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# HOUSE NOTES

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## Louisiana House of Representatives Regular Session Wrap-Up June 23, 2008

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The legislature began the 2008 Regular Session following two special sessions on ethics reform and the budget and tax breaks. During this session, nearly 1400 bills were introduced in the House and over 800 in the Senate.

In order to keep the public more informed about legislation as it moved through the legislative process, the House Web site (<http://house.louisiana.gov>) was updated this year to include a weekly schedule, a debate calendar, which lists bills to be heard in the House daily, and [Session Dates of Interest](#), which lists meeting days, committee meeting days, and other dates of interest for the session.

The following are brief highlights of some of the legislation considered this session.

### STATE BUDGET

\* [House Bill 1](#), which provides for the normal operating expenses for state government, completed the legislative process without going to conference. The state budget for fiscal year 2008-2009 is \$29.9 billion. The state general fund grew by about 12.4% but overall spending dropped by about 13% due to less federal money for hurricane recovery. The budget is about \$50 million below the spending cap.

Included in the budget is \$90 million for growth in the Minimum Foundation

This bill establishes that the four priorities of the Capital Outlay Bill are, Priority A: the extension of lines of credit by the State Bond Commission during the fiscal

Program (MFP); \$55 million for pay increases for certified school personnel, which will give teachers a raise of \$1,019 and keep them at the southern regional average. School support personnel will receive a one-time pay increase of \$1,000 which will cost \$48 million. Higher education receives an additional \$61 million; \$6.7 million to sheriffs to house state prisoner; \$6.5 million for 50 additional state troopers; \$9 million for Go Grant financial assistance; \$10 million for the Student Scholarships for Educational Excellence Program; \$3.9 million for salary supplements for speech pathologists; audiologists, and social workers; and \$8.5 million for extended instruction in recovery school districts. The Dept. of Health and Hospitals received a 12% increase and \$421 million in one time money was replaced with recurring state general fund dollars. Although the House proposed about \$120 million in cuts, most were restored by the Senate.

The bill now awaits the governor's pen.

\* [House Bill 2](#), the capital outlay bill, passed the legislature at \$4.8 billion.

### CAPITAL OUTLAY PROCESS

\* [Senate Bill 808](#) (Act 911) revises the capital outlay process to organize the bond funding priorities of the Capital Outlay Bill into four categories and requires that additional information be submitted with capital outlay requests.

year, Priority B: the sale of bonds or extension of cash lines of credit by the State Bond Commission during the fiscal year, Priority C: the sale of bonds or the granting of lines of

credit by the State Bond Commission during the fiscal year, Priority D: the portion of construction contracts which will not require cash expenditures during the fiscal year.

This bill also limits the amount of line of credit capacity issued to non-state projects to 25 percent of projects within the fiscal year.

## **PERSONAL INCOME TAX**

\* [Senate Bill 87](#) repeals the "Stelly Plan" income tax. The legislation is applicable to all tax years beginning on or after January 1, 2009.

## **ETHICS**

A number of bills have been filed to clarify and "tweak" legislation filed during the special session on ethics and to add other officials to the laws that were passed.

\* [House Bill 947](#) allows a public servant to accept complimentary admission to a fundraising event held by or for the benefit of an educational institution, excluding professional, semiprofessional or collegiate sporting events.

A public servant would be allowed admission to a fishing trip, hunting trip, or golf outing if such a trip or outing is associated with a candidate's, elected official's, or organization's fund-raising event and is open to the general public.

The bill awaits gubernatorial consideration.

\* Under [House Bill 278](#), the current law limit of \$50 on food, drink, and refreshment given to a public servant at a single event would not apply to events related to recruitment, fund-raising, or philanthropic activities by or on behalf of an agency. Agency is defined as a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity.

The bill awaits gubernatorial consideration.

\* [House Bill 906](#) requires the Board of Ethics to provide an accused and a complainant with a detailed explanation of any complaint. This includes specific factual allegations upon which the board based its decision to investigate, names of the complainant and the name of any other person providing information on the matter, and a copy of any complaint. This information must be sent within 10 days after the vote or receipt of the complaint.

