

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**THIRTY-THIRD DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana  
  
Sunday, June 24, 2007

The House of Representatives was called to order at 4:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory, E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Chandler	Kennard	St. Germain
Crane	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White

Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	
Total - 104		

**ABSENT**

Jefferson  
Total - 1

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Chris Schneider.

**Pledge of Allegiance**

Rep. Badon led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Kleckley, the reading of the Journal was dispensed with.

On motion of Rep. Baldone, the Journal of June 22, 2007, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 24, 2007

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 115  
Returned without amendments

House Concurrent Resolution No. 155  
Returned without amendments

House Concurrent Resolution No. 208  
Returned without amendments

House Concurrent Resolution No. 253  
Returned without amendments

House Concurrent Resolution No. 254  
Returned without amendments

House Concurrent Resolution No. 255  
Returned without amendments

House Concurrent Resolution No. 256  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**HOUSE BILLS**

June 22, 2007

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 2  
Returned with amendments

House Bill No. 88  
Returned without amendments

House Bill No. 113  
Returned with amendments

House Bill No. 180  
Returned without amendments

House Bill No. 182  
Returned with amendments

House Bill No. 253  
Returned without amendments

House Bill No. 265  
Returned without amendments

House Bill No. 775  
Returned with amendments

House Bill No. 795  
Returned with amendments

House Bill No. 827  
Returned with amendments

House Bill No. 831  
Returned without amendments

House Bill No. 864  
Returned without amendments

House Bill No. 878  
Returned without amendments

House Bill No. 908  
Returned with amendments

House Bill No. 973  
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

June 24, 2007

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 119 and 120

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 122—  
BY REPRESENTATIVE MONTGOMERY  
A RESOLUTION**

To urge and request the Louisiana State Board of Dentistry to enforce the provisions of R.S. 37:776(D) which require the board to promulgate rules and regulations providing for the expungement of first-time advertising offenses from a licensee's record after a period of three years from the date of the offense if certain requirements are met.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 123—  
BY REPRESENTATIVE MONTGOMERY  
A RESOLUTION**

To urge and request the Louisiana State Racing Commission to review and revise the current jockey fee schedule.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 124—  
BY REPRESENTATIVES RICHMOND AND K. CARTER  
A RESOLUTION**

To urge and request the boards of the Property Insurance Association of Louisiana, the Louisiana Automobile Insurance Plan, and the Louisiana Citizens Property Insurance Corporation to fully comply with the state audit law, including requesting the board of the Louisiana Citizens Property Insurance Corporation to meet on or before Thursday, June 28, 2007, on this matter.

Read by title.

On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 257—  
BY REPRESENTATIVE MICKEY GULLORY  
A CONCURRENT RESOLUTION**

To commend and congratulate Dr. Ward M. Bellard for over fifty years of service to the community of Church Point.

Read by title.

On motion of Rep. Mickey Guillory, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 258—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to examine the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide prenatal care to immigrants.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 259—**

BY REPRESENTATIVES RICHMOND AND K. CARTER

**A CONCURRENT RESOLUTION**

To urge and request the boards of the Property Insurance Association of Louisiana, the Louisiana Automobile Insurance Plan, and the Louisiana Citizens Property Insurance Corporation to fully comply with the state audit law, including requesting the board of the Louisiana Citizens Property Insurance Corporation to meet on or before Thursday, June 28, 2007, on this matter.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATORS B. GAUTREAUX, CHAISSON, CHEEK, N. GAUTREAUX, JACKSON, MCPHERSON AND SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request the Senate Committee on Health and Welfare and the House of Representatives Committee on Health and Welfare to meet and function as a joint committee to study and submit a report to the legislature regarding the expansion and funding of Medicaid waiver slots for children with developmental disabilities.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS JONES AND FIELDS

**A CONCURRENT RESOLUTION**

To urge and request the president of the Senate and the speaker of the House of Representatives to permanently display a photograph or portrait of "Coach" Eddie G. Robinson in Memorial Hall at the Louisiana State Capitol or in such other conspicuous place of prominence.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 58—**

BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later than March 1, 2008.

Read by title.

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

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 58 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "create the Louisiana Task Force on Domestic Violence" and insert the following:

"urge and request the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee"

AMENDMENT NO. 2

On page 1, line 4, after "no later" change "that" to "than"

AMENDMENT NO. 3

On page 1, at the end of line 8, change "for" to "during"

AMENDMENT NO. 4

On page 1, line 14, after "it is estimated" insert "that"

AMENDMENT NO. 5

On page 1, line 17, change "the" to "a"

AMENDMENT NO. 6

On page 2, at the end of line 2, delete "creates" and at the beginning of line 3, delete "the Louisiana Task Force on Domestic Violence" and insert the following:

"urges and requests the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee"

AMENDMENT NO. 7

On page 2, delete lines 5 through 30 and delete page 3 and on page 4, delete lines 1 through 5 and insert the following:

"BE IT FURTHER RESOLVED that the joint committee shall seek the advice, input, and recommendations of the following:

(1) The executive director, president, and legislative consultant of the Louisiana Coalition Against Domestic Violence.

# Page 4 HOUSE

33rd Day's Proceedings - June 24, 2007

(2) A representative from the former Battered Women's Task Force of the Louisiana Coalition Against Domestic Violence to be selected by the chief executive officer of the coalition.

(3) A representative from a local domestic violence program to be selected by the Louisiana Coalition Against Domestic Violence.

(4) The executive director of the Louisiana District Attorneys Association.

(5) The executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.

(6) The executive director for the governor's office on women's policy.

(7) The secretary of the Department of Health and Hospitals.

(8) The secretary of the Department of Social Services.

(9) A representative from a batterer's intervention program certified by the Louisiana Coalition Against Domestic Violence to be selected by the director of such program.

(10) A representative from the Louisiana District Judges Association who presides over a predominately civil docket to be selected by the president of that association.

(11) A representative from the Louisiana District Judges Association who presides over a predominately criminal docket to be selected by the president of that association.

(12) A representative of the Louisiana Hearing Officers Association to be selected by the president of that association.

(13) A representative of the Louisiana Clerks of Court Association to be selected by the president of that association.

(14) The secretary of the Department of Public Safety and Corrections.

(15) A representative from the Louisiana Council of Juvenile and Family Court Judges who presides over a juvenile docket to be selected by the president of that council.

(16) A representative from the Louisiana Council of Juvenile and Family Court Judges who presides over a family court docket to be selected by the president of that council.

(17) A city court judge who presides over both civil and criminal city dockets to be selected by the president of the Louisiana City Court Judges Association.

(18) The chief justice of the Louisiana Supreme Court.

(19) The judicial administrator of the Louisiana Supreme Court or a representative from the Office of the Judicial Administrator who is familiar with the Louisiana Protective Order Registry.

(20) The executive director of the Louisiana Sheriff's Association.

(21) The executive director of the Louisiana Association of Chiefs of Police.

(22) The attorney general.

BE IT FURTHER RESOLVED that the joint committee shall hold its first meeting no later than September 17, 2007.

BE IT FURTHER RESOLVED that the joint committee shall hold regular meetings and shall meet at least quarterly."

## AMENDMENT NO. 8

On page 4, line 6, change "task force" to "joint committee"

## AMENDMENT NO. 9

On page 4, line 11, change "Battered" to "former Battered"

## AMENDMENT NO. 10

On page 4, line 15, delete "office on women's policy in the office of the governor" and insert "governor's office on women's policy"

## AMENDMENT NO. 11

On page 4, line 18, change "Officer's" to "Officers"

## AMENDMENT NO. 12

On page 4, line 20, delete "Association"

## AMENDMENT NO. 13

On page 2, line 22, after "director of the" delete the remainder of the line and at the beginning of line 23, delete "Association," and insert "Association of Louisiana Chiefs of Police,"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

## **SENATE CONCURRENT RESOLUTION NO. 64—**

BY SENATOR JONES

### A CONCURRENT RESOLUTION

To urge and request every mayor, sheriff and chief of police for the state of Louisiana to make available the opportunity for every person who has been arrested, but not convicted of a crime, the right to vote absentee in the fall 2007 election.

Read by title.

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

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 64 by Senator Jones

## AMENDMENT NO. 1

On page 1, line 3, change "who has been arrested," to "who is incarcerated,"

## AMENDMENT NO. 2

On page 1, line 4, change "the fall 2007 election." to "all elections."

## AMENDMENT NO. 3

On page 2, line 1, change "who has been arrested," to "who is incarcerated,"

AMENDMENT NO. 4

On page 2, line 2, change "the fall 2007 election." to "all elections."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 67—**

BY SENATOR BROOME

**A CONCURRENT RESOLUTION**

To establish a statewide Task Force on Poverty to outline comprehensive approaches for reducing poverty with tangible goals in mind.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 67 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish a statewide Task Force on Poverty to outline" and insert the following:

"urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study and annually submit a report and recommendations to the legislature and the governor regarding"

AMENDMENT NO. 2

On page 2, at the beginning of line 17, delete "establish the Task Force on Poverty to outline" and insert the following:

"urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study and annually submit a report and recommendations to the legislature and the governor regarding"

AMENDMENT NO. 3

On page 2, line 19, after "RESOLVED that the" delete the remainder of the line and delete line 20 and insert the following:

"joint committee shall seek advice, input, and recommendations from the following:"

AMENDMENT NO. 4

Delete House Committee Amendment No. 5 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 5

On page 2, delete lines 21 through 30 and on page 3, delete lines 1 through 8 and insert the following:

"(1) The secretary of the Department of Social Services, or her designee.

(2) One representative of the Louisiana State Medical Society.

(3) The secretary of the Department of Health and Hospitals, or his designee.

(4) The secretary of the Department of Labor, or his designee.

(5) The secretary of the Department of Economic Development, or his designee.

(6) The secretary of the Louisiana Department of Education, or his designee.

(7) The commissioner of insurance, or his designee.

(8) The attorney general, or his designee.

(9) The secretary of the Department of Revenue, or her designee.

(10) The governor's legislative policy director.

(11) The chairman of the Louisiana Human Rights Commission.

(12) Any other persons considered appropriate by the chair or the joint committee."

AMENDMENT NO. 6

Delete House Committee Amendment No. 6 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 7

Delete House Committee Amendment No. 7 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 8

On page 3, delete lines 9 through 16

AMENDMENT NO. 9

On page 3, line 17, change "task force" to "joint committee"

AMENDMENT NO. 10

Delete House Committee Amendments Nos. 8 and 9 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 11

On page 3, delete lines 19 and 20, and insert the following:

"joint committee shall submit an annual report to the legislature and the governor no later than January 1<sup>st</sup> of each year and shall submit its recommendations to the legislature and the governor no later than February 1<sup>st</sup> of each year."

AMENDMENT NO. 12

Delete House Committee Amendment No. 10 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 13

On page 3, delete lines 21 through 24

AMENDMENT NO. 14

Delete House Committee Amendment No. 11 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 14, 2007

AMENDMENT NO. 15

On page 3, line 25, change "committee" to "joint committee"

AMENDMENT NO. 16

On page 3, line 26, after "effectuate its purposes" delete the remainder of the line and delete line 27 and insert a period "."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 97—**  
BY SENATOR N. GAUTREAUX

**A CONCURRENT RESOLUTION**

To create the Louisiana Medical Staffing Agency Task Force to study the medical staffing agency industry in Louisiana to ascertain the effect of medical staffing agencies on the delivery of quality health care in this state and to determine whether the industry should be subject to registration, licensure, or other regulation.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 97 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study the medical staffing"

AMENDMENT NO. 2

On page 2, at the end of line 9, delete "must"

AMENDMENT NO. 3

On page 2, delete line 23 and insert "urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study the medical staffing"

AMENDMENT NO. 4

On page 2, line 28, after "RESOLVED" delete the remainder of the line and delete lines 29 and 30 and delete page 3 and on page 4, delete line 1 and insert the following:

"that the joint committee shall seek the advice, input, and recommendations of the following:

- (1) The Department of Health and Hospitals.
- (2) The Louisiana Health Care Commission.
- (3) The Louisiana Hospital Association.
- (4) The Louisiana State Board of Nursing.
- (5) The Louisiana Staffing Association.
- (6) The Louisiana State Medical Society.
- (7) The Louisiana State Nurses Association.
- (8) The Louisiana State Board of Practical Nurse Examiners.

BE IT FURTHER RESOLVED that the joint committee shall hold its first meeting on the study no later than July 31, 2007.

BE IT FURTHER RESOLVED that the joint committee may seek the assistance of the Department of Health and Hospitals in the conduct of the study.

BE IT FURTHER RESOLVED that the joint committee shall conduct such research and such hearings as it shall deem appropriate, and shall submit a report of its findings and recommendations, along with drafts of any proposed legislation, to the governor and the legislature no later than December 31, 2007."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

**Senate Instruments on Second Reading  
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 233—**  
BY SENATOR CRAVINS

**AN ACT**

To enact R.S. 33:2740.67, relative to the hotel/motel occupancy tax; to provide for authorization of the city of Opelousas governing authority to levy and collect a hotel/motel occupancy tax within the city of Opelousas; to provide for the purposes for which the proceeds of the tax may be used; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 233 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 18, after "earlier than" delete the remainder of the line and delete line 19 in its entirety and on line 20, delete "majority of the members of the governing authority present and voting." and insert "January 1, 2008. However, the ordinance imposing the tax

shall be adopted by the governing authority only after the question of the imposition of the tax has been submitted to the qualified electors of the city at an election conducted in accordance with the election laws of the state, and a majority of those voting on the proposition have voted in favor of the imposition of the tax."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 265—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:416(A)(2)(c), (B)(2) and (3)(b) and (d)(i), (C)(2), and R.S. 17:416.2(A) and (B) and to enact R.S. 17:416.2(H), relative to student suspensions and expulsions; to provide for minimum expulsion periods for certain offenses; to provide relative to student participation in appropriate rehabilitation or counseling programs; to provide relative to student admission to regular and alternative education programs; to provide relative to local school board applications for waivers from certain requirements; to provide relative to compliance monitoring; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 265 by Senator Ullo

**AMENDMENT NO. 1**

On page 1, line 15, after "A." insert " \* \* \* "

**AMENDMENT NO. 2**

On page 2, line 14, following "shall," and before "committing" change "on" to "upon"

**AMENDMENT NO. 3**

On page 6, line 5, following "to the end" and before "of the specified" delete "of the end"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 337—**

BY SENATORS ADLEY, NEVERS, N. GAUTREAUX, AMEDEE, BARHAM, BOASSO, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HINES, KOSTELKA, MCPHERSON, MICHOT, MOUNT, MURRAY, ROMERO, SCHEDLER AND SMITH AND REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 47:647.1, relative to dedicating certain state revenues for capital enhancement of technical colleges and community

colleges; to create the Technical College - Community College Capital Enhancement Fund in the state treasury; to provide for allocation of certain monies to the fund; to specify purposes for which monies received from the fund shall be used; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 337 by Senator Adley

**AMENDMENT NO. 1**

On page 1, line 2, after "enact" delete the remainder of the line, delete lines 3 through 5 in their entirety, and on line 6, delete "received from the fund shall be used;" and insert the following:

"Part IX-A of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3394.1 through 3394.8, relative to the financing of capital improvements and enhancements to certain facilities and properties of colleges within the Louisiana Community and Technical Colleges System; to provide for definitions; to provide with respect to the use of a nonprofit corporation to accomplish such financing; to provide for agreements related to financing; to provide for the issuance of bonds;"

**AMENDMENT NO. 2**

On page 1, line 9, after "Section 1." delete "R.S. 47:647" and insert the following:

"Part IX-A of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3394.1 through 3394.8,"

**AMENDMENT NO. 3**

On page 1, delete lines 10 through 17, delete page 2 in its entirety, and on page 3, delete lines 1 through 25 in their entirety and insert the following:

**"PART IX-A COMMUNITY AND TECHNICAL COLLEGES FACILITIES IMPROVEMENT AND ENHANCEMENT"**

**§3394.1. Community and technical colleges facilities improvement and enhancement; intent**

It is the intent of the legislature to ensure that the institutions of the Louisiana Community and Technical Colleges System are responsive to the workforce needs of this state. This Act enumerates specific facilities within that system which have been determined to be extraordinarily vital to the state's response to the need for a competent and skilled workforce and which are in need of capital improvement or enhancement. The authorities granted to the Board of Supervisors of Community and Technical Colleges pursuant to this Part are intended to facilitate the finance of capital improvements and enhancements for the projects enumerated herein, and to ensure their completion in an expeditious manner.

