

**DAILY PROOF OF THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
EIGHTH DAY'S PROCEEDINGS**

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 13, 2010

The Senate was called to order at 3:10 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

| | | |
|---------------|-------------|----------|
| Mr. President | Duplessis | Martiny |
| Adley | Erdey | Morrell |
| Alario | Gautreaux B | Morrish |
| Amedee | Guillory | Mount |
| Appel | Hebert | Murray |
| Broome | Jackson | Riser |
| Chabert | Kostelka | Shaw |
| Claitor | LaFleur | Smith |
| Crowe | Long | Thompson |
| Dorsey | Marionneaux | |
| Total - 29 | | |

ABSENT

| | | |
|-------------|-----------|-----------|
| Cheek | McPherson | Quinn |
| Donahue | Michot | Walsworth |
| Gautreaux N | Nevers | |
| Heitmeier | Peterson | |
| Total - 10 | | |

The President of the Senate announced there were 29 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Monseigneur Frederic J. Brunet, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of April 12, 2010, was adopted.

Introduction of Senate Resolutions

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

**SENATE RESOLUTION NO. 22—
BY SENATOR BROOME**

A RESOLUTION

To urge and request each member of the Senate to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day."

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

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 12, 2010

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 198—

BY REPRESENTATIVES THIBAUT, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, EDWARDS, FANNIN, FOIL, GALLOT, GISCLAIR, GUILLORY, HARDY, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HUTTER, MICHAEL JACKSON, JOHNSON, KATZ, KLECKLEY, LAFONTA, LANDRY, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTOU CET, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIERRY, TUCKER, WADDELL, WILLIAMS, AND WOOTON

AN ACT

To enact R.S. 47:490.22, relative to military honor license plates; to provide for the establishment of a military honor license plate for members of the United States Armed Forces; to provide for the design and issuance of the license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 448—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 37:1864.1(A), 1866, and 1867(A) and to enact R.S. 37:1862.1, relative to secondhand dealers; to provide for record and reporting requirements; to require secondhand dealers to photograph merchandise that is purchased; to provide for changes to daily reports required by secondhand dealers; to provide for the location of items purchased by a secondhand dealer; and to provide for related matters.

HOUSE BILL NO. 1042—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:1720.1, relative to stored motor vehicles; to provide that a hold harmless agreement between a holder of a lien on a motor vehicle and a storage facility or a repair or body shop shall not require notarization; and to provide for related matters.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:1728(D)(3), (4), and (5) and 1728.2(D)(introductory paragraph), (F)(introductory paragraph), and (G)(2) and (6) and to enact R.S. 32:1728(D)(6), relative to the disposal of stored motor vehicles; to require a receipt of certificate of mailing to show proof of mailing of notices; to require submission of a photograph of the vehicle prior to disposal; to provide for the inspection of a stored motor vehicle prior to disposal; to require applications for crushing vehicles to be completed in a format specified by the Department of Public Safety and Corrections; and to provide for related matters.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:463.102, relative to the Rotary District 6200 special prestige license plate; to provide for the name; to

April 13, 2010

provide for eligibility; to provide for distribution and use of royalty fees; and to provide for related matters.

HOUSE BILL NO. 368—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:969.18(A)(5), relative to fees or expenses charged by an extender of credit; to allow for fees and expenses incurred in connection with the financing of a manufactured home; and to provide for related matters.

HOUSE BILL NO. 452—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.6(23) and (29), 969.35(A)(2), 969.42, the heading of Part VIII of Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, and 969.51 and to enact R.S. 6:969.6(34) and (35), 969.52, 969.53, and 969.54, relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for changes in definitions; to provide for new definitions; to provide for debt waiver or debt forgiveness agreements; to provide for requirements of GAP coverage; to provide for liability, disclosures, or cancellations regarding debt waiver or debt forgiveness agreements; and to provide for related matters.

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

**House Bills and Joint Resolutions
on First Reading**

Senator LaFleur asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.

HOUSE BILL NO. 198—

BY REPRESENTATIVES THIBAUT, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, EDWARDS, FANNIN, FOIL, GALLOT, GISCLAIR, GUILLORY, HARDY, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HUTTER, MICHAEL JACKSON, JOHNSON, KATZ, KLECKLEY, LAFONTA, LANDRY, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTOUCEY, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIERRY, TUCKER, WADDELL, WILLIAMS, AND WOOTON

AN ACT

To enact R.S. 47:490.22, relative to military honor license plates; to provide for the establishment of a military honor license plate for members of the United States Armed Forces; to provide for the design and issuance of the license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 368—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:969.18(A)(5), relative to fees or expenses charged by an extender of credit; to allow for fees and expenses incurred in connection with the financing of a manufactured home; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 448—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 37:1864.1(A), 1866, and 1867(A) and to enact R.S. 37:1862.1, relative to secondhand dealers; to provide for record and reporting requirements; to require secondhand dealers to photograph merchandise that is purchased; to provide for changes to daily reports required by secondhand dealers; to provide for the location of items purchased by a secondhand dealer; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 452—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.6(23) and (29), 969.35(A)(2), 969.42, the heading of Part VIII of Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, and 969.51 and to enact R.S. 6:969.6(34) and (35), 969.52, 969.53, and 969.54, relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for changes in definitions; to provide for new definitions; to provide for debt waiver or debt forgiveness agreements; to provide for requirements of GAP coverage; to provide for liability, disclosures, or cancellations regarding debt waiver or debt forgiveness agreements; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1042—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 32:1720.1, relative to stored motor vehicles; to provide that a hold harmless agreement between a holder of a lien on a motor vehicle and a storage facility or a repair or body shop shall not require notarization; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 32:1728(D)(3), (4), and (5) and 1728.2(D)(introductory paragraph), (F)(introductory paragraph), and (G)(2) and (6) and to enact R.S. 32:1728(D)(6), relative to the disposal of stored motor vehicles; to require a receipt of certificate of mailing to show proof of mailing of notices; to require submission of a photograph of the vehicle prior to disposal; to provide for the inspection of a stored motor vehicle prior to disposal; to require applications for crushing vehicles to be completed in a format specified by the Department of Public Safety and Corrections; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:463.102, relative to the Rotary District 6200 special prestige license plate; to provide for the name; to provide for eligibility; to provide for distribution and use of royalty fees; and to provide for related matters.

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

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 13, 2010

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Carolyn Susan Taylor "Sue" Haley of Ruston.

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAU, N. GAUTREAU, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend Mr. Charles F. Castille on thirty-five years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVES HOFFMANN, CHANEY, KATZ, AND LITTLE AND SENATORS KOSTELKA AND WALSWORTH

A CONCURRENT RESOLUTION

To commend R-Squared Productions upon the premiere of Flag of My Father, which was filmed in northeast Louisiana in 2009.

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request each member of the Legislature of Louisiana to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day".