The bill awaits gubernatorial consideration.

\* [House Bill 1175](#) adds an exception to present laws mandating the specific circumstances in which it is appropriate for the immediate family member of a legislator to be a registered lobbyist.

The bill awaits gubernatorial consideration.

\* [House Bill 1198](#) prohibits candidates from making false statements or prohibits push polling that contains any false statement, question, information, or insinuation, including prohibiting making phone calls containing false information.

The bill awaits gubernatorial consideration.

## **WORKFORCE DEVELOPMENT**

\* [House Bill 1104](#) (Act 743) changes the Dept. of Labor to the La. Workforce Commission. The commission is created and established to operate an integrated workforce development delivery system in the state, particularly through the integration of job training, employment and employment-related educational and training programs, and to administer the state's unemployment and workers' compensation programs. The legislation provides for workforce development on the state, regional, and local

levels.

The powers and duties of the executive director of the commission (currently the secretary) are expanded and include the power to coordinate with affected state agencies and workforce development entities, the integration of the delivery of all education, training, employment, apprenticeship, and related programs to assure the efficient and effective provision of these services; develop interagency agreements for service integration; contract with local workforce investment boards for program planning and service delivery.

The legislation requires the La. Workforce Investment Council (the renamed La. Workforce Commission) to advise and direct the development of a comprehensive labor market system and add components to the system. The council is composed of 41 members including the secretaries of the departments of Social Services and Economic Development, the state superintendent of education, the commissioner of higher education, 21 members representing business and industry appointed by the governor, four members representing organized labor appointed by the governor from among six nominees submitted by the AFC-CIO, two members representing parish and city government appointed by the governor, two members of the La. Senate appointed by the president of the Senate, and two members of the House of Representatives appointed by the Speaker of the House.

The bill passed the House and awaits consideration on the Senate floor.

## **UNEMPLOYMENT COMP**

\* [House Bill 1165](#) (Act 169) increases the weekly benefit amount of unemployment compensation and establishes the duration of benefits and creates a reduction in unemployment compensation contributions for employers.

Adds to current law, an additional procedure that sets the maximum weekly benefit at \$284 if the applied trust fund balance range is greater than \$1.4 billion. And if at the calculation or computation date in any year where the fund balance does exceed \$1.4 billion, a 10% reduction in contributions due under the rate table will be granted to each employer.

This legislation also entitles an eligible individual during any benefit year to a total amount of benefits solely equal to 26 times his/her weekly benefit amount. No applicant shall receive a benefit check for any week which goes beyond the number of weeks computed on his/her initial claim unless the applicant is participating in a program which provides partial unemployment or a shared-work plan.

## **RETIREMENT**

\* [House Concurrent Resolution 2](#) approves a cost-of-living increase for retired state employees of up to three percent effective July 1, 2008.

\* [Senate Concurrent Resolution 1](#) authorizes the Teachers' Retirement System to grant a cost-of-living increase beginning July 1, 2008 at a rate of three percent.

## **CRIME**

\* [House Bill 751](#) (Act 157) adds the crime of identity theft to the Louisiana Racketeering Act. Currently, racketeering activity includes solicitation for murder, first degree murder, assault by drive-by shooting, aggravated arson, car jacking, extortion, certain controlled dangerous substance violations, and money laundering.

\* [House Bill 1374](#) prohibits the participants in a crime from transmitting footage of that crime over the Internet. Exceptions are made for Internet providers, news media, and law enforcement to transmit

footage of a crime. The penalty for violation of this proposed law is a fine of \$500 or imprisonment for not more than six months, or both.

### **SEX OFFENDERS**

\* [Senate Bill 143](#) prohibits any "sex offender" from wearing a disguise or distributing candy on certain holidays.

This bill makes it unlawful for "sex offenders" to wear a mask or a disguise with the intent to conceal his identity or distribute candy to persons under 18 years of age on Halloween, Mardi Gras, Easter, Christmas, or any other recognized holiday for which hoods, masks, or disguises are generally used or for which candy is generally distributed.

The bill awaits gubernatorial consideration.