**§3394.2. Definitions**

As used in this Chapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Public facilities" means buildings, equipment, and other permanent property or immovable property of the colleges within the Louisiana Community and Technical Colleges System, as specifically identified in R.S. 17:3394.3.

(2) "Project" means the acquisition, purchase, construction, renovation, improvement, or expansion of a public facility, to be financed as authorized and provided in this Part and R.S. 17:3361, to be limited to those public facilities and purposes identified in R.S. 17:3394.3.

(3) "Division of administration" means the division of administration created within the office of the governor by Title 39 of the Louisiana Revised Statutes of 1950.

(4) "Annual appropriation dependency clause" shall mean a clause which shall be included in any financing arrangement which provides that if, after a diligent and good faith effort by the state to appropriate funds for the payment of sums due under a financing agreement, such funds are not appropriated, such agreement shall be terminated, and the state shall not be liable for the payment of further sums due thereunder.

(5) "Board" means the Board of Supervisors of Community and Technical Colleges.

(6) "Corporation" means the nonprofit corporation which may be utilized to accomplish the purposes of this Part.

§3394.3. Authority of board to execute agreements related to the finance of capital improvements and enhancements

A. The board shall exercise its authority granted pursuant to R.S. 17:3361 as may be necessary to provide for the completion of the projects enumerated in this Section. The board may grant leases of property under its supervision to a nonprofit corporation for the purpose of financing such projects, and the sum total amount to be financed therefor shall equal no more than the total value of all projects listed herein, plus an amount equal to fifteen percent of such total. Notwithstanding any provision of R.S. 17:3361 to the contrary, the term of any lease agreement made for purposes of this Part shall not exceed thirty years. No monies shall be appropriated for these purposes until July 1, 2008.

B. For the purposes of this Part, the following projects shall comprise the entirety of public facilities and projects to be financed under the authorities of this Part and R.S. 17:3361 with respect to these projects. The dollar value listed for each project, plus an amount equal to fifteen percent, is the maximum amount that may be financed for each respective project."

AMENDMENT NO. 4

On page 6, delete lines 1 through 3, and insert the following:

"§3394.4. Functions of corporation

There is hereby authorized the formation and incorporation of a nonprofit corporation, the purpose of which shall be the financing and acquisition, purchase, construction, renovation, improvement, or expansion of public facilities for lease to the state of Louisiana. The members of the board of directors for the corporation shall serve pursuant to the General Nonprofit Corporation Law.

§3394.5. Powers of corporation

A. In addition to the powers granted it by the General Nonprofit Corporation Law, Title 12 of the Louisiana Revised Statutes of 1950, the corporation shall have the power to undertake any project relative to those public facilities, projects and purposes as specifically

enumerated in R.S. 17:3394.3, to provide for the financing thereof in an amount not to exceed the total value of all projects listed plus an amount equal to fifteen percent of the total.

B. The corporation may lease for a term not to exceed thirty years to the state of Louisiana through the division of administration the project being financed or public facilities conveyed to the corporation in connection with such financing, upon such terms and conditions as are mutually agreeable, however, any and all such agreements shall contain an annual appropriation dependency clause, and to charge and collect rents therefor and to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; to include in any such lease, if it shall so desire, provisions that the lessee thereof shall have options to renew the term of the lease for such period or periods and at such rent as shall be determined by the corporation or to purchase any or all of the public facilities, or that upon payment of all of the indebtedness incurred by the corporation for the financing of such project, then the corporation shall convey any or all of the public facilities to the state of Louisiana with or without consideration. The state of Louisiana through the division of administration may enter into a lease for immovable or movable property with the corporation, whether as lessee or lessor, pursuant to this Part.

§3394.6. Bonds

A. The corporation is authorized beginning July 1, 2008, from time to time, to issue its bonds in order to provide for achieving any of its purposes under this Part which are necessary for the completion of all of the projects enumerated in R.S. 17:3394.3.

B. Except as may otherwise be expressly provided by this corporation, each of its bonds shall be payable from any revenues or monies of the corporation available therefor and not otherwise pledged, subject only to any agreements with the holders of particular bonds pledging any particular revenues or monies. Such bonds shall be and are deemed to be for all purposes negotiable instruments, subject only to the provisions of such bonds for registration.

C. The corporation's bonds may be issued as serial bonds or as term bonds, or the corporation, in its discretion, may issue bonds of both types. The issuance of all bonds shall be authorized by resolution of the board of directors and shall bear such date or dates, mature at such time or times, not exceeding thirty years from their respective dates, bear interest at such rate or rates, be payable at such time or times, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America at such place or places, and be subject to such terms of redemption, as the indenture, trust agreement, or resolution relating to such bonds may provide. The corporation's bonds may be sold by the corporation at public or private sale, for such price or prices and upon such terms and conditions as the corporation shall determine. The corporation may sell any bonds at a price below the par value thereof; provided, however, that the discount shall not exceed six percent of the par value thereof. Pending preparation of the definitive bonds, the corporation may issue interim receipts or certificates or temporary bonds which shall be exchanged for such definitive bonds.

D. Neither the members of the board of directors of the corporation or any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

§3394.7. Bonds and certificates; payment; no liability of state or political subdivision

Neither bonds nor certificates shall be deemed to constitute a debt or liability of the state of Louisiana or of any agency, board, or political subdivision thereof or a pledge of the faith and credit of the state of Louisiana.



§3394.8. Dissolution of corporation; title to the property to vest in successor

Upon dissolution of the corporation, title to all property owned by the corporation shall vest in the successor corporation created by the legislature, if any, if such successor corporation qualifies under Section 103 of the Federal Internal Revenue Code of 1986, as amended, to issue obligations the interest on which is exempt from federal income taxation. If no such successor corporation is so created, title to such property shall vest in the state of Louisiana."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 337 by Senator Adley

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Appropriations to Engrossed Senate Bill No. 337, on line 2, change "R.S. 47:647" to "R.S. 47:647.1"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**Privileged Report of the Legislative Bureau**

June 24, 2007

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 32  
Reported without amendments.

Senate Bill No. 45  
Reported without amendments.

Senate Bill No. 54  
Reported without amendments.

Senate Bill No. 65  
Reported without amendments.

Senate Bill No. 70  
Reported with amendments.

Senate Bill No. 90  
Reported without amendments.

Senate Bill No. 182  
Reported without amendments.

Senate Bill No. 190  
Reported without amendments.

Senate Bill No. 235  
Reported without amendments.

Senate Bill No. 251  
Reported with amendments.

Senate Bill No. 255  
Reported with amendments.

Senate Bill No. 282  
Reported without amendments.

Senate Bill No. 285  
Reported with amendments.

Senate Bill No. 292  
Reported with amendments.

Senate Bill No. 313  
Reported without amendments.

Senate Bill No. 352  
Reported without amendments.

Senate Bill No. 360  
Reported with amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Senate Instruments on Second Reading  
Returned from the Legislative Bureau**

Rep. McDonald asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

**SENATE BILL NO. 32—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:287.738(G) and 293(6)(a)(i) and (8), relative to income tax deductions; to provide for an individual and corporate income tax deduction for certain gratuitous benefits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 45—**  
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 47:293(2) and (6)(a)(i), relative to income tax deductions; to grant a deduction from income taxable for individual income tax for certain elementary and secondary education tuition; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 45 by Senator Marionneaux

**AMENDMENT NO. 1**

On page 1, line 12, between "means" and "the total" insert "fifty percent of"

**AMENDMENT NO. 2**

On page 1, line 12, between "paid" and "to" insert a comma "," and insert "not to exceed five thousand dollars."

**AMENDMENT NO. 3**

On page 2, delete line 10 and insert "July 1, 2008."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 54—**  
BY SENATOR DUPRE

**AN ACT**

To enact R.S. 42:1123(37), relative to the Code of Governmental Ethics; to prohibit certain actions between an insurance producer and a governmental entity; to permit an insurance producer to provide certain insurance services to a governmental entity; to provide for disclosure of insurance producer compensation; to provide for other contracts; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 54 by Senator Dupre

**AMENDMENT NO. 1**

On page 1, delete lines 12 through 17 and on page 2, delete lines 1 through 25 and insert the following:

"(37)(a) An insurance producer of record, as provided for in R.S. 22:1150(B), from providing all of the normal insurance and risk management services to a governmental entity, including but not limited to providing advice or recommendations regarding insurance coverages, markets, costs, terms, selection of coverages and all related matters; provided that:

(i) An insurance producer, as defined in R.S. 22:1132(6), who solicits to be producer of record or serves as producer of record for a governmental entity shall not serve in any other official decision making capacity over insurance issues for the governmental entity, including but not limited to elected or appointed positions, advisory committees, as an employee, or as risk manager.

(ii) Any insurance producer who has served in any official decision making capacity over insurance issues for a governmental entity, including but not limited to elected or appointed positions, advisory committees, as an employee, or as risk manager, and who wishes to solicit or serve as producer of record for that same governmental entity shall comply with the provisions of R.S. 42:1121.

(b) An insurance producer of record may be compensated by means of normal commissions or pursuant to a written contract providing for payment of a stipulated fee, or both; provided that where the insurance producer of record receives any compensation from the governmental entity for the placement of insurance coverages and represents the governmental entity with respect to that placement, the producer shall fully disclose to the governmental entity in writing all fees, commissions, or other compensation payable to the producer of record from the insurer or any source other than the governmental entity that relate to the placement of the insurance coverages.

(c) Nothing in this Paragraph shall prohibit a governmental entity from contracting with an insurance consultant separate from the producer of record to provide risk management services and to assist the governmental entity in making insurance decisions.

(d) The provisions of this Paragraph shall not apply to individually underwritten guaranteed renewable limited benefit health insurance policies."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 65—**  
BY SENATOR ADLEY

**AN ACT**

To enact R.S. 47:315.5, relative to sales and use tax of the state; to grant an exemption in the form of a restricted refund to certain charitable institutions; to provide a refund procedure and for audits and examinations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 70—**  
BY SENATOR MICHOT

**AN ACT**

To amend and reenact R.S. 47:6023(B)(5) and (6) and (C)(1), relative to income tax; to extend the sound recording investor tax credit; to provide for certain time limits for approvals and certain reports; to provide for prohibition of additional tax benefits for certain expenditures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 70 by Senator Michot

##### AMENDMENT NO. 1

On page 2, line 14, following "hundred" and before "eighty" delete "and"

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 90—** BY SENATORS N. GAUTREUX AND MURRAY AN ACT

To enact R.S. 47:297.7, relative to individual income tax; to provide a tax credit for the installation of certain renewable energy systems; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 90 by Senator N. Gautreaux

##### AMENDMENT NO. 1

On page 1, at the end of line 10, before the period " ." insert "or by the owner of a residential rental apartment project"

##### AMENDMENT NO. 2

On page 1, at the end of line 13, before the period " ." insert a comma " ," and "or where such systems are installed in new or existing apartment projects"

##### AMENDMENT NO. 3

On page 1, line 15, after "cost of" delete "the" and insert "each"

##### AMENDMENT NO. 4

On page 2, at the end of line 1, insert the following:

"A taxpayer shall not receive any other state tax credit, exemption, exclusion, deduction, or any other tax benefit for property for which the taxpayer has received a tax credit under this Section."

##### AMENDMENT NO. 5

On page 2, at the end of line 7, insert the following:

"In the case of an apartment project owner who purchases and installs such systems, the tax credits for owner entities other than individuals shall be claimed in accordance with the provisions of Subsection E of this Section."

##### AMENDMENT NO. 6

On page 2, at the beginning of line 9, change "individual's" to "person's"

##### AMENDMENT NO. 7

On page 2, line 11, change "individual" to "person"

##### AMENDMENT NO. 8

On page 2, at the beginning of line 14, delete "capable" and insert "with the primary purpose"

##### AMENDMENT NO. 9

On page 2, at the end of line 17, delete "that collects or" and delete line 18 in its entirety and at the beginning of line 19, delete "or absorbs" and insert the following:

"with the primary purpose of collecting or absorbing sunlight for conversion into electricity or an energy system with the primary purpose of collecting or absorbing"

##### AMENDMENT NO. 10

On page 2, between lines 20 and 21, insert the following:

"E. Credits may be claimed in accordance with the following:

(1) Any entity taxed as a corporation for Louisiana income tax and franchise tax purposes shall claim any credit authorized according to the provisions of this Section on its corporation income and franchise tax return.

(2) Any individual, estate, or trust shall claim any credit authorized according to the provisions of this Section on its income tax return.

(3) Any entity not taxed as a corporation shall claim any credit authorized according to the provisions of this Section on the returns of the partners or members as follows:

(a) Corporate partners or members shall claim their share of the credit on their corporation income tax or franchise tax returns.

(b) Individual partners or members shall claim their share of the credit on their individual income tax or franchise tax returns.

(c) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns."

##### AMENDMENT NO. 11

On page 2, delete line 21, and insert the following:

"F. The secretary of the Department of Revenue in consultation with the secretary of the Department of Natural Resources shall promulgate such"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 182—**

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:293(2) and (6)(a)(i), relative to individual income tax; to provide a tax deduction for a portion of the cost paid or incurred by a taxpayer to voluntarily retrofit certain property to bring it into compliance with the State Uniform Construction Code; to define retrofit; to provide for the amount of the deduction allowed; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 182 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 1, after "structure" insert a comma "," and insert "for which the taxpayer claims the homestead exemption for ad valorem tax purposes, excluding rental property."

AMENDMENT NO. 2

On page 3, between lines 1 and 2, insert the following:

"(f) A taxpayer shall not receive any other state tax credit, exemption, exclusion, deduction, or any other tax benefit for items of tangible personal property for which the taxpayer has received a tax credit under this Paragraph."

AMENDMENT NO. 3

On page 3, line 21, change "January 1, 2007." to "January 1, 2008."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 190—**

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:311(D)(2), relative to the Video Draw Poker Devices Control Law; to provide for the calculation of franchise payments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 235—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit certain hospital service districts to enter into an initial recruiting contract with a health care provider who is a member of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Lancaster, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 251—**

BY SENATORS ADLEY, CAIN AND NEVERS

AN ACT

To enact R.S. 47:6026, relative to state sales tax; to provide a credit against such tax for certain investments; to provide for refunds; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 251 by Senator Adley

AMENDMENT NO. 1

On page 1, line 17, after "business" and before the comma "," insert "that has been operating in the state for at least twelve months prior to making a qualifying investment"

AMENDMENT NO. 2

On page 2, line 3, after "classified in" and before "321113" delete "2006: 113110" and insert "2007:"

AMENDMENT NO. 3

On page 2, line 6, change "2006:" to "2007:"

AMENDMENT NO. 4

On page 2, line 21, after "are made," delete the remainder of the line in its entirety and delete lines 22 and 23 in their entirety and insert "the secretary shall"

AMENDMENT NO. 5

On page 2, delete line 29 in its entirety and on page 3, delete lines 1 through 14 in their entirety and at the beginning of line 15, delete "manufacturers." and insert the following:

"The secretary shall certify no more than six million dollars in tax credits in favor of wood and paper products manufacturers identified in Paragraph (1) of Subsection C of this Section. If eligible wood and paper products manufacturers are eligible for certification of credits in excess of six million dollars in any calendar year, the secretary shall reduce the certified credits for each eligible wood and paper products manufacturer on a pro-rata basis in proportion to the eligible investment of each wood and paper products manufacturer to the total investments of all wood and paper products manufacturers. The secretary shall certify no more than six million dollars in tax credits in favor of chemical manufacturers identified in this Paragraph (1) of Subsection C of this Section. If eligible chemical manufacturers are eligible for certification of credits in excess of six million dollars in any calendar year, the secretary shall reduce the certified credits for each eligible chemical manufacturer on a pro-rata basis in proportion to the eligible investment of each chemical manufacturer to the total investments of all chemical manufacturers."

