

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

SECOND DAY'S PROCEEDINGS

**Fortieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, March 11, 2014

The Senate was called to order at 4:10 o'clock P.M. by Hon. John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Donahue	Nevers
Adley	Erdey	Peacock
Allain	Guillory	Perry
Amedee	Johns	Riser
Appel	Kostelka	Smith, G.
Broome	LaFleur	Smith, J.
Brown	Long	Thompson
Buffington	Martiny	Walsworth
Chabert	Mills	Ward
Claitor	Morrish	White
Cortez	Murray	
Total - 32		

ABSENT

Crowe	Heitmeier	Tarver
Dorsey-Colomb	Morrell	
Gallot	Peterson	
Total - 7		

The President of the Senate announced there were 32 Senators present and a quorum.

Prayer

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

Reading of the Journal

On motion of Senator Peterson, the reading of the Journal was dispensed with and the Journal of March 10, 2014, was adopted.

**Introduction of Senate Bills
and Joint Resolutions**

Senator Claitor asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

**SENATE BILL NO. 559—
BY SENATOR CLAITOR**

AN ACT

To enact R.S. 9:5605(F) and (G), relative to actions for legal malpractice; to provide relative to the continuous representation of a client by an attorney regarding a specific subject matter; to provide with respect to the interruption of prescription or running of the peremptive period; and to provide for related matters.

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

Introduction of Senate Resolutions

**SENATE RESOLUTION NO. 4—
BY SENATOR PEACOCK**

A RESOLUTION

To commend and congratulate Hunter Hopkins on his numerous accomplishments, his exemplary academic achievements, and on being honored as a recipient of the LSU University Medal.

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

**SENATE RESOLUTION NO. 5—
BY SENATOR CORTEZ**

A RESOLUTION

To commend Elijah Evans of Youngsville on being named one of the top two youth volunteers in Louisiana for 2014 in the nineteenth annual Prudential Spirit of Community Awards program.

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

**SENATE RESOLUTION NO. 6—
BY SENATOR JOHNS**

A RESOLUTION

To commend Bryttani MacNamara of Sulphur on being named a Distinguished Finalist in Louisiana for 2014 in the nineteenth annual Prudential Spirit of Community Awards program.

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

**SENATE RESOLUTION NO. 7—
BY SENATOR PEACOCK**

A RESOLUTION

To commend and congratulate former Louisiana State Senator, Jackson Beauregard Davis, and his wife, Rosemary Slattery Davis, of Shreveport upon the happy occasion of their seventieth wedding anniversary.

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

**SENATE RESOLUTION NO. 8—
BY SENATOR PEACOCK**

A RESOLUTION

To commend and congratulate Caroline Boley on her numerous accomplishments, her exemplary academic achievements, and on being honored as a recipient of the LSU University Medal.

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

**SENATE RESOLUTION NO. 9—
BY SENATOR PEACOCK**

A RESOLUTION

To commend Lieutenant Colonel Harry Lazarus Jr. on being awarded the French Legion of Merit medal by the Sons of the American Revolution.

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

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SENATE RESOLUTION NO. 10—
BY SENATOR LONG

A RESOLUTION

To commend and congratulate Earl J. "Mickey" Durand upon his election and installation as the Most Worshipful Grand Master of Masons of the Grand Lodge of Louisiana, Free and Accepted Masons for 2014-2015.

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

SENATE RESOLUTION NO. 11—
BY SENATOR PETERSON

A RESOLUTION

To recognize Thursday, March 13, 2014, as the thirtieth Annual Red and White Day at the Louisiana Legislature.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of former mayor of Baker and former Louisiana State Senator, Michael A. Cross, and to celebrate his life of public service, his humanity, and his many contributions made on behalf of the citizens of Senate District 13, of the city of Baker, and of the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To create and provide for the Joint Capital Punishment Fiscal Impact Commission to study the fiscal costs of the death penalty in Louisiana and to recommend any action or legislation that the commission deems necessary or appropriate.

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

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to construct toll booths at all entrances and exits on state highways to casinos operated on Indian lands in the state.

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR GUILLORY

A CONCURRENT RESOLUTION

To commend Shane Hanchey of Sulphur on becoming the Tie-Down Roping World Champion at the 2013 Wrangler National Finals Rodeo.

