit for certain "green job industries"; to provide for certain definitions; to provide for the application for, certification of, and the administration of the tax credit; to provide for the maximum amount of the credit that may be issued; to provide for certain requirements and limitations; to provide for the recapture and recovery of the credit under certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 744—

BY REPRESENTATIVES RICHMOND, ABRAMSON, ARNOLD, AUSTIN, BADON, BALDONE, BROSSETT, TIM BURNS, BURRELL, CORTEZ, DANAHAY, DIXON, GISCLAIR, GUINN, HARDY, HENRY, HINES, HOFFMANN, HONEY, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, LEGER, LIGI, PERRY, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES, TALBOT, TUCKER, AND WILLIAMS AND SENATORS DUPLESSIS AND MORRELL

AN ACT

To enact R.S. 47:6035, relative to income and corporation franchise tax credits; to authorize a tax credit against any Louisiana income or corporation franchise tax liability for certain taxpayers who import and export breakbulk or containerized cargo between Louisiana and a foreign country via a Louisiana public port facility; to provide for a certification process; to authorize the secretary of the Department of Economic Development to certify taxpayers for eligibility for the credit; to provide for the amount of the credit; to provide for the use of the credit; to provide that any excess credit may be carried over to a certain number of subsequent tax years; to provide for definitions; to authorize rulemaking; and to provide for related matters.

HOUSE BILL NO. 903— (Substitute for House Bill No. 375 by Representative Arnold)

BY REPRESENTATIVE ARNOLD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) and to add Article VII, Section 18(H) of the Constitution of Louisiana, relative to the levy of ad valorem property tax by taxing authorities; to further limit certain taxing authorities' power to increase millage rates without voter approval; to require the election for approving ad valorem property tax levies or renewals of certain taxing authorities to occur only at certain elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

HOUSE BILL NO. 905— (Substitute for House Bill No. 838 by Representative Landry)

BY REPRESENTATIVE LANDRY

AN ACT

To enact R.S. 46:1414.1, relative to child care facilities; to mandate the disclosure of recordation on the state central registry for owners, operators, current or prospective employees, and volunteers in child care facilities licensed by the department; to require any such persons to sign certain statements prior to and during employment, volunteering, ownership, or operation of or in a child care facility licensed by the department; to provide that falsification of such statements shall be a misdemeanor offense; to provide for penalties; to provide for a process of appeal; 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 Mount 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. 733—

BY REPRESENTATIVES LEGER, ABRAMSON, AUBERT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, HINES, HOWARD, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, PETERSON, RICHMOND, ROBIDEAUX, ST. GERMAIN, AND STIAES

AN ACT

To enact R.S. 47:6035, relative to tax credits; to authorize a tax credit for certain "green job industries"; to provide for certain definitions; to provide for the application for, certification of, and the administration of the tax credit; to provide for the

maximum amount of the credit that may be issued; to provide for certain requirements and limitations; to provide for the recapture and recovery of the credit under certain circumstances; 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. 744—

BY REPRESENTATIVES RICHMOND, ABRAMSON, ARNOLD, AUSTIN, BADON, BALDONE, BROSETT, TIM BURNS, BURRELL, CORTEZ, DANAHAY, DIXON, GISCLAIR, GUINN, HARDY, HENRY, HINES, HOFFMANN, HONEY, ROSALIND JONES, SAM JONES, LABRUZZO, LAFONTA, LEGER, LIGI, PERRY, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES, TALBOT, TUCKER, AND WILLIAMS AND SENATORS DUPLESSIS AND MORRELL

AN ACT

To enact R.S. 47:6035, relative to income and corporation franchise tax credits; to authorize a tax credit against any Louisiana income or corporation franchise tax liability for certain taxpayers who import and export breakbulk or containerized cargo between Louisiana and a foreign country via a Louisiana public port facility; to provide for a certification process; to authorize the secretary of the Department of Economic Development to certify taxpayers for eligibility for the credit; to provide for the amount of the credit; to provide for the use of the credit; to provide that any excess credit may be carried over to a certain number of subsequent tax years; to provide for definitions; to authorize rulemaking; 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. 903— (Substitute for House Bill No. 375 by Representative Arnold)

BY REPRESENTATIVE ARNOLD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) and to add Article VII, Section 18(H) of the Constitution of Louisiana, relative to the levy of ad valorem property tax by taxing authorities; to further limit certain taxing authorities' power to increase millage rates without voter approval; to require the election for approving ad valorem property tax levies or renewals of certain taxing authorities to occur only at certain elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

HOUSE BILL NO. 905— (Substitute for House Bill No. 838 by Representative Landry)

BY REPRESENTATIVE LANDRY

AN ACT

To enact R.S. 46:1414.1, relative to child care facilities; to mandate the disclosure of recordation on the state central registry for owners, operators, current or prospective employees, and volunteers in child care facilities licensed by the department; to require any such persons to sign certain statements prior to and during employment, volunteering, ownership, or operation of or in a child care facility licensed by the department; to provide that falsification of such statements shall be a misdemeanor offense; to provide for penalties; to provide for a process of appeal; and to provide for related matters.

The bill 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 15, 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. 212—

BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To commend J.J. Witmeyer, Jr., of Harahan upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

HOUSE CONCURRENT RESOLUTION NO. 213—

BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the need for and benefits of developing and implementing a uniform ten-point grading scale in all public elementary and secondary schools and to report study findings and recommendations.

HOUSE CONCURRENT RESOLUTION NO. 215—

BY REPRESENTATIVES HENRY BURNS AND JANE SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a co-sponsor.

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE LIGI

A CONCURRENT RESOLUTION

To commend Martin Richard of Metairie upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 212—

BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To commend J.J. Witmeyer, Jr., of Harahan upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gray Evans	Mount

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

NAYS

Total - 0

ABSENT

Gautreaux N	LaFleur	Michot
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 213—

BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the need for and benefits of developing and implementing a uniform ten-point grading scale in all public elementary and secondary schools and to report study findings and recommendations.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre	LaFleur	Walsworth
Gautreaux N	Michot	
Total - 5		

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

Senator Broome in the Chair

HOUSE CONCURRENT RESOLUTION NO. 215—

BY REPRESENTATIVES HENRY BURNS AND JANE SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a co-sponsor.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N	LaFleur	Michot
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE LIGI

A CONCURRENT RESOLUTION

To commend Martin Richard of Metairie upon his receipt of the French Legion of Honor medal for his military service on D-Day during World War II.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	LaFleur	Michot
Gautreaux N	McPherson	
Total - 5		

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 210—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To commend the inductees and honorees at the 2009 Induction Celebration of the Louisiana Sports Hall of Fame.

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	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	Kostelka	Riser
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Dupre	Martiny	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 16, 2009

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the attorney general to study the training requirements for justices of the peace who have attained the age of seventy and consider a reduction or elimination of such training requirements.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVES ROSALIND JONES AND BALDONE
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study all aspects of the laws regarding discovery in criminal cases, and report its findings and make specific recommendations for legislation to the House of Representatives prior to the convening of the 2011 Regular Session of the Legislature of Louisiana.

Reported favorably.

HOUSE BILL NO. 33—
BY REPRESENTATIVES LEGER, WHITE, BROSSETT, ABRAMSON, BALDONE, BARROW, BURFORD, HENRY BURNS, DOVE, GISCLAIR, HARDY, HARRISON, HAZEL, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, LIGI, LITTLE, LOPINTO, PETERSON, RICHMOND, ROY, SCHRODER, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, 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.

Reported favorably.

HOUSE BILL NO. 111—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 13:2583.4, relative to the appointment of a deputy constable in Ascension Parish; to authorize a constable of a justice of the peace court in Ascension Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 118—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 682, relative to the appointment of a substitute for a recused district attorney; to remove requirement that the substitute attorney be from the same judicial district as the district attorney who has been recused; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 171—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and Code of Criminal Procedure Article 895(A)(13), relative to persons on probation and parole; to authorize law enforcement officers to conduct searches of convicted sex offenders while on probation or parole; and to provide for related matters.

Reported favorably.

June 16, 2009

HOUSE BILL NO. 244—
BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 13:5304(B)(3)(f), R.S. 15:574.4.1(B) and Code of Criminal Procedure Article 900(A)(6)(a) and (b) and to enact R.S. 15:574.4.1(A)(6) and (J) and Code of Criminal Procedure Article 900(A)(6)(c), relative to the drug division probation program; to authorize the court to order that a defendant who has been placed on probation by the drug division probation program, and who has had his probation revoked for a technical violation, be committed to the custody of the Department of Public Safety and Corrections and be required to serve in the intensive incarceration program; to provide for the period of time the defendant may be sentenced to intensive incarceration; to provide that upon successful completion of intensive incarceration the defendant shall return to active, supervised probation with the drug division probation program; to provide for applicability; to provide for resentencing when a defendant is denied entry into the intensive incarceration program; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 574—
BY REPRESENTATIVES RICHMOND AND HARDY

AN ACT

To enact R.S. 13:587.4 and 1344, relative to specialized divisions or sections of state district courts; to authorize any district court by vote of the judges to adopt specialized divisions or sections having specified subject matter jurisdiction; to authorize a division or section to provide for an expedited docket for violent crimes involving a dangerous weapon or homicides; to create a homicide section in the Criminal District Court for the parish of Orleans; to authorize the district attorney's office to request an expedited docket for cases involving crimes of violence committed with a dangerous weapon and homicides; to provide for assignment of a judge to a Homicide Section of the Criminal District Court for the parish of Orleans; to provide for cases to be assigned to a homicide section; to authorize the judges en banc to assign other crimes committed using a firearm to the homicide section; to provide for transfer of cases; to provide for expedited handling of pretrial writs and appeals from the homicide section; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 712—
BY REPRESENTATIVE GARY SMITH

AN ACT

To enact Code of Criminal Procedure Article 202(E) and R.S. 49:251.4, relative to warrant of arrest; to provide that a justice of the peace shall not have the authority to issue a warrant for arrest unless he has received a certificate of completion for the required training course which has included education on the proper issuance of arrest warrants; to provide for the Attorney General's Arrest Warrants Course for Justices of the Peace; to require the attorney general's training course for justices of the peace to include specified subject matter areas; to provide for implementation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 864—
BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 46:1816(E) and to repeal Code of Criminal Procedure Article 887(E), relative to additional fees assessed in relation to violations of criminal statutes and local ordinances; to continue the existing fees assessed in specified matters which are used for funding the training of and the providing of other assistance to local law enforcement agencies; to repeal provisions providing for fees to fund local law enforcement agencies; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

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

June 16, 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. 90—
BY REPRESENTATIVES LIGI AND LEGER

AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(h) and (2)(b) and (B)(5) and to enact R.S. 14:102.1(A)(2)(c) and (d) and (3) and (B)(6), relative to the crime of cruelty to animals; to revise certain elements constituting the crime of simple cruelty to animals and revise penalties for violations thereof; to revise certain elements constituting the crime of aggravated cruelty to animals and revise the penalties for violations thereof; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

June 16, 2009

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Louisiana Office of Student Financial Assistance to study the benefits of the Go Grant program and to identify the adequacy of current funding sources provided to the program and to the students.

Reported favorably.

HOUSE BILL NO. 34—

BY REPRESENTATIVES FANNIN, CHANDLER, HARDY, ROY, AND SIMON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 538—

BY REPRESENTATIVE ANDERS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 689—

BY REPRESENTATIVES PETERSON, HARRISON, LEGER, AND WILLIAMS AND SENATOR LAFLEUR

AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to state funds; to create the Louisiana Statewide Educational Facilities Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 802—

BY REPRESENTATIVE FANNIN

AN ACT

To repeal R.S. 22:2371, relative to state funds; to abolish the Insure Louisiana Incentive Program Fund; to provide for the transfer, dedication, use, and appropriation as specified of certain treasury funds; to provide for effective dates; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

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

SENATE BILL NO. 80—

BY SENATORS CHEEK AND BROOME

AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 80 by Senator Cheek

AMENDMENT NO. 1

On page 2, at the beginning of line 8, insert "A."

AMENDMENT NO. 2

On page 2, at the end of line 13, insert the following: "Such reimbursements shall be less than five hundred thousand dollars in total expenditures in any state fiscal year."

AMENDMENT NO. 3

On page 2, between lines 13 and 14, insert the following:

"B. Implementation of the provisions of this Part shall be subject to the appropriation of funds by the legislature for this purpose."

AMENDMENT NO. 4

On page 2, at the end of line 17, insert the following: "The Department of Health and Hospitals shall submit to and obtain approval from the Centers for Medicare and Medicaid Services of a Medicaid State Plan Amendment that contains a reimbursement methodology that restricts payments to the annual maximum established in this Part prior to implementation of the provisions of this Part."

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

SENATE BILL NO. 266—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:4411(A), relative to the timber severance tax; to increase the portion of the timber severance tax allocated to the state which is dedicated to the Forestry Productivity Fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

June 16, 2009

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 266 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 10, change "deposited" to "deposited, subject to an annual appropriation by the legislature,"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Chaisson asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 689—

BY REPRESENTATIVES PETERSON, HARRISON, LEGER, AND WILLIAMS AND SENATOR LAFLEUR AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to state funds; to create the Louisiana Statewide Educational Facilities Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 802—

BY REPRESENTATIVE FANNIN AN ACT

To repeal R.S. 22:2371, relative to state funds; to abolish the Insure Louisiana Incentive Program Fund; to provide for the transfer, dedication, use, and appropriation as specified of certain treasury funds; to provide for effective dates; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 802 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 14, between "Million" and "Dollars" insert "Nine Hundred Thousand"

AMENDMENT NO. 2

On page 7, between lines 8 and 9, insert the following: "Section 8. The state treasurer is hereby authorized and directed to transfer from the state general fund for Fiscal Year 2008-2009 receipts of Four Million Nine Hundred Twenty-Nine Thousand Six Hundred Ten Dollars to be deposited in and credited to the Overcollections Fund.

Section 9. A. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Hundred Fifty-Nine Thousand Eight Hundred Fifty Dollars from the Municipal Fire and Police Civil Service Operating Fund to the Overcollections Fund.

B. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Million Seven Hundred Sixty-Three Thousand Fifty-Five Dollars from the Rural Development Fund to the Overcollections Fund.

C. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One

Hundred Thirty-One Thousand Eight Hundred Seventy Dollars from the Casino Gaming Proceeds Fund to the Overcollections Fund.

D. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Hundred Twenty-Three Thousand Two Hundred Ninety-One Dollars from the Underground Damages Prevention Fund to the Overcollections Fund.

E. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Million Nine Hundred Twelve Thousand Eight Hundred Eighty Dollars from the Louisiana Fire Marshal Fund to the Overcollections Fund.

F. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Six Hundred Twenty-Three Thousand One Hundred Forty-Four Dollars from the Louisiana Fire Safety and Property Protection Trust Fund to the Overcollections Fund.

G. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Four Hundred Thousand Sixty-Two Dollars from the Right to Know Fund to the Overcollections Fund.

H. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Thousand Six Hundred Seventy-Two Dollars from the Pet Overpopulation Fund to the Overcollections Fund.

I. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Three Hundred Nineteen Thousand Three Hundred Three Dollars from the Louisiana Manufactured Housing Commission Fund to the Overcollections Fund.

J. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Million Five Hundred Sixty-Eight Thousand Six Hundred Thirteen Dollars from the Insurance Fraud Investigation Fund to the Overcollections Fund.

K. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Hundred Fifty-Three Thousand Three Hundred Sixty-Two Dollars from the Louisiana Environmental Education Fund to the Overcollections Fund.

L. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Eighteen Million Dollars from the Mineral Resources Operation Fund to the Overcollections Fund.

M. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Million Dollars from the Oil and Gas Regulatory Fund to the Overcollections Fund.

N. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Thirty-Seven Thousand Nine Hundred Fifty-One Dollars from the Tobacco Regulation Enforcement Fund to the Overcollections Fund.

O. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Hundred Ninety-One Thousand Three Hundred Seventeen Dollars from the Lead Hazard Reduction Fund to the Overcollections Fund.

P. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Fifty Thousand Dollars from the Manufactured Home Tax Fairness Fund to the Overcollections Fund.

Q. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Three Million Three Hundred Sixty-Two Thousand Nine Hundred Thirty-Six Dollars from the Utility and Carrier Inspection and Supervision Fund to the Overcollections Fund.

R. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Hundred Fifteen Thousand Six Hundred Ten Dollars from the Telephonic Solicitation Relief Fund to the Overcollections Fund.

S. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Hundred Forty-Three Thousand Five Hundred Thirty-Eight Dollars from the Administrative Fund of the Department of Insurance to the Overcollections Fund.

T. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Twenty-Six Thousand Eight Hundred Fifteen Dollars from the Agricultural Products Processing Development Fund to the Overcollections Fund.

U. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Five Hundred Seven Thousand Three Hundred Sixty-Nine Dollars from the Department of Justice Debt Collection Fund to the Overcollections Fund.

V. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Five Thousand Four Hundred Seventy-Two Dollars from the General Aviation and Reliever Airport Maintenance Grant Program Fund to the Overcollections Fund.

W. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Thousand Eight Hundred Seventy-One Dollars from the Railroad Crossing Safety Fund to the Overcollections Fund.

X. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Four Thousand Three Hundred Seventy-Three Dollars from the School and District Accountability Rewards Fund to the Overcollections Fund.

Y. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Twenty-Nine Thousand Two Hundred Forty Dollars from the Teacher Educational Aid for Children Fund to the Overcollections Fund.

Z. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Hundred Twenty-Eight Thousand One Hundred One Dollars from the Variable Earnings Transaction Fund to the Overcollections Fund.

AA. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Two Hundred Two Thousand Eight Hundred Sixty-One Dollars from the Fraud Detection Fund to the Overcollections Fund.

BB. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer One Hundred Thousand Twenty-Six Dollars from the Vital Records Conversion Fund to the Overcollections Fund.

CC. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Five Million Thirty-Nine Thousand One Hundred Thirty-Eight Dollars from the Louisiana Health Care Redesign Fund to the Overcollections Fund.

DD. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Seven Hundred Nine Thousand Two Hundred Sixty-Six Dollars from the Compulsive and Problem Gaming Fund to the Overcollections Fund.

EE. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Three Hundred Thirty-Eight Thousand Six Hundred Ninety-Four Dollars from the Director of Workers' Compensation Revolving Fund to the Overcollections Fund.

FF. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Three Million One Hundred Ninety-Three Thousand Four Hundred Twelve Dollars from the Employment Security Administration Account to the Overcollections Fund.

GG. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Nine Hundred Fifty Thousand Dollars from the Incentive Fund to the Overcollections Fund.

Section 10. A. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Twenty-One Thousand Eight Hundred Twenty-Five Dollars from the Conservation Fund to the Louisiana Duck License Stamp and Print Fund.

B. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Sixty-Five Thousand Fourteen Dollars from the Conservation Fund to the Wildlife Habitat and Natural Heritage Fund.

C. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer Three

Thousand Seven Hundred Forty-Three Dollars from the Conservation Fund to the Louisiana Wild Turkey Stamp Fund.

Section 11. All bridge loan funding extended to the Department of Education from the State Emergency Response Fund due no later than the end of the 2008-2009 fiscal year pursuant to Act No. 196 of the 2007 Regular Session of the Legislature is extended to the end of the 2009-2010 fiscal year."

AMENDMENT NO. 3

On page 7, line 9, change "Section 8. Sections 4, 5, and 6" to "Section 12. Sections 4, 5, 6, 8, 9, 10, 11, 12 and 13"

AMENDMENT NO. 4

On page 7, line 15, change "Section 9." to "Section 13."

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 14—

BY REPRESENTATIVE BURFORD
AN ACT

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

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

HOUSE BILL NO. 95—

BY REPRESENTATIVE MILLS
AN ACT

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

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

HOUSE BILL NO. 98—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 56:499.1(A), relative to use of trawls and skimmer nets in the Calcasieu Lake area; to prohibit the use of trawls at night in certain portions of the Calcasieu Lake basin; to prohibit the use of skimmer nets at night on Calcasieu Lake; to authorize the use of skimmer nets at night in specified portions of Cameron Parish west of Calcasieu Lake; and to provide for related matters.

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

HOUSE BILL NO. 112—

BY REPRESENTATIVE MONTUCET
AN ACT

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

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

HOUSE BILL NO. 179—
BY REPRESENTATIVES STIAES, BARROW, AND PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:24.4(F)(4)(a), relative to requirements for pupil progression; to provide with regard to the impact of established proficiency levels on certain tests on the progress of students in grades four and eight; to require the state superintendent of education to submit recommendations to the State Board of Elementary and Secondary Education relative to expanding opportunities for student promotion in limited circumstances; to require implementation of such recommendations; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 191—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 56:700.13(C), relative to the Oyster Lease Damage Evaluation Board; to provide relative to selection of a biologist to survey oyster beds to determine quality, condition, and value of said beds; and to provide for related matters.

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

HOUSE BILL NO. 193—
BY REPRESENTATIVE CHANEY
AN ACT

To amend and reenact R.S. 17:191 through 197, 198, and 199, relative to school nutrition programs; to provide for rules and regulations relative to such programs; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 193 by Representative Chaney

AMENDMENT NO. 1
On page 3, line 4, change "congress" to "Congress"

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

HOUSE BILL NO. 246—
BY REPRESENTATIVES MCVEA, RICHARDSON, AND WHITE
AN ACT

To enact R.S. 39:562(P), relative to the issuance of bonds; to provide an increase in the bonded debt limit of certain school districts for specified purposes; to provide guidelines, conditions, and limitations relative to such debt; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 308—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 17:3137(B) and to repeal R.S. 17:3137(C) and (D), relative to eligibility of high school students to participate in a dual enrollment program at participating postsecondary education institutions; to provide relative to participation in such program by a student who is a Louisiana resident and is enrolled in any Louisiana nonpublic high school or participates in a home study program of education, including provisions relative to conditions, limitations, tuition amounts, and prohibitions on the use of state funds to pay such tuition; to provide relative to implementation; to remove provisions relative to a study and report by the Board of Regents

concerning certain program cost estimates; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 308 by Representative LeBas

AMENDMENT NO. 1
On page 1, at the beginning of line 16, between "B." and "The" delete "(1)"

AMENDMENT NO. 2
On page 1, at the beginning of line 18, change "(a)" to "(1)"

AMENDMENT NO. 3
On page 2, at the beginning of line 3, change "(b)" to "(2)"

AMENDMENT NO. 4
On page 2, at the beginning of line 4, change "(c)" to "(3)"

AMENDMENT NO. 5
On page 2, at the beginning of line 5, change "(d)" to "(4)"

AMENDMENT NO. 6
On page 2, delete lines 7 through 10 in their entirety

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

HOUSE BILL NO. 319—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to instruction to students in public secondary schools concerning the state's safe haven relinquishments law; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 319 by Representative Willmott

AMENDMENT NO. 1
On page 1, line 2, between "To" and "enact" insert "amend and reenact Children's Code Article 1150(2) and to"

AMENDMENT NO. 2
On page 1, line 2, between "relative to" and "instruction" insert "the safe haven relinquishments law; to provide relative to the definition of designated emergency care facility; to add certain child-placing agencies to the list of designated emergency care facilities to which a parent may relinquish an infant; to provide relative to"

AMENDMENT NO. 3
On page 1, between lines 6 and 7, insert the following:
"Section 1. Children's Code Article 1150(2) is hereby amended and reenacted to read as follows:

Art. 1150. Definitions
As used in this Chapter:
* * *
(2) "Designated emergency care facility" means any hospital licensed in the state of Louisiana, any public health unit, any emergency medical service provider, any medical clinic, any fire station, any police station, any pregnancy crisis center, or any child advocacy center, or any child-placing agency as defined in R.S. 46:1403(2).

* * *

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

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

HOUSE BILL NO. 350—

BY REPRESENTATIVE TEMPLET
AN ACT

To amend and reenact R.S. 33:1975(C)(2) and R.S. 40:1392(C)(2), relative to toll tags; to provide for the cost and purchase of toll tags for free passage on the Crescent City Connection Bridge; and to provide for related matters.

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

HOUSE BILL NO. 354—

BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 38:2225.2.1(A), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; to authorize other public entities to utilize the design-build method under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 390—

BY REPRESENTATIVE HENDERSON
AN ACT

To enact R.S. 40:5.3.1, relative to molluscan shellfish sanitation requirements; to authorize the Department of Health and Hospitals to grant exemptions from certain of the molluscan shellfish sanitation requirements; and to provide for related matters.

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

HOUSE BILL NO. 400—

BY REPRESENTATIVES WILLIAMS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CONNICK, CORTEZ, DIXON, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, MICKEY GULLORY, GUINN, HARDY, HARRISON, HINES, HONEY, HOWARD, HUTTER, MICHAEL JACKSON, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LEBAS, LIGI, MILLS, NORTON, NOWLIN, PEARSON, PERRY, RICHARD, RICHMOND, RITCHIE, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, TUCKER, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 17:17.1(A)(1) and to enact R.S. 17:17.1(D), relative to required physical activity for students; to require public schools to provide at least thirty minutes of physical activity each school day for students in grades seven and eight; to provide for the establishment of school health advisory councils; to provide for council purposes, membership, and compensation; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 421—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 11:1481(1)(a)(iii)(aa), relative to the Louisiana Assessors' Retirement Fund; to provide relative to required remittances due the fund; to provide relative to collection procedures for such required remittances; 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 Engrossed House Bill No. 421 by Representative Doerge

AMENDMENT NO. 1

On page 2, line 2, after "amount" delete the remainder of the line and insert "to be determined by the board"

AMENDMENT NO. 2

On page 2, line 5, delete "which" and on line 6, delete "amount shall be determined by the board"

AMENDMENT NO. 3

On page 2, delete lines 15 and 16 in their entirety.

AMENDMENT NO. 4

On page 2, line 17, change "3" to "2"

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

HOUSE BILL NO. 425—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 47:302.15, 322.47, and 332.53, relative to special treasury funds created for disposition of certain state sales taxes on hotel occupancy in Webster Parish; to provide for the use and deposit of monies into the Webster Parish Convention and Visitors Commission Fund; to change the name of the Webster Parish Convention and Visitors Bureau Fund to the Webster Parish Convention and Visitors Commission Fund; to provide for the use, deposit, and transfers of monies in the Webster Parish Convention and Visitors Bureau Fund; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 425 by Representative Doerge

AMENDMENT NO. 1

On page 2, line 2, change "shall pay" to "shall pay, subject to an annual appropriation by the legislature."

AMENDMENT NO. 2

On page 2, line 20, change "shall pay" to "shall pay, subject to an annual appropriation by the legislature."

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AMENDMENT NO. 3

On page 3, line 1, change "shall pay" to "shall pay, subject to an annual appropriation by the legislature."

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

HOUSE BILL NO. 478—

BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 10:9-309(1), 311(b), 501(a)(3), 515(i), and 516(a)(3), and R.S. 34:851.20(M)(1) and (3), 852.1, 852.2(2), (3), and (7) through (17), 852.3(A), 852.4(A) and (B)(2), (3), and (6), 852.5, 852.6, 852.7(A)(4) and (B), 852.8, 852.10, 852.11(B) and (C), 852.12, 852.14(A) and (C), 852.15, 852.16(A), (D) through (H), and (I)(1) and (3), 852.17, and 852.20 and to enact R.S. 10:9-504(5) and R.S. 34:851.20(M)(4) and (5), 852.2(18), and 852.23, relative to titling; to provide for titling and registering of certain vessels and outboard motors; and to provide for perfection of security interests in certain motors; to provide for effectiveness of certain financing statements; to provide for definitions; to provide for certificates of title; to provide for form and content of application for title and certificate of title; to provide for duplicate titles; to provide for exemptions; to provide for manufacturers and dealers; to provide for transfer of and interest in outboard motors; to provide for liens; to provide for rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 478 by Representative Harrison

AMENDMENT NO. 1

On page 4, line 12, change "titling" to "title"

AMENDMENT NO. 2

On page 4, line 14, after "accident" delete the comma and insert a semicolon, and before "a homemade" insert "a vessel as defined in R.S. 34:852.2(17) that is"

AMENDMENT NO. 3

On page 5, line 8, after "registration" and before the period, insert "or title"

AMENDMENT NO. 4

On page 7, line 25, delete "vessel" and insert "vessel following"

AMENDMENT NO. 5

On page 10, line 28, delete "application" and insert "description"

AMENDMENT NO. 6

On page 15, delete line 10, and insert:
"Section 3. The Department of Wildlife and Fisheries shall undertake procedures for the implementation of Sections 1 and 2 of this Act prior to their effective date, including the development and promulgation of rules and regulations in accordance with the Administrative Procedure Act.

Section 4. Sections 1 and 2 of this Act, except the provisions of R.S. 34:852.23, shall become effective on January 1, 2011.

Section 5. The provisions of R.S. 34:852.23 shall become effective on July 1, 2009."

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

HOUSE BILL NO. 481—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:2181(A) and (B), relative to the investigation of fire employees; to provide definitions; to provide minimum standards for investigations; and to provide for related matters.

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

HOUSE BILL NO. 500—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R. S. 38:291(U)(1) and 329(J)(introductory paragraph) and to repeal R.S. 38:329(H), relative to the Terrebonne Levee and Conservation District, to provide for millages collected in Terrebonne Parish; to revert certain land in the possession of the Atchafalaya Basin Levee District for certain purposes to the Terrebonne Levee and Conservation District; to repeal certain required distribution amounts; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 500 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 20, delete "That these lands" and insert "The land, including mineral rights."

AMENDMENT NO. 2

On page 2, line 2, delete "revert back" and insert "be transferred"

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

HOUSE BILL NO. 501—

BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 33:2491.4, relative to municipal fire and police civil service; to provide relative to the establishment and maintenance of promotional employment lists for the various classes of positions in the classified police service in the city of West Monroe; to provide relative to the period of time a name may remain on any such list; to provide relative to tests to determine the eligibility of applicants for entry upon any such list; and to provide for related matters.

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

HOUSE BILL NO. 516—

BY REPRESENTATIVES WILLIAMS, ELLINGTON, FANNIN, ELBERT GULLORY, HAZEL, LIGI, MCVEA, MORRIS, PEARSON, SMILEY, GARY SMITH, PATRICIA SMITH, AND STIAES
AN ACT

To enact Subpart Q-1, to be comprised of R.S. 39:100.121, and Q-2, to be comprised of R.S. 39:100.125, of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, relative to state funds; to establish the Center of Excellence for Autism Spectrum Disorder Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund;

to establish the Walking the Walk for Our Kids Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 516 by Representative Williams

AMENDMENT NO. 1

On page 1, line 2, change "and Q-2," to "Q-2,"

AMENDMENT NO. 2

On page 1, line 3, after "39:100.125," insert "and Q-3, to be comprised of R.S. 39:100.126"

AMENDMENT NO. 3

On page 1, line 7, after "treasury fund;" and before "to provide" insert "to create the Louisiana Statewide Education Facilities Fund as a special fund in the state treasury;"

AMENDMENT NO. 4

On page 1, line 8, change "fund" to "funds"

AMENDMENT NO. 5

On page 1, line 11, change "and Q-2," to "Q-2,"

AMENDMENT NO. 6

On page 1, line 12, after "39:100.125," insert "and Q-3, comprised of R.S. 39:100.126"

AMENDMENT NO. 7

On page 2, between lines 24 and 25, insert the following:
"SUBPART Q-3. STATEWIDE EDUCATION FACILITIES FUND

§100.126. Statewide Education Facilities Fund

A. There is hereby created in the state treasury, as a special fund, the Statewide Education Facilities Fund, hereinafter referred to as the "fund". Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

B. The source of monies deposited into the fund shall be any monies appropriated or transferred to the fund by the legislature, including federal monies, donations, gifts, grants, or any other monies which may be provided by law.

C. Monies in the fund shall be used solely for the purposes of the Louisiana Statewide Education Facilities Authority."

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

HOUSE BILL NO. 531—
 BY REPRESENTATIVES HENRY AND LABRUZZO
 AN ACT

To enact R.S. 17:236.3, relative to the eligibility of students in state-approved home study programs to participate in interscholastic athletics in public elementary and secondary schools; to provide applicability; to provide guidelines and conditions for participation; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 531 by Representative Henry

AMENDMENT NO. 1

On page 1, line 5, between "effectiveness;" and "to" insert "to provide for exemptions;"

AMENDMENT NO. 2

On page 1, at the end of line 9, delete "and" and at the beginning of line 10, delete "certain nonpublic"

AMENDMENT NO. 3

On page 1, line 16, after "schools" delete the remainder of the line and at the beginning of line 17, delete "Louisiana High School Athletic Association"

AMENDMENT NO. 4

On page 2, line 4, between "a" and "school" insert "public"

AMENDMENT NO. 5

On page 2, at the end of line 6, insert "Each student shall provide the school with documentation of the legal residence of his parent or other legal guardian to support such student's eligibility to otherwise attend the school."

AMENDMENT NO. 6

On page 2, at the end of line 25, change "student at the school" to "public school student"

AMENDMENT NO. 7

On page 3, at the beginning of line 7, change "student at the school" to "public school student"

AMENDMENT NO. 8

On page 3, line 10, between "at" and "school" change "that" to "the public"

AMENDMENT NO. 9

On page 3, line 11, between "to" and "relative" change "students at the school" to "public school students"

AMENDMENT NO. 10

On page 4, between lines 4 and 5, insert the following:
"E. The provisions of this Section shall not apply to the following city, parish, or other local public school systems:
 (1) City of Baker School System.
 (2) Central Community School System.
 (3) East Baton Rouge Parish.
 (4) Livingston Parish.
 (5) Zachary Community School System."