#### AMENDMENT NO. 6

On page 3, delete lines 26 through 29 in their entirety and on page 4, delete lines 1 through 26 in their entirety and insert the following:

"(1) For periods after the month in which the memorandum of credit is received, the amount of credit certified by the secretary shall be taken as a credit against the sales and use tax liability due or determined to be due from the eligible business.

(2) Unused credits shall be carried forward as a credit against subsequent sales and use tax liabilities due or determined to be due for all tax periods through sixty months following receipt by the eligible business of the memorandum of credit issued by the secretary.

(3) Any credit amount remaining after the sixty month period shall be refunded by the secretary within six months of the date of receipt of a written application requesting a refund by the eligible business. Notwithstanding any other"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

#### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 251 by Senator Adley

#### AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Ways and Means on line 25 after "identified in" and before "Paragraph" delete "this"

#### AMENDMENT NO. 2

In House Committee Amendment No. 6 proposed by the House Committee on Ways and Means, on line 33 following "entirety" and before "and" insert ", on page 5, line 10, change "(5)" to "(4)", "

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 255—**

BY SENATOR HOLLIS

#### AN ACT

To amend and reenact R.S. 47:843(B), (C)(3), and (F) and 851(B)(1) and (2)(b), relative to tobacco tax; to provide relative to discounts to out-of-state wholesale tobacco dealers; to remove the authority of the secretary of the Department of Revenue to enter into reciprocal agreements for discount purposes; to increase the tobacco tax discount; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Re-Reengrossed Senate Bill No. 255 by Senator Hollis

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:843(B)" delete the comma "," and delete "(C)(3),"

#### AMENDMENT NO. 2

On page 1, line 8, after "R.S. 47:843(B)" delete the comma "," and delete "(C)(3),"

#### AMENDMENT NO. 3

On page 2, line 4, after "exceed" delete "eight" and insert "six"

#### AMENDMENT NO. 4

On page 2, delete lines 5 through 11

#### AMENDMENT NO. 5

On page 2, line 29, after "(b)" delete "An eight" and insert "A six"

#### AMENDMENT NO. 6

On page 3, line 11, after "exceed" delete "eight" and insert "six"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

#### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Re-Reengrossed Senate Bill No. 255 by Senator Hollis

#### AMENDMENT NO. 1

On page 2, line 23, at the beginning of the line delete "revenue" and insert "the Department of Revenue"

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 282—**  
BY SENATOR SCHEDLER

AN ACT

To enact Part VII-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1745.2 through 1745.8 and R.S. 37:2372.1, relative to health care providers; to include legislative findings; to provide definitions; to provide for reporting of certain actions by health care entities; to provide with respect to the entities to which such reporting is required; to provide for confidentiality of mandatory reports; to provide for the limitation of liability for mandatory reporters; to provide relative to the use of information provided by mandatory reporters; to provide for criminal background checks by the State Board of Examiners of Psychologists; to provide for an investigation fee; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Lancaster, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 285—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2453(1), (2), (5)(introductory paragraph), 2454(B), (C), 2455(E)(2), 2457(A)(2)(b), (c), and (f)(i), 2461(B), and 2462, and to enact R.S. 51:2453(6), and 2457(A)(2)(h), relative to the Louisiana Quality Jobs Program; to provide for the benefit rate; to provide for wages; to designate certain distressed regions in this state; to provide for health care benefits; to extend the deadline to accept applications for the program; to provide for the applicability of existing contracts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 285 by Senator Michot

AMENDMENT NO. 1

On page 9, at the end of line 13, before the period "." insert a comma "," and "or the value of the health benefits plan or health insurance coverage offered by the employer to an individual it employs"

AMENDMENT NO. 2

On page 10, delete lines 18 through 24 in their entirety and insert the following:

"~~(3)~~(4) Every contract executed pursuant to this Chapter shall include a requirement that if the employer receives a rebate under this Chapter and an assessment or judgment that is final and nonappealable has been rendered against the employer in favor of the state or any of its agencies or political subdivisions, then the contract shall be suspended pending satisfaction of the assessment or judgment and no rebate shall accrue to the employer under the contract during the period of suspension."

AMENDMENT NO. 3

On page 12, at the end of line 29, before the period "." insert a comma "," and "except as provided for in Paragraph B of this Section"

AMENDMENT NO. 4

On page 13, line 9, change "December 31, 2007" to "June 30, 2008"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 285 by Senator Michot

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on Ways and Means to Reengrossed Senate Bill No. 285, on line 15, change "Paragraph" to "Subsection"

AMENDMENT NO. 2

On page 1, lines 3 and 11, following "2457(A)(2)(b), (c), and" and before ", 2461(B)" change "(f)(i)" to "(f) (introductory paragraph) and (i)"

AMENDMENT NO. 3

On page 11, line 25, following "average" insert "of"

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 292—**

BY SENATOR MICHOT AND REPRESENTATIVES ALARIO AND TOWNSEND AND SENATORS BARHAM, CRAVINS AND N. GAUTREAUX AND REPRESENTATIVES ALEXANDER, HEBERT, MONTGOMERY, PIERRE, ROBIDEAUX, TRAHAN AND WALSWORTH  
AN ACT

To amend and reenact R.S. 47:3204(B)(1) and 4302(B), relative to contracts of tax exemption with the Board of Commerce and Industry; to remove the time limitation for the number of years the exemption is allowed; to provide for subsequent renewals of a contract; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 292 by Senator Michot

AMENDMENT NO. 1

On page 2, line 20, following "Committee" and before "shall" insert "on the Budget"

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 313—**  
BY SENATORS ADLEY AND CHEEK  
AN ACT

To amend and reenact R.S. 47:302(R), 321(H), and 331(P)(1), and to enact R.S. 47:305.56, relative to the sales and use tax; to exempt from state sales and use tax the purchase of a motor vehicle that has been or will be modified for use by an orthopedically handicapped person; to provide for an effective date; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 352—**  
BY SENATORS MICHOT AND QUINN  
AN ACT

To amend and reenact R.S. 51:1787(A)(3), relative to enterprise zones; to provide for tax credits for certain employees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 352 by Senator Michot

AMENDMENT NO. 1

On page 1, line 16, after "Louisiana," delete the remainder of the line and insert "or who is a"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 360—**  
BY SENATORS MICHOT, KOSTELKA, MALONE, MOUNT, MURRAY  
AND NEVERS  
AN ACT

To amend and reenact R.S. 47:337.18(B)(1), to enact R.S. 47:306(A)(6) and (7), and to repeal R.S. 47:306(B) and (C) and 337.18(B)(2) and (3), relative to the collection of advance sales tax of the state and its political subdivisions by manufacturers, wholesalers, jobbers and suppliers from retail dealers; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 360 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 47:306(B)(1) and (11) and" and after "and (7)," insert "and R.S. 47:337.18(A)(6),"

AMENDMENT NO. 2

On page 1, line 5, after "dealers;" insert: "to reduce the amount of sales necessary for a dealer to be exempt from the payment of advance sales tax and then to repeal the requirement for payment of such advance sales tax effective January 1, 2009;" and after "provide for" delete "an"

AMENDMENT NO. 3

On page 1, line 6, change "date" to "dates"

AMENDMENT NO. 4

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

"Section 1. R.S. 47:306(B)(1) and (11) are hereby amended and reenacted to read as follows:

§306. Returns and payment of tax; penalty for absorption

\* \* \*

B. Collection by wholesalers. (1)(a) Notwithstanding the provisions of Subsection A or any other provision of this Chapter, every manufacturer, wholesaler, jobber, or supplier who sells to anyone for sale at retail any article of tangible personal property, the retail sale of which is taxable under this Chapter, shall collect as advance sales tax until January 1, 2009 a per centum of the sales price of such article equal to the rate of the sales tax levied on such article by this Chapter.

\* \* \*

(11)(a) The secretary of the Department of Revenue is authorized to issue an exemption from the payment of advance sales taxes and an exemption identification number to any dealer in the sale of tangible personal property ~~who has been registered with and filing sales tax returns with the Department of Revenue for a minimum of one year,~~ whose annual sales of tangible personal property for a consecutive twelve-month period, exclusive of the tax due on purchases by the dealer, ~~was three million dollars or more,~~ and who timely filed his returns for the period and timely remitted the tax shown due on the returns. The secretary shall determine the base period for a dealer's eligibility averages five hundred thousand or more.

(b) Eligibility for the exemption certificate will be based upon the dealer's return filing and tax payment record and dealers that are delinquent in filing or paying their taxes shall be disqualified.

(c) Dealers shall obtain an exemption identification number for each sales location. However, dealers that open a new business location may qualify for the exemption based upon the average annual sales of all of the businesses' locations in the state or upon a

projection of the annual sales at all locations within the state if the projection can be substantiated by the dealer to the satisfaction of the secretary.

(d) Any exemption identification numbers shall be effective for a period not to exceed periods from one to five years as determined by the secretary, provided that the secretary can reissue exemption identification numbers to dealers who continue to meet the qualifications under this Paragraph and can revoke the exemption identification numbers of dealers who no longer meet the qualifications. The secretary is authorized to refuse the issuance of an exemption number to or to revoke the exemption number of any dealer when, in the opinion of the secretary, the dealer's audit, filing, or payment histories indicate that a greater level of tax compliance could be achieved by the dealer's payment of the advance sales tax on purchases of tangible personal property for resale based upon the dealer's filing and tax payment record.

(i) Exemption identification numbers shall be issued to dealers who continue to meet the qualifications under this Paragraph.

(ii) Exemption identification numbers shall be revoked if a dealer becomes delinquent in filing or paying the tax or for any reason that indicates that a greater level of tax compliance would be achieved by the dealer's payment of the advance sales tax on purchases of tangible personal property for resale.

(b) Eligibility for the exemption identification numbers provided for in Subparagraph (a) shall be based on the sales of tangible personal property attributable to each sales location of the dealer applying to the secretary for an exemption identification number. However, the secretary, by rule, is authorized to provide standards, not inconsistent with these provisions, for the issuance of exemption numbers to multi-location consolidated sales tax filers, and to new business locations of dealers who have received exemption identification numbers under Subparagraph (a).

\* \* \*

AMENDMENT NO. 5

On page 1, line 8, change "Section 1." to "Section 2."

AMENDMENT NO. 6

On page 1, line 9, change "is" to "and R.S. 47:337.18(A)(6) are"

AMENDMENT NO. 7

On page 2, line 9, after "they sell" insert "for the purpose of resale"

AMENDMENT NO. 8

On page 2, at the beginning of line 12, insert "A."

AMENDMENT NO. 9

On page 2, between lines 12 and 13, insert:

"(6) In making their returns to the collector, dealers who have paid advance sales tax on purchases of tangible personal property for resale during periods when the collection of such tax was required by law shall deduct from the total tax collected by them upon the retail sale of the commodity the amount of tax paid by them to manufacturers, wholesalers, jobbers and suppliers during the period reported, provided tax paid invoices evidencing the payment are retained by the dealer claiming the refund or credit. If the amount so paid during any reporting period amounts to more than the tax collected by him for the period reported, the excess so paid shall be allowed as refund or credit against the tax collected by the dealer during the succeeding period or periods."

AMENDMENT NO. 10

On page 2, line 17, after "sell" insert "for the purposes of resale"

AMENDMENT NO. 11

On page 2, line 19, change "Section 2." to "Section 3."

AMENDMENT NO. 12

On page 2, delete lines 20 through 22, and insert:

"Section 4. The provisions of Sections 2 and 3 of this Act shall become effective on January 1, 2009.

Section 5. The provisions of this Section and Section 1 and 4 of this Act shall become effective on January 1, 2008."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 360 by Senator Michot

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on Ways and Means to Reengrossed Senate Bill No. 360, on line 2, change "47:306(B)(1)" to "47:306(B)(1)(a)"

AMENDMENT NO. 2

In House Committee Amendment No. 4, proposed by the House Committee on Ways and Means to Reengrossed Senate Bill No. 360, on line 13, change "47:306(B)(1)" to "47:306(B)(1)(a)"

AMENDMENT NO. 3

On page 2, line 13, following "Collection by wholesalers." and before "Parishes" insert "(1)"

On motion of Rep. Townsend, the amendments were adopted.

On motion of Rep. Townsend, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**Reconsideration**

The following legislative instruments on reconsideration were taken up and acted upon as follows:

**SENATE BILL NO. 319—**  
BY SENATORS MURRAY, DUPLESSIS AND SHEPHERD  
AN ACT

To enact Subpart J of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.31 and 300.32, relative to the Sewerage and Water Board of New Orleans; to provide for the "Crescent Cover Logo"; to provide for remedies; to provide for penalties; and to provide for related matters.

Read by title.

On motion of Rep. Karen Carter, the vote by which the above Senate Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.



### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Karen Carter gave notice of her intention to call Senate Bill No. 319 from the calendar for future action.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. St. Germain gave notice of her intention to call Senate Bill No. 3 from the calendar for future action.

### Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 280: Reps. Quezaire, Pinac, and Walsworth.

### House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

#### Suspension of the Rules

On motion of Rep. Beard, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

#### HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE BEARD

##### A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to take all action allowable by law to revoke D & J, Inc.'s solid waste permit.

Read by title.

Rep. Beard sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beard to Original House Concurrent Resolution No. 134 by Representative Beard

##### AMENDMENT NO. 1

On page 1, delete line 3, and insert "by law to permanently close D&J, Inc.'s solid waste landfill on Louisiana Highway 928 in Ascension Parish expeditiously and to increase monitoring of the landfill until the facility is closed."

##### AMENDMENT NO. 2

On page 1, at the end of line 20, change the period "." to a semi-colon ";" and insert "and"

##### AMENDMENT NO. 3

On page 1, after line 20 insert the following:

"WHEREAS, in response to these numerous infractions, on June 1, 2007, the Department of Environmental Quality issued an order to D&J, Inc., to close the facility within twelve months; and

WHEREAS, the Department of Environment Quality should make every effort to expedite the closure of the facility and to take steps to ensure the protection of the environment and the health of area residents."

##### AMENDMENT NO. 4

On page 2, delete line 3, and insert "law to permanently close D&J, Inc.'s solid waste landfill on Louisiana Highway 928 in Ascension Parish expeditiously and to increase monitoring of the landfill until the facility is closed."

On motion of Rep. Beard, the amendments were adopted.

On motion of Rep. Beard, the resolution, as amended, was adopted.

Ordered to the Senate.

#### Suspension of the Rules

On motion of Rep. Hutter, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

#### HOUSE CONCURRENT RESOLUTION NO. 175—

BY REPRESENTATIVE HUTTER

##### A CONCURRENT RESOLUTION

To urge and request the House Committee on Insurance to investigate the feasibility of establishing a regional catastrophe fund that would allow states along the Gulf Coast to pool property insurance risks and other resources to reduce insurance premiums throughout the Gulf Coast region.