\* [Senate Bill 144](#) provides that upon a first conviction of aggravated rape, forcible rape, second degree sexual battery, aggravated incest, aggravated crime against nature, and molestation of a juvenile under the age of 13 years, in addition to the prescribed penalty, the court may sentence the defendant to treatment with medroxyprogesterone acetate (MPA), or chemical castration. For conviction for a second or subsequent offense of the crimes previously listed, in addition to the prescribed penalty, the court is required to sentence the defendant to treatment with MPA.

The convicted sex offender may choose physical castration in lieu of MPA treatment.

Refusal to comply with a court order to be treated with MPA carries a penalty of three to five years imprisonment, without benefit of probation, parole, or suspension of sentence.

The bill awaits gubernatorial consideration.

\* [Senate Bill 514](#) increases the

The bill awaits gubernatorial consideration.

minimum punishment for the crime of molestation of juveniles 13 through 16 years of age.

The fine is increased to \$5,000, or imprisonment, with or without hard labor, for five to 10 years, or both. The defendant would not be eligible to have his conviction set aside or his prosecution dismissed. When the offender has control or supervision of the juvenile the fine is \$10,000, or imprisonment, with or without hard labor, from five to 20 years, or both, and the defendant shall not be eligible to have his conviction set aside or his prosecution dismissed.

The bill awaits gubernatorial consideration.

### **PAROLE ELIGIBILITY**

\* Under present law, persons sentenced to 30 years or more imprisonment can be eligible for parole consideration after serving at least 20 years and upon reaching the age of 45.

[House Bill 110](#) would remove such parole eligibility for those convicted of armed robbery.

The bill awaits gubernatorial consideration.

### **WITNESS INTIMIDATION**

\* [House Bill 45](#) increases the criminal penalties for offenses involving intimidating, impeding, or injuring witnesses during a criminal proceeding.

Under present law, those in violation of the law in a civil proceeding shall be fined not more than \$5,000, imprisoned, with or without hard labor, for not more than five years, or both.

Under House Bill 45, when the violation is committed in a criminal proceeding in which a sentence of death or life imprisonment may be imposed, the offender shall be fined not more than \$100,000,

imprisoned for not more than 40 years at hard labor, or both.

When the offense is committed in a criminal proceeding in which a sentence of imprisonment necessarily served at hard labor for any period less than a life sentence may be imposed, the offender shall be fined not more than \$50,000, or imprisoned for

### **INTERNET SAFETY**

\* [Senate Bill 500](#) provides for child Internet safety by providing an additional penalty for the crime of computer-aided solicitation of a minor. The penalty allows the court to limit or restrict access to the Internet when the Internet was used in the commission of the crime. Additionally, a computer service provider may block a subscriber from visiting pornography sites if the subscriber's Internet identifier appeared in the National Sex Offender Registry or the State Sex Offender and Child Predator Registry. The proposed law requires the state to make e-mail addresses and instant message names or names collected for the sex offender registry available to any commercial or non-profit entity who promotes child safety.

The bill awaits gubernatorial consideration.

### **CONCEALED HAND GUN PERMITS**

\* [House Bill 399](#) requires an applicant for hand gun permit, to complete any of several firearm competency courses within the preceding 12 months.

The bill awaits gubernatorial consideration.

### **BODY ARMOR PROHIBITION**

\* [House Bill 1153](#) creates the crime of wearing or possessing body armor on school property, at school-sponsored functions, or in firearm-free zones.

Violation of this proposed law carries a fine of not more than \$2,000, or imprisonment with or without hard labor

not more than 20 years at hard labor, or both.

When committed in a criminal proceeding in which any other sentence may be imposed, the offender shall be fined not more than \$10,000, imprisoned for not more than five years, with or without hard labor, or both.

for one to five years, or both. Any principal or school official who fails to report the detention of a student or the seizure of body armor within 72 hours may be issued a misdemeanor summons, the fine being no more than \$500 or 40 hours of community service, or both.

The bill awaits gubernatorial consideration.

### **FEDERAL "REAL ID ACT OF 2005"**

\* [House Bill 715](#) directs the Dept. of Public Safety and Corrections, including the office of motor vehicles, *not* to implement the provisions of the REAL ID Act and to report to the governor any attempt by agencies or agents of the U.S. Dept. of Homeland Security to secure the implementation of the REAL ID Act.