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

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

SENATE BILL NO. 77—
BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to add Article I, Section 28 of the Constitution of Louisiana, relative to health insurance; to require the state provide the opportunity for certain residents to receive health insurance; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR RISER

A CONCURRENT RESOLUTION

To designate March 2014 as "Breast Cancer Awareness Month" in Louisiana.

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

ROLL CALL

The roll was called with the following result:
YEAS

Mr. President	Crowe	Peacock
Adley	Donahue	Perry
Allain	Dorsey-Colomb	Peterson
Amedee	Erdey	Riser
Appel	Guillory	Smith, G.
Broome	Johns	Smith, J.
Brown	LaFleur	Thompson
Buffington	Long	Ward
Chabert	Martiny	White
Claitor	Mills	
Cortez	Morrish	

Total - 31

NAYS

Total - 0

ABSENT

Gallot	Morrell	Tarver
Heitmeier	Murray	Walsworth
Kostelka	Nevers	
Total - 8		

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR LAFLEUR AND REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To commend the Kinder High School Yellow Jackets on winning the Class 2A state football championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Crowe	Peacock
Adley	Donahue	Perry
Allain	Dorsey-Colomb	Peterson
Amedee	Erdey	Riser
Appel	Guillory	Smith, G.

Broome	Johns	Smith, J.
Brown	LaFleur	Thompson
Buffington	Long	Walsworth
Chabert	Mills	Ward
Claitor	Morrish	White
Cortez	Murray	
Total - 32		

NAYS

Total - 0

ABSENT

Gallot	Martiny	Tarver
Heitmeier	Morrell	
Kostelka	Nevers	
Total - 7		

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

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To urge and request that the citizens of Louisiana recognize the life-saving benefits of routine colorectal screening examinations and schedule such examinations as deemed appropriate by their physicians.

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

SENATE CONCURRENT RESOLUTION NO. 9—
BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To commend Clane Duplechin, the boys varsity cross country coach at Episcopal High School in Baton Rouge, on being selected as a 2013 National Coach of the Year by the National Federation of State High School Associations.

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

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATORS JOHNS AND MORRISH AND REPRESENTATIVES DANAHAY, FRANKLIN, GEYMAN AND KLECKLEY

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of James Leo McGough Sr. of Lake Charles, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Peacock
Adley	Dorsey-Colomb	Perry
Allain	Erdey	Peterson
Amedee	Guillory	Riser
Appel	Johns	Smith, G.
Broome	Long	Smith, J.
Brown	Martiny	Thompson
Buffington	Mills	Walsworth
Chabert	Morrell	Ward
Claitor	Morrish	White
Cortez	Murray	
Crowe	Nevers	
Total - 34		

NAYS

Total - 0

ABSENT

Gallot	Kostelka	Tarver
Heitmeier	LaFleur	
Total - 5		

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

SENATE CONCURRENT RESOLUTION NO. 11—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Viola Cocran and to commend posthumously her volunteer efforts at Slidell Memorial Hospital, which earned her designation in the Guinness Book of World Records.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Nevers
Adley	Dorsey-Colomb	Peacock
Allain	Erdey	Perry
Amedee	Guillory	Peterson
Appel	Johns	Riser
Broome	LaFleur	Smith, G.
Brown	Long	Smith, J.
Buffington	Martiny	Thompson
Chabert	Mills	Walsworth
Claitor	Morrell	Ward
Cortez	Morrish	White
Crowe	Murray	
Total - 35		

NAYS

Total - 0

ABSENT

Gallot	Kostelka
Heitmeier	Tarver
Total - 4	

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR GALLOT AND REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To designate March 19, 2014, as "Kick Butts Day 2014" in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Peacock
Allain	Erdey	Perry
Amedee	Guillory	Peterson
Appel	Johns	Riser
Broome	LaFleur	Smith, G.
Brown	Long	Smith, J.

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Buffington	Martiny	Thompson
Chabert	Mills	Walsworth
Cortez	Morrell	Ward
Crowe	Morrish	White
Total - 33		

NAYS

Total - 0

ABSENT

Claitor	Heitmeier	Nevers
Gallot	Kostelka	Tarver
Total - 6		

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

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To designate April 16, 2014, as "Purple and Teal Day" at the Louisiana State Capitol and to recognize the efforts of the Louisiana Coalition Against Domestic Violence.