Read by title.

On motion of Rep. Hutter, the resolution was adopted.

Ordered to the Senate.

#### Suspension of the Rules

On motion of Rep. Barrow, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

#### HOUSE RESOLUTION NO. 97—

BY REPRESENTATIVE BARROW

##### A RESOLUTION

To urge and request the House Committee on Commerce to study and make recommendations relative to imposing green building standards for construction of public buildings in order to make the operation of such buildings more efficient and to protect the health and welfare of employees who work in such buildings and the health and welfare of the citizens of this state, and to report its findings to the House of Representatives no later than February 1, 2008.

Read by title.

Rep. Fannin sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Resolution No. 97 by Representative Barrow

##### AMENDMENT NO. 1

On page 2, line 16, after "from the" delete "wood industry." and insert "Louisiana Forestry Association."

AMENDMENT NO. 2

On page 2, between lines 17 and 18 insert the following:

"(9) A representative from the Green Building Initiative.

(10) A representative from the LSU Agricultural Center's Forest Products Development Center.

(11) A representative from Solutions Through Science."

On motion of Rep. Fannin, the amendments were adopted.

Motion

On motion of Rep. Barrow, the resolution, as amended, was returned to the calendar.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 236—

BY SENATOR SMITH

AN ACT

To amend and reenact the introductory paragraph of R.S. 46:1906(A) and 1906(B), relative to youth services; to provide for equal payments by youth services, office of youth development, to non-state owned secure detention facilities housing children committed to the office of youth services while they are waiting for placement in either a secure or non-secure placement; to provide for current statutory references; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Alario, and under a suspension of the rules, consideration of the above bill was deferred at this time.

SENATE BILL NO. 14—

BY SENATOR HINES AND REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 39:1401(C) and to enact R.S. 39:1401(D) and (E), relative to the State Bond Commission; to establish an executive committee of the commission; to provide for rotation of the chairmanship of the executive committee; to provide that the executive committee shall set the agenda for commission meetings; to provide for placement of additional items on the agenda for commission meetings; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Alario, and under a suspension of the rules, consideration of the above bill was deferred at this time.

SENATE BILL NO. 135—

BY SENATORS DUPLESSIS, LENTINI, MICHOT, MURRAY, SHEPHERD AND N. GAUTREAUX AND REPRESENTATIVES RICHMOND AND K. CARTER

AN ACT

To amend and reenact R.S. 47:6019(A)(1)(a) and (2)(a) and (B)(1), to enact R.S. 47:6019(C), and to repeal Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature as amended by Act No. 12 of the 2004 First Extraordinary Session of the Legislature, relative to the state historic rehabilitation credit; to expand the applicability of the credit to certain structures; to remove the credit cap of five million dollars; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

SENATE BILL NO. 138—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 47:6018, relative to tax credits; to grant a refundable credit against income and corporate franchise tax for the purchase of certain items from certain contractors employing inmate labor; and to provide for related matters.

Read by title.

Rep. Erdey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Farrar, Oinet; Alario, Fauchoux, Pierre; Alexander, Frith, Pinac; Anders, Geymann, Pitre; Ansardi, Gray, Powell, M.; Arnold, Greene, Powell, T.; Badon, Guillory, E.J., Quezaire; Baldone, Guillory, E.L., Richmond; Barrow, Guillory, M., Ritchie; Baudoin, Heaton, Robideaux; Baylor, Hebert, Romero; Bowler, Hill, Scalise; Bruce, Honey, Schneider; Burns, Hutter, Smiley; Burrell, Jackson, Smith, G.; Carter, K., Johns, Smith, J.D.-50th; Carter, R., Katz, Smith, J.H.-8th; Cazayoux, Kennard, St. Germain; Chandler, Kenney, Strain; Crane, Kleckley, Thompson; Crowe, LaFleur, Toomy; Curtis, LaFonta, Townsend; Damico, Lambert, Trahan; Daniel, Lancaster, Triche; Dartez, Lorusso, Tucker; DeWitt, Martiny, Waddell; Doerge, McDonald, Walker; Dove, McVea, Walsworth; Downs, Montgomery, White; Durand, Morrell, Williams; Erdey, Morris, Winston; Fannin, Morrish.

Total - 95

NAYS

Total - 0

ABSENT

Beard	Hunter	Smith, J.R.—30th
Dorsey	Jefferson	Wooton
Gallot	LaBruzzo	
Harris	Marchand	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Erdey moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 146—**

BY SENATORS DUPRE, B. GAUTREAU, HOLLIS, MICHOT, ELLINGTON, MCPHERSON AND ULLO AND REPRESENTATIVES BALDONE, DOVE, KENNARD, PITRE AND QUEZAIRE

AN ACT

To enact Subpart N 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. 39:100.51, relative to the creation and establishment of the Windfall Highway, Infrastructure, and Protection Fund; to provide for the dedication of money in the fund to certain uses; and to provide for related matters.

Read by title.

Rep. Quezaire sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Quezaire to Reengrossed Senate Bill No. 146 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:481, to"

AMENDMENT NO. 2

On page 1, line 3, after "39:100.51," delete the remainder of the line and insert the following:

"to enact R.S. 48:77, and to repeal Part XI-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:196, relative to the dedication of monies for infrastructure, highway, and coastal protection purposes; to provide for the deposit, investment, and use of certain monies in the Transportation Trust Fund; to provide for the creation"

AMENDMENT NO. 3

On page 5, between lines 9 and 10, insert the following:

"Section 2. R.S. 47:481 is hereby amended and reenacted to read as follows:

§481. Disposition of collections

Except as provided in R.S. 47:480, all fees and taxes provided for in this Chapter, including the permit fees, shall be paid to the state treasurer on or before the tenth day of each month following their collection and shall be credited to the ~~account of the state general fund, State Highway Improvement Fund, Transportation Trust Fund, and the state highway fund No. 2,~~ as provided by law.

Section 3. R.S. 48:77 is hereby enacted to read as follows:

§77. Transportation Trust Fund; dedication and uses of monies

A. Whereas Article VII, Section 27(B) of the Constitution of Louisiana authorizes the legislature to dedicate as well as appropriate monies in the Transportation Trust Fund, hereinafter referred to as the "fund", solely and exclusively for costs associated with roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program, ports, airports, and transit, among others, the legislature hereby declares its intent to dedicate such monies to ensure that the funds are expended upon those constitutional purposes which the legislature considers most important.

B.(1) Beginning July 1, 2008, and each year thereafter, monies in the Transportation Trust Fund which are available to be appropriated for roads, bridges, transit, airports, flood control, ports, and the Parish Transportation Fund shall be dedicated and appropriated solely and exclusively for the specific allocations enumerated in Article VII, Section 27(B) of the Constitution of Louisiana, for costs for the design and construction of such infrastructure, and to pay principal, interest, or premium, if any, and other obligations incidental to the issuance, security, and payment of bonds or other obligations related to such infrastructure costs, and as further provided herein. A combined total amount of at least fifty million dollars payable from monies deposited into the State Highway Improvement Account and the Priority Program Account within the Transportation Trust Fund shall be annually dedicated and appropriated solely and exclusively to fund projects on any highway which is part of the state highway system, but is ineligible for federal highway funding assistance.

(2) Monies in the fund shall be available for appropriation, dedication, or use by state police for traffic control purposes, but only in the event that all other eligible costs as enumerated in Article VII, Section 27(B) of the Constitution of Louisiana and the purposes provided in this Section have been fully funded.

(3) In no event shall monies in the Transportation Trust Fund be appropriated, dedicated, or otherwise used, directly or indirectly, for expenses for retirement contributions or health care contributions.

C. There is hereby created, as a special account in the Transportation Trust Fund, the State Highway Improvement Account, hereinafter referred to as the "improvement account". The source of monies in the improvement account shall be registration and license fees and taxes on trucks and trailers collected by the state pursuant to R.S. 47:462, and as provided in R.S. 47:481. Beginning July 1, 2008, and each fiscal year thereafter, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, and after making the allocation for state highway fund No. 2, the treasurer shall deposit into the improvement account an amount equal to the residual of such collections as provided in R.S. 47:481.

(1) The monies in the State Highway Improvement Account shall be subject to an annual appropriation by the legislature and only be used as provided in Paragraph (2) of this Subsection. The monies in the improvement account shall be invested by the treasurer in the same manner as the monies in the state general fund, and all interest earned shall be deposited and credited to the improvement account. All unexpended and unencumbered monies remaining in the improvement account at the end of the fiscal year shall remain to the credit of the improvement account.

(2) Monies appropriated from the State Highway Improvement Account shall be used exclusively by the Department of Transportation and Development for funding projects for any highway which is part of the state highway system, but is ineligible for federal highway funding assistance. Such projects shall include but not be limited to design, preventive maintenance, rehabilitation,

restoration, and improvement of the state-maintained system of highways. In addition, these funds may be used to complete all of the preconstruction activities, such as planning, survey, design, engineering, right-of-way acquisition, and utility relocations associated with such projects.

D. Beginning July 1, 2008, and each fiscal year thereafter, the avails of the tax imposed by Chapters 2, 2-A, and 2-B of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 from the sale at retail, the use, the lease or rental, the distribution, the consumption, and the storage for use or consumption of motor vehicles, as presently defined in and as provided by Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, subject to the tax exemptions provided in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, shall be credited to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay the remainder of such monies into the Transportation Trust Fund to be credited as follows:

(1) There is hereby created, as a special account in the Transportation Trust Fund, the Priority Program Account. Eighty-six percent of the monies paid into the Transportation Trust Fund as provided by this Subsection shall be credited to the Priority Program Account, and not less than thirty percent of such monies provided in this Paragraph shall be dedicated to capacity projects.

(a) Subject to an annual appropriation by the legislature, the monies in the Priority Program Account shall be used exclusively for priority projects as provided by R.S. 48:229.

(b) All unexpended and unencumbered monies in the Priority Program Account at the end of the fiscal year shall remain in the Priority Program Account. The monies in the Priority Program Account shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the Priority Program Account.

(2) There is hereby created, as a special account in the Transportation Trust Fund, the Transportation Mobility Account. Seven percent of the monies paid into the Transportation Trust Fund as provided by this Subsection shall be credited to the Transportation Mobility Account.

(a) Subject to an annual appropriation by the legislature, the monies in the Transportation Mobility Account shall be used exclusively for transfer to the Transportation Mobility Fund and the purposes provided in R.S. 48:2111 et seq.

(b) All unexpended and unencumbered monies in the Transportation Mobility Account at the end of the fiscal year shall remain in the Transportation Mobility Account. The monies in the Transportation Mobility Account shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the Transportation Mobility Account.

(3) There is hereby created, as a special account in the Transportation Trust Fund, the Port Construction and Development Priority Program No. 2 Account. Seven percent of the monies paid into the Transportation Trust Fund as provided by this Subsection shall be credited to the Port Construction and Development Priority Program No. 2 Account.

(a) Subject to an annual appropriation by the legislature, the monies in the Port Construction and Development Priority Program No. 2 Account shall be used exclusively for port priority projects as provided in Chapter 47 of Title 34 (R.S. 34:3451 through 3463).

(b) All unexpended and unencumbered monies in the Port Construction and Development Priority Program No. 2 Account at the end of the fiscal year shall remain in the Port Construction and Development Priority Program No. 2 Account. The monies in the Port Construction and Development Priority Program No. 2 Account shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the Port Construction and Development Priority Program No. 2 Account.

(c) The monies deposited into the Port Construction and Development Priority Program No. 2 Account are intended to provide additional monies to fund projects in the Port Construction and Development Priority Program and shall be used solely to supplement existing funding of the Port Construction and Development Priority Program provided by the provisions of Article 7, Section 27 of the Constitution of Louisiana.

(d) Nothing in this Section is intended to interfere with or supplant the prioritization and ranking of projects in the Port Construction and Development Priority Program. Only projects eligible for funding in the Port Construction and Development Priority Program are eligible for funding from the Port Construction and Development Priority Program No. 2 Account.

E. The provisions of Subsection D of this Section shall be null, void, and of no effect on and after July 1, 2010.

Section 4. Part XI-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:196, is hereby repealed in its entirety."

AMENDMENT NO. 4

On page 5, line 10, change "Section 2." to "Section 5."

On motion of Rep. Quezaire, the amendments were adopted.

Rep. Downs moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrell
Alario	Fannin	Morris
Alexander	Faucheux	Morrish
Anders	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.J.	Powell, T.
Barrow	Guillory, E.L.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Burns	Honey	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Johns	Smith, J.D.--50th
Cazayoux	Katz	St. Germain
Chandler	Kennard	Strain
Crane	Kennedy	Thompson
Crowe	Kleckley	Townsend
Curtis	LaFleur	Trahan
Damico	LaFonta	Triche
Daniel	Lambert	Waddell
Dartez	Lancaster	Walker
DeWitt	Lorusso	Walsworth
Doerge	Marchand	White

Dorsey	Martiny	Williams
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	
Total - 92		
NAYS		
Jackson	Scalise	Tucker
LaBruzzo	Smith, J.H.-8th	
Powell, M.	Toomy	
Total - 7		
ABSENT		
Beard	Geymann	Jefferson
Farrar	Hill	Smith, J.R.-30th
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Townsend gave notice of his intention to call Senate Bill No. 135 from the calendar for future action.

#### SENATE BILL NO. 155—

BY SENATORS JACKSON, CHAISSON, HINES, MOUNT AND NEVERS  
AN ACT

To enact R.S. 47:297.7 and to repeal R.S. 47:297(D), relative to the individual income tax; to provide for a child tax credit; to repeal the education tax credit; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Townsend gave notice of his intention to call Senate Bill No. 155 from the calendar for future action.

#### SENATE BILL NO. 156—

BY SENATOR B. GAUTREUX  
AN ACT

To amend and reenact R.S. 38:304(B), 331(B)(1)(l) and (m), and to enact R.S. 38:291(X), 329.3, 331(B)(1)(n), and 334.3, relative to levees; to create the St. Mary Levee District and provide for its purposes; to provide for the nomination and appointment of members to the board of commissioners; to provide for the authority, powers, and duties of the board; to provide for revenue utilization; to add a member to the Coastal Louisiana Levee Consortium; and to provide for related matters.

Read by title.

Rep. Jack Smith sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Reengrossed Senate Bill No. 156 by Senator B. Gautreaux

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:" and before "304(B)" insert "291(A)(1) and (2)(introductory paragraph),"

#### AMENDMENT NO. 2

On page 1, line 2, after "(m)," and before "to" delete "and"

#### AMENDMENT NO. 3

On page 1, line 3, after "334.3," and before "relative" insert "and to repeal R.S. 38:291(A)(2)(h),"

#### AMENDMENT NO. 4

On page 1, line 7, after "Consortium;" and before "and to" insert "to provide for the territorial jurisdiction of the Atchafalaya Basin Levee District and its board of commissioners;"

#### AMENDMENT NO. 5

On page 1, line 10, after "R.S. 38:" and before "304(B)" insert "291(A)(1) and (2)(introductory paragraph),"

#### AMENDMENT NO. 6

On page 1, between lines 12 and thirteen, insert the following:

"A. Atchafalaya Basin Levee District. (1) On July 1, 1997, and continuing thereafter, the parishes and parts of parishes, except St Mary Parish, south of Old River, and between the Mississippi River and Lafourche Bayou on the east, and a line drawn along the north boundary of St. Martin Parish from the Atchafalaya River on the east to Bayou Teche on the west, thence down Bayou Teche to the Atchafalaya River, and thence down the Atchafalaya River to its mouth, and also excepting all the property within the parish of Lafourche and Terrebonne and within the present corporate limits of the ~~municipalities of Franklin and~~ municipality of New Iberia, namely: the parishes of Pointe Coupee, West Baton Rouge, and parts of the parishes of Iberville, Ascension, Assumption, St. Martin, and Iberia, -St. Mary excepting what is known as Tiger Island on which the city of Morgan City is situated, with the additional following territory: a strip of land in St. Landry Parish lying between Bayou Courtableau on the northeast, and the Atchafalaya River on the east, the parish line of St. Martin on the south, and Bayou Teche on the west, shall be embraced in the limits of a levee district to be known as the Atchafalaya Basin Levee District. These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter.

(2) In accordance with the provisions of R.S. 38:304 the governor shall appoint ~~fourteen~~ thirteen persons to serve as levee commissioners as follows:"

#### AMENDMENT NO. 7

On page 1, delete line 15 in its entirety

#### AMENDMENT NO. 8

On page 1, line 16, delete "Atchafalaya Basin Levee District"

#### AMENDMENT NO. 9

On page 2, line 3, after "Parish" and before "and" insert a comma "," and "six of whom shall be property owners with assessed valuations of fifteen percent on property within the district,"

#### AMENDMENT NO. 10

On page 2, at the beginning of line 4, insert "who"

On page 2, line 14, after "Subsection." insert "However, members appointed to fill vacancies shall serve only for the unexpired term of their predecessors."

**Page 22 HOUSE**

33rd Day's Proceedings - June 24, 2007

AMENDMENT NO. 11

On page 2, between lines 20 and 21, insert the following:

"(b) All commissioners thereafter appointed, except a commissioner appointed to fill an unexpired term, shall be appointed as provided in Paragraph (2) of this Subsection for staggered terms of four years, which shall expire on July 1 of the fourth year of the term to which he is appointed, or until his successor is appointed and takes office."

AMENDMENT NO. 12

On page 2, line 21, change "(b)" to "(c)"

AMENDMENT NO. 13

On page 4, between lines 24 and 25, insert the following:

"H. The board may enter into an intergovernmental agreement with the Atchafalaya Basin Levee District to reimburse the Atchafalaya Basin Levee District for levee district expenditures made in St. Mary Parish for the benefit of St. Mary Parish."

AMENDMENT NO. 14

On page 2, between lines 26 and 27, insert the following:

"(6) Persons appointed to the board, to the extent practicable, shall reflect the population of the parish."

AMENDMENT NO. 15

On page 5, line 13, after "within" delete the remainder of the line and at the beginning of line 14, delete "District," and insert "St. Mary Parish."

AMENDMENT NO. 16

On page 5, line 16 delete the asterisks "\* \* \*" and insert in lieu thereof the following:

"Section 2. R.S. 38:291(A)(2)(h) is hereby repealed in its entirety."

AMENDMENT NO. 17

On page 5, line 17, change "Section 2." to "Section 3."

On motion of Rep. Jack Smith, the amendments were adopted.

Rep. Jack Smith moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Anders	Gray	Pitre
Ansardi	Greene	Powell, M.
Arnold	Guillory, E.J.	Powell, T.
Badon	Guillory, E.L.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Harris	Ritchie
Baudoin	Heaton	Robideaux

Baylor	Hebert	Romero
Beard	Hill	Schneider
Bowler	Honey	Smiley
Bruce	Hunter	Smith, G.
Burns	Hutter	Smith, J.D.--50th
Burrell	Jackson	Smith, J.H.--8th
Carter, K.	Johns	Smith, J.R.--30th
Carter, R.	Kennard	St. Germain
Cazayoux	Kenney	Strain
Chandler	Kleckley	Thompson
Crowe	LaBruzzo	Toomy
Curtis	LaFleur	Townsend
Damico	LaFonta	Trahan
Daniel	Lambert	Triche
Dartez	Lancaster	Tucker
DeWitt	Lorusso	Waddell
Doerge	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	
Faucheux	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Crane	Jefferson	Scalise
Dorsey	Katz	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Quezaire, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**SENATE BILL NO. 187—**  
BY SENATOR ULLO

AN ACT

To amend and reenact Children's Code Arts. 791.1, the introductory paragraph of 791.2, 791.4(A) and 791.5(A), relative to truancy and assessment and service centers; to clarify the role of Families in Need of Services in relation to truancy and assessment and service centers; to remove certain service organizations from required participation; to provide relative to the termination of the program and reporting requirements; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre

Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory, E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Chandler	Katz	St. Germain
Crane	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	

Total - 104

NAYS

Total - 0

ABSENT

Kennard

Total - 1

The Chair declared the above bill was finally passed.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 188—**

BY SENATORS DUPLESSIS, LENTINI, MICHOT, MURRAY, SHEPHERD AND N. GAUTREAUX AND REPRESENTATIVES RICHMOND AND K. CARTER

**AN ACT**

To amend and reenact R.S. 47:6016, relative to the new markets tax credit; to define certain terms; to increase the amount of the credit; to provide for carrying forward unused credits; to provide for limits on the amount of credits and aggregate credits; to provide for the transfer or sale of the credit; to provide for the promulgation of rules and regulations; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Richmond sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 188 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 7, after "of the" delete "immediately preceding"

AMENDMENT NO. 2

On page 2, line 9, delete "immediately" and delete line 10 and insert the following:

"credit allowance date for which the calculation is made. For purposes of the initial credit allowance date only, the issuer of the qualified low-income community investment will be deemed to hold the amount of qualified low-income community investments, both in the state and outside the state, that the issuer projects in the applications for the qualified equity investment submitted pursuant to Subsection E of this Section. If the issuer of the qualified equity investment fails to make sufficient investments in the state to match such projections by the first anniversary of its credit allowance date, the state may disallow or recapture a portion of the credits from the holder of the qualified equity investment so that the credit earned for the initial credit allowance date reflects the actual investments made by the issuer.

(c) For purposes of calculating the amount of the qualified low-income community investments held by an issuer, an investment will be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment will be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance.

(c) The maximum amount of qualified low-income community investments that may be issued by a single business, on an aggregate basis with all of its affiliates, and be included in the calculation of the fraction described in R.S. 47:6016(B)(1)(b) for qualified equity investments issued after July 1, 2007, whether to one or more issuers of qualified equity investments, shall not exceed fifteen million dollars."

AMENDMENT NO. 3

On page 2, line 12, delete "current"

AMENDMENT NO. 4

Delete Amendment No. 5 in the set of House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 20, 2007.

AMENDMENT NO. 5

On page 3, delete lines 3 through 12 and insert "for such credit allowance date."

AMENDMENT NO. 6

On page 3, line 21, delete "taxpayers" and insert "qualified equity investments issued to taxpayers, after the effective date of the Act which originated as Senate Bill 188 of the 2007 Regular Session of the Legislature,"

AMENDMENT NO. 7

On page 5, after line 17, insert the following:

"G. In any amount of the federal tax credit available with respect to a qualified equity investment which is eligible for a credit under this Section is recaptured pursuant to the provisions of Section 45D of the Internal Revenue Code, the Department of Revenue shall have the right to recapture a portion of the credit granted with respect to such qualified equity investment under this Section. The

percentage of the credit granted pursuant to this Section that may be recaptured shall be equal to the percentage of the total federal credit earned with respect to such qualified equity. In addition, if an issuer of a qualified equity investment that earned credits under this Section fails to maintain qualified low-income community investments in this state in an amount at least equal to the amount used in calculating the credits issued hereunder through the sixth anniversary of the credit allowance date of such qualified equity investment, the Department of Revenue shall have the right to recapture the credits granted with respect to such qualified equity investment under this Section."

AMENDMENT NO. 8

On page 5, line 18, change "G." to "H."

AMENDMENT NO. 9

On page 5, line 22, change "H." to "L."

AMENDMENT NO. 10

On page 6, after line 3, insert the following:

"(c) Notwithstanding the foregoing, any qualified equity investment issued prior to July 1, 2007, shall be eligible for credits under R.S. 47:6016 in accordance with provisions of such statute without regard to the amendments adopted in this Act."

On motion of Rep. Richmond, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 188 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 7, between "date" and the comma "," insert "for which the calculation is made"

AMENDMENT NO. 2

On page 2, delete line 11 through 13 in their entirety and insert in lieu thereof the following:

"(2) "Applicable percentage" means:

(a) ~~One~~ Ten percent for the first ~~three~~ two credit allowance dates.

(b) ~~Two~~ Five percent with respect to the remainder of the credit allowance dates."

AMENDMENT NO. 3

In the set of amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 20, 2007, delete Amendment No. 1

AMENDMENT NO. 4

On page 2, line 15, after "made" delete the period "." and insert "and the first two anniversaries of such date."

AMENDMENT NO. 5

On page 3, line 22, change "seventy-five" to "fifty"

On motion of Rep. Richmond, the amendments were adopted.

**Motion**

On motion of Rep. Richmond, the motion to reconsider the vote by which the set of ten numbered House Floor amendments proposed by Rep. Richmond to Reengrossed Senate Bill No. 188 were adopted was adopted.

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 188 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 7, after "of the" delete "immediately preceding"

AMENDMENT NO. 2

On page 2, line 9, delete "immediately" and delete line 10 and insert the following:

"credit allowance date for which the calculation is made. For purposes of the initial credit allowance date only, the issuer of the qualified low-income community investment will be deemed to hold the amount of qualified low-income community investments, both in the state and outside the state, that the issuer projects in the applications for the qualified equity investment submitted pursuant to Subsection E of this Section. If the issuer of the qualified equity investment fails to make sufficient investments in the state to match such projections by the first anniversary of its credit allowance date, the state may disallow or recapture a portion of the credits from the holder of the qualified equity investment so that the credit earned for the initial credit allowance date reflects the actual investments made by the issuer.

(c) For purposes of calculating the amount of the qualified low-income community investments held by an issuer, an investment will be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment will be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance.

(c) The maximum amount of qualified low-income community investments that may be issued by a single business, on an aggregate basis with all of its affiliates, and be included in the calculation of the fraction described in R.S. 47:6016(B)(1)(b) for qualified equity investments issued after July 1, 2007, whether to one or more issuers of qualified equity investments, shall not exceed fifteen million dollars.

AMENDMENT NO. 3

On page 2, line 12, delete "current"

AMENDMENT NO. 4

Delete Amendment No. 5 in the set of House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 20, 2007.

AMENDMENT NO. 5

On page 3, delete lines 3 through 12 and insert "for such credit allowance date."



AMENDMENT NO. 6

On page 3, line 21, delete "taxpayers" and insert "qualified equity investments issued to taxpayers, after the effective date of the Act which originated as Senate Bill 188 of the 2007 Regular Session of the Legislature."

AMENDMENT NO. 7

On page 5, after line 17, insert the following:

"G. In any amount of the federal tax credit available with respect to a qualified equity investment which is eligible for a credit under this Section is recaptured pursuant to the provisions of Section 45D of the Internal Revenue Code, the Department of Revenue shall have the right to recapture a portion of the credit granted with respect to such qualified equity investment under this Section. The percentage of the credit granted pursuant to this Section that may be recaptured shall be equal to the percentage of the total federal credit earned with respect to such qualified equity. In addition, if an issuer of a qualified equity investment that earned credits under this Section fails to maintain qualified low-income community investments in this state in an amount at least equal to the amount used in calculating the credits issued hereunder through the sixth anniversary of the credit allowance date of such qualified equity investment, the Department of Revenue shall have the right to recapture the credits granted with respect to such qualified equity investment under this Section."

AMENDMENT NO. 8

On page 5, line 18, change "G." to "H."

AMENDMENT NO. 9

On page 5, line 22, change "H." to "I."

AMENDMENT NO. 10

On page 6, after line 3, insert the following:

"(c) Notwithstanding the foregoing, any qualified equity investment issued prior to July 1, 2007, shall be eligible for credits under R.S. 47:6016 in accordance with provisions of such statute without regard to the amendments adopted in this Act."

On motion of Rep. Richmond, the amendments were withdrawn.

Rep. Richmond sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 188 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 7, after "of the" delete "immediately preceding"

AMENDMENT NO. 2

On page 2, line 9, delete "immediately" and delete line 10 and insert the following:

"credit allowance date for which the calculation is made. For purposes of the initial credit allowance date only, the issuer of the qualified low-income community investment will be deemed to hold the amount of qualified low-income community investments, both in the state and outside the state, that the issuer projects in the applications for the qualified equity investment submitted pursuant

to Subsection E of this Section. If the issuer of the qualified equity investment fails to make sufficient investments in the state to match such projections by the first anniversary of its credit allowance date, the state may disallow or recapture a portion of the credits from the holder of the qualified equity investment so that the credit earned for the initial credit allowance date reflects the actual investments made by the issuer.

(c) The maximum amount of qualified low-income community investments that may be issued by a single business, on an aggregate basis with all of its affiliates, and be included in the calculation of the fraction described in R.S. 47:6016(B)(1)(b) for qualified equity investments issued after July 1, 2007, whether to one or more issuers of qualified equity investments, shall not exceed fifteen million dollars."

AMENDMENT NO. 3

On page 2, line 12, delete "current"

AMENDMENT NO. 4

Delete Amendment No. 5 in the set of House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 20, 2007.

AMENDMENT NO. 5

On page 3, delete lines 3 through 12 and insert "for such credit allowance date."

AMENDMENT NO. 6

On page 3, line 21, delete "taxpayers" and insert "qualified equity investments issued to taxpayers, after the effective date of the Act which originated as Senate Bill 188 of the 2007 Regular Session of the Legislature."

AMENDMENT NO. 7

On page 5, after line 17, insert the following:

"G. In any amount of the federal tax credit available with respect to a qualified equity investment which is eligible for a credit under this Section is recaptured pursuant to the provisions of Section 45D of the Internal Revenue Code, the Department of Revenue shall have the right to recapture a portion of the credit granted with respect to such qualified equity investment under this Section. The percentage of the credit granted pursuant to this Section that may be recaptured shall be equal to the percentage of the total federal credit earned with respect to such qualified equity. In addition, if an issuer of a qualified equity investment that earned credits under this Section fails to maintain qualified low-income community investments in this state in an amount at least equal to the amount used in calculating the credits issued hereunder through the sixth anniversary of the credit allowance date of such qualified equity investment, the Department of Revenue shall have the right to recapture the credits granted with respect to such qualified equity investment under this Section."

AMENDMENT NO. 8

On page 5, line 18, change "G." to "H."

AMENDMENT NO. 9

On page 5, line 22, change "H." to "I."

AMENDMENT NO. 10

On page 6, after line 3, insert the following:

"(c) Notwithstanding the foregoing, any qualified equity investment issued prior to July 1, 2007, shall be eligible for credits under R.S. 47:6016 in accordance with provisions of such statute without regard to the amendments adopted in this Act."

On motion of Rep. Richmond, the amendments were adopted.

Rep. Richmond moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Anders, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Bowler, Bruce, Burns, Burrell, Carter, K., Cazayoux, Chandler, Crane, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Total - 101.

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Beard, Carter, R., Total - 4; Morrish, Pinac.

The Chair declared the above bill was finally passed.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Richmond gave notice of his intention to call Senate Bill Nos. 294 and 333 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Harris gave notice of his intention to call Senate Bill No. 277 from the calendar for future action.