The Real ID Act, which becomes fully effective May 11, 2008, requires individuals to provide photo ID, proof of date of birth, Social Security number and address and citizenship in order to obtain a driver's license.

The information would then be authenticated, copied and archived to be made available to other states and federal agencies.

Some of the intended privacy requirements of the REAL ID Act, such as the sharing of common machine-readable technology and state maintenance of a database may actually make it more likely that the information will be stolen, sold, or used for other unintended purposes, according to the bill.

The bill awaits gubernatorial consideration.

## HIGHWAY SAFETY

\* [House Bill 1139](#) requires motorists to slow down to 25 mph. slower than the posted speed limit when an emergency vehicle is parked on the side of the road and until it is safe to proceed at the posted speed limit.

The bill awaits gubernatorial consideration.

\* [House Bill 402](#), prohibits school bus drivers from talking on a cellular phone while driving a school bus except during emergencies. This does not include citizen band radios or citizen band radio hybrids.

The bill awaits gubernatorial consideration.

\* [Senate Bill 159](#) (Act 666) makes it unlawful for any individual who is 17 years old or younger to operate a motor vehicle while using a wireless telecommunications device, unless such device is hands-free, and its placement does not interfere with the operation of federally required safety equipment.

This bill imposes a penalty of not more than \$100 for the first violation, not more that \$250 for each subsequent violation, and the doubling of any fine if the individual is involved in a traffic accident. This bill also allows for exceptions, including reporting a traffic crash, medical emergency, or serious road hazard; reporting a situation in which the person believes his personal safety is in jeopardy; reporting or attempting to avert the perpetration or potential perpetration of a criminal act; engage in a call or write, send or read a text message while lawfully parked.

\* [Senate Bill 137](#) makes it unlawful for any individual, regardless of age, to write, send or read a text message, instant message, or e-mail via a telecommunications device while driving and prohibits any novice driver (those holding a Class "E" learner's license or intermediate license)

\* [House Bill 1151](#) (Act 168) doubles fines for motorists speeding in highway construction zones when workers are present.

## CELL PHONE PROHIBITION

Several bills have been introduced to limit cell phone use while driving. They include:

from using a wireless telecommunications device unless it is hands-free, except during an emergency.

This bill excludes citizen band radios, citizens band radio hybrids, commercial two-way radio communication devices, or electronic communication devices with a push-to-talk function, and does not apply to a law enforcement officer, firefighter, or operator of an authorized emergency vehicle while engaged in the actual performance of his official duties; an operator of a moving motor vehicle while using a wireless telecommunications device to report illegal activity; summon medical or other emergency help; prevent injury to a person or property; relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle; or navigate using a global positioning system.

The bill awaits gubernatorial consideration.

\* [Senate Bill 342](#) makes it unlawful for individuals to use a cell phone while driving for the first year after issuance of a license.

This bill imposes a fine of \$100 or 16 hours of community service, or both on the first offense and \$250 or 24 hours of community services or both on the second and subsequent offenses. Any violation will be considered a non-moving violation. If an accident occurs at the time of the violation, the fine shall be double the amount of the standard fine imposed. The law does not become effective until implementation of the Next

Generation Motor Vehicle project of the Dept. of Public Safety and Corrections is finalized.

Senate Bill 342 awaits gubernatorial consideration.

\* [Senate Bill 342](#) bans the use of a cell phone by a driver for one year after they receive their license.

The bill awaits gubernatorial consideration

\* Under [Senate Bill 74](#) the record of a conviction for a traffic violation which is based solely on evidence from a traffic camera shall not be forwarded to the Department of Public Safety and Corrections, and no record of such conviction shall be made part of any person's driving record.

The bill awaits gubernatorial consideration

## **DRIVER EDUCATION**

\* [Senate Bill 465](#) requires BESE, the Department of Education and the Department of Public Safety to collaborate on the development of a driver education and training program and provide the program to children ages 15 years and older.