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 102—

BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Carolyn Susan Taylor "Sue" Haley of Ruston.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-----------|
| Mr. President | Dorsey | McPherson |
| Adley | Duplessis | Morrell |
| Alario | Erdey | Mount |
| Amedee | Gautreaux B | Murray |
| Appel | Heitmeier | Peterson |
| Broome | Jackson | Riser |
| Chabert | Kostelka | Shaw |
| Cheek | LaFleur | Smith |
| Claitor | Long | Thompson |
| Crowe | Martiny | |

Total - 29

NAYS

Total - 0

ABSENT

| | | |
|-------------|-------------|-----------|
| Donahue | Marionneaux | Quinn |
| Gautreaux N | Michot | Walsworth |
| Guillory | Morrish | |
| Hebert | Nevers | |

Total - 10

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

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAU, N. GAUTREAU, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend Mr. Charles F. Castille on thirty-five years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

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

April 13, 2010

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis McPherson
Adley Erdey Morrell
Alario Gautreaux B Mount
Amedee Guillory Murray
Appel Heitmeier Peterson
Broome Jackson Riser
Chabert Kostelka Shaw
Cheek LaFleur Smith
Claitor Long Thompson
Crowe Marionneaux
Dorsey Martiny
Total - 31

NAYS

Total - 0

ABSENT

Donahue Michot Quinn
Gautreaux N Morrish Walsworth
Hebert Nevers
Total - 8

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

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVES HOFFMANN, CHANEY, KATZ, AND LITTLE AND SENATORS KOSTELKA AND WALSWORTH
A CONCURRENT RESOLUTION

To commend R-Squared Productions upon the premiere of Flag of My Father, which was filmed in northeast Louisiana in 2009.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis McPherson
Adley Erdey Morrell
Alario Gautreaux B Mount
Amedee Guillory Murray
Appel Heitmeier Peterson
Broome Jackson Riser
Chabert Kostelka Shaw
Cheek LaFleur Smith
Claitor Long Thompson
Crowe Marionneaux
Dorsey Martiny
Total - 31

NAYS

Total - 0

ABSENT

Donahue Michot Quinn
Gautreaux N Morrish Walsworth
Hebert Nevers
Total - 8

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

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To urge and request each member of the Legislature of Louisiana to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day".

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey McPherson
Adley Gautreaux B Morrell
Alario Guillory Mount
Amedee Hebert Murray
Appel Heitmeier Peterson
Broome Jackson Riser
Chabert Kostelka Shaw
Cheek LaFleur Smith
Crowe Long Thompson
Dorsey Marionneaux
Duplessis Martiny
Total - 31

NAYS

Total - 0

ABSENT

Claitor Michot Quinn
Donahue Morrish Walsworth
Gautreaux N Nevers
Total - 8

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

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 20—
BY SENATOR MURRAY AND REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 47:1703(E), relative to ad valorem property tax exemptions and assessments; to extend certain time periods in which the homestead exemption or a special assessment level on property damaged or destroyed in certain disasters or emergencies may be retained; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 20 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, change "extend certain time periods in which" to: "authorize an extension of"

AMENDMENT NO. 2

On page 1, line 5, change "may be retained" to: "and provide for claiming the extension"

AMENDMENT NO. 3

On page 1, delete line 10, and insert:

"E. For property Property damaged during a disaster or emergency- the following shall apply:
 (1)(a) Any homestead"

AMENDMENT NO. 4

On page 1, line 16, change "ten" to "five"

AMENDMENT NO. 5

On page 2, between lines 1 and 2, insert:

"(b)(i) For homesteads qualifying for the homestead exemption under the provisions of this Paragraph, after expiration of the five-year period, the owner of a homestead shall be entitled to claim and keep the exemption for a period not to exceed two additional years by filing an annual affidavit of intent to return and reoccupy the homestead with the assessor within the parish where such homestead is situated. A homeowner shall only be eligible for this extension if the homeowner's damage claim to repair or rebuild the damaged or destroyed homestead is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process.

(ii) After expiration of the extension authorized in Item (i) of this Subparagraph, an assessor shall have the authority to grant up to three additional one-year extensions of the homestead exemption on a case-by-case basis. A homeowner shall be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home, but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith in attempting to secure a contractor or builder to complete the project."

AMENDMENT NO. 6

On page 2, line 2, after "(2)" insert "(a)"

AMENDMENT NO. 7

On page 2, line 8, change "ten" to "five"

AMENDMENT NO. 8

On page 2, line 13, change "ten-year" to "five-year"

AMENDMENT NO. 9

On page 2, between lines 19 and 20, insert:

"(b)(i) Any owner entitled to the special assessment level as provided for in this Paragraph who is unable to reoccupy his homestead within five years from December thirty-first of the year following the disaster shall be eligible for an extension of the special assessment level on the homestead for a period not to exceed two years. A homeowner shall only be eligible for this extension if the homeowner's damage claim is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster. The homeowner shall apply for this extension of the special assessment level directly with the assessor of the parish in which the homestead is located. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process.

(ii) After expiration of the extension authorized in Item (i) of this Subparagraph, an assessor shall have the authority to grant up to three additional one-year extensions of the special assessment level on a case-by-case basis. A homeowner shall be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith

in attempting to secure a contractor or builder to complete the project."

AMENDMENT NO. 10

On page 2, line 23, change "___ of this" to "21 of this"

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

SENATE BILL NO. 21—

BY SENATOR MURRAY AND REPRESENTATIVE STIAES

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(5) and Article VII, Section 20(A)(10) of the Constitution of Louisiana, relative to ad valorem property tax exemptions and assessments; to extend certain time periods in which the homestead exemption or a special assessment level on property damaged or destroyed in certain disasters or emergencies may be retained; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 21 by Senator Murray

AMENDMENT NO. 1

On page 1, line 4, change "extend certain time periods in which" to: "authorize an extension of"

AMENDMENT NO. 2

On page 1, line 6, change "may be retained" to: "and provide for claiming the extension"

AMENDMENT NO. 3

On page 1, line 17, after "(5)" insert "(a)"

AMENDMENT NO. 4

On page 2, line 6, change "ten" to "five"

AMENDMENT NO. 5

On page 2, line 11, change "ten-year" to "five-year"

AMENDMENT NO. 6

On page 2 between lines 16 and 17, insert:

"(b)(i) Any owner entitled to the special assessment level set forth in Item (a) of this Subparagraph who is unable to reoccupy his homestead within five years from December thirty-first of the year following the disaster shall be eligible for an extension of the special assessment level on the homestead for a period not to exceed two years. A homeowner shall only be eligible for this extension if the homeowner's damage claim is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster. The homeowner shall apply for this extension of the special assessment level directly with the assessor of the parish in which the homestead is located. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process as provided by law.

(ii) After expiration of the extension authorized in Subitem (i) of this Item, an assessor shall have the authority to grant on a case-by-case basis up to three additional one-year extensions of the special assessment level under circumstances prescribed by law."