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

HOUSE BILL NO. 535—
 BY REPRESENTATIVE WILLIAMS
 AN ACT

To amend and reenact R.S. 36:801.5(B) and to enact Part IV-C of Chapter 9 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2048.52, and R.S. 36:651(AA)(3), relative to creating the Simulation Medical Training and Education Council for Louisiana; to provide for its purpose; to provide for membership; to provide for governance of the council; to provide for staffing and facilities; to provide for compensation; to provide for reporting requirements; to place the council within the Louisiana Health Works Commission and the Department of Education; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 535 by Representative Williams

AMENDMENT NO. 1

On page 2, line 21, between "of" and "or" change "the Board of Regents" to "higher education"

AMENDMENT NO. 2

On page 2, line 25, between "The" and "or" change "superintendent of the Department of Education" to "state superintendent of education"

AMENDMENT NO. 3

On page 2, line 27, between "of" and "Louisiana" insert "the"

AMENDMENT NO. 4

On page 3, line 1, between "of" and "Louisiana" insert "the"

AMENDMENT NO. 5

On page 3, line 3, between "of" and "University" insert "the"

AMENDMENT NO. 6

On page 3, line 4, change "Southern University" to "the Southern University System"

AMENDMENT NO. 7

On page 3, line 5, between "of" and "Louisiana" insert "the"

AMENDMENT NO. 8

On page 3, line 6, between "of" and "Louisiana" insert "the"

AMENDMENT NO. 9

On page 4, line 2, between "of" and "Tulane" insert "the"

AMENDMENT NO. 10

On page 4, between lines 2 and 3, insert the following: "(24) One member representing and appointed by the Louisiana Council of Administrators of Nursing Education."

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

HOUSE BILL NO. 540—

BY REPRESENTATIVES BOBBY BADON AND MONTUCET AND SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:103(B)(3)(introductory paragraph) and (e)(introductory paragraph) and (i)(aa) and to enact R.S. 11:103(B)(3)(e)(i)(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 Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 542—

BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 56:642(C), relative to certain commercial licenses and permits issued by the Department of Wildlife and Fisheries; to provide for payment methods; to provide for rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 542 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 10, after "credit" insert "or debit"

AMENDMENT NO. 2

On page 1, line 12, after "credit" insert "or debit"

AMENDMENT NO. 3

On page 1, at the end of line 12, insert "No fee shall be charged to the purchaser by the department for payment by money order, cashier's check, or cash."

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

HOUSE BILL NO. 546—

BY REPRESENTATIVE PERRY

AN ACT

To enact R.S. 41:727.1, relative to the transfer of certain sixteenth section lands by the Vermilion Parish School Board; to authorize the school board to sell certain specified sixteenth section properties; to provide relative to proceeds of the sales; and to provide for related matters.

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

HOUSE BILL NO. 557—

BY REPRESENTATIVE HOWARD

AN ACT

To amend and reenact R.S. 47:302.37(B), relative to the Sabine Parish Tourism Improvement Fund; to change the name of the recipient of the monies in the fund to the Sabine Parish Tourist and Recreation Commission; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER

AN ACT

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

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

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.

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

HOUSE BILL NO. 587—
 BY REPRESENTATIVES HARRISON AND BALDONE
 AN ACT

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 587 by Representative Harrison

AMENDMENT NO. 1
 On page 1, line 2, delete "and to enact R.S. 56:433.2,"

AMENDMENT NO. 2
 On page 1, line 3, change "repeal" to "provide relative to"

AMENDMENT NO. 3
 On page 1, line 8, delete "and R.S. 56:433.2 is hereby enacted"

AMENDMENT NO. 4
 On page 3, delete lines 20 through 29

AMENDMENT NO. 5
 On page 4, delete lines 1 through 13

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

HOUSE BILL NO. 590—
 BY REPRESENTATIVES BARROW AND PATRICIA SMITH
 AN ACT

To amend and reenact R.S. 17:238, relative to the placement in school and education of certain children; to require the governing authority of each public elementary and secondary school to enact a policy ensuring that children in foster care may remain enrolled in certain schools; to require that such governing authorities and the Department of Social Services provide transportation to and from school for certain children in foster care under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 590 by Representative Barrow

AMENDMENT NO. 1
 On page 1, line 2, between "R.S. 17:238" and the comma "," insert "and to enact Part III of Chapter 7 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1915"

AMENDMENT NO. 2
 On page 1, line 7, between "circumstances;" and "to" insert "to provide for the authorization of the state to join and ratify the Interstate Compact on Educational Opportunity for Military Children;"

AMENDMENT NO. 3
 On page 1, line 10, between "reenacted" and "to" insert "and Part III of Chapter 17 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1915 is hereby enacted"

AMENDMENT NO. 4
 On page 2, between lines 20 and 21, insert the following:
 * * *

PART III. INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

§1915. Ratification; text of compact
The action of the governor of this state in entering into a compact on behalf of the State of Louisiana with the states joining therein for cooperative efforts for ensuring educational opportunity and access for children of military families is hereby authorized and ratified, which compact is substantially as follows:

INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

ARTICLE I PURPOSE

It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

A. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school district(s) or variations in entrance/age requirements.

B. Facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.

C. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

D. Facilitating the on-time graduation of children of military families.

E. Providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact.

F. Providing for the uniform collection and sharing of information between and among member states, schools and military families under this compact.

G. Promoting coordination between this compact and other compacts affecting military children.

H. Promoting flexibility and cooperation between the educational system, parents and the student in order to achieve educational success for the student.

ARTICLE II DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

A. "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

B. "Children of military families" means a school-aged child, enrolled in Kindergarten through Twelfth (12th) grade, in the household of an active duty member.

C. "Compact commissioner" means the voting representative of each compacting state appointed pursuant to Article VIII of this compact.

D. "Deployment" means the period one (1) month prior to the service members' departure from their home station on military orders through six (6) months after return to their home station.

E. "Educational records" means those official records, files, and data directly related to a student and maintained by the school or local education agency, including but not limited to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

F. "Extracurricular activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local education agency. Extracurricular activities

include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

G. "Interstate Commission on Educational Opportunity for Military Children" means the commission that is created under Article IX of this compact, which is generally referred to as Interstate Commission.

H. "Local education agency" means a public authority legally constituted by the state as an administrative agency to provide control of and direction for Kindergarten through Twelfth (12th) grade public educational institutions.

I. "Member state" means a state that has enacted this compact.

J. "Military installation" means a base, camp, post, station, yard, center, homework facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

K. "Non-member state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

M. "Rule" means a written statement by the Interstate Commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in Kindergarten through Twelfth (12th) grade.

Q. "Transition" means (1) the formal and physical process of transferring from school to school or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed service" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

S. "Veteran" means a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

**ARTICLE III
APPLICABILITY**

A. Except as otherwise provided in Section B, this compact shall apply to the children of:

1. Active duty members of the uniformed services as defined in this compact, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement.

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

B. The provisions of this interstate compact shall only apply to local education agencies as defined in this compact.

C. The provisions of this compact shall not apply to the children of:

1. Inactive members of the national guard and military reserves.

2. Members of the uniformed services now retired, except as provided in Section A.

3. Veterans of the uniformed services, except as provided in Section A.

4. Other U.S. Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

**ARTICLE IV
EDUCATIONAL RECORDS & ENROLLMENT**

A. Unofficial or "hand-carried" education records. In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B. Official education records/transcripts. Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten (10) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

C. Immunizations. Compacting states shall give thirty (30) days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunization(s) required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

D. Kindergarten and First grade entrance age. Students shall be allowed to continue their enrollment at the grade level in the receiving state commensurate with their grade level (including Kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

**ARTICLE V
PLACEMENT & ATTENDANCE**

A. Course placement. When the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

B. Educational program placement. The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/ placement in like programs in the sending state. Such programs include, but are not limited to gifted and talented programs and English as a second language (ESL). This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

C. Special education services. In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP). In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

D. Placement flexibility. Local education agency administrative officials shall have flexibility in waiving course/program prerequisites, or other preconditions for placement in courses/programs offered under the jurisdiction of the local education agency.

E. Absence as related to deployment activities. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

ARTICLE VI ELIGIBILITY

A. Eligibility for enrollment.

1. Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

2. A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

3. A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

B. Eligibility for extracurricular participation - State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

ARTICLE VII GRADUATION

In order to facilitate the on-time graduation of children of military families, states and local education agencies shall incorporate the following procedures:

A. Waiver requirements. Local education agency administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

B. Exit exams. States shall accept exit or end-of-course exams required for graduation from the sending state, national norm referenced achievement tests, or alternative testing, in lieu of testing requirements for graduation in the receiving state. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her Senior year, then the provisions of Article VII, Section C shall apply.

C. Transfers during senior year. Should a military student transferring at the beginning or during his or her senior year be ineligible to graduate from the receiving local education agency after

all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with Sections A and B of this Article.

ARTICLE VIII STATE COORDINATION

A. Each member state shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies, and military installations concerning the state's participation in, and compliance with, this compact and Interstate Commission activities. While each member state may determine the membership of its own State Council, its membership must include at least: the state superintendent of education, superintendent of a school district with a high concentration of military children, representative from a military installation, one representative each from the legislative and executive branches of government, and other offices and stakeholder groups the State Council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the State Council.

B. The State Council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

C. The compact commissioner responsible for the administration and management of the state's participation in the compact shall be appointed by the Governor or as otherwise determined by each member state.

D. The compact commissioner and the military family education liaison designated herein shall be ex-officio members of the State Council, unless either is already a full voting member of the State Council.

ARTICLE IX INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

The member states hereby create the "Interstate Commission on Educational Opportunity for Military Children." The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

A. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact.

B. Consist of one Interstate Commission voting representative from each member state who shall be that state's compact commissioner.

1. Each member state represented at a meeting of the Interstate Commission is entitled to one vote.

2. A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

3. A representative shall not delegate a vote to another member state. In the event the compact commissioner is unable to attend a meeting of the Interstate Commission, the Governor or State Council may delegate voting authority to another person from their state for a specified meeting.

4. The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

C. Consist of ex-officio, non-voting representatives who are members of interested organizations. Such ex-officio members, as defined in the bylaws, may include but not be limited to, members of the representative organizations of military family advocates, local education agency officials, parent and teacher groups, the United

States Department of Defense, the Education Commission of the States, the Interstate Agreement on the Qualification of Educational Personnel and other interstate compacts affecting the education of children of military members.

D. Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.

E. Establish an executive committee, whose members shall include the officers of the Interstate Commission and such other members of the Interstate Commission as determined by the bylaws. Members of the executive committee shall serve a one year term. Members of the executive committee shall be entitled to one vote each. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary. The United States Department of Defense shall serve as an ex-officio, nonvoting member of the executive committee.

F. Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

G. Give public notice of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, where it determines by two-thirds vote that an open meeting would be likely to:

1. Relate solely to the Interstate Commission's internal personnel practices and procedures.

2. Disclose matters specifically exempted from disclosure by federal and state statute.

3. Disclose trade secrets or commercial or financial information which is privileged or confidential.

4. Involve accusing a person of a crime, or formally censuring a person.

5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

6. Disclose investigative records compiled for law enforcement purposes.

7. Specifically relate to the Interstate Commission's participation in a civil action or other legal proceeding.

H. Shall cause its legal counsel or designee to certify that a meeting may be closed and shall reference each relevant exemptible provision for any meeting, or portion of a meeting, which is closed pursuant to this provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

I. Shall collect standardized data concerning the educational transition of the children of military families under this compact as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements. Such methods of data collection, exchange and reporting shall, in so far as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate custodian of records as identified in the bylaws and rules.

J. Shall create a process that permits military officials, education officials and parents to inform the Interstate Commission if and when there are alleged violations of the compact or its rules or when issues subject to the jurisdiction of the compact or its rules are not addressed by the state or local education agency. This section shall not be construed to create a private right of action against the Interstate Commission or any member state.

**ARTICLE X
POWERS AND DUTIES OF THE
INTERSTATE COMMISSION**

The Interstate Commission shall have the following powers:

A. To provide for dispute resolution among member states.

B. To promulgate rules and take all necessary actions to effect the goals, purposes and obligations as enumerated in this compact. The rules shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact.

C. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules and actions.

D. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.

E. To establish and maintain offices which shall be located within one or more of the member states.

F. To purchase and maintain insurance and bonds.

G. To borrow, accept, hire or contract for services of personnel.

H. To establish and appoint committees including, but not limited to, an executive committee as required by Article IX, Section E, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.

I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.

J. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.

K. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.

L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.

M. To establish a budget and make expenditures.

N. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.

O. To report annually to the legislatures, governors, judiciary, and state councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

P. To coordinate education, training and public awareness regarding the compact, its implementation and operation for officials and parents involved in such activity.

Q. To establish uniform standards for the reporting, collecting and exchanging of data.

R. To maintain corporate books and records in accordance with the bylaws.

S. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

T. To provide for the uniform collection and sharing of information between and among member states, schools and military families under this compact.

**ARTICLE XI
ORGANIZATION AND OPERATION OF THE
INTERSTATE COMMISSION**

A. The Interstate Commission shall, by a majority of the members present and voting, within 12 months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

1. Establishing the fiscal year of the Interstate Commission.

2. Establishing an executive committee, and such other committees as may be necessary.

3. Providing for the establishment of committees and for governing any general or specific delegation of authority or function of the Interstate Commission.

4. Providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting.

5. Establishing the titles and responsibilities of the officers and staff of the Interstate Commission.

6. Providing a mechanism for concluding the operations of the Interstate Commission and the return of surplus funds that may exist upon the termination of the compact after the payment and reserving of all of its debts and obligations.

7. Providing "start up" rules for initial administration of the compact.

B. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission; provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.

C. Executive Committee, Officers and Personnel.

1. The executive committee shall have such authority and duties as may be set forth in the bylaws, including but not limited to:

a. Managing the affairs of the Interstate Commission in a manner consistent with the bylaws and purposes of the Interstate Commission.

b. Overseeing an organizational structure within, and appropriate procedures for the Interstate Commission to provide for the creation of rules, operating procedures, and administrative and technical support functions.

c. Planning, implementing, and coordinating communications and activities with other state, federal and local government organizations in order to advance the goals of the Interstate Commission.

2. The executive committee may, subject to the approval of the Interstate Commission, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation, as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a Member of the Interstate Commission. The executive director shall hire and supervise such other persons as may be authorized by the Interstate Commission.

D. The Interstate Commission's executive director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities; provided, that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

1. The liability of the Interstate Commission's executive director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

2. The Interstate Commission shall defend the executive director and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend

such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

3. To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE XII RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

A. Rulemaking Authority. The Interstate Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of this Compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of this Act, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect.

B. Rulemaking Procedure. Rules shall be made pursuant to a rulemaking process that substantially conforms to the "Model State Administrative Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to the operations of the Interstate Commission.

C. Not later than thirty (30) days after a rule is promulgated, any person may file a petition for judicial review of the rule; provided, that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the Interstate Commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate Commission's authority.

D. If a majority of the legislatures of the compacting states rejects a Rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any compacting state.

ARTICLE XIII OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

A. Oversight.

1. The executive, legislative and judicial branches of state government in each member state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Interstate Commission.

3. The Interstate Commission shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Interstate Commission shall render a judgment or order void as to the Interstate Commission, this compact or promulgated rules.

B. Default, Technical Assistance, Suspension and Termination. If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, or the bylaws or promulgated rules, the Interstate Commission shall:

1. Provide written notice to the defaulting state and other member states, of the nature of the default, the means of curing the default and any action taken by the Interstate Commission. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default.

2. Provide remedial training and specific technical assistance regarding the default.

3. If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the member states and all rights, privileges and benefits conferred by this compact shall be terminated from the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

4. Suspension or termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Interstate Commission to the Governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

5. The state which has been suspended or terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of suspension or termination including obligations, the performance of which extends beyond the effective date of suspension or termination.

6. The Interstate Commission shall not bear any costs relating to any state that has been found to be in default or which has been suspended or terminated from the compact, unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.

7. The defaulting state may appeal the action of the Interstate Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

C. Dispute Resolution.

1. The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states and between member and non-member states.

2. The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement.

1. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. The Interstate Commission, may by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal offices, to enforce compliance with the provisions of the compact, its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Interstate Commission. The Interstate Commission may avail itself of any other remedies available under state law or the regulation of a profession.

**ARTICLE XIV
FINANCING OF THE INTERSTATE COMMISSION**

A. The Interstate Commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

B. The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the

operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.

C. The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

D. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

**ARTICLE XV
MEMBER STATES, EFFECTIVE DATE
AND AMENDMENT**

A. Any state is eligible to become a member state.

B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than ten (10) of the states. The effective date shall be no earlier than December 1, 2007. Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The governors of non-member states or their designees shall be invited to participate in the activities of the Interstate Commission on a non voting basis prior to adoption of the compact by all states.