The bill increases the required number of driver education hours from six to eight , and specifies a minimum of 30 hours of classroom instruction. The bill also provides for an intermediate license and conditions of reinstatement of a suspended license.

The bill awaits gubernatorial consideration.

## **DRIVERS LICENSE SUSPENSION/TRUANCY**

\* Under [Senate Bill 275](#), driving privileges for students between the ages of 15 and 18 may be denied or suspended if the child withdraws from school prior to graduation or has been determined to be habitually absent or tardy. Additionally, the Department of Public Safety and Corrections

## **MOTOR VEHICLES/CHILD RESTRAINTS**

\* [House Bill 814](#) (Act 300) increases the fines for failure to properly restrain a child in a motor vehicle.

## **TRAFFIC CAMERAS/TRAFFIC RECORD**

may, upon notification from the school board, deny or suspend the driver's permit or license of the student. Also, the department is required to deny or suspend the driver's permit or license of any person, until his 18<sup>th</sup> birthday, who fails or refuses to present appropriate documentation that the person has complied with mandatory school attendance or if the department receives written notification that the person is a dropout or is habitually absent or tardy.

The bill awaits gubernatorial consideration.

## **SCHOOL EMPLOYEES/STUDENT INTERACTION**

\* [House Bill 574](#) establishes guidelines for appropriate interaction between students and school employees in public elementary and secondary schools.

This bill prohibits interaction between a student and school employee in any classroom, office, meeting room, or other similarly enclosed area on school property. Interactions may take place if another school employee, the student's parent, or other authorized adult is present during the entire time of the interaction, or the student and employee are clearly viewable by persons outside through an open door or entrance or through a window or other means that provide an unobstructed view of such interaction.

The bill awaits gubernatorial consideration.

## **TUITION/FEE INCREASE**

\* [House Bill 734](#) authorizes

post-secondary education management boards to establish tuition and mandatory fees for resident students. Tuition would be increased up to 5 percent for the next four years.

The bill awaits gubernatorial consideration.

## **STUDENTS/SCHOOL ATTENDANCE**

\* [House Bill 1091](#), the Louisiana School Dropout Prevention Act of 2008, provides the guidelines under which certain students may withdraw from school and creates a dropout prevention and recovery

## **SCIENCE EDUCATION ACT**

\* [Senate Bill 733](#) establishes the Louisiana Science Education Act relative to the teaching of scientific subjects to promote critical thinking skills.

The bill awaits gubernatorial consideration.

## **CHARTER SCHOOL INCREASE**

\* [House Bill 321](#) increases the limitation on the number of charter school proposals that can be entered into from 42 to 70.

The bill awaits gubernatorial consideration.

## **TOPS-TECH AWARDS**

\* [House Bill 1278](#) provides that TOPS Tech-qualified students may use the award, beginning with the 2009-2010 award year, to attend any school that has a valid and current certificate of registration issued by the State Board of Cosmetology and accredited by an organization recognized by the U.S. Department of Education or any proprietary school licensed by the Board of Regents.

House Bill 1278 awaits gubernatorial consideration.

## **GRANTS FOR GRADS**

\* [House Bill 1156](#) establishes the Grants for Grads Program to help Louisiana

program.

The bill awaits gubernatorial consideration.

## **STUDENT SCHOLARSHIPS**

\* [House Bill 1347](#), creates the Student Scholarships for Educational Excellence Program which seeks to enroll eligible New Orleans recovery school district students into approved nonpublic schools. \$10 million is included in the budget to cover the cost for the 2008-2009 school year.

The bill awaits gubernatorial consideration.

college graduates purchase a first home.

Those eligible for the cash awards are Louisiana residents who receive an associate, baccalaureate, masters, or other postgraduate degree and would assist with the down payment or closing costs. The program will be administered by the La. Housing Finance Agency.

The bill awaits gubernatorial consideration

## **HEALTH INSURANCE**

\* [House Bill 958](#) requires health insurance providers to cover the diagnosis and treatment of autism spectrum disorders in children under the age of 17. The bill stipulates that these requirements do not apply to companies with 50 employees or less, and may be subject to co-payment, deductible, and coinsurance provisions of a the health coverage plan.

The bill awaits gubernatorial consideration.