AMENDMENT NO. 7

On page 2, line 20, after "(10)" insert "(a)"

April 13, 2010

AMENDMENT NO. 8

On page 2, between lines 28 and 29, insert:

"(b)(i) For homesteads qualifying for the homestead exemption under the provisions of Item (a) of this Subparagraph, after expiration of the five-year period, the owner of a homestead shall be entitled to claim and keep the exemption for a period not to exceed two additional years by filing an annual affidavit of intent to return and reoccupy the homestead with the assessor within the parish where such homestead is located prior to December thirty-first of the year in which the exemption is claimed. A homeowner shall only be eligible for this extension if the homeowner's damage claim to repair or rebuild the damaged or destroyed homestead is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process as provided by law.

(ii) After expiration of the extension authorized in Subitem (i) of this Item, an assessor shall have the authority to grant on a case-by-case basis up to three additional one-year extensions of the homestead exemption under circumstances prescribed by law."

AMENDMENT NO. 9

On page 3, delete lines 10 through 13, and insert: "To authorize continuation of the homestead exemption and the special assessment level for a homestead that has been destroyed or is uninhabitable due to a disaster for two years if the homeowner's claim for damages is pending in a formal appeal process with a governmental agency or program offering assistance for repairing or rebuilding homes damaged by the disaster; to authorize an assessor to grant up to three additional one-year extensions of the continuation of the homestead exemption and the special assessment level under circumstances prescribed by law."

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

SENATE BILL NO. 27—

BY SENATORS N. GAUTREAUX, MURRAY, SHAW, MARIONNEAUX AND RISER

AN ACT

To enact R.S. 32:861.1, relative to motor vehicles and security; to exempt the registered owner of a motor vehicle who is a member of the armed services from the duty to maintain liability security while on active duty overseas; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The Transportation, Highways and Public Works was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 30—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9091.7(F)(3)(c), relative to Orleans Parish; to provide for a renewal of parcel fees for the Lakeshore Crime Prevention District; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 30 by Senator Murray

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert asterisks
" * * * "

AMENDMENT NO. 2

On page 2, after line 5, insert the following:

"Section 2. This Act shall become effective on July 1, 2010."

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

SENATE BILL NO. 31—

BY SENATOR MORRELL

AN ACT

To enact R.S. 33:9098, relative to crime prevention and security districts; to provide that an election for the renewal of a parcel fee imposed within any crime prevention and security district may be held during a primary or general election; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local & Municipal Affairs Local and Municipal Affairs to Original Senate Bill No. 31 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "Part IV of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of"

AMENDMENT NO. 2

On page 1, line 4, after "district" insert "or improvement district"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." insert "Part IV of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert "PART IV. MISCELLANEOUS PROVISIONS"

AMENDMENT NO. 5

On page 1, line 10, after "district" insert "or improvement district"

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

SENATE BILL NO. 39—

BY SENATOR MCPHERSON AND REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 48:231(A), relative to the state highway system and the final highway construction program; to provide with respect to the duties of the Joint Highway Priority Construction Committee; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 41—

BY SENATORS PETERSON AND MURRAY

AN ACT

To amend and reenact R.S. 33:9091.6(F)(3)(b), relative to Orleans Parish; to provide for renewal election of parcel fees for the Upper Hurstville Security District; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 41 by Senator Murray

AMENDMENT NO. 1

Change author from "SENATOR MURRAY" to "SENATORS PETERSON AND MURRAY"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" insert "a neighborhood improvement district in"

AMENDMENT NO. 3

On page 2, after line 7, insert the following:
"Section 2. This Act shall become effective on July 1, 2010."

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

SENATE BILL NO. 43—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1903.2, relative to the Orleans Parish Assessor; to provide for the transfer of certain assets, records, and rights of the Board of Assessors of Orleans Parish to the Orleans Parish Assessor; to provide that the Orleans Parish Assessor shall be responsible for all assets and debits of the Board of Assessors of Orleans Parish; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 43 by Senator Murray

AMENDMENT NO. 1

On page 1, lines 2 and 4, change "Assessor" to "assessor"

AMENDMENT NO. 2

On page 1, page 5, after "and" change "debts" to "debits"

AMENDMENT NO. 3

On page 2, lines 3, 8, 11, 12, 15, change "Assessor" to "assessor"

AMENDMENT NO. 4

On page 2, line 17, change "Assessor" to "assessor"

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

SENATE BILL NO. 57—
BY SENATOR BROOME

AN ACT

To enact R.S. 36:478(L) and Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2901 through 2903, relative to public welfare and assistance; to create the Council on the Status of Grandparents Raising Grandchildren within the Department of Social Services; to provide for the membership of the council; to provide for the duties and responsibilities of the council; to provide for reporting requirements; to create the Status of Grandparents Raising Grandchildren Fund as a special fund in the state treasury; to provide for the deposit into and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 59—
BY SENATOR GUILLORY

AN ACT

To enact R.S. 33:130.302(K), relative to the St. Landry Parish Economic and Industrial Development District; to prohibit elected officials from serving on the district's board of commissioners; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 65—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 49:214.24(C), relative to the coastal zone boundary; to include Ascension Parish within the coastal zone; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 65 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 3, before "Ascension" insert "a portion of"

AMENDMENT NO. 2

On page 1, line 8, after "C." insert "(1)"

AMENDMENT NO. 3

On page 3, delete line 29, and insert: "northerly and easterly along said boundary to a point of intersection with the boundary separating Ascension Parish and St. John the Baptist Parish, thence proceeding northerly with the Williams natural gas pipeline right of way thence proceeding northerly along the eastside of said pipeline right of way to U.S. Highway 61, thence southeasterly along U.S. Highway 61 to a point of intersection with Interstate Highway 10, thence proceeding easterly two miles along the northern right of way of Interstate Highway 10 from its intersection with U.S. Highway 61, thence proceed northerly to the south bank of the New River Canal, thence westerly along said canal to the intersection of Highway 3140 and the New River Canal near the Marvin Braud pumping station, thence northerly from the Marvin Braud Pumping Station along the East Ascension Drainage District levee on the east bank of Saverio Canal, thence northerly along said levee to a point of intersection with Highway 22, thence northerly and westerly along the Laurel Ridge levee to a point of intersection near Highway 934, thence proceeding northerly to Lake Martin Road, thence northwesterly to Cocodrie Bayou, thence northerly along said Cocodrie Bayou to its intersection with Summerfield Road, thence westerly along said road to its intersection with Highway 431, thence southwesterly along Henderson Bayou to the Henderson Bayou control structure, thence northerly to Highway 42, thence southeasterly along Highway 42 to the Amite River, which is"

AMENDMENT NO. 4

On page 4, delete lines 1 through 6, and insert "along said boundary"

AMENDMENT NO. 5

On page 4, line 7, delete "to" and insert "tø"

AMENDMENT NO. 6

On page 4, between lines 14 and 15, insert:
"(2) Industrial facilities, pipelines and utilities in existence on the effective date of this Paragraph and located in that portion of Ascension Parish in the coastal zone shall be exempt from state and local coastal use permitting requirements for operation and maintenance activities, including but not limited to integrity digs, right-of-way mowing and clearing, cathodic protection close interval surveys and land surveying."