C. The Interstate Commission may propose amendments to the compact or enactment by the member states. No amendment shall become effective and binding upon the Interstate Commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

**ARTICLE XVI
WITHDRAWAL AND DISSOLUTION**

A. Withdrawal.

1. Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact by specifically repealing the statute, which enacted the compact into law.

2. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until one (1) year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other member jurisdiction.

3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within sixty (60) days of its receipt thereof.

4. The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

B. Dissolution of Compact

1. This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one (1) member state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

**ARTICLE XVII
SEVERABILITY AND CONSTRUCTION**

A. The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

C. Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

**ARTICLE XVIII
BINDING EFFECT OF COMPACT AND OTHER LAWS**

A. Other Laws.

1. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

2. All member states' laws conflicting with this compact are superseded to the extent of the conflict.

B. Binding Effect of the Compact.

1. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states.

2. All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

3. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state."

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

HOUSE BILL NO. 622—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 33:4762(A) and (C), relative to the removal of dangerous structures; to provide for the type of notice required prior to the removal of dangerous structures by certain political subdivisions; to provide additional procedures for notice in cases of grave public emergency; to provide for applicability and effectiveness in certain parishes; and to provide for related matters.

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

HOUSE BILL NO. 637—

BY REPRESENTATIVES PONTI AND ARNOLD
AN ACT

To amend and reenact R.S. 40:1730.53(2), (5)(a) and (d), and (6), 1730.60, 1730.62(B) and (C)(introductory paragraph), and 1730.65(C)(1) and to enact R.S. 40:1730.53(5)(e), (7), (8), and (9), 1730.63(C), 1730.67, and 1730.68, relative to the Industrialized Building Act; to provide for changes to definitions; to provide for new definitions; to provide for inspections by the fire marshal; to provide for exemptions for decals or insignia; to provide for fees; to provide for the Industrialized Building Program Fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 637 by Representative Ponti

AMENDMENT NO. 1

On page 5, line 6, after "fiscal year" and before the comma " , " insert "and subject to an annual appropriation by the legislature"

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

HOUSE BILL NO. 644—

BY REPRESENTATIVES TALBOT, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To enact R.S. 33:1236(49)(f), relative to Jefferson Parish; to provide for the enforcement of local building and property law and ordinance violations by adding judgments for such violations to the ad valorem tax rolls of the parish or municipalities therein; to provide for the adoption of ordinances and procedures for adding judgments to the ad valorem tax rolls; to provide for collection and enforcement of said judgments; to provide for a designated proper party defendant in actions to contest the levy; to provide for the continued enforceability of such judgments; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 644 by Representative Talbot

AMENDMENT NO. 1

On page 3, after line 28 insert the following:

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

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

HOUSE BILL NO. 652—

BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact R.S. 48:35, relative to the Department of Transportation and Development; to provide with respect to the adoption of minimum safety guidelines by the Department of Transportation and Development for highway design, maintenance, and construction; and to provide for related matters.

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

HOUSE BILL NO. 661—

BY REPRESENTATIVE MORRIS
AN ACT

To enact R.S. 19:2(12) and Chapter 11 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1101 through 1111, relative to the storage of carbon dioxide; to provide for expropriation; to provide for the duties and powers of the commissioner of conservation; to provide for definitions; to provide for public hearings; to provide for enforcement; to provide for compliance orders; to provide for penalties; to provide for certificates of public convenience and necessity; to provide for certificates of completion; to provide for liability; to provide for the Geologic Storage Trust Fund; to provide for fees; to provide for uses of the fund; to provide for accounting and reports of the fund; to provide for site-specific trust accounts; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Re-Reengrossed House Bill No. 661 by Representative Morris

AMENDMENT NO. 1

On page 4, line 17, after "industry," delete the remainder of the line

AMENDMENT NO. 2

On page 4, delete line 18 through 20

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

HOUSE BILL NO. 666—

BY REPRESENTATIVE HENRY

AN ACT

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

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

HOUSE BILL NO. 670—

BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact R.S. 40:600.62(2) and (3), 600.63, 600.65, and 600.67, relative to The Road Home Program and The Road Home Corporation; to provide relative to the purpose of the corporation; to provide relative to the sale of property by the corporation; to provide for audit of the corporation by the legislative auditor; to provide relative to the nature of the corporation with respect to the state and its subdivisions; and to provide for related matters.

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

HOUSE BILL NO. 719—

BY REPRESENTATIVES CHANEY, AUSTIN BADON, HENRY BURNS, CONNICK, HENRY, HOFFMANN, LIGI, SIMON, AND TUCKER

AN ACT

To amend and reenact R.S. 39:1514(A)(1)(introductory paragraph) and 1798.6(A)(2), to enact R.S. 39:1514(D), and to repeal R.S. 39:1514(A)(1)(a) and (e), relative to multiyear contracts; to extend the allowable period for multiyear contracts; to repeal certain exceptions; to provide for certain contracts between the Office Facilities Corporation and various state agencies to effectuate leases or subleases of certain properties; to require certain prior approvals; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 731—

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

AN ACT

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

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

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

HOUSE BILL NO. 741—

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

AN ACT

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

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

HOUSE BILL NO. 759—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To enact R.S. 47:6035, relative to state tax credits; to establish the Venture Fund Tax Credit Program; to authorize Louisiana public retirement systems and plans to participate in the program; to provide for the participation of Louisiana university endowments in the program; to provide for certain tax benefits for such systems, plans, and endowments; to provide for definitions; to require reporting; to authorize rulemaking; 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 Re-Reengrossed House Bill No. 759 by Representative Greene

AMENDMENT NO. 1

On page 1, delete line 3 and insert "Program; to provide for the participation of Louisiana public retirement systems"

AMENDMENT NO. 2

On page 1, line 5 after "systems" and before "and" delete the comma "," and "plans,"

AMENDMENT NO. 3

On page 1, line 14 after "A." insert "(1)"

AMENDMENT NO. 4

On page 1, at the beginning of line 15 delete "(1)"

AMENDMENT NO. 5

On page 1, line 15 delete "There is an insufficient" and insert in lieu thereof "Increasing the" and delete "funds"

AMENDMENT NO. 6

On page 1, line 16 after "companies" insert "may have a measurable positive impact on the state's economy"

AMENDMENT NO. 7

On page 1, line 17 delete "necessary" and insert in lieu thereof "an effective means"

AMENDMENT NO. 8

On page 1, between lines 19 and 20 insert the following:

"(c) The paramount concern of the boards of trustees of Louisiana's public retirement systems is the fulfillment of their fiduciary obligations to act in the exclusive interest of members and beneficiaries of the system for the sole purpose of providing benefits and paying administrative expenses.

(d) The boards of trustees of Louisiana's public retirement systems are legally empowered to invest the systems' trust funds as a prudent institutional investor acting in a like capacity would invest the funds, including determining allocation of assets, which may, for some systems, include an allocation to venture capital.

(e) A board of trustees of a retirement system which has elected to include venture capital in the asset allocation may find itself choosing between a venture capital investment entity located in Louisiana and a similar entity located elsewhere.

(f) A tax credit program providing a state guarantee of principal invested by a retirement system may serve to make the Louisiana venture capital investment entity the more attractive investment option.

(g) When counterbalanced against the high standard of fiduciary duty imposed on retirement system trustees, any program of investment in which retirement systems are mandated to participate must yield to the determination of each fiduciary and of the board members acting collectively that such an investment does not meet the prudent-investor standard to which they are held under penalty of personal liability."

AMENDMENT NO. 9

On page 1, line 21, after "encourage" insert "certain institutional investors to participate in"

AMENDMENT NO. 10

On page 2, delete lines 1 through 9 and insert the following:

"(b) To induce these institutional investors to help encourage existing companies to commercialize technology produced at Louisiana universities or by Louisiana citizens and to entice these existing companies to locate and expand their businesses in Louisiana.

(c) To expand the economy of the state by enlarging its base of technology and research-based companies.

(d) To assist in the effective transfer of Louisiana research to the private sector."

AMENDMENT NO. 11

On page 2, line 11 change "meaning" to "meanings"

AMENDMENT NO. 12

On page 2, between lines 11 and 12 insert the following:

"(1) "Certified venture fund" means a venture capital firm that has met the qualifications required by the department for acceptance of investments by retirement systems or endowments which shall be eligible for recovery of losses pursuant to the provisions of the program created in this Section."

AMENDMENT NO. 13

On page 2, at the beginning of line 12 change "(1)" to "(2)"

AMENDMENT NO. 14

On page 2, delete lines 13 through 27 in their entirety and insert the following:

"(3) "Louisiana public retirement system" or "retirement system" means any state, parochial, municipal, or other public retirement or pension system, fund, or plan supported wholly or in part by public funds and maintained primarily for the officers and employees of the state of Louisiana or any of its political subdivisions, or of any district, board, commission, or other agency of either, whose board of trustees has approved an allocation of system assets to venture capital."

AMENDMENT NO. 15

On page 3, line 1 change "(3)" to "(4)" and after "university" delete the remainder of the line and insert in lieu thereof "endowment" or "endowment" means restricted or unrestricted"

AMENDMENT NO. 16

On page 3, line 2 after "university" insert "or college"

AMENDMENT NO. 17

On page 3, line 3 after "university" insert "or college"

AMENDMENT NO. 18

On page 3, line 4 change "(4)" to "(5)" and change "wealth creating" to "wealth-creating"

AMENDMENT NO. 19

On page 3, line 5 after "anticipated" delete "to"

AMENDMENT NO. 20

On page 3, line 6 change "venture capital fund," to "certified venture fund, to"

AMENDMENT NO. 21

On page 3, line 7 delete "either" and after "buyers," and before "in-state" insert "to"

AMENDMENT NO. 22

On page 3, line 10 change "(5)" to "(6)" and change "pension fund" to "retirement system"

AMENDMENT NO. 23

On page 3, line 11 after "money" and before "from" insert "gross of fees" and change "venture capital fund" to "certified venture fund"

AMENDMENT NO. 24

On page 3, at the end of line 12 change "pension fund" to "retirement system"

AMENDMENT NO. 25

On page 3, at the end of line 15 insert "If the retirement system or endowment elects to transfer any illiquid stock to the Corporation in order to have the net realized loss declared, the Corporation shall accept the transfer."

AMENDMENT NO. 26

On page 3, delete lines 16 through 18 in their entirety and insert the following:

"(7) "Program" means the Venture Fund Tax Credit Program created by this Section.

(8) "Venture capital firm" means a business entity which accumulates money from investors and makes that money available for investment in innovative enterprises or research companies that usually do not have access to traditional means of public equity or debt financing, and in which the potential for profit and the risk of loss are considerable."

AMENDMENT NO. 27

On page 3, line 19 change "funds" to "firms"

AMENDMENT NO. 28

On page 3, line 20 after "by" delete the remainder of the line and delete line 21 in its entirety and insert in lieu thereof "retirement systems and endowments."

AMENDMENT NO. 29

On page 3, at the end of line 22 delete the comma "," and at the beginning of line 23 delete "hereinafter referred to as the "program.""

AMENDMENT NO. 30

On page 3, at the end of line 24 change "liability," to "liability."

AMENDMENT NO. 31

On page 3, at the beginning of line 25 change "which" to "These"

AMENDMENT NO. 32

On page 3, line 25 after "by" delete the remainder of the line and delete lines 26 through 28 in their entirety and insert in lieu thereof the following: "a retirement system or an endowment for certain losses sustained through investment with a certified venture fund. The purpose of the program is to promote investment in Louisiana wealth-creating companies. The"

AMENDMENT NO. 33

On page 3, line 29 after "the" delete the remainder of the line and on page 4, delete line 1 in its entirety and insert "department. The secretary of the department shall"

AMENDMENT NO. 34

On page 4, delete lines 4 and 5 and insert in lieu thereof the following:

"(2) In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the department shall promulgate rules necessary to implement and administer the"

AMENDMENT NO. 35

On page 4, line 6 after "Section" delete the remainder of the line and insert a period "." and "The rules shall provide, at a minimum, for all of the"

AMENDMENT NO. 36

On page 4, delete lines 8 through 10 in their entirety and insert in lieu thereof:

"(a) A process for the certification of an entity as a venture fund for purposes of the program."

AMENDMENT NO. 37

On page 4, line 11 change "venture capital fund" to "certified venture fund"

AMENDMENT NO. 38

On page 4, line 12 change "pension funds and endowments" to "a single retirement system or endowment"

AMENDMENT NO. 39

On page 4, between lines 12 and 13, insert the following:

"(c) Limitations on the total amount of investment a certified venture fund may receive from retirement systems and endowments that are eligible for the program.

(d) A procedure for qualifying an investment made by a retirement system or endowment as eligible for tax credits pursuant to this Section."

AMENDMENT NO. 40

On page 4, line 13 change "(c)" to "(e)"

AMENDMENT NO. 41

On page 4, line 14 after "by" and before "endowment" delete "a pension fund or" and insert "an" and change "venture capital fund" to "certified venture fund"

AMENDMENT NO. 42

On page 4, line 15 change "(d)" to "(f)"

AMENDMENT NO. 43

On page 4, between lines 16 and 17 insert the following:

"(g) A procedure for a retirement system or endowment to apply for approval and granting of tax credits for qualified investments.

(h) The method of determining which tax credits shall be submitted to the Department of Revenue for payment in any calendar year during which the sum of the total credits granted plus the total credits carried forward from previous years exceeds the statutory limitation on credits payable during a calendar year."

AMENDMENT NO. 44

On page 4, line 17 after "shall" delete the remainder of the line and at the beginning of line 18 delete "to be a venture capital" and insert in lieu thereof "determine whether an entity is a certified venture"

AMENDMENT NO. 45

On page 4, line 19 change "qualifications" to "requirements"

AMENDMENT NO. 46

On page 4, line 20 change "require" to "mandate" and change "fund" to "firm"

AMENDMENT NO. 47

On page 4, line 22 change "that" to "who"

AMENDMENT NO. 48

On page 4, line 23 change "wealth creating" to "wealth-creating"

AMENDMENT NO. 49

On page 4, line 26 after "made" insert a comma "," and "a description of each entity in which the venture capital firm invested, an explanation of how the entity meets the definition of Louisiana wealth-creating company."

AMENDMENT NO. 50

On page 4, line 27 change "pension fund" to "retirement system"

AMENDMENT NO. 51

On page 4, at the end of line 28 delete "venture" and delete line 29 in its entirety and insert in lieu thereof "venture capital firm"

AMENDMENT NO. 52

On page 5, line 1 after "(e)" delete the remainder of the line and insert "Agree that its only compensation shall be an annual management fee and agree to limit such fee to two and one-half percent of"

AMENDMENT NO. 53

On page 5, line 2 change "pension fund" to "retirement system"

AMENDMENT NO. 54

On page 5, line 3 change "pension funds" to "retirement systems"

AMENDMENT NO. 55

On page 5, line 4 after "credits." and before "No" insert "This qualification shall be determined before the certified venture fund draws down any money from the retirement system or endowment. If the department does not qualify an investment, the retirement system or endowment may revoke the agreement with the venture capital firm regarding such investment with no penalty."

AMENDMENT NO. 56

On page 5, line 5 change "venture capital fund" to "certified venture fund"

AMENDMENT NO. 57

On page 5, at the end of line 5 delete "The" and delete line 6 in its entirety and insert in lieu thereof the following:

"However, a retirement system or endowment may elect to participate in the unqualified portion of the investment in a certified venture fund if the fact that such investment is not eligible for the refundable tax credit provided by the program created pursuant to this Section is disclosed and agreed to in writing.

(5) Additionally, the department shall approve losses and grant tax credits pursuant to Subsection D of this Section. The conditions for approval of losses and granting of the credits shall include:"

AMENDMENT NO. 58

On page 5, line 7 change "venture capital fund" to "certified venture fund" and delete "at risk,"

AMENDMENT NO. 59

On page 5, line 8 after "2009" insert "and after the venture capital firm received its certification from the department, and the investment was qualified pursuant to Paragraph (4) of this Subsection"

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AMENDMENT NO. 60

On page 5, line 9 change "pension fund" to "retirement system"

AMENDMENT NO. 61

On page 5, line 11 change "pension fund's" to "retirement system's" and at the end of the line delete "venture" and delete line 12 in its entirety and insert in lieu thereof "certified venture fund."

AMENDMENT NO. 62

On page 5, line 13 change "(5)" to "(6)" and change "investment" to "investments"

AMENDMENT NO. 63

On page 5, line 14 change "pension funds" to "retirement systems" and change "venture capital funds" to "certified venture funds"

AMENDMENT NO. 64

On page 5, line 15 change "venture capital funds" to "certified venture funds" and change "wealth building" to "wealth-creating"

AMENDMENT NO. 65

On page 5, line 16 change "may" to "shall"

AMENDMENT NO. 66

On page 5, line 18 change "(6)" to "(7)" and change "venture capital fund" to "certified venture fund"

AMENDMENT NO. 67

On page 5, line 19 change "pension fund" to "retirement system"

AMENDMENT NO. 68

On page 5, line 20 change "venture capital fund." to "certified venture fund. The failure of a certified venture fund to report in accordance with the requirements of this Paragraph shall have no effect on the right of a retirement system or endowment to receive the tax credits provided by this program."