\* [House Bill 318](#) requires health insurance coverage of prosthetic devices and services.

The bill awaits gubernatorial consideration.

## **AUTO INSURANCE**

\* [House Bill 1312](#) originally increased

the minimum limits for compulsory motor vehicle liability insurance from 10/20/10 to 25/50/25. The Senate Insurance Committee amended the bill to 15/30/15.

In lieu of a bond or insurance policy, \$55,000 may be deposited with the state treasurer.

In cases of no-fault auto accidents, House Bill 1312 would increase the minimum recovery amounts to \$15,000 for bodily injury by an uninsured driver and for property damage by an uninsured driver.

The bill awaits gubernatorial

Under this proposed law, public funds including tax proceeds, funds received from the federal government or other revenues of the state or political subdivisions cannot be used by any person or entity, including any state-funded institution or facility for this purpose.

The bill would not prohibit areas of scientific research that include research in the use of nuclear transfer or other cloning techniques to produce molecules, deoxyribonucleic acid, cells other than human embryos, tissues, organs, plants, or animals other than humans.

The bill awaits gubernatorial consideration.

## **CHILD SUPPORT**

\* Under [House Bill 84](#) the penalty for failure to pay a legal child support obligation that has been outstanding for at least one year when the amount of the obligation is more than \$15,000 shall be a fine of not more than \$2,500, or imprisonment with or without hard labor, for not more than two years, or both.

The bill awaits gubernatorial consideration.

## **CIVIL LIABILITY**

\* [House Bill 1127](#) (Act 318) limits the liability of a religious organization qualified as a nonprofit tax-exempt organization or any of its officers,

consideration.

## **VOTING**

\* [House Bill 1122](#) (Act 167) extends the hours of early voting requiring the registrar of voters office to remain open until 6 p.m rather than 4:30 p.m., Monday through Saturday.

## **HUMAN CLONING**

\* [House Bill 370](#) prohibits the use of public monies for human cloning.

employees, or volunteers who gratuitously render assistance during a state of emergency.

## **LEGISLATIVE MEETINGS/VIDEO CONFERENCING**

\* [Senate Bill 167](#) allows meetings of legislative committees that are held between legislative sessions to be conducted by video conference. Such meetings shall be those at which no vote is required to be taken on any matter having the effect of law. Each house would be authorized to adopt rules to provide for and accommodate committee meetings by video conference. No meeting can be conducted by video conference unless a quorum of the committee is present, in person, at the location at which the meeting was advertised to take place.

The bill awaits gubernatorial consideration.

## **PUBLIC BID LAW**

\* [Senate Bill 133](#) (Act 117) requires the Louisiana Agricultural Finance Authority to comply with the public bid law.

## **RADIOACTIVE WASTE**

\* [House Bill 1196](#) (Act 96) prohibits the transportation of foreign-generated radioactive waste into the state for disposal or storage in this state or elsewhere. The measure exempts radioactive waste generated by the U.S. Armed Forces.

## COMMERCIAL REGULATIONS

\* [Senate Bill 497](#) (Act 227) permits licensed retail florists to operate automated floral climate-controlled vending kiosk systems, or vending machines, with certain restrictions.

## BOLL WEEVIL ERADICATION

\* [House Bill 1116](#) (Act 1) provides \$2 million for fiscal year 2007-2008 to be used for boll weevil eradication.

## CRAWFISH REGULATION

\* [House Bill 1376](#), (Act 334) transfers regulation of wild crawfish harvesters from the Dept. of Wildlife and Fisheries to

\* [House Bill 488](#) (Act 280) requires a marine biologist from LSU-BR, the Dept. of Wildlife and Fisheries, and the Louisiana Universities Marine Consortium (LUMCON) review or participate in the review of proposed areas for offshore fish farming in Louisiana waters that prior to establishment.

The bill also requires that no review have ties to any permit applicant or be involved in any grant or exercise that would directly benefit from the results of the review.

## VIDEO AND CABLE FRANCHISES

\* [Senate Bill 807](#) creates guidelines for statewide franchises for cable and video companies. The bill requires an applicant to file for such a franchise, with the Secretary of State and simultaneously provide a copy to the affected local government.