April 13, 2010

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

SENATE BILL NO. 75—

BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessors' employees in Acadia Parish; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 75 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 12, change "Cameron, Calcasieu," to "Calcasieu, Cameron,"

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

SENATE BILL NO. 76—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:1903(A)(introductory paragraph), and (2), (5), and (6) and 1922(G) and to enact R.S. 11:1903(A)(7), relative to the Parochial Employees' Retirement System; to provide relative to eligibility to participate in the system; to provide for requirements and limitations on such ability; to require a participating employer to extend benefits to all employees; to prohibit participation by certain employees whose employment is covered by another public system, plan, or fund; to specify that an employer with employees eligible for another public system, plan, or fund shall not be eligible to enter a participation agreement with this system; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 76 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 3, between lines 6 and 7 insert the following:
"Section 2. Nothing in this Act shall affect agreements existing on or before the effective date of this Act."

AMENDMENT NO. 2

On page 3, line 7 change "Section 2." to "Section 3."

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

SENATE BILL NO. 83—

BY SENATOR APPEL
AN ACT

To amend and reenact R.S. 17:24.4(F)(2) and (3)(a), relative to the Louisiana Competency-Based Education Program; to provide with respect to test type options as part of the Louisiana Educational Assessment Program; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 83 by Senator Appel

AMENDMENT NO. 1

On page 2, at the end of line 5, delete "July 1," and at the beginning of line 6, delete "2011" and insert "July 1, 2000"

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

SENATE BILL NO. 84—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:1903(C)(2), (D), and (E) and 2014 (C), relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to continuing liability of a participating employer which terminates its agreement for coverage of employees; to provide relative to interest rates on delinquent amounts owed to the system; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 84 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "(E)" delete "and 2014 (C)"

AMENDMENT NO. 2

On page 1, line 10, after "(E)" delete "and 2014 (C)"

AMENDMENT NO. 3

On page 2, line 3, after "earnings" delete "equal to such amount"

AMENDMENT NO. 4

On page 3, delete lines 10 through 20

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

SENATE BILL NO. 93—

BY SENATOR MURRAY
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the establishment and issuance of the "Masonic Blue Lodge" plate; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 93 by Senator Murray

AMENDMENT NO. 1

On page 1, line 7, change "plates" to "plate"

AMENDMENT NO. 2

On page 2, line 7, change "monies" to "money"

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

SENATE BILL NO. 103—

BY SENATORS N. GAUTREUX, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVE JANE SMITH

AN ACT

To enact Subpart B of Part XIII of Chapter 2 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; creates the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 105—

BY SENATOR RISER

AN ACT

To enact R.S. 49:191(5) and to repeal R.S. 49:191(3)(g), relative to the Louisiana Workforce Commission; to provide for the recreation of the Louisiana Workforce Commission and the statutory entities made a part of the commission by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 106—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A), and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to provide for payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring workers' compensation indemnity payments be mailed; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 119—

BY SENATOR B. GAUTREUX

AN ACT

To amend and reenact R.S. 11:1939, 2011, and 2014(C), and to repeal R.S. 11:1903(H) and 2012(D), relative to the Parochial Employees' Retirement System; to provide relative to plans within the system; to provide for funding of such plans; to provide for proper contributions for funding purposes; to provide relative to the funds to which system assets are credited; to provide for interest and penalties; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 171—

BY SENATOR N. GAUTREUX

AN ACT

To amend and reenact R.S. 32:266(B)(1), relative to traffic and speed limits on certain highways; to provide relative to the disposition of fines for exceeding the posted speed limit on an interstate

highway to the "Louisiana Highway Safety Commission Fund"; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 171 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:266(B)" delete "(1)"

AMENDMENT NO. 2

On page 1, line 5, after "Fund"; insert "to change the name of the fund to the "Louisiana Highway Safety Fund";"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 32:266(B)" delete "(1)"

AMENDMENT NO. 4

On page 1, line 13, after "than" delete "~~ten seven~~" and insert "ten"

AMENDMENT NO. 5

On page 1, line 16, after "Safety" delete "Commission"

AMENDMENT NO. 6

On page 1, between lines 16 and 17, insert the following:

(2) The monies in the Louisiana Highway Safety ~~Commission~~ Fund shall be used solely for ~~implementation, administration, and enforcement of highway safety programs~~ **to fund the costs to purchase and install permanent radar speed displays on interstate highways** and only in the amounts appropriated each year to the ~~commission~~ **Department of Transportation and Development** by the legislature. Any surplus monies and interest remaining to the credit of the fund on June thirtieth of each year after all such appropriations of the preceding fiscal year have been made shall remain to the credit of the fund, and no part thereof shall revert to the state general fund.

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

SENATE BILL NO. 190—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9081.8(F)(4)(c), relative to Orleans Parish; to provide for renewal of parcel fees for the Lakewood Crime Prevention and Improvement District; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 190 by Senator Murray

AMENDMENT NO. 1

On page 1, lines 2 and 7, change "33:9081.8(F)(4)(c)" to "33:9091.8(F)(4)(c)"

AMENDMENT NO. 2

On page 1, line 9, change "\$9081.8." to "\$9091.8."

AMENDMENT NO. 3

On page 2, after line 8, insert the following:

"Section 2. This Act shall become effective on July 1, 2010."

April 13, 2010

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

SENATE BILL NO. 191—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:701(introductory paragraph), 728(A)(4), 783(A)(3)(a), 792(C)(1) and (D), 1002(introductory paragraph), 1153(C)(1) and (D), 1326 and 1337(B), to enact R.S. 11:701(5)(e), 784.1(F) and (G), 1002(6)(c), 1140, 1141.2(C) and (D), 1336(F) and (G), and 1338(F), and to repeal R.S. 11:701(12)(d), 792(B)(3), (C)(2), and (F), 1153(B)(3), (C)(2), and (F), and 1337(A)(3), relative to the Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and State Police Pension and Retirement System; to provide relative to compliance with applicable federal tax qualification requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 231—

BY SENATOR NEVERS

AN ACT

To enact R.S. 33:4574.18, relative to tourist commissions; to provide for the designation and name of certain commissions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 255—

BY SENATORS CHAISSON AND THOMPSON

AN ACT

To enact R.S. 23:1203.2, relative to electronic medical billing for workers' compensation claims; to provide for electronic submission of medical bills; to provide for electronic processing and payment of medical bills; to provide for acceptance of electronic payment; to provide for rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 255 by Senator Chaisson

AMENDMENT NO. 1

On page 2, delete lines 5 through 12 in their entirety.