SENATE BILL NO. 211—

BY SENATORS MOUNT, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:6025(A)(3), relative to the tax credit for assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for the claiming of the credit; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

SENATE BILL NO. 218—

BY SENATORS MURRAY, BAJOEIE, SCHEDLER, BROOME, CAIN, CHAISSON, DUPLESSIS, FIELDS, B. GAUTREAU, JACKSON, MICHOT, NEVERS, ROMERO AND SHEPHERD AND REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:6026, relative to income tax credits; to provide for income tax credits related to musical or theatrical productions and musical or theatrical facility infrastructure projects; and to provide for related matters.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 218 by Senator Murray

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 and House Committee Amendment No. 2 of the set of six amendments proposed by the House Ways and Means Committee and adopted by the House of Representatives on June 20, 2007.

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety and insert "one of the primary places in the United"

AMENDMENT NO. 3

Delete House Committee Amendment No. 6 of the set of six amendments proposed by the House Ways and Means Committee and adopted by the House of Representatives on June 20, 2007.

AMENDMENT NO. 4

On page 17, between lines 6 and 7, insert the following:

"H. Fifty percent of the tax credits annually granted according to the provisions of this Section for infrastructure projects shall be reserved for projects located outside of Jefferson and Orleans parishes, provided that the availability of tax credits for infrastructure projects in Jefferson and Orleans parishes shall not be conditioned upon the granting of infrastructure tax credits for projects outside of those parishes."

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 218 by Senator Murray

**AMENDMENT NO. 1**

On page 10, between lines 28 and 29, insert the following:

"(4) The granting of credits under this Section shall be on a first-come, first-served basis. If the total amount of credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for that year, the excess shall be treated as having been applied for on the first day of the subsequent year."

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Anders	Faucheux	Morris
Ansardi	Frith	Morrish
Arnold	Gallot	Odinet
Badon	Geymann	Pierre
Baldone	Gray	Pitre
Barrow	Greene	Quezaire
Baylor	Guillory, E.J.	Richmond
Beard	Guillory, E.L.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Harris	Romero
Burns	Heatton	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Triche
DeWitt	LaBruzzo	Tucker
Doerge	LaFleur	Waddell
Dorsey	LaFonta	Walker
Dove	Lancaster	Williams
Downs	Lorusso	Winston
Durand	Marchand	Wooton
Erdey	McDonald	
Total - 89		

**NAYS**

Alexander	Katz	Smiley
Baudoin	Lambert	Trahan
Carter, R.	Powell, M.	Walsworth
Hebert	Powell, T.	White
Total - 12		

**ABSENT**

Martiny	Pinac
Morrell	Thompson
Total - 4	

The Chair declared the above bill was finally passed.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 240—**

BY SENATOR AMEDEE

**AN ACT**

To enact R.S. 40:1730.49, relative to commercial regulations; to provide for energy efficiency and conservation requirements for state-funded major facility projects; to provide for the design, construction, and certification of certain major facility projects; to provide for rules and regulations; to provide for inspections; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Lambert, the bill was returned to the calendar.

**SENATE BILL NO. 243—**

BY SENATOR NEVERS

**AN ACT**

To amend and reenact Section 2 of Act No. 504 of the 2005 Regular Session of the Legislature, relative to tax credits; to change the termination date for tax credits to certain contractors and subcontractors who provide employee and dependent health insurance coverage; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Ritchie, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Ritchie gave notice of his intention to call Senate Bill No. 243 from the calendar for future action.

**SENATE BILL NO. 250—**

BY SENATORS MICHOT AND HOLLIS

**AN ACT**

To amend and reenact R.S. 51:1787(B)(4), (D)(4), and (H)(3), relative to tax credits; to authorize certain businesses located in enterprise zones to receive tax credits for certain employees; and to provide for related matters.

Read by title.

Rep. Robideaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morris
Alario	Gallot	Morrish
Alexander	Geymann	Odinet

Page 28 HOUSE

33rd Day's Proceedings - June 24, 2007

Anders	Gray	Pierre
Ansardi	Greene	Pinac
Arnold	Guillory, E.J.	Pitre
Badon	Guillory, E.L.	Powell, M.
Baldone	Guillory, M.	Powell, T.
Barrow	Harris	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Ritchie
Bowler	Hill	Robideaux
Bruce	Honey	Romero
Burrell	Hunter	Scalise
Carter, K.	Hutter	Schneider
Carter, R.	Jackson	Smiley
Cazayoux	Jefferson	Smith, G.
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Lorusso	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Williams
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Beard	Chandler	Smith, J.D.—50th
Burns	Kennard	Townsend

Total - 6

The Chair declared the above bill was finally passed.

Rep. Robideaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 272—**  
BY SENATORS ROMERO AND N. GAUTREAUX  
AN ACT

To amend and reenact R.S. 47:301(14)(g)(i) and to enact R.S. 47:301(14)(g)(iii) and 337.10(L), relative to sales tax of the state and its political subdivisions; to provide for an exclusion from such taxes for certain drilling rigs and their component parts and for certain repairs to property delivered to another state; to authorize certain political subdivisions of the state to enact the same sales tax holidays legislation as may be provided by state law; and to provide for related matters.

Read by title.

Rep. Hebert sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 272 by Senator Romero

**AMENDMENT NO. 1**

On page 1 line 5 after "for" and before "repairs" delete "certain"

**AMENDMENT NO. 2**

On page 3 delete lines 6 and 7 in their entirety and on line 8 delete "most recent federal decennial census" and insert the following:

"L. Any political subdivision"

On motion of Rep. Hebert, the amendments were withdrawn.

Rep. Hebert moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morris
Alexander	Gallot	Morrish
Anders	Geymann	Odinot
Ansardi	Gray	Pierre
Arnold	Greene	Pinac
Badon	Guillory, E.J.	Pitre
Baldone	Guillory, E.L.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baylor	Harris	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Ritchie
Bruce	Hill	Robideaux
Burns	Honey	Romero
Burrell	Hunter	Scalise
Carter, K.	Hutter	Schneider
Carter, R.	Jackson	Smiley
Cazayoux	Jefferson	Smith, G.
Chandler	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Lorusso	Waddell
Downs	Marchand	White
Durand	Martiny	Williams
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	

Total - 101

NAYS

Total - 0

ABSENT

Baudoin	Walker
Tucker	Walsworth

Total - 4

The Chair declared the above bill was finally passed.

Rep. Hebert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 299—**  
BY SENATOR BROOME  
AN ACT

To enact R.S. 17:7(26), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and

Secondary Education to develop, adopt, and provide for the implementation of a visual arts curriculum and a performing arts curriculum in public schools; to provide implementation timelines and requirements; to provide for the development of certain curriculum guides; to provide relative to professional development and training; to require certain instruction in visual arts and performing arts; to provide for the adoption of rules and regulations; to provide relative to funding; and to provide for related matters.

Read by title.

Rep. Barrow moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Anders	Gray	Pinac
Ansardi	Greene	Pitre
Arnold	Guillory, E.J.	Powell, M.
Badon	Guillory, E.L.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Harris	Richmond
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Burns	Hunter	Schneider
Burrell	Hutter	Smiley
Carter, K.	Jackson	Smith, G.
Carter, R.	Jefferson	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Chandler	Katz	Smith, J.R.—30th
Crane	Kennard	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Waddell
Dorsey	Lorusso	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Williams
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrrell	
Fauchoux	Morris	
Total - 103		

**NAYS**

Total - 0

**ABSENT**

Beard	Tucker
Total - 2	

The Chair declared the above bill was finally passed.

Rep. Barrow moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table

**Suspension of the Rules**

On motion of Rep. Walsworth, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**SENATE BILL NO. 301—**

BY SENATOR MURRAY

**AN ACT**

To enact Chapter 53 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3101 through 3104, relative to the Department of Economic Development; to create the Louisiana Infrastructure Bank; to provide for a board of directors to govern such bank; to provide for membership, duties, and authority of the board; to provide for the adoption of bylaws, rules, and regulations by the board; to provide for the receipt, administration, and expenditure of federal grants allotted for the fund; to provide for the capitalization, investment, and disposition of the funds; to authorize the infrastructure bank to incur debt and issue bonds, notes, or other evidences of indebtedness and to guarantee the debt of other entities; to authorize loans from the fund to local governments, political subdivisions, and public entities; to provide procedures for political subdivisions to enter into such indebtedness; to exempt evidence of indebtedness from taxation; and to provide for related matters.

Read by title.

Rep. Bowler sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Bowler and Tucker to Reengrossed Senate Bill No. 301 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, change "3104" to "3105"

AMENDMENT NO. 2

On page 1, line 16, change "3104" to "3105"

AMENDMENT NO. 3

On page 10, between lines 28 and 29, insert the following:

"§3105. Public purpose only

Funds expended under the provisions of this Chapter shall be exclusively used for public purposes. Use of such funds to benefit any private entity is prohibited."

On motion of Rep. Bowler, the amendments were adopted.

Rep. Richmond moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Morrish
Alario	Geymann	Odinot
Anders	Gray	Pierre
Ansardi	Greene	Pinac
Arnold	Guillory, E.J.	Pitre
Badon	Guillory, E.L.	Powell, M.

Baldone	Guillory, M.	Powell, T.
Barrow	Harris	Quezaire
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Burns	Hunter	Schneider
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Chandler	Katz	St. Germain
Crane	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Lorusso	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Williams
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Faucheux	Morrell	
Frith	Morris	
Total - 100		

NAYS

Alexander	Richmond
Total - 2	

ABSENT

Beard	Farrar	Smiley
Total - 3		

The Chair declared the above bill having received a two-thirds vote of elected members, was finally passed.

Rep. LaFonta moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 211—**  
BY SENATORS MOUNT, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:6025(A)(3), relative to the tax credit for assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for the claiming of the credit; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Morrish sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Morrish to Engrossed Senate Bill No. 211 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and at the beginning of line 3, delete "by" and insert "R.S. 22:1265(A)(2) and R.S. 47:6025(A)(3) and to enact R.S. 22:1065(A)(2)(f), relative to the"

AMENDMENT NO. 2

On page 1, line 4, after "the" delete "credit;" and insert the following:

"tax credit for assessments levied by the corporation; to establish the Citizens Insurance Recovery 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 disposition of the avails of certain taxes related to the sale of insurance products for surplus lines coverages; to provide for the disposition of the avails of certain annual license taxes related to the sale of insurance products for fire, marine, transportation, casualty, surety, or other coverages; to require annual reporting to the legislature;"

AMENDMENT NO. 3

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 22:1265(A)(2) is hereby amended and reenacted and R.S. 22:1065(A)(2)(f) is hereby enacted to read as follows:

§1065. Fire, marine, transportation, casualty, surety, or other insurance

A.

\* \* \*

(2)

\* \* \*

(f) There is hereby established in the state treasury the Citizens Insurance Recovery Fund, hereinafter referred to as the "fund". The source of monies to be deposited into the fund shall be a portion of the residual tax collections remaining after satisfaction of the requirements of Subparagraphs (b), (c), and (d) of this Paragraph, in addition to those tax collections dedicated to the fund pursuant to R.S. 22:1265. The deposit of monies into the fund as required by the provisions of this Subparagraph and R.S. 22:1265(A)(2) during any fiscal year shall be made until such time as the total of monies deposited into the fund in that fiscal year equals one hundred million dollars. Monies in the fund shall be subject to appropriation, notwithstanding any provision of law to the contrary, only to Louisiana Citizens Property Insurance Corporation, hereinafter the "corporation". Appropriations to the corporation from the fund shall not be withdrawn from the state treasury until after a plan for the expenditure of such appropriation has been submitted to the Joint Legislative Committee on the Budget prior to August first of each year and approved by the committee. Upon such approval, a warrant may be submitted to the state treasury for fulfillment of the appropriation. Deposits in the fund shall continue until such time as the debt of the corporation issued as a result of the hurricanes of 2005 has been paid. A representative of the board of directors of the corporation shall notify the Joint Legislative Committee on the Budget of the retirement of the debt within thirty days of the final payment. Upon receipt of such notification, the Joint Legislative Committee on the Budget shall notify the state treasurer by resolution that the debt has been paid and the deposit of any monies into the fund shall cease. The fund shall be abolished at the end of the fiscal year in which the retirement of the debt occurs.

\* \* \*

§1265. Tax on surplus lines

A.

\* \* \*

(2) Along with the report required to be filed on the due dates provided in Paragraph (1) of this Subsection, each surplus lines broker shall remit to the commissioner of insurance a tax on the premiums on surplus lines insurance reported in the quarterly surplus lines tax report, at the rate of five percent per annum. Such tax when collected by the commissioner of insurance shall be paid to the state treasurer and be credited to the Citizens Insurance Recovery Fund and the state general fund.

\* \* \*

**AMENDMENT NO. 4**

On page 1, at the beginning of line 6, change "Section 1." to "Section 2."

**AMENDMENT NO. 5**

On page 1, at the beginning of line 14, change "Section 2." to "Section 3."

On motion of Rep. Morrish, the amendments were adopted.  
Rep. Townsend moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory, E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Hebert	Robideaux
Beard	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hunter	Schneider
Burns	Hutter	Smiley
Burrell	Jackson	Smith, G.
Carter, K.	Jefferson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Chandler	Kennard	St. Germain
Crane	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	

Total - 104

**NAYS**

Total - 0

**ABSENT**

Heaton  
Total - 1

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 310—**

BY SENATORS DUPLESSIS AND MURRAY AND REPRESENTATIVES K. CARTER AND LORUSSO

**AN ACT**

To amend and reenact R.S. 38:281(9), 291(K)(1), 330.12(A), and 336(A) and to enact R.S. 38:281(10), relative to the Orleans Levee District; to clarify and provide for the ownership and management of certain property of the district; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Anders	Gray	Pitre
Ansardi	Greene	Powell, M.
Arnold	Guillory, E.J.	Powell, T.
Badon	Guillory, E.L.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Harris	Ritchie
Baudoin	Heaton	Robideaux
Baylor	Hebert	Romero
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Chandler	Kennard	Strain
Crane	Kenney	Thompson
Crowe	Kleckley	Toomy
Curtis	LaBruzzo	Townsend
Damico	LaFleur	Trahan
Daniel	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	
Faucheux	Morrish	

Total - 103

**NAYS**

Total - 0

ABSENT

Dartez Lancaster
Total - 2

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 330—
BY SENATOR THEUNISSEN AND REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:2758, relative to ad valorem property taxes in Cameron Parish; to provide for the authority of the Cameron Parish governing authority and local tax recipient bodies to enter into certain agreements regarding the collection of ad valorem property taxes and the granting of ad valorem tax credits; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Frith, the bill was returned to the calendar.

SENATE BILL NO. 240—
BY SENATOR AMEDEE
AN ACT

To enact R.S. 40:1730.49, relative to commercial regulations; to provide for energy efficiency and conservation requirements for state-funded major facility projects; to provide for the design, construction, and certification of certain major facility projects; to provide for rules and regulations; to provide for inspections; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Anders, Ansardi, Arnold, Badon, Baldone, Baudoin, Baylor, Beard, Bowler, Bruce, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Frith, Gallot, Gray, Greene, Guillory, E.J., Guillory, E.L., Guillory, M., Harris, Heaton, Hebert, Hill, Honey, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, G., Smith, J.D.—50th, Smith, J.H.—8th, Smith, J.R.—30th, St. Germain

Table with 3 columns of names: Crane, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Lorusso, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell, Morris, Morrish, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Williams, Winston, Wooton

Total - 103

NAYS

Barrow Geymann
Total - 2

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

Rep. Lambert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 331—
BY SENATORS ELLINGTON, CAIN, N. GAUTREAU, MALONE AND NEVERS
AN ACT

To amend and reenact R.S. 47:301(3)(j) and (13)(m), and to repeal R.S. 47:302(T), 321(J), and 331(R), relative to exclusions from the sales and use tax of the state and any political subdivision whose boundaries are coterminous with those of the state; to provide for an exclusion for the sales price and cost price of electric power or energy and natural gas used by certain taxpayers; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Townsend gave notice of his intention to call Senate Bill No. 331 from the calendar for future action.

SENATE BILL NO. 332—
BY SENATOR NEVERS
AN ACT

To enact R.S. 47:6026, relative to tax credits; to authorize a procedure for granting apprenticeship tax credits against income and corporation franchise tax to certain employers; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.



**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory, E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hunter	Smiley
Carter, K.	Jackson	Smith, G.
Carter, R.	Jefferson	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Chandler	Katz	St. Germain
Crane	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lancaster	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Williams
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	

Total - 101

**NAYS**

Total - 0

**ABSENT**

Beard	Lambert
Hutter	Smith, J.R.—30th

Total - 4

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 339—**  
BY SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 47:6021(C)(1), (D), (E)(5), and (H) and to enact R.S. 47:6021(I), relative to income tax credits; to provide relative to income tax credits for brownfields investors; to increase the percentage of investment eligible for credit; to revise the application and approval process; to authorize the credits to be transferred; and to provide for related matters.

Read by title.

Rep. Townsend sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 339 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 47:6021(B), (C)(1), (D), (E)(4) and (5), and (H) and to enact R.S. 47:6021(I) and (J),"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 47:6021(B), (C)(1), (D), (E)(4) and (5), and (H) are hereby amended and"

AMENDMENT NO. 3

On page 1, line 9, delete "is" and insert "and (J) are"

AMENDMENT NO. 4

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

"B. Definitions. The following terms shall have the following meanings for the purposes of this Section:

(1) "Brownfields site" or "state-certified site" means an identified area of immovable property in the state for which a voluntary remediation action ~~or a voluntary remedial investigation~~ concerning the presence or potential presence of a hazardous substance or pollutant is authorized by the secretary pursuant to Part II of Chapter 12 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950.

(2) "Investment" shall mean the expenditure for the ~~voluntary remedial investigation~~ or voluntary remediation of a brownfields site by any entity or individual.

(3) "Responsible person" means responsible person or responsible landowner as those terms are defined in R.S. 30:2285.2.

~~(4) "Voluntary remedial investigation" means the determination of the nature and extent of potential threats to human health and the environment through data collection and site characterization and the development of remedial action goals, all as authorized and approved by the secretary pursuant to Part II of Chapter 12 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950.~~

~~(5)~~ (4) "Voluntary remediation action" means risk-based cleanup of a voluntary remediation site performed in accordance with a voluntary remedial action plan approved by the secretary pursuant to Part II of Chapter 12 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 5

On page 1, line 13, change "(1)(a)" to "(1)(a)(i)"

AMENDMENT NO. 6

On page 1, line 14, delete "or a voluntary remedial" and, on line 15, delete "investigation"

AMENDMENT NO. 7

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 5, and insert the following:

"person, ~~as follows:~~

Except as provided for in Paragraph (2) of this Subsection:

~~(a) Each taxpayer shall be allowed a tax credit of fifteen percent of the total investment made by that taxpayer upon the date of the issuance of completion by the secretary of the Department of Environmental Quality of a voluntary remedial investigation at a state-certified site as provided for in this Section."~~

AMENDMENT NO. 8

On page 2, line 6, delete "Any" and insert "Except as provided for in Paragraph (2) of this Section, any"

AMENDMENT NO. 9

On page 2, line 7, change "fifty" to "forty"

AMENDMENT NO. 10

On page 2, line 12, delete "either a voluntary remedial investigation or"

AMENDMENT NO. 11

On page 3, delete lines 14 through 24 and insert the following:

~~"(3)(a)(i) Upon approval by the governor of a voluntary remedial investigation tax credit application, the applicant may proceed with his voluntary remedial investigation. Any such investigation shall be conducted according to Department of Environmental Quality oversight.~~

~~(ii) After a satisfactory demonstration that the voluntary remedial investigation is complete, the Department of Environmental Quality shall approve the remedial investigation report and shall issue a certificate of completion to the taxpayer applicant and forward it to the secretary of the Department of Economic Development, the Board of Commerce and Industry, and the secretary of the Department of Revenue."~~

AMENDMENT NO. 12

On page 3, line 28, delete "(b)(i)" and insert "(2)(a)"

AMENDMENT NO. 13

On page 4, line 2, delete "(ii)" and insert "(b)"

AMENDMENT NO. 14

On page 4, line 14, after "where" delete the remainder the line

AMENDMENT NO. 15

On page 4, line 16, delete "either a voluntary remedial investigation or"

AMENDMENT NO. 16

On page 4, between lines 18 and 19, insert the following:

~~"(4) The secretary of the Department of Environmental Quality shall be responsible for the submission of the initial certification of a voluntary remedial investigation and the final certification of completion of voluntary remediation on a state-certified brownfields site together with the year of completion; taxpayer identification number; type of credit, either voluntary remedial investigation or voluntary remediation; and the certified total expenditures to the secretary of the Department of Revenue."~~

AMENDMENT NO. 17

On page 6, after line 6, insert the following:

"J. No tax credits shall be granted or allowed after December 31, 2009. However, the transferability provisions of Subsection (I) of this Section shall continue to be effective after December 31, 2009 for tax credits authorized prior to such date."

On motion of Rep. Townsend, the amendments were adopted.

Rep. Beard sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Reengrossed Senate Bill No. 339 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the end of line 2, delete and comma "," and add "and 6026,"

AMENDMENT NO. 2

On page 1, line 6, after "transferred;" and before "and to" insert "to authorize tax credits for the operation and construction of certain stem cell research and technology institutions; to provide for the application and administration of such tax credit; to provide for requirements for obtaining the credit; to provide for certain definitions; to authorize the transferability of the tax credit; to authorize the promulgation of rules and regulations;"

AMENDMENT NO. 3

On page 6, after line 6, insert the following:

"Section 2. R.S. 47:6026 is hereby enacted to read as follows:

§6026. Stem cell research and technology tax credit

A. Basic and clinical stem cell research may alleviate the burden of human suffering caused by various illnesses and diseases including Parkinson's disease, diabetes, spinal cord damage, stroke and birth defects. The Legislature of Louisiana hereby finds and declares that the health, safety, and welfare of the people of this state are dependent upon the continued encouragement, development, growth, and expansion of basic and clinical stem cell research within the state. Therefore, it is declared to be the purpose of this Section to encourage new and continuing efforts to conduct stem cell research and technology activities within this state and to further the objectives in order to:

(1) Attract private investment for the development of stem cell research and technology institutions in Louisiana.

(2) Develop a tax and capital infrastructure which encourages private investment in stem cell research and technology institutions in Louisiana. This infrastructure will provide for state participation in the form of tax credits to encourage investment in state-certified projects and infrastructure projects for stem cell research and technology.

(3) Encourage increased employment opportunities within this sector and increased global competition with other states in fully developing economic development options within the stem cell research and technology industry.

(4) Encourage new education curricula in order to provide a labor force trained in all aspects of stem cell research and technology.

(5) Encourage development of a Louisiana stem cell research and technology infrastructure with state-of-the-art facilities.

B. Definitions. For the purposes of this Section:

(1) "Department" means the Department of Health and Hospital.

(2) "Operational costs" shall include all future expenditures to vendors and suppliers for normal, ordinary and reasonable business expenses such as office expenses, insurance expenses, legal and professional services, advertising, rent, repairs and maintenance, supplies, utilities, and wages.

(3) "Project costs" means all costs associated with the design and construction of laboratories and other facilities to be used in stem cell research, including but not limited to engineering and architecture costs, materials, supplies, equipment, and land acquisition.

(3) "State-certified infrastructure project" shall mean an infrastructure project built by an investor for use as a laboratory or facility for stem cell research, which infrastructure project is approved by the department.

(4) "Stem cell research" means basic and clinical research involving the derivation and use of human embryonic adult stem cells also known as nonembryonic stem cells from any source. In no case, shall research include any form of somatic cell nuclear transplantation, including the area of stem cell therapy. Stem cell research does not include routine data collection, ordinary testing or inspection for quality control or research related to the adaptation of an existing business component in response to a particular customer's requirement. Qualified expenses must be undertaken to discover information that is technological in nature and intended to be useful in the development of an improved business component.

C.(1)(a) There is hereby authorized a tax credit against state income tax for Louisiana residents or corporate franchise tax for operational costs expended by a private investor for the costs of operating a stem cell research facility or for the project costs relative to a state-certified infrastructure project. The tax credit shall be earned by investors at the time expenditures are made by such investor for the operation, acquisition, design, construction and equipping of a stem cell research and technology institution or facility. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the department. For state-certified projects, expenditures shall be certified no more than once each month, unless the research company agrees to reimburse the department for the costs of any additional certifications.

(b) For research operations, the credit shall be one hundred percent of the first one hundred fifty thousand dollars of operational costs of the research and technology facility and thirty percent of the operational costs of the research and technology facility in excess of one hundred fifty thousand dollars.

(c) For state-certified infrastructure projects, the credit shall be forty percent of the project costs.

(d) Stem cell research and technology tax credits associated with a state-certified project shall never exceed the total base investment in that project.

(e) The credit shall be allowed against the income tax for the taxable period in which the credit is earned. If the tax credit allowed pursuant to this Section exceeds the amount of such taxes due, then any unused credit may be carried forward as a credit against subsequent tax liability for a period not to exceed ten years.

(2) The amount of tax credits granted by the department pursuant to the provisions of this Section shall not exceed twenty five million dollars.

(3) Application of the credit.

(a) All entities taxed as corporations for Louisiana income tax purposes shall claim any credit allowed under this Section on their corporation income tax return.

(b) Individuals, estates, and trusts shall claim any credit allowed under this Section on their income tax return.

(c) Entities not taxed as corporations shall claim any credit allowed under this Section on the returns of the partners or members as follows:

(i) Corporate partners or members shall claim their share of the credit on their corporation income tax returns.

(ii) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(iii) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns.

(4) Transferability of the credit. Any stem cell research and technology tax credits not previously claimed by any taxpayer against its income tax may be transferred or sold to another Louisiana taxpayer or to the department, subject to the following conditions:

(a) A single transfer or sale may involve one or more transferees. The transferee of the tax credits may transfer or sell such tax credits subject to the conditions of this Subsection.

(b) Transferors and transferees shall submit to the department, and to the Department of Revenue in writing, a notification of any transfer or sale of tax credits within thirty days after the transfer or sale of such tax credits. The notification shall include the transferor's tax credit balance prior to transfer, a copy of any tax credit certification letter(s) issued by the department, the name of the state-certified project, the transferor's remaining tax credit balance after transfer, all tax identification numbers for both transferor and transferee, the date of transfer, the amount transferred, a copy of the credit certificate, price paid by the transferee to the transferor, in the case when the transferor is a state-certified project or state-certified infrastructure project, for the tax credits, and any other information required by the Department or the Department of Revenue. The notification submitted to the department shall include a processing fee of up to two hundred dollars per transferee and any pricing information submitted by a transferor or transferee shall be treated by the department and the Department of Revenue as proprietary to the entity reporting such information and therefore confidential. However, this shall not prevent the publication of summary data that includes no fewer than three transactions.

(c) Failure to comply with this Paragraph will result in the disallowance of the tax credit until the taxpayers are in full compliance.

(d) The transfer or sale of this credit does not extend the time in which the credit can be used. The carry forward period for credit that is transferred or sold begins on the date on which the credit was originally earned.

(e) To the extent that the transferor did not have rights to claim or use the credit at the time of the transfer, the Department of Revenue shall either disallow the credit claimed by the transferee or recapture the credit from the transferee through any collection method authorized by R.S. 47:1561. The transferee's recourse is against the transferor.

(f) Beginning on and after January 1, 2008, the investor who earned the tax credit may transfer the credits to the department for eighty percent of the face value of the credits. Upon the transfer, the department shall notify the Department of Revenue and shall provide it with a copy of the transfer documentation. The Department of Revenue may require the transferor to submit such additional information as may be necessary to administer the provisions of this Section. The amount of any such credits granted shall be payable by the secretary of the Department of Revenue from and shall not exceed the unexpended and unobligated surplus revenues in the state general fund that are attributable to Fiscal Year 2004-2005, provided such credits are transferred to the department within one calendar year of certification.

(5) The transferee shall apply such credits in the same manner and against the same taxes as the taxpayer originally awarded the credit.

D. Certification and administration.

(1) The secretary of the department shall determine through the promulgation of rules what projects and expenses qualify according to this Section. When determining what projects qualify, the department shall take into consideration the impact of the project on the immediate and long-term objectives of this Section.

(2)(a) Application. An applicant for the stem cell research and technology credit shall submit an application for initial certification to the department. If the application is incomplete, additional information may be requested prior to further action by the department. The department shall submit its initial certification of a project as a state-certified project to investors and to the secretary of the Department of Revenue. The initial certification shall include a unique identifying number for each state-certified project.

(b) Prior to any certification of the state-certified project, the investor shall submit to the department a cost report of production expenditures audited and certified by an independent certified public accountant. The department shall review the expenses and shall issue a tax credit certification letter indicating the amount of tax credits certified for the state-certified project or state-certified infrastructure project to the investors.

(3) The secretary of the Department of Revenue, in consultation with the department, shall promulgate such rules and regulations as are necessary to carry out the intent and purposes of this Section in accordance with the general guidelines provided herein.

(4) Any taxpayer applying for the credit shall be required to reimburse the department for any audits required in relation to granting the credit.

(5) With input from the Legislative Fiscal Office, the department shall prepare a written report to be submitted to the Senate Committee on Revenue and Fiscal Affairs and the House of Representatives Committee on Ways and Means no less than sixty days prior to the start of the Regular Session of the Legislature in 2008, and every second year thereafter. The report shall include the overall impact of the tax credits, the amount of the tax credits issued, the number of net new jobs created, the amount of Louisiana payroll created, the amount of new infrastructure that has been developed in the state, and any other factors that describe the impact of the program.

E. Recapture of credits. If the department or the Department of Economic Development find that funds for which an investor received credits according to this Section are not invested in and expended with respect to a state-certified project within twenty-four months of the date that such credits are earned, then the investor's state income tax for such taxable period shall be increased by such amount necessary for the recapture of credit provided by this Section.

F. Recovery of credits by Department of Revenue.

(1) Credits previously granted to a taxpayer, but later disallowed, may be recovered by the secretary of the Department of Revenue through any collection remedy authorized by R.S. 47:1561 and initiated within three years from December thirty-first of the year in which the twenty-four-month investment period specified in R.S. 47:6007(E) ends.

(2) The only interest that may be assessed and collected on recovered credits is interest at a rate three percentage points above the rate provided in Civil Code Article 2924(B)(1), which shall be computed from the original due date of the return on which the credit was taken.

(3) The provisions of this Subsection are in addition to and shall not limit the authority of the secretary of the Department of Revenue to assess or to collect under any other provision of law."

AMENDMENT NO. 4

In Amendment No. 1 proposed by the House Committee on Ways and Means and adopted by the House on June 19, 2007, on page 1, line 3, change ""Section 2." to ""Section 3." and change "This Act" to "The provisions of Section 1 of this Act"

**Point of Order**

Rep. Jack Smith asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Beard moved the adoption of the amendments.

Rep. Townsend objected.

By a vote of 57 yeas and 41 nays, the amendments were adopted.

**Suspension of the Rules**

On motion of Rep. LaFleur, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**Motion**

On motion of Rep. Townsend, the bill, as amended, was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Townsend gave notice of his intention to call Senate Bill No. 339 from the calendar for future action.