The applicant would also be required to maintain a \$1,000,000 liability insurance policy.

The bill awaits gubernatorial consideration.

the Dept. of Agriculture and Forestry.

A person who harvests wild crawfish for commercial purposes from state waters would not be required to carry a commercial fisherman's license but would have to obtain a license annually from the commissioner. The price would be determined by the commissioner but could not exceed \$25 per family.

\* [House Bill 266](#) (Act 264) prohibits restaurants that sell imported crawfish from misrepresenting to the public, either verbally, on a menu, or on signs displayed on the premises, that the crawfish or shrimp is domestic.

## AQUACULTURE

### HOMEOWNER'S INSURANCE

\* [Senate Bill 160](#) provides for changes in homeowner's insurance policy deductibles and the application of deductibles in the event of loss for named storms or hurricanes.

The proposed law would permit an insurer to file with the commissioner of insurance a written petition for authorization to increase a policy deductible to not more than 4% of the value of the property being insured for named storms or hurricanes on a homeowner's policy that has been in effect for more than three years.

The proposed law would prohibit a homeowner's policy from containing any provision that would apply more than one deductible to a loss resulting from any single incident.

The bill awaits gubernatorial consideration.

## HEALTH CARE

\* [Senate Bill 287](#) provides for the Louisiana Health Care Consumers' Right to Know Law and seeks to develop standards of accuracy, quality, timeliness, economy, and efficiency by making meaningful comparison of costs for specific health care services and specific quality of care measures medical facilities, health care providers and health

plans, and make the data available to consumers on the Internet.

The bill would require implementation of the initial phase of the Internet Website by April 30, 2009.

The legislation awaits gubernatorial consideration.

## MENTAL HEALTH

\* [Senate Bill 228](#) requires each region of the state to set up crisis receiving centers for people experiencing a mental health crisis. The centers must be licensed by the Dept. of Health and Hospitals.

The bill awaits gubernatorial consideration.

\* [House Bill 1378](#) creates the Silver Alert Network for reporting missing mentally impaired citizens and a Silver Alert Steering Committee to make recommendations relative to the implementation of the network. The creation of the loan forgiveness program would be contingent upon an appropriation from the legislature. The state Department of Health and Hospitals (DHH) would administer the program.

The bill awaits gubernatorial consideration.

## STATE AGENCIES

\* [Senate Bill 351](#) (Act 542) requires state agencies to purchase hybrid fuel or alternative fuel vehicles. Proposed law would provide for the commissioner of administration to purchase or lease alternative fuel and hybrid vehicles for state use only. This legislation also permits certain exceptions for the use of alternative fuel and hybrid vehicles. Specifically, the law would include hybrid vehicles within the purchasing and leasing authority of the commissioner of administration.

This bill awaits House final passage.

## CONSTITUTIONAL AMENDMENTS

The following proposed constitutional amendments will be considered by the voters at the

Alert Network for reporting missing mentally impaired citizens and a Silver Alert Steering Committee to make recommendations relative to the implementation of the network.

The bill awaits gubernatorial consideration.

## RURAL PHYSICIANS

\* [House Bill 1071](#) establishes a loan forgiveness program for primary care physicians who agree to work in a rural health professional shortage area (HPSA) of the state.

The proposed law would apply to primary care physicians, but would include those practicing internal medicine, pediatrics, medicine/pediatrics, obstetrics, gynecology and general surgery.

November 4, 2008 election.

\* [House Bill 183](#) - Requires the legislature to provide for temporary successors for legislators ordered to active duty.

\* [House Bill 420](#) - Increases the general severance tax allocation to parishes.

\* [House Bill 461](#) - Provides for transfer of the special assessment level to new property purchased to replace expropriated property.

\* [House Bill 584](#) - Provides relative to contribution to post-employment benefit funds for public employees.

\* [Senate Bill 232](#) - Provides for a three-consecutive-term limit for positions on certain constitutionally-provided boards and commissions.

\* [Senate Bill 295](#) - Removes certain restrictions on the disposition of expropriated blighted property.