AMENDMENT NO. 2

On page 2, line 13 change "D." to "C."

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

SENATE BILL NO. 262—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:100.8, relative to students; to require the governing authority of each public elementary and secondary school that collects biometric information from students to develop, adopt, and implement policies governing the collection, storage, and use of such information; to provide relative to policy guidelines and requirements; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 270—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.73(C)(2), and (E), relative to special prestige license plates for Louisiana public and private high schools; to provide relative to collection of royalty fees; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 270 by Senator Walsworth

AMENDMENT NO. 1

On page 2, line 6, between "private" and "schools", insert "high"

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

SENATE BILL NO. 273—

BY SENATOR WALSWORTH

AN ACT

To designate a portion of Interstate 20 as the "Powell, Barnes, and Deal Memorial Highway"; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 297—

BY SENATORS DONAHUE, APPEL, DUPLESSIS, MARTINY AND QUINN AND REPRESENTATIVES BOBBY BADON, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, RICHARD, ROBIDEAUX, SIMON, SMILEY, WILLIAMS AND WOOTON

AN ACT

To amend and reenact R.S. 17:221(I) and R.S. 36:649(D), to enact R.S. 17:1871(B)(8) and 3217.1(D), and to repeal R.S. 17:14, relative to adult education; to provide for the school attendance of certain students in adult education programs; to eliminate the division of adult and community education within the Department of Education; to transfer the responsibility for the provision of adult education programs from the State Board of Elementary and Secondary Education to the Louisiana Community and Technical College System and to provide with respect thereto; to provide for the powers, duties, and functions of the Board of Supervisors of Community and Technical Colleges; to provide for an effective date of such transfer; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 297 by Senator Donahue

AMENDMENT NO. 1

On page 1, at the end of line 7, before "Community" change "Louisiana" to "Board of Supervisors for" and on line 8, change "College System" to "Colleges"

AMENDMENT NO. 2

On page 2, at the end of line 23, change "programs" to "program"

AMENDMENT NO. 3

On page 2, line 25, after "Technical" change "Colleges system" to "College System"

AMENDMENT NO. 4

On page 3, line 2, after "opportunities" change "to" to "for"

AMENDMENT NO. 5

On page 3, line 6, between "appropriated" and "based" insert "therefor"

AMENDMENT NO. 6

On page 3, delete lines 7 through 11

AMENDMENT NO. 7

On page 3, delete line 26

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

SENATE BILL NO. 298—

BY SENATOR DONAHUE

AN ACT

To enact R.S. 17:7.8, relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the board to broadcast audio and video of the proceedings of all meetings of the board, and standing committees thereof, live via the Internet; to require that all such broadcasted proceedings be archived on the Department of Education website; to provide for applicability; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 307—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1002 (introductory paragraph) and (12), relative to the Louisiana School Employees' Retirement System; to provide for definitions; to exclude in the definition of earnable compensation for such system any pay received by a school bus driver for school-related extracurricular activities performed under private contracts; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 309—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 17:233(B)(1)(c), relative to compulsory school attendance; to provide relative to habitual student absence or tardiness; to provide relative to notification to the parent or legal guardian of a student who is at-risk of being considered habitually absent or tardy; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 328—

BY SENATORS MURRAY, GUILLORY AND THOMPSON

AN ACT

To amend and reenact R.S. 23:76(C)(4)(i), relative to the Occupational Forecasting Conference; to provide for membership in the Occupational Forecasting Conference; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 337—

BY SENATOR MARIONNEAUX

AN ACT

To repeal R.S. 39:112(C)(1)(c), relative to approval of certain capital outlay budget requests by the Joint Legislative Committee on Capital Outlay; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 393—

BY SENATOR CLAITOR

AN ACT

To enact R.S. 33:9097.8, relative to crime prevention and improvement districts; to create the Shenandoah Estates Crime Prevention and Improvement District in East Baton Rouge Parish; to provide for the powers and duties of the district and its board of commissioners; to provide for a parcel fee; to provide with respect to termination of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 398—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 23:1660(C)(1), relative to employment records and reports for purposes of unemployment insurance; to provide relative to the confidentiality of information; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 398 by Senator Riser

AMENDMENT NO. 1

On page 2, line 1 after "compensation" delete the remainder of the line.

AMENDMENT NO. 2

On page 2, line 2 delete "been paid and"

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

SENATE BILL NO. 405—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 47:1520(A)(1)(f), relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 407—

BY SENATORS MCPHERSON, ADLEY, BROOME, HEITMEIER, LAFLEUR, NEVERS AND SHAW AND REPRESENTATIVE NORTON

AN ACT

To amend and reenact R.S. 32:409.1(A)(6)(c)(iii), relative to drivers' licenses and application or special certificate applications; to delete authority to impose a record check fee on an applicant for Class "D" chauffeur's license or a Class "E" personal vehicle driver's license; and to provide for related matters.

April 13, 2010

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 407 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 4, after "applicant for", insert "a"

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

SENATE BILL NO. 444— BY SENATOR LAFLEUR

AN ACT

To repeal R.S. 17:81.1, 178, 221.1, 225.1, 234, Subpart C-2 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:255 through 260, 267, Subpart E of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:291 through 295, Subpart F of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:322 through 326, Part XIV of Chapter 2 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1321 through 1325, 1380 through 1382, 2111, 2113, 2131 through 2135, Chapter 16 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2851 through 2853, and Chapter 30 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3701 through 3713, relative to schools; to repeal outdated or unconstitutional provisions relative to assignment, enrollment, and transfer of pupils, certain scholastic awards, certain unexcused absences from school, school schedule and parental involvement pilot programs, compulsory attendance for certain special needs children, required instruction, courses, and seminars, establishment of part-time schools for certain students, changes in classification of schools, certain secular education services, creation of junior college districts and colleges, vision and hearing screening supplies and training, certain postsecondary education admission requirements, and asbestos detection programs; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 445— BY SENATOR LAFLEUR

AN ACT

To repeal R.S. 17:16, 412, 418, and 426, relative to public school teachers; to repeal outdated provisions relative to the employment of retired teachers, the issuance of life certificates, the collection and report of statistics regarding aged and incapacitated teachers, and compulsory retirement of certain teachers; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 446— BY SENATOR LAFLEUR

AN ACT

To repeal R.S. 17:101, 102, 103, and 104, relative to the assignment, transfer, and continuance of pupils; to repeal outdated provisions; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 447— BY SENATOR LAFLEUR

AN ACT

To repeal Subpart G-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:331 through 334.1, relative to high school students; to repeal the requirement that the Department of Education establish and maintain a database containing information concerning high school students' plans after leaving high school; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 448— BY SENATOR LAFLEUR