AMENDMENT NO. 69

On page 5, delete lines 21 and 22 in their entirety and insert the following:

"D. Granting of refundable tax credits. (1) A retirement system or endowment shall be granted a refundable credit against any Louisiana income"

AMENDMENT NO. 70

On page 5, at the beginning of line 23 change "tax." to "tax"

AMENDMENT NO. 71

On page 5, at the beginning of line 24 delete "qualified" and after "result of" delete the remainder of the line and delete line 25 in its entirety and insert in lieu thereof "a qualified investment in a certified venture fund, as further provided in this Subsection."

AMENDMENT NO. 72

On page 6, line 4 delete "granted" and insert in lieu thereof "submitted to the Department of Revenue for payment"

AMENDMENT NO. 73

On page 6, at the end of line 5 delete "allocating" and at the beginning of line 6 delete "available tax credits" and insert in lieu thereof the following: "determining which of the tax credits previously granted to submit to the Department of Revenue for payment"

AMENDMENT NO. 74

On page 6, line 9 change "less" to "more"

AMENDMENT NO. 75

On page 6, line 10 after "any" delete "residual amount of unused" and after "credits" insert "not submitted to the Department of Revenue for payment" and after "forward" delete the remainder of the line

AMENDMENT NO. 76

On page 6, at the beginning of line 11 delete "subsequent years" and change "granted" to "submitted for payment"

AMENDMENT NO. 77

On page 6, line 11 after "years" delete the remainder of the line and delete line 12 in its entirety and insert in lieu thereof a period "." and "In no case shall the Department of Revenue make payments pursuant to this Section in a single calendar year that total more than twenty million dollars."

AMENDMENT NO. 78

On page 6, line 13 change "pension fund" to "retirement system"

AMENDMENT NO. 79

On page 6, line 14 change "qualify" to "were qualified"

AMENDMENT NO. 80

On page 6, line 16 after "certificate" insert "and subject to the limitations in Subparagraph (2)(b) of this Subsection"

AMENDMENT NO. 81

On page 6, at the end of line 17 change "investor who" to "retirement system or endowment which"

AMENDMENT NO. 82

On page 6, line 18 change "credits" to "credit"

AMENDMENT NO. 83

On page 6, line 20 change "investor" to "retirement system or endowment" and change "he" to "it"

AMENDMENT NO. 84

On page 6, line 23 after "list of the" insert "credits granted and the" and after "issued" insert "pursuant to this Section"

AMENDMENT NO. 85

On page 6, between lines 23 and 24 insert the following:

"E.(1) Any person who exercises any discretionary authority or discretionary control with respect to the management of retirement system funds or assets and any person who renders investment advice or services for compensation, direct or indirect, with respect to retirement system funds or assets shall be subject to the provisions of Title 11 regarding fiduciary investments and responsibilities, including but not limited to the provisions of R.S. 11:263 through 269.

(2) Any person who enters into a contract with a retirement system or with a certified venture fund to manage, control, or render advice or services related to retirement system funds or assets shall be subject to the applicable provisions of the Code of Governmental Ethics, R.S. 42:1101 et seq., and of the Executive Branch Lobbying law, R.S. 49:71 et seq."

AMENDMENT NO. 86

On page 6, line 24 change "E." to "F."

AMENDMENT NO. 87

On page 7, line 7 change "pension fund" to "retirement system"

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

HOUSE BILL NO. 767—

BY REPRESENTATIVES WILLIAMS AND SIMON
AN ACT

To amend and reenact R.S. 17:197.1(B)(2), relative to school nutrition; to provide relative to beverages offered for sale to students in public high schools; to provide for effectiveness; and to provide for related matters.

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

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HOUSE BILL NO. 775—

BY REPRESENTATIVE GUINN

AN ACT

To amend and reenact R.S. 49:953(C) and R.S. 56:6(10), relative to the rulemaking authority of the Department of Wildlife and Fisheries; to provide for petitions by an interested person; to provide for authority to adopt rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 787—

BY REPRESENTATIVES BALDONE, AUBERT, BILLIOT, HENRY BURNS, DIXON, DOVE, GUINN, HOWARD, AND WOOTON AND SENATORS DUPRE AND MORRISH

AN ACT

To amend and reenact R.S. 38:301.1, relative to coastal area levee districts and parish governing authorities; to provide for certain levee districts and local parish governments to submit elevation reports; to provide for the name change of the office of public works, hurricane flood protection, and intermodal transportation; to provide for the authority to establish adequate drainage, flood control, and water resource development; to provide authority to enter into contracts or other agreements; and to provide for related matters.

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

HOUSE BILL NO. 794—

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

AN ACT

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 794 by Representative Tucker

AMENDMENT NO. 1

On page 3, at the end of line 8, delete "that shall"

AMENDMENT NO. 2

On page 3, at the beginning of line 9, delete "not exceed fifty dollars per day"

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

HOUSE BILL NO. 796—

BY REPRESENTATIVES PETERSON, HARDY, AND GARY SMITH

AN ACT

To amend and reenact R.S. 38:330.1(B)(1)(a), (C)(1)(a)(introductory paragraph), (i), (ii), and (iii), (2)(a), (G), and (K)(3), relative to the Southeast Flood Protection Authority East and West; to remove territorial jurisdiction under the Authority Board East; to reduce the number of members of the Authority Board East; to provide for members' qualifications; to provide relative to the membership of the nominating committee; to provide relative to the duties of the nominating committee; to provide relative to a

board member's fiduciary duty to the board; to provide an exception for certain public employees to serve as members on either board; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 796 by Representative Peterson

AMENDMENT NO. 1

On page 1, line 2, after "(C)(1)(a)" delete the remainder of the line, on line 3, delete "and (iii)" and insert "and (b),"

AMENDMENT NO. 2

On page 1, line 6, after "qualifications;" insert "to provide for qualifications for the Authority Board West;"

AMENDMENT NO. 3

On page 1, line 12, after "(C)(1)(a)" delete the remainder of the line, on line 13, delete "(iii)," and insert "and (b),"

AMENDMENT NO. 4

On page 2, delete line 29, and insert:

"(b) The board of commissioners of the Southeast Louisiana Flood Protection Authority-West Bank shall be composed of seven members of whom two shall reside in Jefferson Parish on the west side of the Mississippi River within the jurisdiction of the Authority, two shall reside in Orleans Parish on the west side of the Mississippi River, one shall reside in Plaquemines Parish on the west side of the Mississippi River, and three two shall reside outside of Jefferson, and Orleans, and Plaquemines parishes. The members shall be appointed by the governor from nominations submitted by the nominating committee as follows:

(i) Three members, each of whom shall be either an engineer or a professional in a related field such as geotechnical, hydrological, or environmental science. At least one of the three members shall be a civil engineer, and one shall be a geologist.

(ii) Two ~~Three~~ members, each of whom shall be a professional in a discipline other than those identified in Item (i) of this Subparagraph who shall at a minimum hold a baccalaureate degree from an accredited institution of higher learning with at least ten years of professional experience in that discipline.

(iii) ~~Two members shall be at large~~ One member who shall possess the qualifications set forth in either (i) or (ii) of this Subparagraph."

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

HOUSE BILL NO. 833—

BY REPRESENTATIVES DOVE, BOBBY BADON, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, HENDERSON, LAMBERT, LANDRY, LITTLE, MONTOUCET, AND MORRIS AND SENATORS DUPRE AND MORRISH

AN ACT

To amend and reenact R.S. 36:4(Z), 351(C)(1), 358(B), 501(B) and (C)(1), 502(A) and (B), and 508.3(A), (B), (C), (F), and (G), R.S. 38:81, 100(introductory paragraph), 101(A) and (B), 102, 103(A) and (B), 106(A)(1) and (2)(introductory paragraph) and (B), 107(A), 108, and 109, R.S. 49:214.1 and 214.2, R.S. 56:421(B)(introductory paragraph) and (1), (C), and (E)(4), 424(H), 425(E), 427.1(C), 432.1(A), (B)(introductory paragraph) and (1)(a), (2), (3), and (4), (C)(introductory paragraph) and (1), (D)(1), and 432.2, to enact R.S. 35:410, R.S. 49:214.3.1, 214.4.1 and 214.4.2, 214.5.1 through 214.5.8, and 214.6.1 through 214.6.11, and R.S. 56:421(B)(13), and to repeal R.S. 36:4(J), R.S. 38:84, Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:241 through 251, Subpart A of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:213.1

through 213.12, and 49:214.3 through 214.16, relative to hurricane protection, flood control, and coastal restoration; to create the Office of Coastal Protection and Restoration in the office of the governor; to consolidate functions relative to hurricane protection, flood control, and coastal restoration under the authority of that office; to provide relative to the powers, duties, functions, and responsibilities of that office; provides for the interrelations between the governor's executive assistant for coastal activities, the Coastal Protection and Restoration Authority, the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation, and the Office of Coastal Protection and Restoration. and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Re-Reengrossed House Bill No. 833 by Representative Dove

AMENDMENT NO. 1

On page 1, line 9, change "214.6.11" to "214.6.10"

AMENDMENT NO. 2

On page 1, line 10, delete "R.S. 38:84,"

AMENDMENT NO. 3

On page 2, line 11, delete "(R.S. 49:214.6.1 et seq.)" and insert "(R.S. 49:214.5.1 et seq.), and the Office of Coastal Protection and Restoration (R.S. 49:214.6.1 et seq.)"

AMENDMENT NO. 4

On page 5, delete lines 9 and 10, and insert "secretary. The office shall also administer the state's participation in the National Flood Insurance Program, 42 USC 4001 et seq."

AMENDMENT NO. 5

On page 13, line 17, change "214.6.11" to "214.6.10"

AMENDMENT NO. 6

On page 35, delete lines 11 through 15

AMENDMENT NO. 7

On page 35, line 16, change "(4)" to "(3)"

AMENDMENT NO. 8

On page 35, line 18, change "(5)" to "(4)"

AMENDMENT NO. 9

On page 35, line 21, change "(6)" to "(5)"

AMENDMENT NO. 10

On page 36, between lines 16 and 17, insert: "E. Notwithstanding any other provision of law to the contrary, the Department of Wildlife and Fisheries may enter into a cooperative endeavor agreement with the authority or a levee district to allow the use of the department's personnel, equipment or lands owned or leased by the state to satisfy wetland mitigation requirements imposed upon the authority or levee district by federal, state, or local law."

AMENDMENT NO. 11

On page 61, delete lines 18 through 29

AMENDMENT NO. 12

On page 62, delete lines 1 through 10

AMENDMENT NO. 13

On page 70, line 20, delete "R.S. 38:84 and"

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

HOUSE BILL NO. 853—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To authorize and provide for the transfer, sale, exchange, or lease of certain state real property in Lafayette Parish to any governmental entity or nonprofit corporation property described herein; and to provide for related matters.

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

HOUSE BILL NO. 883—

BY REPRESENTATIVE PERRY
AN ACT

To repeal Part VI of Chapter 3 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:295 through 295.3, relative to the Vermilion Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any assets or liabilities of the commission; and to provide for related matters.

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

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules to revert to the order of:

Senate Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator McPherson asked that Senate Concurrent Resolution No. 104 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 104—

BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to develop a plan to implement an enhanced driver's license.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

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ABSENT

Gautreaux B Kostelka
Total - 2

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

Reconsideration

Pursuant to the previous notice given, the vote by which House Bill No. 423 failed to pass on Monday, June 15, 2009, was reconsidered.

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.

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

Reconsideration

Pursuant to the previous notice given, the vote by which House Bill No. 453 failed to pass on Monday, June 15, 2009, was reconsidered.

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.

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

SENATE BILL NO. 280— BY SENATOR CHAISSON AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 280 by Senator Chaisson

AMENDMENT NO. 1

On page 1, delete lines 9 through 16, and insert the following: "G. Nothing in this Section shall prohibit a district attorney from employing an immediate family member as an assistant district attorney provided that the immediate family member was continuously employed by the office of the district attorney for that judicial district for a period of at least nine months immediately prior to the district attorney taking the oath of office for his initial term as district attorney nor shall the provisions of this Section be construed to"

AMENDMENT NO. 2

On page 2, delete line 1 and insert "assistant district attorney. In addition,"

AMENDMENT NO. 3

On page 2, line 2, change "elected official" to "district attorney"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 280 by Senator Chaisson

AMENDMENT NO. 1

In House Committee Amendment No. 2, proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 4, 2009, at the end of line 11, delete "In addition,"

AMENDMENT NO. 2

Delete House Committee Amendment No. 3, proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 4, 2009

AMENDMENT NO. 3

On page 2, delete lines 2 and 3

Senator Chaisson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Crowe
Total - 1

ABSENT

Gautreaux B Kostelka Morrell
Total - 3

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

Called from the Calendar

Senator Amedee asked that Senate Bill No. 143 be called from the Calendar.

SENATE BILL NO. 143—
BY SENATORS AMEDEE AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 9:2603(B)(4)(b) and to enact R.S. 9:2603.1 and 2603.2, relative to electronic transactions; to provide for the authorization and utilization of electronic applications for warrants and for electronic signatures; to provide for the electronic approval of such applications; to provide for processing of warrant applications, approvals of applications and documented returns of completed warrants for the judicial branch of state government; to provide for the authorization and utilization of electronic applications for testimony transcripts and electronic signatures; to provide for certification of testimony transcripts with electronic signatures; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 143 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 9:2603(B)(4)(b) and to" and after "R.S. 9:2603.1" and before the comma delete "and 2603.2"

AMENDMENT NO. 2

On page 1, line 7, after "government;" delete the remainder of the line and delete lines 8 and 9 in their entirety and at the beginning of line 10, delete "signatures;"

AMENDMENT NO. 3

On page 1, delete lines 12 and 13 in their entirety and insert "Section 1. R.S. 9:2603.1 is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 14 through 17 in their entirety and on page 2, delete lines 1 through 5 in their entirety

AMENDMENT NO. 5

On page 2, delete lines 28 through 29 in their entirety and on page 3, delete lines 1 through 7 in their entirety

Senator Amedee moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux B Kostelka Morrell
Total - 3

The Chair declared the amendments proposed by the House were rejected. Senator Amedee moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Mr. President in the Chair

House Concurrent Resolutions
on Second Reading
Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux B Kostelka
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

To urge and request each nonpublic high school to provide students at least thirty minutes of classroom instruction each year in health education or a comparable course determined to be appropriate by the school's governing authority relative to the state's safe haven relinquishments law, Children's Code Articles 1149 through 1160.

June 16, 2009

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Martiny 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 B Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Guillory Murray
Broome Hebert Nevers
Cheek Heitmeier Quinn
Claitor Jackson Riser
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre McPherson
Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 46—
BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Martiny 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 B Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Guillory Murray
Broome Hebert Nevers
Cheek Heitmeier Quinn
Claitor Jackson Riser
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre McPherson
Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE HENRY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reevaluate and restudy the closure of the railroad crossing at Central Avenue in Metairie, Louisiana, to vehicular traffic and to report such findings to the Senate and House committees on transportation for review during the 2010 Regular Session of the Legislature of Louisiana.

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

The resolution was read by title. Senator Appel 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 B Morrell
Alario Gautreaux N Morrish
Amedee Gray Evans Mount
Appel Guillory Murray
Broome Hebert Nevers
Cheek Heitmeier Quinn
Claitor Jackson Riser
Crowe LaFleur Shaw
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre McPherson
Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 155—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Louisiana Housing Finance Agency to develop a mortgage recovery plan providing for state management of troubled mortgages and requesting federal stimulus money to finance the plan, and to submit the plan to the United States Department of Housing and Urban Development.

Reported favorably by the Committee on Local and Municipal Affairs.

The resolution was read by title. Senator Dupre 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 B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a bridge rating study on all state bridges.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVE STIAES AND SENATORS APPEL, DORSEY, DUPLESSIS, LONG, AND NEVERS

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Murray 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 B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVE RICHARD

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Chaisson 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 B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount

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Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 192—
BY REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study all issues relative to placing advertisements on the exterior of school buses, including but not limited to the advantages and disadvantages of such advertising, the potential impact such advertising could have on local school system budgets, limitations necessary as to the content of such advertising, and any possible legal challenges and safety concerns associated with such advertising, and to submit a written report on study findings and recommendations.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Jackson 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 B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

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

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.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 36 by Representative Ponti

AMENDMENT NO. 1

On page 1, at the end of line 8, delete the period "." and insert: "however, this provision shall not apply to a medical provider who has obtained the consent of a patient."