\* [Senate Bill 296](#) - Requires that the proclamation calling for an extraordinary session be issued and made public so that at least five calendar days elapse after the day the proclamation is made public and prior to the day of the start of the session.

## FAILED TO ADVANCE

\* [House Bill 199](#) would have allowed concealed handgun permit holders to carry concealed handguns on college campuses.

\* [House Bill 1261](#) would have prohibited K-12 public schools from serving students food containing trans fats.

\* [House Bill 1329](#) would have limited the amount of annual revenue parishes and municipalities could generate from the use of speed traps.

\* [House Bill 1050](#) would have prohibited the use of speed traps as a primary source of revenue for a local authority.

\* [House Bill 81](#) would have prohibited the governor from appointing a contributor or immediate family member to serve on a

\* [House Bill 834](#), a constitutional amendment, would have added taxpayer refunds, rebates, or tax credits to the list of items that state surpluses could be used to fund.

\* [House Bill 1295](#) would have repealed the motorcycle helmet law.

\* [House Bill 997](#), would have prohibited former public servants employed by the office of the governor, including the division of administration, from being employed by or entering into a contract with a person who has a contract with the state valued at \$200 million or more for a period of five years after their termination of public service.

\* [House Bill 911](#) would have allowed a public servant to accept complimentary admission to a civic or nonprofit event when the public servant is a program honoree, is giving a speech at the event, or is a panel member for a discussion occurring at the event.

\* [House Bill 1021](#) expands the law to prohibit anyone from smoking in a vehicle when a child 16 years of age or younger is present in the same vehicle.

board or commission.

\* [House Bill 789](#) would have required a criminal background check of a candidate who has qualified to run for office.

\* [House Bill 358](#) would have required disclosure of the country of origin for seafood.

\* [House Bill 204](#) would have exempted parishes and municipalities outside hurricane-prone areas from enforcing the International Residential Code.

\* [House Bill 800](#) would have created the Uniform Modular Housing Act.

\* [House Bill 436](#), a constitutional amendment, would have given taxing authorities 90 days from the date millages are adjusted downward in which to vote on an increase in the millages.

\* [House Bill 122](#) would have allowed parole consideration at age 31 for a juvenile age 15 or 16 convicted as an adult.

\* Under [House Bill 1331](#), a student between the ages of 15 and 18 who is habitually absent or tardy from school, would have had their driver's license suspended and their employment certificate revoked.

\* [House Bill 512](#) would have required coverage of mammograms as provided in guidelines published by the American Cancer Association.

\* Several bills were introduced calling for a person convicted of a felony associated with their service in public office or in a public position to forfeit their benefits from a public retirement system. These bills included elected officials, teachers, educational system employees and public servants. They included [\*\*House Bills 740\*\*](#) and [\*\*783\*\*](#), and [\*\*House Bill 1013\*\*](#), which included teachers and school employees convicted of a felony sex crime involving a student.

\* [Senate Bill 628](#) would have prohibited railroads from price gouging.

\* [House Bill 834](#), a constitutional amendment, would have added taxpayer refunds, rebates, or tax credits to the list of items that state surpluses could be used to fund.

\* [House Bill 68](#) would have banned possession of assault weapons.

\* [House Bill 1217](#) would have allowed prisoners serving a life sentence for the manufacture, distribution, or possession of heroin to apply for parole once they have served at least 15 years.

\* [House Bill 128](#) would have required at least a 2.0 grade point average (gpa) for public school students in grades six through 12 to participate in interscholastic athletics and other extracurricular activities. The current requirement is a 1.5 gpa

\* [House Bill 676](#) would have prohibited the use of LEAP test scores, including the high school graduation test, as the sole criteria for not promoting or allowing a student to graduate.

\* [House Bill 34](#) would have changed election day polling hours, with the polls to open at 7 a.m. and close at 8 p.m.

\* [House Bill 1357](#) created the crime of unlawfully harboring, concealing, or sheltering an illegal alien.

\* [House Bill 25](#) would have required law enforcement to attempt, at the time of booking, to determine the citizenship or immigration status of an arrested individual.

\* [House Bill 1358](#) would have created the crime of unlawful transportation of an illegal alien.