AN ACT

To repeal R.S. 17:401, relative to college preparation academic assistance programs; to repeal the requirement for the development and implementation of a program to provide academic assistance to public high school students who plan to attend college but are unprepared to successfully undertake college level work; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 486— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3048.1(B)(2)(a)(ii), relative to the Taylor Opportunity Program for Students; to provide for the eligibility of certain students to receive a TOPS-Tech Award; to provide for alternative eligibility requirements; to provide relative to minimum scores on specified tests that are required of students to be eligible for a TOPS-Tech Award; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 486 by Senator Nevers

AMENDMENT NO. 1

On page 2, delete line 13 and insert in lieu thereof the following: "(a) * * *"

AMENDMENT NO. 2

On page 2, line 19, between "Test" and "any student" delete ", and beginning with" and insert ". For"

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

SENATE BILL NO. 487— BY SENATOR NEVERS

AN ACT

To enact R.S. 49:191(4)(f) and to repeal R.S. 49:191(3)(o), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 488—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3123(D), relative to the Board of Regents; to provide that certain rules adopted by the board are subject to the Administrative Procedure Act; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 490—
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:183.3(B)(3), relative to high school career options; to provide relative to certain examinations administered to students pursuing a career major curriculum and a career diploma; to require that construction of end-of-course examination questions reflect course content and method of instruction; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 493—
BY SENATOR NEVERS

AN ACT

To repeal R.S. 17:2005, relative to the Louisiana Community and Technical College System; to delete certain duplicative and outdated reporting requirements relative to postsecondary vocational-technical schools; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 506—
BY SENATOR CROWE AND REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates honoring the 2009 World Champion New Orleans Saints; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to create a foundation and provide for foundation members; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 506 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2, at the end of the line after "license" delete "plates honoring" and insert "plates; to honor"

AMENDMENT NO. 2

On page 1, line 10, after "**license**" delete "**plates**" and insert "**plate**"

AMENDMENT NO. 3

On page 1, line 15, at the end of the line delete "**These**" and insert "**The**"

AMENDMENT NO. 4

On page 1, line 16, after "**license**" delete "**plates**" and insert "**plate**"

AMENDMENT NO. 5

On page 2, line 3, after "**C. The**" change "**licence**" to "**license**"

AMENDMENT NO. 6

On page 2, line 10, at the end of the line delete "**costs**" and insert "**cost**"

AMENDMENT NO. 7

On page 2, line 11, change "**300**" to "**three**"

AMENDMENT NO. 8

On page 2, line 14, at the end of the line after "**foundation**," delete "**will**" and insert "**shall**"

AMENDMENT NO. 9

On page 2, line 17, after "**requirements for**" delete "**a**"

AMENDMENT NO. 10

On page 2, delete lines 19 and 20 in their entirety and insert the following:

"G. The foundation shall have a governing board composed of seven members who shall be appointed as follows:"

AMENDMENT NO. 11

On page 2, line 23, change "**recreations**" to "**recreation's**"

AMENDMENT NO. 12

On page 2, line 24, after "**Representatives**" insert "**shall appoint**"

AMENDMENT NO. 13

On page 2, line 26, change "**recreations**" to "**recreation's**"

AMENDMENT NO. 14

On page 2, line 27, after "**Senate**" delete second duplicated "**shall appoint**"

AMENDMENT NO. 15

On page 2, line 29, change "**recreations**" to "**recreation's**"

AMENDMENT NO. 16

On page 3, line 3, change "**monies**" to "**money**"

AMENDMENT NO. 17

On page 3, line 7, after "**education and**" insert "**to**"

AMENDMENT NO. 18

On page 3, line 9, delete "**the intent is that**"

AMENDMENT NO. 19

On page 3, line 10, insert "**this**" before "**Subsection**" and after "**Subsection**" delete "**will**" and insert "**shall**"

AMENDMENT NO. 20

On page 3, line 11, change "**parish-basis**," to "**parish basis**,"

AMENDMENT NO. 21

On page 3, delete lines 12 through 14, and insert:

"I. The foundation shall be subject to the provisions of R.S. 24:513A(1)(b)(iv)."

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

SENATE BILL NO. 524—
BY SENATOR MURRAY

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the establishment and issuance of the "Zulu Social Aid and Pleasure Club" plate; and to provide for related matters.

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

April 13, 2010

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 524 by Senator Murray

AMENDMENT NO. 1

On page 1, line 7, change "plates" to "plate"

AMENDMENT NO. 2

On page 1, line 10, insert a comma "," between "organization" and "plate"

AMENDMENT NO. 3

On page 2, line 7, change "monies" to "money"

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

SENATE BILL NO. 525—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1520(A)(1)(e), relative to electronic filing of tax returns; to authorize the Secretary of the Department of Revenue to require electronically filed returns and reports by professional athletic teams and professional athletes for the administration of the Sports Facility Assistance Fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 538—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3126(D)(2), 3128(A) and (B)(1), 3130(A) and (B)(1)(a), and 3351(A)(introductory paragraph), relative to postsecondary education; to provide with respect to the powers, duties, and functions of the Board of Regents and the postsecondary education management boards; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 538 by Senator Nevers

AMENDMENT NO. 1

On page 3, delete line 3

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

SENATE BILL NO. 602—

BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:447(A), 786(A), and 1152(A), relative to state retirement systems; to restrict participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 616—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:61(A)(3) and R.S. 32:63(C); and to repeal R.S. 32:62, relative to speed limits on highways of this state; to authorize increases of the maximum speed on highways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 656—

BY SENATORS HEBERT, MICHOT AND WALSWORTH

AN ACT

To amend and reenact R.S. 39:51(D) and 1305(C)(2)(a) and to enact R.S. 39:51(B), relative to government budgets; to provide relative to the content and form of the general appropriations, ancillary, legislative and judicial appropriation bills; to provide relative to the content and form of budgets of political subdivisions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 656 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 14, after "unit," delete the remainder of the line, delete line 15 and insert the following: "comparative statements of the number of authorized positions and of the existing"

AMENDMENT NO. 2

On page 2, delete lines 9 through 12, and insert the following: "shall include a comparative statement of the existing operating budget for the current fiscal year and the"

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

SENATE BILL NO. 680—

BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 47:287.614(A) and 287.651(A), relative to the due date of corporation income tax returns and payments for nonprofit organizations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

Senator Broome in the Chair

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATORS B. GAUTREAU, APPEL, GUILLORY AND NEVERS AND REPRESENTATIVE ROBIDEAU

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

Reported favorably by the Committee on Retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|----------|
| Mr. President | Erdey | Morrish |
| Adley | Gautreaux B | Mount |
| Alario | Guillory | Murray |
| Amedee | Hebert | Nevers |
| Appel | Heitmeier | Peterson |
| Broome | Jackson | Quinn |
| Chabert | Kostelka | Riser |
| Cheek | LaFleur | Shaw |
| Claitor | Long | Smith |
| Dorsey | Martiny | Thompson |
| Duplessis | McPherson | |

Total - 32

NAYS

Total - 0

ABSENT

| | | |
|-------------|------------|-----------|
| Crowe | Marionneau | Walsworth |
| Donahue | Michot | |
| Gautreaux N | Morrell | |

Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATORS SMITH AND ADLEY AND REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support expansion and use of domestic natural gas and alternative energies, and to urge agencies to operate vehicles using compressed natural gas.