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Donahue
Total - 1

ABSENT

Crowe
Total - 2
Kostelka

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

Notice Regarding Vote

Senator Donahue stated he had voted in error on House Bill No. 36. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 43—
BY REPRESENTATIVES GEYMAN 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.

Floor Amendments Sent Up

Senator Dorsey sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey to Reengrossed House Bill No. 43 by Representative Geymann

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 10, 2009, on lines 4 and 5 thereof, change "district attorney's office" to "appropriate prosecuting office"

On motion of Senator Dorsey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 58—

BY REPRESENTATIVES CHANDLER AND BALDONE
AN ACT

To amend and reenact R.S. 14:72.4(B), relative to offenses against property; to amend the criminal penalty for the crime of disposal of property with fraudulent or malicious intent; 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	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Gray Evans	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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.

HOUSE BILL NO. 69—

BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 40:964(Schedule I)(C)(5.1) and (E)(5.1), relative to the Controlled Dangerous Substances Law; to add drugs to Schedule I classification; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

June 16, 2009

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

HOUSE BILL NO. 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, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMANN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOU CET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR GUILLORY

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Erdey, Michot, etc.

NAYS

Total - 0

ABSENT

Kostelka Total - 1

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

HOUSE BILL NO. 87—

BY REPRESENTATIVE CARMODY AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Gautreaux B, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEAS, NAYS. Lists names like Amedee, Claitor, Kostelka.

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

HOUSE BILL NO. 91—

BY REPRESENTATIVE WOOTON AN ACT

To enact R.S. 13:996.66, relative to judicial expense funds; to provide for an additional fee to be collected as court costs by the clerk of court; to fund a judicial expense fund for the Twenty-Fifth Judicial District Court; to provide that the additional funds collected shall be placed into a separate account; to provide for uses of the fund; to require an annual audit of the fund; to provide for restrictions on use of the fund; to provide for a contingent effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Gautreaux B, Michot, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEAS, NAYS. Lists names like Crowe, Dupre, Kostelka.

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

HOUSE BILL NO. 132—
BY REPRESENTATIVES GEYMANN AND KATZ
AN ACT

To amend and reenact 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cheek
Total - 1

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

HOUSE BILL NO. 147—
BY REPRESENTATIVES LAFONTA AND BROSSETT
AN ACT

To amend and reenact R.S. 37:2160(C) and 2162(I) and to enact R.S. 37:2158(E) and 2160(D), relative to the business of contracting; to provide for increased criminal penalties for engaging in the business of contracting without authority; to provide for an increase in civil penalties which may be assessed for a violation of provisions of law regulating the business of contracting; to provide for the remission of fines to the contractor's educational trust fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 2
LaFleur

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

HOUSE BILL NO. 150—
BY REPRESENTATIVE MONTUCET AND SENATOR HEBERT
AN ACT

To enact R.S. 13:783(D)(7), relative to expenses of the clerk's office; to authorize the clerks of the district courts in Acadia Parish and in Iberia Parish to receive an automobile expense allowance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe
Total - 3
Kostelka
LaFleur

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

HOUSE BILL NO. 155—
BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 14:32(A) and 39 and to enact R.S. 14:32(C)(3), (D), and (E), 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.

June 16, 2009

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 155 by Representative Hardy

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:32(C)(3), (D), and (E)" insert ", and R.S. 22:1320"

AMENDMENT NO. 2

On page 1, line 6, after "definitions;" insert "to prohibit the denial of insurance coverage for certain cases of criminal negligence;"

AMENDMENT NO. 3

On page 1, line 18, after "R.S. 14:32(C)(3), (D), and (E)" insert ", and R.S. 22:1320"

AMENDMENT NO. 4

On page 2, line 2, after "is" insert "reckless and"

AMENDMENT NO. 5

On page 3, line 24, after "is" insert "reckless and"

AMENDMENT NO. 6

On page 5, after line 8, insert the following:

"Section 2. R.S. 22:1320 is hereby enacted to read as follows:

§1320. Prohibition of denial of coverage

Notwithstanding anything to the contrary, liability coverage, which would otherwise be valid under the terms of the policy, shall not be declared void under any contract provision which specifically denies coverage for any and all acts committed due to criminal conduct, where such criminal conduct is due to the criminally negligent ownership or handling of a dog or other animal pursuant to R.S. 14:32(A)(2) or R.S.14: 39(A)(2)."

Senator Marionneaux moved adoption of the amendments.

Senator Walsworth objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson	Kostelka	Walsworth
Total - 3		

The Chair declared 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	Dupre	Michot
Adley	Gautreaux B	Morrell
Alario	Gray Evans	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Claitor	Jackson	Quinn
Crowe	LaFleur	Shaw
Donahue	Marionneaux	Thompson
Dorsey	Martiny	
Duplessis	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Kostelka	Smith
Erdey	Long	Walsworth
Gautreaux N	Riser	
Total - 8		

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.

Senator Broome in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 186—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:587(D), (E), and (F) and to enact R.S. 15:587(G), relative to criminal history information; to provide for the remission of fees charged for providing this information; to provide for the use of some of those fees; to authorize the sheriff to conduct screening functions; 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 House Bill No. 186 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 12 after "agency" insert ", any Louisiana public higher education institution which employs full-time police officers commissioned by the Louisiana State Police,"

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 225—

BY REPRESENTATIVES LOPINTO AND GARY SMITH AND SENATOR GULLORY

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 or 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

June 16, 2009

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 264—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 44:9(A)(3)(a) and to enact R.S. 44:9(A)(4) and (K), relative to expungement of arrest records in misdemeanor and felony cases; to increase the fee that the Bureau of Criminal Identification and Information may charge for processing an expungement when ordered to do so by the court; to provide that no fee shall be charged in certain cases; to require the expungement fees to be imposed in all other cases; to authorize the sheriff and the district attorney to charge a processing fee for expungement of arrest records when ordered to do so by the court; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total - 1

ABSENT

Total - 0

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

HOUSE BILL NO. 279—
BY REPRESENTATIVES RICHARDSON AND WHITE
AN ACT

To amend and reenact R.S. 13:910, relative to clerks of court; to provide for the appointment of certain deputy clerks of court in East Baton Rouge Parish; to provide relative to the powers and authority of the deputy clerks of court; and to provide for related matters.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 279 by Representative Richardson

AMENDMENT NO. 1
In Senate Committee Amendment No. 2, proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 10, 2009, on page 1, line 9, after "extent" insert "necessary"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 341—
BY REPRESENTATIVES CONNICK, CARTER, DIXON, GISCLAIR, HARRISON, HENDERSON, HINES, SAM JONES, LIGI, LOPINTO, PATRICIA SMITH, STIAES, TUCKER, AND WILLMOTT AND SENATOR CHAISSON
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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

June 16, 2009

ABSENT

Kostelka
Total - 1

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

HOUSE BILL NO. 476—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 554—

BY REPRESENTATIVES LANDRY, BOBBY BADON, HENRY BURNS, CARTER, CHAMPAGNE, CHANEY, CORTEZ, DOERGE, DOWNS, HUTTER, SAM JONES, KATZ, LABRUZZO, 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total - 1

ABSENT

McPherson Riser
Total - 2

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

HOUSE BILL NO. 564—

BY REPRESENTATIVES ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHANEY, FOIL, GISCLAIR, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LAFONTA, LEGER, LIGI, PEARSON, PETERSON, POPE, RICHARDSON, RICHMOND, ROY, SMILEY, ST. GERMAIN, STIAES, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, AND WILLMOTT AND SENATOR BROOME

AN ACT

To enact R.S. 14:46.3, relative to trafficking of children for sexual purposes; to create the crime of trafficking of children for sexual purposes; to provide for definitions; to prohibit the use of certain defenses; to provide for criminal penalties; and to provide for related matters.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 688—

BY REPRESENTATIVE MONTOUCEZ
AN ACT

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

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

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

HOUSE BILL NO. 703—

BY REPRESENTATIVES KATZ, HENRY BURNS, CHAMPAGNE, CORTEZ, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, THIBAUT, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH AND REPRESENTATIVES BALDONE, 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)(2)(a) and (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 criminal 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 707—

BY REPRESENTATIVE ROSALIND JONES AND SENATOR DORSEY
AN ACT

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

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

June 16, 2009

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 710—

BY REPRESENTATIVES ERNST, FOIL, AND HONEY AND SENATOR DORSEY

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 contempt of court for certain courts-martial; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

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 provide for exemplary damages for children who are victims of child pornography; to provide for the sharing of information between law enforcement, the attorney general, and the National Center for Missing and Exploited Children; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Kostelka	Riser
Total - 3		

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Martiny
Alario	Dupre	Morrell
Amedee	Gautreaux B	Mount
Appel	Gray Evans	Murray
Broome	Guillory	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Smith
Crowe	LaFleur	
Dorsey	Marionneaux	
Total - 25		

NAYS

Donahue	Long	Thompson
Erdey	Michot	Walsworth
Hebert	Riser	
Total - 8		

ABSENT

Adley	Kostelka	Morrish
Gautreaux N	McPherson	Shaw
Total - 6		

The Chair declared the bill, which requires a two-thirds vote, failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 894— (Substitute for House Bill No. 809 by Representative Peterson)

BY REPRESENTATIVES PETERSON AND BROSSETT AND SENATORS BROOME AND GRAY EVANS

AN ACT

To enact Children's Code Article 896.1 and Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:971 through 974, relative to juvenile delinquency; to provide for the disposition and treatment of juveniles following adjudication; to provide for the creation of the Functional Family Therapy Pilot Program; to provide for the administration of the program by the Department of Public Safety and Corrections, youth services, office of juvenile justice; to authorize the use of cooperative endeavor agreements and contracts to implement the program; to provide for the eligibility of participants in the pilot program; to authorize courts to recommend that eligible juveniles participate in the program; to provide for definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Claitor	Jackson	Riser
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

**HOUSE BILL NO. 145—
BY REPRESENTATIVE ARNOLD
AN ACT**

To amend and reenact R.S. 6:314(A), 653.1(A), and 766.1(A), to enact R.S. 6:1255(D), and to repeal R.S. 6:314(C), 653.1(C), and 766.1(C), relative to accounts payable on death; to provide for one or more beneficiaries to collect funds upon a depositor's death; to provide for savings banks to offer payment on death accounts; to repeal definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

**HOUSE BILL NO. 227—
BY REPRESENTATIVE GREENE
AN ACT**

To amend and reenact R.S. 43:31(B)(2), relative to public printing; to remove certain exemptions from certain public printing requirements; to limit certain exemptions from certain public printing requirements; 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.

June 16, 2009

HOUSE BILL NO. 372—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 40:1573(2) and 1581(A) and to enact R.S. 40:1581(C) and (D), relative to smoke detectors in one- or two-family dwellings; to provide for a change in definitions; to provide for a ten-year lithium battery smoke detector in certain dwellings sold or leased on or after January 1, 2011; to provide for exceptions for failure to comply; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their votes.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Vote. Lists Donahue and Long.

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

HOUSE BILL NO. 381—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 37:3393(H)(5), (6), and (7) and to enact R.S. 37:3393(H)(8), relative to real estate appraisers; to provide for exemptions to the licensing requirement; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 381 by Representative Hoffmann

AMENDMENT NO. 1

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, page 7, at the beginning of line 30, add "A."

AMENDMENT NO. 2

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Commerce, and adopted by the Senate on June 11, 2009, page 7, between lines 31 and 32, insert the following:

"B. Prior to adoption, these rules shall be approved by the House of Representatives Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their votes.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 517—
BY REPRESENTATIVES LEBAS, BURFORD, HENRY BURNS, TIM BURNS, GREENE, HAZEL, HOFFMANN, LABRUZZO, LIGI, LOPINTO, SCHRÖDER, SIMON, JANE SMITH, AND WHITE
AN ACT

To enact R.S. 40:1299.35.9, relative to health care services; to protect persons who refuse to provide health care services from certain types of punitive measures; to provide for definitions; 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.

HOUSE BILL NO. 559—
BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, FANNIN, HARRISON, HAZEL, LEBAS, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRÖDER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS AND SENATOR GUILLORY
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Long
Total - 1

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

HOUSE BILL NO. 591—
BY REPRESENTATIVE ELLINGTON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Claitor
Total - 2

ABSENT

Mr. President Gautreaux N
Total - 2

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

Notice Regarding Vote

Senator Morrell stated he had voted in error on House Bill No. 591. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Notice Regarding Vote

Senator Amedee stated he had voted in error on House Bill No. 591. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 595—

BY REPRESENTATIVES DANAHAY, ARNOLD, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, FOIL, GREENE, HOFFMANN, LABRUZZO, LEGER, LIGI, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, AND WADDELL AND SENATORS KOSTELKA AND MICHOT
AN ACT

To enact R.S. 42:1266 and Chapter 27 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1501, relative to unclassified civil service; to provide relative to the duties and responsibilities of certain unclassified officials and employees; to require certain education for certain unclassified officials and employees; to provide for the development and content of the education; to provide for duties and responsibilities relative to the education; to make the compensation of certain unclassified officials and employees contingent upon the conduct of certain duties; to provide definitions; 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.

HOUSE BILL NO. 695—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 42:1125(A), (C)(introductory paragraph), (D), and (E) and to enact R.S. 42:1125(F), relative to gubernatorial transition and inauguration; to provide relative to contribution limits; to provide relative to reporting; to provide relative to the duties of the Board of Ethics; to provide relative to certain records; to provide for effectiveness and applicability; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gray Evans	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	LaFleur	Shaw
Dorsey	Marionneaux	Smith

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Duplessis Dupre Total - 36	Martiny McPherson	Thompson Walsworth
	NAYS	
Donahue Total - 1		
	ABSENT	
Gautreaux N Total - 2	Long	

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

HOUSE BILL NO. 728—
BY REPRESENTATIVE SCHRODER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Long
Total - 1

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

HOUSE BILL NO. 773—
BY REPRESENTATIVE BURFORD AND SENATOR CHEEK
AN ACT

To amend and reenact R.S. 36:259(E)(20), Chapter 29 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2401 through 2424 and R.S. 44:4.1(B)(21), relative to physical therapists; to provide for the creation of the Physical Therapy Practice Act of Louisiana; to provide a short title; to provide for purpose and intent; to provide for the composition of the Louisiana Physical Therapy Board; to change the name of the physical therapy board; to provide for the organization of board meetings and member compensation; to provide the powers, duties, and limitations of the board; to provide for board and employee immunity from personal liability; to provide for an exception to the public records law; to provide definitions; to require licensure for certain practices; to establish the qualifications for licensing physical therapists, foreign graduates, and physical therapist assistants; to provide for licensing reciprocity; to provide for an application for a license; to provide for examination of applicants for licensure; to provide for the issuance of a license and updating contact information; to provide for emergency exemptions; to provide for the renewal of a license; to provide for authority to practice as a physical therapist or physical therapist assistant; to provide for the use of titles and terms and restrictions; to provide for disciplinary actions; to provide for violations and penalties; to provide for cease and desist orders, injunctions, and attorney fees and costs associated with litigation; to provide for exemptions and prohibitions; to provide for fees, receipts, and disbursements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 781—
BY REPRESENTATIVES HINES, ABRAMSON, ARMES, AUBERT, BARRAS, BARROW, BILLIOT, BROSSETT, DANAHAY, DIXON, GISCLAIR, HENDERSON, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LAFONTA, PETERSON, RICHARD, RICHMOND, RITCHIE, GARY SMITH, ST. GERMAIN, STIAES, WADDELL, WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 36:801(introductory paragraph) and to enact R.S. 36:474(H) and 478(L) and Chapter 63-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of

R.S. 46:2803 and 2804, relative to the Louisiana Homeless Assistance and Prevention Act; to create the program for homeless assistance and prevention within the Department of Social Services; to provide for the position of a director for homeless assistance and prevention and to provide for his duties; to create the Louisiana Interagency Advisory Council for the Homeless and place it within the Department of Social Services; to provide for the council's purpose; to provide for membership; to provide for governance of the council and compensation of the members; to provide for staffing and facilities; to provide for reporting requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator Broome sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Reengrossed House Bill No. 781 by Representative Hines

AMENDMENT NO. 1

On page 1, line 3, after "Chapter" and before "of" delete "63-A" and insert "62-A"

AMENDMENT NO. 2

On page 1, line 4, after "R.S." and before "," delete "46:2803 and 2804" and insert "46:2811 and 2812"

AMENDMENT NO. 3

On page 3, line 11, after "Chapter" and before "of" delete "63-A" and insert "62-A"

AMENDMENT NO. 4

On page 3, line 12, after "R.S." and before "," delete "46:2803 and 2804" and insert "46:2811 and 2812"

AMENDMENT NO. 5

On page 3, line 13, after "CHAPTER" and before "." delete "63-A" and insert "62-A"

AMENDMENT NO. 6

On page 3, line 15, change "§2803" to "§2811"

AMENDMENT NO. 7

On page 4, line 11, change "§2804" to "§2812"

On motion of Senator Broome, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 782—

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 33:9109.1, relative to communications districts; to provide for intent; to provide for definitions; to provide for collection and remittance of prepaid wireless telecommunications service charge; to provide for the administration of the prepaid wireless service charge; to provide for distribution of funds to communications districts; to provide for issues of liability; to provide for exclusivity of the service charge; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Morrell
Alario	Erdey	Morrish
Appel	Gautreaux B	Mount
Broome	Gray Evans	Murray
Cheek	Guillory	Nevers
Claitor	Heitmeier	Quinn
Donahue	Jackson	Shaw
Dorsey	LaFleur	Smith
Total - 27		

NAYS

Amedee	Marionneaux	Thompson
Long	Riser	Walsworth
Total - 6		

ABSENT

Crowe	Hebert	Martiny
Gautreaux N	Kostelka	McPherson
Total - 6		

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

HOUSE BILL NO. 810—

BY REPRESENTATIVE ARNOLD AND SENATORS BROOME AND DUPLESSIS

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1083(3.1)(introductory paragraph), (3.2), (4)(introductory paragraph), (5), (6), (9), (11), and (12), 1084, 1086, 1087(E) and (F), 1088, 1088.1(A)(4) and (C), 1089, 1090(A), (C), (D), (E), (F), and (H), 1091, 1092(A)(introductory paragraph), (1), (5), (6), (B), (C), (E), (G), (I), and (K), 1092.2, 1094, 1096(I)(1), 1098(C), and 1099, and R.S. 9:3511(F), to enact R.S. 6:1083(6.1), (13), (14), (15), (16), (17), (18), (19), and (20), 1087(D) and (G), 1088.1(A)(9) and (E), 1088.2, 1088.3, 1088.4, 1092(A)(17)(a)(iv) and (v), 1094.1, and 1097(C) and R.S. 9:3557(C), and to repeal R.S. 6:1083(1), 1092(A)(3), (4), (7), (8), (9), (10), (11), (12), (13), (15), and (17), 1093, and R.S. 9:3560(A)(10), relative to mortgages; to provide for a change in definitions; to provide for new

definitions; to provide for prohibitions for certain mortgage lenders; to provide for licensure requirements; to provide for exemptions to licensure; to provide for application for licensure for persons in the mortgage industry; to provide for surety bonds for persons in the mortgage industry; to provide for a licensing system for persons in the mortgage industry; to provide for fees; to provide for information reporting for persons in the mortgage industry; to provide for notification of name or location changes and closures for persons in the mortgage industry; to provide for restrictions for persons in the mortgage industry; to provide for recordkeeping and retention of records for persons in the mortgage industry; to provide for the investigation of persons in the mortgage industry by the commissioner; to provide for the suspension and revocation of licensure for persons in the mortgage industry; to provide for educational requirements for licensure for persons in the mortgage industry; to provide for testing of loan originators; to provide for residential mortgage loan brokerage contracts; to provide for criminal penalties; 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.

HOUSE BILL NO. 820—
BY REPRESENTATIVE MICKEY GUILLORY
AN ACT

To amend and reenact R.S. 32:702(4) and (16), 706.1(A) and (B), 707(I) and (J), 718 (B) and (C), 1722(A) and (C), 1728.2(C)(2), (D), (E), (F), and (G), and 1728.3(C), (D)(1), (E), and (F) and to enact R.S. 32:706.2, 707.5, 718(D), 1720(C), 1722(D), 1728.2(H) and R.S. 47:522, relative to dismantled or salvaged motor vehicles; to create the Louisiana Omnibus Auto Theft Prevention and Recovery Act (LOATPRA); to define "certificate of destruction"; to define "water-damaged vehicles"; to require sellers to disclose an assembled title to the purchaser of a motor vehicle; to require dismantlers to notify the office of motor vehicles upon receiving a vehicle for dismantling; to create a procedure for titling a total loss salvage motor vehicle prior to reconstruction and operation; to establish an assembled vehicle title and procedures for issuance; to require a storage or parking facility to notify the office of motor vehicles when an owner recovers a motor vehicle or when a motor vehicle is surrendered to a lien holder; to require contracted storage facilities to obtain verification and provide notification to registered lien holders prior to expiration of a vehicle storage contract; to mandate that appraisers use the latest version of the NADA Guide as a guideline for the appraisal of vehicles to be crushed or dismantled; to require an application for crushing and dismantling upon a form created by the Department of Public Safety and Corrections; to provide for a time limit for approval of the application after electronic submission of application to the Department of Public Safety and Corrections, office of motor vehicles; to require licensed dismantlers and crushers to certify the crushing or dismantling of a vehicle by submitting a form provided by the office of motor vehicles; to require the owner-operator to maintain certain records on file for all vehicles dismantled or crushed; to authorize representatives of the Department of Public Safety and Corrections to enter a dealer's premises to recover state credentials when the dealer's license has been suspended or revoked; to provide for information maintained by auto hulk buyers; to provide for the reporting of auto hulks; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 820 by Representative Mickey Guillory

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June 11, 2009.

AMENDMENT NO. 2

On page 17, line 26, change "January 1, 2010." to the following: "July 1, 2010. However, the electronic reporting requirements specified in R.S. 32:1720(C) and 1728.2(E) as provided in this Act shall not take effect until the Department of Public Safety and Corrections, office of motor vehicles, certifies to the division of administration, that the electronic system to implement the requirements of such provisions have been tested and are fully operational."

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 820 by Representative Mickey Guillory

AMENDMENT NO. 1

On page 1, line 3, after "and (C)," and before "1722(A)" insert "793(D)"

AMENDMENT NO. 2

On page 1, line 12, after "issuance;" and before "to require" insert the following: "to provide for rental dealer insurance policies;"

AMENDMENT NO. 3

On page 2, at the end of line 12, after "718(B) and (C)," add "793(D)."

AMENDMENT NO. 4

On page 10, between lines 25 and 26, insert the following:
"\$793. Rent with option-to-purchase program
* * *

D. Every rental dealer shall maintain a contingent automobile liability policy of insurance with minimum limits of one hundred thousand dollars per occurrence, three hundred thousand dollars aggregate, and fifty thousand dollars in property damage. It shall not be sufficient for any rental dealer to share in a policy of contingent automobile liability insurance, ~~which could, under any circumstance, create a limit of less than that set forth herein such as a master policy.~~ Such policy shall be placed, ~~if available,~~ through an insurance company licensed by and admitted in the state of Louisiana.
* * *

AMENDMENT NO. 5

On page 17, between lines 25 and 26, insert the following:
"Section 4. If any provision or item of this 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 and to this end the provisions of this Act are hereby declared severable."

AMENDMENT NO. 6

On page 17, line 26, change "Section 4." to "Section 5."

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Guillory
Total - 2	

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

HOUSE BILL NO. 837—

BY REPRESENTATIVE MILLS AND SENATOR WALSWORTH
AN ACT

To amend and reenact R.S. 28:21(A) and (B) and 771(A) and (B)(5)(c) and R.S. 36:251(C)(1) and 258 (C), to enact R.S. 28:4 and 771(B)(9) and (10), and to repeal R.S. 28:21(E) and R.S. 36:258(E), relative to the office of behavioral health; to provide for the office of behavioral health in the Department of Health and Hospitals; to provide for the office's purposes and functions; to provide for an implementation advisory committee and its membership; to dissolve the office of mental health and office for addictive disorders and transfer relevant purposes and functions to the office of behavioral health; to provide for copayments; to provide for appropriations; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gray Evans	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Cheek	Heitmeier	Nevers
Crowe	Jackson	Quinn
Donahue	LaFleur	Riser
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 33		

NAYS

Mr. President	Long
Claitor	Shaw
Total - 4	

ABSENT

Gautreaux N	Kostelka
Total - 2	

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

Notice Regarding Vote

Senator Dorsey stated she had voted in error on House Bill No. 837. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

HOUSE BILL NO. 840—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 29:727(I), relative to parish homeland security and emergency preparedness agencies; to provide for the creation of parish emergency management advisory committees; to provide for the membership of the committee; to provide for reporting procedures; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Long
Total - 1

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

HOUSE BILL NO. 852—

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 8:673, 676, 677, 678(A)(introductory paragraph), 679(A), (B)(introductory paragraph), (C), and (D), 680, and 681, R.S. 17:407.4(C), (D), and (E), R.S. 28:821(D), R.S. 36:3(2), 301(A), and 913(A), R.S. 37:2551 and 2552(A), R.S. 40:2109(C), R.S. 46:2623(B) and (D), R.S. 48:55, R.S. 49:149.62(B) and 968(B)(3)(a), R.S. 51:912.51, 912.52, 935.1(A)(1)(a), (B)(1), and (D), 2452(A)(introductory paragraph), and 2453(2)(d), and Article XIV, Section 47(P)(3) of the Constitution of 1921, continued as statute by Article XIV, Section 16 of the Constitution of 1974, and to repeal R.S. 8:675, R.S. 17:24.4(J), 66.1, 407.1(4), 407.3, and 3951(B)(13), R.S. 36:4(Q) and (V), 209(C)(1) and (H)(3), 259(I)(2), (K), (R), and

(T), 309(E) and (F), 651(V) and (W), and 805, R.S. 41:1602, R.S. 42:456.2, R.S. 46:2622(2) and 2624, R.S. 49:149.62(C), and R.S. 51:955.3(F) and Chapter 39-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2375 through 2383, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, authorities, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Adult Learning Task Force, the Educational Assessment Testing Commission, the interim school board for Central Community School System, the Louisiana Home Instruction for Preschool Youngsters Advisory Board, the A. Z. Young Memorial Commission, the Archaeology Survey and Antiquities Commission, the Louisiana Unmarked Burial Sites Board, the Disability Services and Supports System Planning Group, the Statewide Health Coordinating Council, the Louisiana Medical Assistance Trust Fund Advisory Council, the Minority Health Affairs Commission, the Louisiana Economic Development Council and Cabinet Advisory Group on Economic Development, the Manufactured Housing State Administrative Agency, the Uniform Payroll Insurance Committee, and the Economic Development Funding Board; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; to provide relative to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

Floor Amendments Sent Up

Senator Thompson sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Thompson and Riser to Reengrossed House Bill No. 852 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 5, delete "R.S. 48:55,"

AMENDMENT NO. 2

On page 1, at the end of line 20, delete "the"

AMENDMENT NO. 3

On page 2, line 1, delete "Archeology Survey and Antiquities Commission,"

AMENDMENT NO. 4

On page 3, delete lines 20 through 29 in their entirety.

AMENDMENT NO. 5

On page 4, delete lines 1 through 29 in their entirety.

AMENDMENT NO. 6

On page 5, delete lines 1 through 12 in their entirety.

AMENDMENT NO. 7

On page 5, line 15, change "Section 7." to "Section 6."

AMENDMENT NO. 8

On page 11, line 23, change "Section 8." to "Section 7."

AMENDMENT NO. 9

On page 12, line 5, change "Section 9." to "Section 8."

AMENDMENT NO. 10

On page 12, line 26, change "Section 10." to "Section 9."

AMENDMENT NO. 11

On page 13, line 13, change "Section 11." to "Section 10."

AMENDMENT NO. 12

On page 13, line 16, change "Section 12." to "Section 11."

AMENDMENT NO. 13

On page 16, line 2, change "Section 13." to "Section 12."

AMENDMENT NO. 14

On page 18, line 8, change "Section 14." to "Section 13."

AMENDMENT NO. 15

On page 18, line 28, change "Section 15." to "Section 14."

AMENDMENT NO. 16

On page 19, line 2, change "Section 16." to "Section 15."

AMENDMENT NO. 17

On page 20, line 5, change "Section 17." to "Section 16."

AMENDMENT NO. 18

On page 20, line 9, change "Section 18." to "Section 17."

On motion of Senator Thompson, the amendments were adopted.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 852 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 4, between "R.S. 28:821(D)," and "R.S. 36:3(2)" insert "R.S. 33:9039,"

AMENDMENT NO. 2

On page 2, line 10, between "Reporters;" and "and" insert "to provide for membership on the board of commissioners of certain districts;"

AMENDMENT NO. 3

On page 22, after line 2, add the following:
"Section 19. R.S. 33:9039 is hereby enacted to read as follows:
§9039. Boards of commissioners of certain districts

Notwithstanding any law to the contrary, for a plaza district created in this Part:

(1) In addition to members otherwise provided by law, the board of commissioners of the district shall include:

(a) One member appointed by the mayor of the municipality which encompasses the district, to serve concurrently with the term of the appointing mayor.

(b) One member appointed jointly by the state senator and the state representative whose legislative district encompasses the district, to serve concurrently with the term of the appointing legislators.

(2) Whenever the secretary of the Department of Economic Development is statutorily made a member of the board of commissioners, the secretary is authorized to appoint a designee to serve on the board.

(3) Whenever an owner of property within a district is statutorily included as a member of the board of commissioners, in lieu of serving on the board, the owner shall appoint a member to the board, to serve concurrently with the term of the mayor of the municipality which encompasses the district."

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Claitor
Total - 1

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

HOUSE BILL NO. 893— (Substitute for House Bill No. 278 by Representative Ligi)

BY REPRESENTATIVES LIGI, TIM BURNS, GISCLAIR, LABRUZZO, TALBOT, AND TUCKER AND SENATOR MORRELL

AN ACT

To enact R.S. 30:2195.12, relative to motor fuel dispensing facilities; to provide for definitions; to require alternate generated power capacity at newly constructed or completely rebuilt motor fuel dispensing facilities capable of operation during declared emergencies and disasters; to provide for guidelines on the installation and maintenance of the alternate generated power source; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Claitor
Total - 1

ABSENT

Gautreaux B
Total - 2
Kostelka

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 110—

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

A RESOLUTION

To commend Kenneth M. Moran, owner and president of Recycling Services, Inc., for his continued contribution to the Alexandria Lower Third Neighborhood, through his community stewardship and economic development efforts, and Recycling Services, Inc., on being selected as a recipient of the Lantern Award.

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

Privilege Report of the Legislative Bureau

June 16, 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.

HOUSE BILL NO. 689—

BY REPRESENTATIVES PETERSON, HARRISON, LEGER, AND WILLIAMS AND SENATOR LAFLEUR

AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to state funds; to create the Louisiana Statewide Educational Facilities Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 802—

BY REPRESENTATIVE FANNIN

AN ACT

To repeal R.S. 22:2371, relative to state funds; to abolish the Insure Louisiana Incentive Program Fund; to provide for the transfer, dedication, use, and appropriation as specified of certain

June 16, 2009

treasury funds; to provide for effective dates; 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 Bills and Joint Resolutions were read by title and passed to a third reading.

Senator Broome in the Chair

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 132—
BY SENATORS MICHOT AND SHAW AND REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To declare the year 2010 as "The Year of the Song."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Appel, Broome, Cheek, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 31
Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, LaFleur, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Riser, Shaw, Thompson, Walsworth

NAYS

Total - 0

ABSENT

Amedee, Claitor, Erdey, Total - 8
Kostelka, Long, Marionneaux, Quinn, Smith

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

SENATE CONCURRENT RESOLUTION NO. 133—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend the Urban Restoration Enhancement Corporation for the North Baton Rouge Youth Development Program and to recognize the participants of the 2009 program.

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, Adley, Alario, Appel, Broome, Cheek, Claitor, Donahue, Dorsey, Duplessis, Dupre, Total - 32
Gautreaux B, Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, LaFleur, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Walsworth

NAYS

Total - 0

ABSENT

Amedee, Crowe, Erdey, Total - 7
Kostelka, Long, Smith, Thompson

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

SENATE CONCURRENT RESOLUTION NO. 134—
BY SENATORS QUINN, CHAISSON AND GRAY EVANS

A CONCURRENT RESOLUTION

To create and provide for the John J. Hainkel, Jr., Home and Rehabilitation Center Study Commission to study changing the governance structure of the center and to make recommendations; to study the advisability of reorganizing the governance of the facility, and to make recommendations to the legislature for continued operation of the center as a public model, long-term care facility by submitting a report on the findings of the study to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, and the governor no later than March 1, 2010.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Appel, Broome, Cheek, Donahue, Dorsey, Duplessis, Dupre, Gautreaux B, Total - 31
Gautreaux N, Gray Evans, Guillory, Hebert, Heitmeier, Jackson, LaFleur, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Quinn, Riser, Shaw, Walsworth

NAYS

Total - 0

ABSENT

Amedee	Erdey	Smith
Claitor	Kostelka	Thompson
Crowe	Long	
Total - 8		

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 107—
 BY SENATORS CHAISSON, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY EVANS, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the passing of Michael S. Baer III, former secretary of the Senate, and to remember him as an invaluable asset to the legislative process.

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 16, 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. 129—
 BY SENATOR DONAHUE AND REPRESENTATIVE SCHRODER
 A CONCURRENT RESOLUTION

To commend Morgan Elizabeth Laurent of Fountainbleau High School, daughter of Denise and Merrill Laurent, upon her selection as a representative of Louisiana at the Hugh O'Brien World Leadership Congress in Washington, D.C.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 131—
 BY SENATOR CLAITOR AND REPRESENTATIVE CARTER
 A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana State University Fighting Tigers football team and Head Coach Les Miles for their accomplishments in the 2008 season and for winning the Chick-fil-A Bowl.

Reported without amendments.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 16, 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. 360—
 BY REPRESENTATIVE HARRISON
 AN ACT

To repeal R.S. 47:6021(J), relative to the Brownfields Investor Tax Credit; to delete the sunset date on the authority to issue tax credits; and to provide for related matters.

HOUSE BILL NO. 495—
 BY REPRESENTATIVE DIXON
 AN ACT

To amend and reenact R.S. 17:10.5(A)(1), to enact R.S. 17:10.5(F), and to repeal R.S. 17:10.5(F), relative to school and district accountability; to exempt a school that meets specified criteria from being transferred to the Recovery School District; to provide for effectiveness; 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 Morrish 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. 360—
 BY REPRESENTATIVE HARRISON
 AN ACT

To repeal R.S. 47:6021(J), relative to the Brownfields Investor Tax Credit; to delete the sunset date on the authority to issue tax credits; 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. 495—
 BY REPRESENTATIVE DIXON
 AN ACT

To amend and reenact R.S. 17:10.5(A)(1), to enact R.S. 17:10.5(F), and to repeal R.S. 17:10.5(F), relative to school and district accountability; to exempt a school that meets specified criteria from being transferred to the Recovery School District; to provide for effectiveness; and to provide for related matters.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 16, 2009

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

June 16, 2009

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to prescribe auditory volume standards for commercial advertisements broadcast on television.

SENATE CONCURRENT RESOLUTION NO. 126—
BY SENATOR MORRISH
A CONCURRENT RESOLUTION

To commend Leonela "Dawn" Guzman for her commitment and leadership as the first president of the Legislative Youth Advisory Council and for her participation as a senior member.

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR MOUNT AND REPRESENTATIVE GEYMAN
A CONCURRENT RESOLUTION

To recognize and commend Darrell Guidry, Jr., for his commitment and service as a senior member of the first Legislative Youth Advisory Council.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

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

ENROLLMENTS

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

June 16, 2009

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 24—
BY SENATORS AMEDEE AND THOMPSON
AN ACT

To amend and reenact R.S. 37:1432(A) and (B), relative to the Louisiana Real Estate Commission; to add two members to the commission; and to provide for related matters.

SENATE BILL NO. 138—
BY SENATOR WALSWORTH
AN ACT

To enact Subpart H-2 of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:237 through 237.13, relative to the conversion of mutual non-life insurers and mutual insurance holding companies; to provide definitions; to require a plan of reorganization; to provide with respect to consideration and dividend protections; to provide for approval by the commissioner of insurance after a public hearing; to provide with respect to approval by qualified voters; to provide limitations; to require the filing of a certificate of compliance; to provide for the effect of reorganization; and to provide for related matters.

SENATE BILL NO. 244—
BY SENATOR MOUNT
AN ACT

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

qualifications, powers, and duties of the assistant secretary; and to provide for related matters.

SENATE BILL NO. 230—
BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 46:236.11(A) and to enact R.S. 46:236.11.1 through 236.11.4, relative to the family and child support program; to provide for certain electronic data matching and cooperation between the Department of Social Services and insurance companies; to provide relative to disclosure of certain information; to provide definitions; to provide for procedures and requirements for notice of payment to the state disbursement units; to provide for the redirection of income assignment payments; to provide for the amendment and use of certain records as evidence; and to provide for related matters.

SENATE BILL NO. 318—
BY SENATOR QUINN
AN ACT

To amend and reenact R.S. 22:2081, 2083 (B)(2)(d)(i), (C)(2)(b) and (c), and (D), 2084(8)(f) and (g), the introductory paragraph of 2086(A), 2086(A)(2), (3) and (6) and (D), 2087(G), (L) and (N)(5), 2088(C)(1), (D) and (E)(1), 2090(D), 2092(A), 2093(C) and (E)(3) and (5), 2097, and 2098(A) and to enact R.S. 22:2083(B)(2)(h) and (i), 2084(8)(h), 2087(M)(4) and (5) and (P), 2088(I) and (J) and 2089(C)(8) and (9), relative to the Louisiana Life and Health Insurance Guaranty Association Law; to provide for coverage limitations of the association; to provide for benefit limitations of the association; to provide for definitions; to provide for the membership of the board of directors; to provide for the powers and duties of the association; to provide for venue; to provide for assessments of member insurers; to provide for protests of assessments; to provide for the plan of operation of the association; to provide for premium tax liability offsets for assessments paid; to provide for a stay of proceedings against insolvent insurers; to provide for prohibited advertising; and to provide for related matters.

SENATE BILL NO. 60—
BY SENATORS KOSTELKA AND THOMPSON
AN ACT

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

SENATE BILL NO. 145—
BY SENATORS CROWE, APPEL, DUPLESSIS, MICHOT, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND THIBAUT
AN ACT

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

SENATE BILL NO. 188—
BY SENATORS ALARIO, APPEL, MARTINY AND MORRELL AND REPRESENTATIVES GIROD JACKSON, LABRUZZO AND TEMPLET
AN ACT

To amend and reenact R.S. 27:93(A)(4)(a), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for the expenditure of riverboat gaming revenue in the parish of Jefferson; and to provide for related matters.

SENATE BILL NO. 225—
BY SENATORS MORRISH AND DUPRE AND REPRESENTATIVES BALDONE, DOVE, BOBBY BADON, BILLIOT, CHAMPAGNE, GISCLAIR, GUINN, HARRISON, HENDERSON, SAM JONES AND MONTOUTET

AN ACT

To enact R.S. 49:213.4(A)(9), relative to Louisiana Coastal Protection, Conservation, Restoration and Management; to provide for certain powers and duties of the Coastal Protection and Restoration Authority; to authorize the authority to enter into certain agreements with parish governing authorities; to provide certain terms and conditions of the agreements; and to provide for related matters.

SENATE BILL NO. 238—

BY SENATORS MOUNT, CROWE, DUPLESSIS, MICHOT, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES BOBBY BADON, BALDONE, BARROW, HENRY BURNS, CARMODY, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, HOWARD, KATZ, LIGI, LITTLE, MILLS, NOWLIN, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, THIBAUT, WADDELL AND WILLMOTT

AN ACT

To amend and reenact the introductory paragraph of Children's Code Article 1173(A) and R.S. 46:1403(A)(4), 1409(A), the introductory paragraph of 1409(B), 1409(C), 1409(D), 1412(A) and (B), the introductory paragraph of 1413(A), 1413(C), (H) and (N), 1419, and 1420, to enact R.S. 46:1414, and to repeal R.S. 36:478(C)(3) and (4) and R.S. 46:1406, 1407, 1410, 1411, and 1427, relative to child care facilities and child-placing agencies; to provide for definitions; to provide for licensure, including application and revocation; to abolish the Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies and the Louisiana Committee on Private Child Care; to provide for appeals; to provide for duties and obligations of the Department of Social Services; to provide for the Louisiana Advisory Council on Child Care and Early Education; to provide for rule making; and to provide for related matters.

SENATE BILL NO. 242—

BY SENATORS MOUNT AND THOMPSON

AN ACT

To enact R.S. 22:1062.1, relative to health insurance; to provide for an enrollment period for individuals in an employer sponsored insurance program when certain conditions are satisfied; to provide for rule making; and to provide for related matters.

SENATE BILL NO. 247—

BY SENATORS CHEEK, DORSEY AND WALSWORTH

AN ACT

To amend and reenact R.S. 46:2742(B)(7) and to enact R.S. 46:2742(B)(11), relative to case mix reimbursement for nursing homes; to provide for a case mix reimbursement; and to provide for related matters.

SENATE BILL NO. 294—

BY SENATOR NEVERS

AN ACT

To amend and reenact Code of Criminal Procedure Article 644(A) and (D)(1) and 905.5.1(F), R.S. 9:2800.2(A), R.S. 15:560.2(B)(1), R.S. 17:7.1(D), R.S. 22:998(A) and (C), and 1043(A)(4), R.S. 23:1371.1(2), R.S. 28:2(12.1) and (22)(b), 51.1(A)(2)(a) and 221(10), R.S. 37:1744(A)(2), 1745(A)(2), 1745.14(C)(4), 2360(A)(1), (2) and (3), 2365(A) and (B), and 3386.1(15)(b), R.S. 40:1098.2(5)(b) and 2114(B), and R.S. 44:4(29) and to enact Part VI of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1360.51 through 1360.72 and R.S. 37:2356.1, and to repeal Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2371 through 2378, relative to medical psychologists; to transfer the regulation of medical psychologists from the State Board of Examiners of Psychologists to the Louisiana State Board of Medical Examiners; to provide for definitions; to provide for powers and duties of the Louisiana State Board of Medical Examiners; to provide for licensure; to provide for a certificate of advanced practice; to provide for standards of practice; to create the Medical Psychology Advisory Committee; to provide for privileged communications; to provide for continuing medical education; to provide for violations and penalties; to provide for orders to nurses; to provide for transfer of files; to direct the

Louisiana State Law Institute to make certain language corrections to current law; to provide for rules and regulations; and to provide for related matters.

SENATE BILL NO. 218—

BY SENATOR MORRELL AND REPRESENTATIVE BROSSETT

AN ACT

To amend and reenact R.S. 22:2292(6) and (12) relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to Louisiana Property Insurance Corporation offering business interruption insurance coverage; and to provide for related matters.

SENATE BILL NO. 290—

BY SENATORS QUINN AND HEBERT

AN ACT

To amend and reenact R.S. 22:1317, relative to surplus lines insurers; to exempt surplus lines insurers from provisions regarding co-insurance clauses in policies of fire and extended coverage insurance; and to provide for related matters.

SENATE BILL NO. 299—

BY SENATORS DUPLESSIS AND MICHOT AND REPRESENTATIVE ROSALIND JONES

AN ACT

To enact Chapter 3-D of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:296, relative to the Healthy Food Retail Act; to provide for a financing program to stimulate investment in healthy food retail outlets in underserved areas of Louisiana; to provide for administration of the program; to provide for eligible projects and uses for funding; and to provide for related matters.

SENATE BILL NO. 106—

BY SENATORS CHEEK AND THOMPSON AND REPRESENTATIVE MILLS

AN ACT

To enact R.S. 29:735.5, relative to civil liability of health care providers and health care personnel; to provide immunity for health care providers and health care personnel during a declared state of emergency; to provide for definitions, terms, and conditions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 31—

BY SENATOR ADLEY

AN ACT

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

SENATE BILL NO. 41—

BY SENATORS DUPRE, N. GAUTREUX AND MORRISH

AN ACT

To amend and reenact R.S. 17:9(B) and 3367(B), R.S. 30:4(D)(1), (2) and (3), 83(G), 121(A), 123.1(A) and (C), 124, 126(A), 127(A), 127.1(B)(1), 128(A) and (B)(2), 131, 136(A)(1)(b) and (B)(1), (2) and (3), 136.1(A) and (B), 136.3(A) and (D), 137, 139, 141, 143(A), (D)(4), (5), (6), and (F), 144(A) (introductory paragraph) and (B), 148.1, 148.2(A) (introductory paragraph) and (B), 150(C)(1), 153, 154(C), 155, 156, 158, 159, 179.11, 179.12, 186, 187, 188(A) and (B), 208, 209 (introductory paragraph), (2) and (4)(b), (d) and (e) (introductory paragraph), 209.1(A) and (B)(1), 212(A), (D)(2) and (3), 213, 214, 215, 216(B) and (C)(4), and 804, R.S. 34:3108(E), 3478(E) and 3498(E), R.S. 36:353, 359(E) and 807, R.S. 39:14(1), R.S. 41:643(A), 1217.1(B), 1732(A) and (B) and 1733, R.S. 42:6.1(A)(6), R.S. 44:18, R.S. 56:30.3(B), 426(C), and 798(A)(1), (2)(b) and (c), relative to the Department of Natural Resources; to change the name of the State Mineral Board to the State Mineral and Energy Board; to change the name of the Mineral Resources Operation Fund to the Mineral and Energy Operation Fund; to provide for the dedication of monies in the fund; and to provide for related matters.

June 16, 2009

SENATE BILL NO. 115—
BY SENATORS MARTINY AND BROOME
AN ACT

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

SENATE BILL NO. 29—
BY SENATOR RISER
AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741.1 through 1741.5, relative to caller ID spoofing; to provide for short title; to provide for definitions; to provide for violations of the Louisiana Consumer Protection Act; and to provide for related matters.

SENATE BILL NO. 61—
BY SENATOR HEITMEIER
AN ACT

To enact Children's Code Article 837(I), relative to certain delinquency proceedings; to provide that the court, upon a showing of good cause, may authorize the Department of Health and Hospitals to use restraints on the person of a child during transport; and to provide for related matters.

SENATE BILL NO. 166—
BY SENATORS DUPRE, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LALEUR, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRELL, MURRAY, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES BALDONE, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, LIGI, LITTLE, MILLS, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY AND JANE SMITH
AN ACT

To enact R.S. 14:98.3, relative to public safety; to create the crime of operating a vehicle while under suspension for certain prior offenses; to provide for elements of the crime; to provide for an exception; to provide for penalties; to provide for a prior offense involving operation under the influence of an intoxicant; to provide for certain criteria; and to provide for related matters.

SENATE BILL NO. 189—
BY SENATOR ALARIO AND REPRESENTATIVES AUSTIN BADON, BALDONE, BILLIOT, CONNICK, DOVE, GUINN, HARDY, HARRISON, LIGI, LOPINTO, RICHARD, RITCHIE, SCHRODER, TEMPLET, TUCKER AND WHITE
AN ACT

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

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

To enact R.S. 33:9038.63, relative to cooperative development in East Baton Rouge Parish; to create the Bluebonnet Convention Hotel Taxing District as a special taxing and tax increment financing district in East Baton Rouge Parish; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body; to levy and collect a tax upon hotel occupancy and food and beverage not intended for home consumption within the district and to engage in tax increment financing; and to provide for related matters.

SENATE BILL NO. 175—
BY SENATORS MICHOT AND WALSWORTH
AN ACT

To amend and reenact R.S. 32:781(5), (6), and (19), 782, 783(A), (F)(1), (2), and (8), and (I), 784(B) and (C), 785(C)(1), (D), and (E), 787, 789, 790(A) and (C), 802(A), 1251, 1252(2)(introductory paragraph), (a), and (c), (4), (8), (9), (12), (13), (16), (17), (19), (21), (23)(a), (b)(iv), and (c), (24), (25), (26), (27), (29), (33), (34), (35), (36)(a) and (b)(vi), and (37), 1253(A)(introductory paragraph), (1)(introductory paragraph), and (2), (3)(a) and (b), and (E), 1254(A)(6), (B)(2), (C)(9), (D)(4) and (7), (E)(introductory sentence), (E)(1), (2), (3), (4)(a), (5), (7), (8), (9), (10)(a), and (11), (F)(4), and (N), 1255(A)(2), 1256, 1261(1)(a)(introductory paragraph), (1)(a)(iv) and (v), and (o), (g) and (t), and (6)(a), 1265, and 1268, to enact R.S. 32:1252 (39) through (50), 1254(A)(18) and (19), (D)(6)(c), 1257.1, 1258(A)(10), 1261(7), 1261.1, 1261.2, 1262(A)(5), 1268.1 and 1268.2, and to repeal R.S. 32:781(1) through (4), (9) through (18), (22) through (25), and (28), 783(F)(7) and (10), 784(A)(5) through (8), and Part IV of Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:811 through 822, relative to the distribution and sale of motor vehicles; to provide for changes in definitions within the Recreational and Used Motor Vehicle Commission and the Motor Vehicle Commission; to provide for changes to the jurisdiction and authority of the Recreational and Used Motor Vehicle Commission and the Motor Vehicle Commission; to provide for changes to the membership of the Used Motor Vehicle Commission and the Motor Vehicle Commission; to transfer authority over recreational products from the Recreational and Used Motor Vehicle Commission to the Motor Vehicle Commission; to provide for unauthorized acts of a manufacturer, distributor, wholesaler, distributor branch, factory branch, or converter; to provide for acts of a motor vehicle dealer or specialty dealer; to provide for violations; to provide for indemnification of franchised dealers; to provide for payments to dealers; to provide for penalties; to provide for repurchase upon termination of a franchise; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Total - 0

Adjournment

On motion of Senator McPherson, at 5:10 o'clock P.M. the Senate adjourned until Wednesday, June 17, 2009, at 1:00 o'clock P.M.

The President Pro Tempore of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, June 17, 2009.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