**SENATE BILL NO. 345—**  
BY SENATOR ROMERO

**AN ACT**

To enact R.S. 39:562(N), relative to the general obligation bonds limit of indebtedness; to provide for the limit of indebtedness of parishes and any parish wide hurricane flood protection and drainage district for certain purposes; to provide certain terms and conditions; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Anders	Gray	Pinac
Ansardi	Greene	Pitre
Arnold	Guillory, E.J.	Powell, M.
Badon	Guillory, E.L.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Harris	Richmond
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Burns	Hunter	Schneider
Burrell	Hutter	Smiley
Carter, R.	Jackson	Smith, G.
Cazayoux	Jefferson	Smith, J.D.—50th
Chandler	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Lorusso	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	Montgomery	Williams
Farrar	Morrell	Winston
Faucheux	Morris	Wooton
Total - 102		

**NAYS**

Total - 0

**ABSENT**

Beard	Carter, K.	McVea
Total - 3		

The Chair declared the above bill was finally passed.

Rep. Hebert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 361 (Substitute of Senate Bill No. 189 by Senator Duplessis)—**  
 BY SENATORS DUPLESSIS, CHAISSON, HINES, KOSTELKA, MICHOT, MOUNT, NEVERS, DUPRE, N. GAUTREAUX, MURRAY AND SCHEDLER AND REPRESENTATIVES BALDONE, BRUCE, K. CARTER, CAZAYOUX, DORSEY, DOWNS, DURAND, FARRAR, ELCIE GUILLORY, HILL, KATZ, LAFLEUR, LAFONTA, PINAC, SALTER, GARY SMITH, ST. GERMAIN, TOWNSEND AND WALSWORTH  
**AN ACT**

To enact Chapter 2 of Subtitle VII of the Louisiana Revised Statutes of 1950, to be composed of R.S. 47:6101 through 6109, relative to tax credits; to provide for tax credits for individuals for child care expenses, for child care providers, for child care directors and staff, and for businesses providing or assisting child care programs; to authorize the Department of Social Services to

establish certain criteria and systems to determine eligibility for the kind and amount of tax credits; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 361 by Senator Duplessis

AMENDMENT NO. 1

On page 4, delete line 11, and insert the following:

"the rule shall be subject to approval by the Senate Committee on"

AMENDMENT NO. 2

On page 4, at the end of line 12, insert the following:

"However, if such committees do not take action on the rule within sixty days of publication in the State Register, the rule shall become effective."

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Walsworth sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 361 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 17, after "success," delete the remainder of the line and on page 2, delete lines 1 through 7 in their entirety

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Tucker sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Tucker to Reengrossed Senate Bill No. 361 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "Chapter" insert "R.S. 47:6026 and"

AMENDMENT NO. 2

On page 1, line 3, after "credits;" and before "to" insert "to provide for a refundable credit against state income taxes to certain taxpayers in the amount of the difference between the current property and casualty insurance premium and the 2005 property and casualty insurance premium;"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert the following:

"Section 1. R.S. 47:6026 is hereby enacted to read as follows:

§6026. Property insurance tax credit

There shall be allowed a credit against any Louisiana income tax due in a taxable year for the amount of difference between a person's current year qualifying insurance premium and the person's qualifying insurance premium for 2005 for the taxable year beginning on January 1, 2007, and ending on December 31, 2007. The tax credit shall be fifty percent of the difference between the taxpayer's qualifying insurance premium paid in 2007 and the qualifying insurance premium paid in 2005.

AMENDMENT NO. 4

On page 1, line 10, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 9, line 20, change "Section 2." to "Section 3." and after "of" and before "this" insert "Section 2"

AMENDMENT NO. 6

On page 9, line 27, change "Section 3." to "Section 4."

**Point of Order**

Rep. Alario asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Tucker moved the adoption of the amendments.

Rep. Karen Carter objected.

By a vote of 47 yeas and 54 nays, the amendments were rejected.

Rep. Erdey sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Erdey to Reengrossed Senate Bill No. 361 by Senator Duplessis

AMENDMENT NO. 1

On page 1, after "To enact" insert "R.S. 47:297.7 and"

AMENDMENT NO. 2

On page 1, line 7, after "tax credits;" insert "to provide relative to investment income received by individuals sixty-five years of age or older;"

AMENDMENT NO. 3

On page 1, line 10, after "Section 1" and before "Chapter 2" insert "R.S. 47:297.7 and"

AMENDMENT NO. 4

On page 1, line 11, change "is" to "are"

AMENDMENT NO. 5

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

"§297.7. Investment income; exemption from taxation

Investment income received by an individual sixty-five years of age or older shall be exempt from state income taxation. For purposes of this Section, "investment income" shall include dividend and interest income from certificates of deposit, mutual funds, stocks and bonds, mortgages, and notes receivables held by an individual sixty-five years of age or older.

\* \* \*

**Motion**

Rep. Pinac moved to end consideration of amendments.

As a substitute motion, Rep. Greene moved that the previous question be ordered on the amendments.

Rep. Pinac objected.

**Point of Order**

Rep. Alario asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Erdey, the amendments were withdrawn.

The motion to order the previous question on the amendments was withdrawn.

By a vote of 55 yeas and 42 nays, the House agreed to end consideration of amendments.

Rep. Karen Carter moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory, E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.--50th

Cazayoux	Jefferson	Smith, J.H.—8th
Chandler	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Lorusso	Walker
Downs	Marchand	Walsworth
Durand	McDonald	White
Erdey	Montgomery	Williams
Fannin	Morrell	Winston
Farrar	Morris	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Beard	Martiny	McVea
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Total - 3

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 364 (Substitute of Senate Bill No. 300 by Senator Murray)—**  
BY SENATOR MURRAY

AN ACT

To enact Part V of Chapter 16 of Title 25 of the Louisiana Revised Statute of 1950, comprised of R.S. 25:796 through 799, relative to Orleans Parish; to create the French Quarter-Marigny Historic Area Management District; to provide relative to the purposes, governance, duties and authority of the district; to provide relative to funds of the district; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Karen Carter sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 364 by Senator Murray

AMENDMENT NO. 1

On page 7, line 25, change "amending" to "amendment"

AMENDMENT NO. 2

On page 8, line 12, change "or intangible" to "intangible, movable, or immovable"

AMENDMENT NO. 3

On page 10, line 8, between "maintaining" and "restroom" insert "public"

AMENDMENT NO. 4

On page 10, delete lines 13 and 14, and insert the following:

"(4) Revitalizing and nurturing cultural and historical features, and preserving tourism."

On motion of Rep. Karen Carter, the amendments were adopted.

Rep. Alario sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 364 by Senator Murray

AMENDMENT NO. 1

On page 2, line 26, after "funding" and before "an" insert ", subject to appropriations."

On motion of Rep. Alario, the amendments were adopted.

Rep. Karen Carter moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morris
Alario	Faucheux	Morrish
Alexander	Frith	Pierre
Anders	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.J.	Richmond
Barrow	Guillory, E.L.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Harris	Romero
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Lorusso	Walsworth
Dove	Marchand	White
Downs	Martiny	Williams
Durand	McDonald	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	

Total - 101

NAYS

Total - 0

ABSENT

Jackson	Odinet
McVea	Pinac

Total - 4

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 94—**  
BY SENATOR CHAISSON

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 17:3048.1(A)(1)(a)(iii)(dd) and to enact R.S. 17:3048.1(A)(1)(a)(iii)(ee) and (ff), relative to the Tuition Opportunity Program for Students; to provide for eligibility; to provide for certain residency requirements to determine eligibility for certain dependent students of certain retired military personnel; to provide relative to the time period in which such parent who moved from Louisiana under permanent change of station orders must change his military records to reestablish Louisiana as his official state of legal residence in order for a dependent child to be eligible for an award; to provide for the eligibility of displaced students who graduate from an out-of-state high school and receive a distance diploma; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Burns sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Burns to Reengrossed Senate Bill No. 94 by Senator Chaisson

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Education and adopted by the House of Representatives on June 21, 2007, at the beginning of line 3, change "(C)(5)," to "(C)(5) and (6)."

AMENDMENT NO. 2

On page 1, line 11, after "diploma;" and before "to provide for effectiveness;" insert "to provide relative to the use of program awards at eligible Louisiana institutions;"

AMENDMENT NO. 3

In House Committee Amendment No. 3 proposed by the House Committee on Education and adopted by the House of Representatives on June 21, 2007, at the end of line 8, change "and (C)(5)" to "and (C)(5) and (6)"

AMENDMENT NO. 4

In House Committee Amendment No. 8 proposed by the House Committee on Education and adopted by the House of Representatives on June 21, 2007, on page 2, between lines 22 and 23, insert the following:

"(6) Notwithstanding any provision of this Chapter to the contrary, an award recipient who enrolls as a first-time freshmen at an eligible Louisiana institution in accordance with the timelines specified by this Section and who becomes ineligible for the program award due solely to such student subsequently enrolling in an out-of-state college or university shall be determined again eligible to use the program award at an eligible Louisiana institution provided all of the following conditions are met:

(a) The out-of-state college or university is accredited by a regional accrediting organization recognized by the United States Department of Education.

(b) While enrolled in such out-of-state college or university the student met all requirements of this Section that would have been applicable to such student for continuation of the initial award if the student had continued to be enrolled in an eligible Louisiana institution.

(c) The student continues to meet all applicable award requirements.

(d) The time period of award eligibility set forth in Subsection H of this Section is reduced by an equivalent number of units as may be applicable for each semester or equivalent time period that the student is enrolled in an out-of-state college or university.

(e) The student first used his program award at an eligible Louisiana institution during the 2005-2006 award year."

Rep. Burns moved the adoption of the amendments.

Rep. Crane objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Beard	Hill	Scalise
Burns	Hutter	Schneider
Carter, K.	Johns	Smiley
Crowe	Kleckley	Smith, G.
Curtis	LaBruzzo	Smith, J.D.--50th
Daniel	Lambert	St. Germain
Durand	Lancaster	Strain
Erdey	Lorusso	Toomy
Faucheux	Martiny	Waddell
Frith	Morris	Walker
Geymann	Powell, M.	Winston
Greene	Powell, T.	Wooton
Hebert	Quezaire	
Total - 38		

**NAYS**

Mr. Speaker	Doerge	Montgomery
Alario	Dorsey	Morrell
Alexander	Downs	Odinot
Anders	Fannin	Pierre
Arnold	Gallot	Pinac
Badon	Gray	Pitre
Baldone	Guillory, E.J.	Richmond
Barrow	Guillory, E.L.	Ritchie
Baudoin	Guillory, M.	Robideaux
Bowler	Harris	Romero
Bruce	Heaton	Smith, J.H.--8th
Burrell	Honey	Townsend
Carter, R.	Jackson	Trahan
Cazayoux	Katz	Triche
Chandler	Kenney	Walsworth
Crane	LaFonta	White
Damico	Marchand	Williams
DeWitt	McDonald	
Total - 53		



**ABSENT**

Ansardi	Hunter	Morrish
Baylor	Jefferson	Smith, J.R.—30th
Dartez	Kennard	Thompson
Dove	LaFleur	Tucker
Farrar	McVea	

Total - 14

The amendments were rejected.

Rep. Gary Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Anders	Gray	Powell, M.
Ansardi	Greene	Powell, T.
Arnold	Guillory, E.J.	Quezaire
Badon	Guillory, E.L.	Richmond
Baldone	Harris	Ritchie
Barrow	Heaton	Robideaux
Baudoin	Hebert	Romero
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Chandler	Kenney	Strain
Crane	Kleckley	Thompson
Crowe	LaBruzzo	Toomy
Curtis	LaFleur	Townsend
Damico	LaFonta	Trahan
Daniel	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Lorusso	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	Montgomery	Williams
Erdey	Morrell	Winston
Fannin	Morris	Wooton
Farrar	Morrish	
Faucheux	Odinot	

Total - 100

**NAYS**

Total - 0

**ABSENT**

Baylor	Guillory, M.	McVea
Dartez	Kennard	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Gary Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 110—**

BY SENATORS HINES, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HOLLIS, JONES, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 37:1103(7) and (10)(c), relative to mental health counselors; to clarify that psychotherapy treatment is a mental health counseling service; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. Durand, and under a suspension of the rules, consideration of the above bill was deferred at this time.

**Suspension of the Rules**

On motion of Rep. Durand, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE BILLS**

June 24, 2007

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 225  
Returned with amendments

House Bill No. 241  
Returned with amendments

House Bill No. 248  
Returned without amendments

House Bill No. 296  
Returned without amendments

House Bill No. 301  
Returned with amendments

House Bill No. 402  
Returned with amendments

House Bill No. 408  
Returned with amendments

House Bill No. 414  
Returned with amendments

House Bill No. 415  
Returned without amendments

House Bill No. 428  
Returned with amendments

House Bill No. 430  
Returned without amendments

House Bill No. 431  
Returned with amendments

House Bill No. 436  
Returned with amendments

House Bill No. 451  
Returned without amendments

House Bill No. 460  
Returned with amendments

House Bill No. 472  
Returned without amendments

House Bill No. 515  
Returned with amendments

House Bill No. 523  
Returned with amendments

House Bill No. 534  
Returned with amendments

House Bill No. 579  
Returned with amendments

House Bill No. 580  
Returned with amendments

House Bill No. 588  
Returned with amendments

House Bill No. 589  
Returned without amendments

House Bill No. 607  
Returned with amendments

House Bill No. 612  
Returned with amendments

House Bill No. 613  
Returned without amendments

House Bill No. 627  
Returned with amendments

House Bill No. 640  
Returned without amendments

House Bill No. 645  
Returned without amendments

House Bill No. 652  
Returned with amendments

House Bill No. 677  
Returned with amendments

House Bill No. 698  
Returned with amendments

House Bill No. 718  
Returned without amendments

House Bill No. 756  
Returned with amendments

House Bill No. 777  
Returned with amendments

House Bill No. 778  
Returned without amendments

House Bill No. 818  
Returned without amendments

House Bill No. 841  
Returned with amendments

House Bill No. 847  
Returned with amendments

House Bill No. 849  
Returned with amendments

House Bill No. 883  
Returned with amendments

House Bill No. 929  
Returned with amendments

House Bill No. 949  
Returned with amendments

House Bill No. 964  
Returned with amendments

House Bill No. 969  
Returned with amendments

House Bill No. 970  
Returned with amendments

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**  
**ASKING CONCURRENCE IN**  
**SENATE CONCURRENT RESOLUTIONS**

June 24, 2007

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 117

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and, pursuant to House Rule No. 7.2(E), referred to committee:

**HOUSE RESOLUTION NO. 125—**

BY REPRESENTATIVE BURNS

**A RESOLUTION**

To urge and request the Center for Energy Studies, Louisiana State University, to study the feasibility of requiring temperature adjustments in volume measurements for the retail sale of fuel.

Read by title.

On motion of Rep. Burns, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 260—**

BY REPRESENTATIVES KLECKLEY, FRITH, GEYMAN, ELCIE GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

**A CONCURRENT RESOLUTION**

To commend George Heard, Executive Director of the Chennault International Airport Authority at Lake Charles, upon his retirement.

Read by title.

On motion of Rep. Kleckley, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 261—**

BY REPRESENTATIVE CAZAYOUX

**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Administration of Criminal Justice, the Senate Judiciary B Committee, and the Senate Judiciary C Committee to meet and function as a joint committee to study issues relating to the reduction of sex-related crimes in this state.

Read by title.

On motion of Rep. Cazayoux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Adjournment**

On motion of Rep. Kenney, at 7:27 P.M., the House agreed to adjourn until Monday, June 25, 2007, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Monday, June 25, 2007.

ALFRED W. SPEER  
Clerk of the House