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

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 172—
BY SENATOR N. GAUTREAU
AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 248—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 49:967, relative to the Administrative Procedure Act; to provide for the applicability of, and exemptions from, the Act; and to provide for related matters.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 248 by Senator McPherson

AMENDMENT NO. 1
On page 1, line 2, change "967" to "951(7) and 967 and to enact R.S. 49:951(1.1)"

AMENDMENT NO. 2
On page 1, line 6, change "967 is" to "951(7) and 967 are" and between "reenacted" and "to" insert "and R.S. 49:951.1 is hereby enacted"

AMENDMENT NO. 3
On page 1, between lines 6 and 7, insert the following:
"§951. Definitions

As used in this Chapter:
(1.1) "Adopt", "adopted", or "adoption", when pertaining to a fee in this Chapter, shall include action proposed by an agency to adopt, apply, assess, charge, implement, levy, or otherwise collect a fee pursuant to authorization by law that the agency may adopt, apply, assess, charge, implement, levy or otherwise collect such fee.

* * *

(7) "Rulemaking" means the process employed by an agency for the formulation of a rule. Except where the context clearly provides otherwise, the procedures for adoption of rules and of emergency rules as provided in R.S. 49:953 shall also apply to adoption, **increase, or decrease** of fees. The fact that a statement of policy or an interpretation of a statute is made in the decision of a case or in an agency decision upon or disposition of a particular matter as applied to a specific set of facts involved does not render the same a rule within this definition or constitute specific adoption thereof by the agency so as to be required to be issued and filed as provided in this Subsection."

* * *

AMENDMENT NO. 4
On page 3, after line 22, add the following:

"C. The legislature further recognizes that there exist provisions of law which authorize an agency to adopt, increase, or decrease a fee without specifically providing that such action shall be taken in accordance with this Chapter. Any action taken pursuant to such authorization shall be in accordance with this Chapter, unless it is specifically otherwise provided for in the Constitution of Louisiana or in law and the citation such of law appears in Subsection B above.

Section 2. The provisions of this Act shall be retroactive and shall apply to the adoption, increase, or decrease of any fee on and after March 8, 2010 contrary to the provisions of this Act. Any such fee adopted or increased which is collected shall be refunded to the person who paid the fee in the amount of such adoption or increase no later than September 1, 2010.

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

On motion of Senator McPherson, the amendments were adopted.

Mr. President in the Chair

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

April 13, 2010

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|----------|
| Mr. President | Duplessis | Morrell |
| Adley | Erdey | Morrish |
| Alario | Gautreaux B | Mount |
| Amedee | Hebert | Murray |
| Appel | Heitmeier | Nevers |
| Broome | Jackson | Peterson |
| Chabert | Kostelka | Quinn |
| Cheek | LaFleur | Riser |
| Claitor | Long | Smith |
| Crowe | Martiny | Thompson |
| Dorsey | McPherson | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-------------|-------------|-----------|
| Donahue | Marionneaux | Walsworth |
| Gautreaux N | Michot | |
| Guillory | Shaw | |
| Total - 7 | | |

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

SENATE BILL NO. 497— BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:49(A), relative to death and spontaneous fetal death certificates; to provide for preparation and filing of death and spontaneous fetal death certificates; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator B. Gautreaux 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. 694— BY SENATOR B. GAUTREAU AND REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 11:701(introductory paragraph), (10), (11), and (33)(b)(i), and 728(A)(4), (C)(1)(a) and (b)(ii) and (iii) and (2), and 17:3997(A)(2), (3), and (4), to enact R.S. 11:701(33)(d) and (e) and 11:728(G), and to repeal R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain charter school employees; to provide an effective date; and to provide for related matters.

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

SENATE BILL NO. 695— BY SENATOR DUPLESSIS

AN ACT

To enact Chapter 44 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031 through 4040, relative to public elementary and secondary education; to authorize the State Board of Elementary and Secondary Education to exempt school districts from various laws and regulations pertaining to education; to provide procedures regarding a request for and approval of such waivers; to provide for terms and conditions on such waivers; to provide with respect to schools within the jurisdiction of the Recovery School District and schools which may be transferred to such jurisdiction; to provide for reports; and to provide for related matters.

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

SENATE BILL NO. 696— BY SENATOR QUINN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1914(D), relative to the rendition of judgments; to provide for interlocutory judgments, notice and delay; and to provide for related matters.

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

SENATE BILL NO. 697— BY SENATOR DORSEY

AN ACT

To enact the Personal Property Tax Amnesty Act of 2010; to provide for a tax amnesty program for delinquent ad valorem property tax owed on personal property; to provide for terms and conditions of the program; and to provide for related matters.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 23— BY SENATOR NEVERS

A RESOLUTION

To commend Evan Kyle Cleland on being named to the 2010 All Louisiana Academic Team by Phi Theta Kappa and the Louisiana Community and Technical College System.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

April 13, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 3—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 13:5107(D)(2), relative to service of citation and process; to clarify dismissal of a suit for failure to request service; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 377—
BY SENATOR MORRELL

AN ACT

To amend and reenact Code of Evidence Art. 804(B)(7), relative to hearsay exceptions; to provide for the burden of proof to introduce evidence; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 503—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 15:1177(A)(1)(b), relative to judicial review of certain administrative actions; to provide that the Department of Public Safety and Corrections is the only proper party defendant involving the judicial review of department's administrative decisions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 577—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 15:574.11(D), relative to judicial review of certain administrative decisions; to provide that the Board of Parole is the only proper defendant in petitions for judicial review of administrative decisions by the board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 649—
BY SENATOR HEBERT

AN ACT

To enact R.S. 13:478, relative to district courts; to provide for fund allocation for divided judicial districts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 654—
BY SENATOR HEBERT

AN ACT

To enact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S.13:5401, relative to the courts and judicial procedure; to provide authorization for judicial district courts to enter into intergovernmental agreements to jointly operate programs funded by state and federal funds in order to share administrative costs; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 684—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 28:53(B)(1) and (4)(d) and (G)(2), relative to coroners; to provide relative to admission by emergency certificate and the coroner's seventy-two-hour rule regarding patients who are out of the parish at the time of commitment; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 689—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:212(C), relative to the practice of law; to provide for the definition of "practice of law"; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JULIE QUINN
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

April 13, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 10—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 15:739(A) and (C), relative to prison inmates; to provide for testing under certain incidents; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 51—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 26:273(A)(2), relative to wholesaler dealer's permits; to provide for limitations of issuance of wholesaler dealer's permits; to provide for exceptions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 52—
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 15:574.2(A)(1), relative to the Board of Parole; to provide for minimum qualifications of members; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 80—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 44:9(A)(4), relative to expungement of arrest records in misdemeanor and felony cases; to authorize the clerk of court to collect the expungement processing fee; to provide for an administrative fee; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 188—
BY SENATOR AMEEDDE

AN ACT

To amend and reenact R.S. 26:82(A)(2), relative to requirements for the issuance of wholesale alcoholic beverage permits; to provide for requirements of delivery equipment; and to provide for related matters.

Reported favorably.

April 13, 2010

SENATE BILL NO. 245—

BY SENATORS ADLEY, MARIONNEAUX, N. GAUTREAU, MURRAY, RISER AND SHAW AND REPRESENTATIVES EDWARDS, ELLINGTON, GISCLAIR, KATZ, MCVEA, MONICA AND SCHRODER
AN ACT

To enact R.S. 29:26.1, relative to death and disability benefits for Louisiana National Guardsmen activated by the governor or the president; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 13, 2010

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR AMEDEE
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt legislation which would postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions.

Reported favorably.

SENATE BILL NO. 499—

BY SENATOR AMEDEE
AN ACT

To enact R.S. 30:2022(D), (E), (F), and (G), relative to the issuance of Department of Environmental Quality permits; to require written summaries of certain permit renewals, extensions, and modifications; to provide for preliminary review of certain draft permits, modifications, and revisions by permit applicants; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 552—

BY SENATOR AMEDEE
AN ACT

To enact R.S. 30:2060(O), relative to toxic air pollutant emission control program; to provide for certain compliance standards; to provide that compliance by an affected source with applicable federal air toxic standards constitute compliance with state air toxic laws; to provide definitions, terms, and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 638—

BY SENATOR CLAITOR
AN ACT

To amend and reenact R.S. 40:5.11(G), and to enact R.S. 40:5.11(H), relative to the water fluoridation program; to provide notice to consumers of water originating from public water systems under certain circumstances; to prohibit the use of certain chemicals within certain fluoridated water systems; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 661—

BY SENATOR HEBERT
AN ACT

To enact R.S. 30:2040.1, relative to environmental quality; to provide relative to the siting of certain solid waste disposal facilities near the Acadiana Regional Airport; to provide terms and conditions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 13, 2010

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR CHAISSON
A CONCURRENT RESOLUTION

To provide for an annual "Former State Legislator Recognition Day" on the first Wednesday in May beginning May 4, 2011.

SENATE CONCURRENT RESOLUTION NO. 34—

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

A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Joe Edward Mitcham Sr., founder of Ruston's Mitcham Peach Orchard.

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR LONG
A CONCURRENT RESOLUTION

To commend the Natchitoches Central High School Lady Chiefs girl's basketball team upon winning the Class 5A state championship.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 13, 2010

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 85—
 BY REPRESENTATIVE BURFORD AND SENATOR CHEEK
 A CONCURRENT RESOLUTION
 To express sincere and heartfelt condolences upon the death of Justin McClain Bloxom of Stonewall.

HOUSE CONCURRENT RESOLUTION NO. 88—
 BY REPRESENTATIVE LAFONTA
 A CONCURRENT RESOLUTION
 To recognize June 28th annually as Naval Special Warfare Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 89—
 BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA
 A CONCURRENT RESOLUTION
 To express sincere and heartfelt condolences upon the death of Otho Lloyd "O.L." Waltman, former city attorney of Ruston and Grambling.

HOUSE CONCURRENT RESOLUTION NO. 90—
 BY REPRESENTATIVE CARTER AND SENATOR ERDEY
 A CONCURRENT RESOLUTION
 To commend Calob Leindecker upon receiving the 2009 High School Football Rudy Award and the 2009 LHSAA/LSWA Tommy Henry Courage Award.

HOUSE CONCURRENT RESOLUTION NO. 91—
 BY REPRESENTATIVE PUGH
 A CONCURRENT RESOLUTION
 To recognize the month of June as RV Centennial Celebration Month in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 92—
 BY REPRESENTATIVES GALLOT AND FANNIN AND SENATOR ADLEY
 A CONCURRENT RESOLUTION
 To commend the Arcadia High School girls basketball team upon winning the 2010 Class 1A state championship.

HOUSE CONCURRENT RESOLUTION NO. 93—
 BY REPRESENTATIVES GALLOT AND FANNIN AND SENATOR ADLEY
 A CONCURRENT RESOLUTION
 To commend the Arcadia High School boys basketball team upon reaching the 2010 Top 28 Tournament semifinals.

HOUSE CONCURRENT RESOLUTION NO. 95—
 BY REPRESENTATIVE WADDELL
 A CONCURRENT RESOLUTION
 To recognize and designate the second full week of March in each year as Multiple Sclerosis Awareness Week.

HOUSE CONCURRENT RESOLUTION NO. 96—
 BY REPRESENTATIVES TUCKER AND KATZ AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAU, N. GAUTREAU, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH
 A CONCURRENT RESOLUTION
 To commend Charles F. Castille for his outstanding service with the Department of Health and Hospitals.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

| | | |
|---------------|-------------|-----------|
| Mr. President | Erdey | McPherson |
| Adley | Gautreaux B | Morrell |
| Alario | Gautreaux N | Morrish |
| Amedee | Guillory | Mount |
| Appel | Hebert | Murray |
| Broome | Heitmeier | Nevers |
| Chabert | Jackson | Peterson |
| Cheek | Kostelka | Quinn |
| Claitor | LaFleur | Riser |
| Crowe | Long | Shaw |
| Dorsey | Marionneaux | Smith |
| Duplessis | Martiny | Thompson |
| Total - 36 | | |

ABSENT

| | | |
|-----------|--------|-----------|
| Donahue | Michot | Walsworth |
| Total - 3 | | |

Leaves of Absence

The following leaves of absence were asked for and granted:

| | | | |
|-----------|-------|--------|-------|
| Donahue | 1 Day | Michot | 1 Day |
| Walsworth | 1 Day | | |

Announcements

The following committee meetings were announced:

| | | | |
|-------------------------------|-----------|--------------|----------------|
| Commerce | 10:00A.M. | Room E | April 14, 2010 |
| Health and Welfare | 9:30 A.M. | Hainkel Room | April 14, 2010 |
| Insurance | 1:00 P.M. | Room A | April 14, 2010 |
| Senate & Governmental Affairs | 9:00 A.M. | Room F | April 14, 2010 |

Adjournment

On motion of Senator Thompson, at 4:10 o'clock P.M. the Senate adjourned until Wednesday, April 14, 2010, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, April 14, 2010.

GLENN A. KOEPP
 Secretary of the Senate

DIANE O' QUIN
 Journal Clerk