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

YEAS

Mr. President	Donahue	Peacock
Adley	Dorsey-Colomb	Perry
Allain	Erdey	Peterson
Amedee	Guillory	Riser
Appel	Johns	Smith, G.
Broome	LaFleur	Smith, J.
Brown	Long	Thompson
Buffington	Martiny	Walsworth
Chabert	Mills	Ward
Claitor	Morrell	White
Cortez	Morrish	
Crowe	Murray	
Total - 34		

NAYS

Total - 0

ABSENT

Gallot	Kostelka	Tarver
Heitmeier	Nevers	
Total - 5		

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

March 10, 2014

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR No. 5	HCR No. 8	HCR No. 9
HCR No. 11	HCR No. 12	HCR No. 14
HCR No. 16	HCR No. 17	

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE LORUSSO AND SENATOR APPEL
A CONCURRENT RESOLUTION

To urge and request the citizens of Louisiana to commemorate the 225th anniversary of the inauguration of George Washington as president of the United States.

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

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION

To recognize May 8, 2014, as Elmer's Candy Day in the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To recognize Thursday, March 13, 2014, as Human Resource Management Day in Louisiana and to commend the members of the Louisiana Society for Human Resource Management.

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

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE SHADOIN AND SENATOR GALLOT
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Willie Davis, Jr., the former mayor of Farmerville.

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

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE SHADOIN AND SENATOR GALLOT
A CONCURRENT RESOLUTION

To express the condolences of the Louisiana House of Representatives upon the death of Mike Reed of Ruston, Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION

To recognize April 8, 2014, as Ponchatoula Strawberry Festival Day in the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVES COX, BROWN, AND HOWARD AND SENATORS LONG AND GALLOT
A CONCURRENT RESOLUTION

To recognize the tricentennial of Natchitoches and to encourage participation in tricentennial observances and activities throughout 2014.

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

HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVES STUART BISHOP, ABRAMSON, NANCY
LANDRY, AND ROBIDEAUX AND SENATOR CORTEZ
A CONCURRENT RESOLUTION

To express condolences upon the death of Carl W. "Wimpy" Bauer and to express enduring gratitude for his outstanding contributions to Acadiana and the state of Louisiana, particularly during his tenure as a distinguished member of the Louisiana House of Representatives.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

March 11, 2014

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE BILL NO. 134—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 42:1124.4(A)(1) and 1141.5(C) and to enact R.S. 42:1157(A)(4)(f), relative to the Board of Ethics and Ethics Adjudicatory Board enforcement authority; to provide for notice of delinquency delivery methods; to clarify the duty of the Ethics Adjudicatory Board; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 206—
BY SENATOR JOHN SMITH

AN ACT

To enact R.S. 49:160.1, relative to state symbols; to provide for the official state fruit tree; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 270—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 18:1495.7(A) and R.S. 42:1114(C)(1) and (E) and to enact R.S. 42:1124.3(C)(3), (4), and (5), relative to personal financial disclosure; to require certain information on certain financial disclosure forms; to provide for enforcement of penalties for the failure to file financial disclosures; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

Rules Suspended

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

SENATE BILL NO. 10—
BY SENATOR MORRISH

AN ACT

To enact R.S. 22:2296.1, relative to recovery against Louisiana Citizens Property Insurance Corporation; to prohibit claimants from recovering penalties from Louisiana Citizens Property Insurance Corporation in the form of class action lawsuits; and to provide for related matters.

Senator Morrish moved to recommit the bill from the Committee on Judiciary A to the Committee on Insurance.

Without objection, so ordered.

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Guillory	Perry
Appel	Johns	Peterson
Broome	Kostelka	Riser
Brown	LaFleur	Smith, G.
Buffington	Long	Smith, J.
Chabert	Martiny	Thompson
Claitor	Mills	Walsworth
Cortez	Morrell	Ward
Crowe	Morrish	White
Total - 36		

ABSENT

Gallot	Heitmeier	Tarver
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

Gallot	1 Day	Heitmeier	1 Day
Tarver	1 Day		

Announcements

The following committee meetings for March 12, 2014, were announced:

Education	At Adj	Hainkel Room
Transportation	At Adj	Room E

Adjournment

On motion of Senator Thompson, at 4:30 o'clock P.M. the Senate adjourned until Wednesday, March 12, 2014, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, March 12, 2014.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk