

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

TWENTY-THIRD 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, May 11, 2010

The Senate was called to order at 3:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Claitor	Kostelka	Riser
Crowe	Marionneaux	Shaw
Dorsey	Martiny	
Duplessis	Michot	
Total - 28		

ABSENT

Chabert	LaFleur	Smith
Cheek	Long	Thompson
Donahue	McPherson	Walsworth
Jackson	Quinn	
Total - 11		

The President of the Senate announced there were 28 Senators present and a quorum.

Prayer

The prayer was offered by Senator Mount, 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 May 10, 2010, was adopted.

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 11, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To commend Barbara Clover on being named the 2010 National Secondary Art Educator of the Year by the National Art Education Association.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR BROOME
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Baton Rouge television and radio personality, Ed Buggs.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 72—

BY SENATOR DONAHUE AND REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To commend Team 1912 of Northshore High School upon winning the FIRST Robotics Regional Chairman's Award.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 73—

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

To commend the mayor and city of Carencro for holding the National Day of Prayer and to confirm and defend the right of every person to celebrate the National Day of Prayer.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS CHAISSON AND WALSWORTH
A CONCURRENT RESOLUTION

To commend the first responders of Louisiana for their swift and effective action to combat the Deepwater Horizon oil spill in the Gulf of Mexico.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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. 75—

BY SENATOR NEVERS
A RESOLUTION

To commend Millicent Canter on her efforts to rejuvenate and reopen the Museums of Cassidy Park in Bogalusa after Hurricane Katrina.

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

May 11, 2010

SENATE RESOLUTION NO. 76—
BY SENATOR CHAISSON

A RESOLUTION

To commend the River Region Caucus and its member parishes for their cooperative efforts in improving the quality of life in the river region.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To direct the Office of Mental Health to include certain requirements for contracts of a term of more than three years in duration entered into by the Department of Health and Hospitals for the privatization of services currently provided by facilities operated by the Office of Mental Health, provide the method of source selection, and evaluation factors to be included in a request for proposals, to require legislative approval, and to direct the Department of Health and Hospitals to submit certain reports to the Senate and House committees on health and welfare.

The resolution was read by title and referred by the President to the Committee on Health and Welfare.

Senate Resolutions on
Second Reading

SENATE RESOLUTION NO. 71—
BY SENATOR THOMPSON

A RESOLUTION

To recognize Tuesday, May 11, 2010, as Louisiana Society of Professional Surveyors Day at the legislature.

On motion of Senator Thompson 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

May 10, 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:

HB No. 1155	HB No. 1249	HB No. 1330
HB No. 1331	HB No. 1370	HB No. 1466
HB No. 406	HB No. 553	HB No. 147
HB No. 405	HB No. 559	HB No. 680
HB No. 797	HB No. 942	HB No. 1033

HB No. 1200 HB No. 1292 HB No. 1314

HB No. 1436 HB No. 1460 HB No. 1467

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

House Bills and Joint Resolutions
on First Reading

HOUSE BILL NO. 147—
BY REPRESENTATIVE BROSSETT

AN ACT

To enact R.S. 33:9080.4, relative to Orleans Parish; to create the Milneburg Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 405—
BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 17:7(5), relative to the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to provide that the board shall adopt guidelines for the use of seclusion, physical restraint, and mechanical restraint of certain students; and to provide for related matters.

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

HOUSE BILL NO. 406—
BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 51:2361(B)(2) and 2365(D) and to enact R.S. 51:2361(B)(3) and (4), relative to certain economic development funds; to provide relative to the reports on expenditures related to such funds; and to provide for related matters.

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

HOUSE BILL NO. 553—
BY REPRESENTATIVE WADDELL

AN ACT

To enact R.S. 51:2362 and 2366, relative to the Louisiana Mega-Project Development Fund and the Rapid Response Fund; to require the development of uniform accountability reports for the funds; to require for written and electronic forms of a list of cooperative endeavor agreement, name of receiving entity, and the amount of incentive awarded for all projects developed by the funds; and to provide for related matters.

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

HOUSE BILL NO. 559—
BY REPRESENTATIVE WADDELL

AN ACT

To enact R.S. 51:2362, relative to the Rapid Response Fund; to provide for mandatory accountability requirements for each legal agreement involving Rapid Response Fund projects; to provide for exemptions; and to provide for related matters.

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

HOUSE BILL NO. 680—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 24:513(B), relative to the legislative auditor; to require certain audits and statements relative to tax collections; to require certain local auditees and other persons to submit such audits and statements; to provide for the content of the statements; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 797—

BY REPRESENTATIVE LEBAS

AN ACT

To amend and reenact R.S. 46:2625(A)(2) and (E)(2) and to enact R.S. 22:1856(F) and R.S. 37:1241(A)(23), relative to the payment and collection of Medicaid provider fees on prescription drugs; to clarify the responsibility of insurers and other third parties to pay the provider fees on prescription drugs; to provide for penalties for noncompliant pharmacies; to provide for penalties for noncompliant insurers and third-party providers; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 942—

BY REPRESENTATIVES CARTER, HENRY BURNS, CARMODY, FOIL, GUILLORY, HARDY, HENRY, LABRUZZO, LANDRY, LIGI, MONICA, PEARSON, RICHARD, RICHMOND, SMILEY, JANE SMITH, AND THIBAUT

AN ACT

To amend and reenact R.S. 17:54(B)(1)(a) and (b)(iii) and (iv) and (C) and 81(P), to enact R.S. 17:81(T) and (U), and to repeal R.S. 17:54(B)(1)(b)(v), relative to the powers, duties, functions, and responsibilities of city, parish, and other local public school boards; to provide relative to prohibitions on the involvement of members of local school boards in personnel matters; to provide for the responsibilities of local school superintendents and school boards for personnel matters; to provide for the vote required for hiring and removal of a local school superintendent; and to provide for related matters.

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

HOUSE BILL NO. 1033—

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

AN ACT

To amend and reenact R.S. 17:10.1(B) and (C), Subpart A of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3881 through 3886, Subpart C of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3901 through 3905, R.S. 17:3997(D), to enact R.S. 17:10.1(D), and to repeal Subpart B of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3891 through 3895, relative to professional employee quality development; to provide for evaluation programs for teachers and administrators; to provide for program purposes and definitions; to provide for local evaluation plans and elements required for such plans; to provide relative to the powers and duties of the State Board of Elementary and Secondary Education and local school boards; to provide for an advisory committee to make recommendations relative to the development of a value-added assessment model; to require the state superintendent of education to make certain information available to the public; to provide conditions for the issuance of teacher and higher level certificates; to delete requirements relative to informal evaluations; to require reporting; to provide for applicability; to provide for

effectiveness; to repeal provisions relative to the Teacher Assistance and Assessment Program; and to provide for related matters.

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

HOUSE BILL NO. 1155—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 15:541(2)(a) and (24), 542(A)(2) and (3)(a), (B), (F)(2) and (3)(a) and (c), 542.1.3(B)(2), (3), and (4), and (H), and 544(A), (B)(1), (C), (D)(1) and (2), and (E)(2) and to enact R.S. 15:541(2)(n), (12)(c), (25)(l), (31), and (32), 542(A)(3)(h), and 544(D)(4), relative to sex offender registration and notification; to provide relative to sex offender registration and notification requirements; to provide for definitions; to provide relative to sex offender registration and notification procedures; to amend provisions regarding the duration of registration and notification requirements; and to provide for related matters.

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

HOUSE BILL NO. 1200—

BY REPRESENTATIVE RICHARD

AN ACT

To amend and reenact R.S. 18:103(B)(1), (2), (3)(b), and (4), and (C)(1), (2), (3)(b), and (4), 154(C), 1306(A)(1) and (4) and (B)(1), 1308(A)(2), 1308.2, 1310(A), and 1313(F)(1), (2), (5), (6), and (8) and to enact R.S. 18:1316(C) and 1319, relative to procedures for voter registration and voting for persons in the United States Service and persons residing outside the United States; to provide relative to electronic transmission of certain registration and election materials; to provide procedures for the execution and counting of transmitted election materials; to provide for use of the Federal Write-In Absentee Ballot; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1249—

BY REPRESENTATIVES BROSSETT AND LEGER

AN ACT

To amend and reenact R.S. 1:11, relative to determinations of the populations of parishes, municipalities, and other political subdivisions; to provide relative to the applicability of a new census to statutes that define classes of political subdivisions based on population; and to provide for related matters.

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

HOUSE BILL NO. 1292— (Substitute for House Bill No. 718 by Representative Hines)

BY REPRESENTATIVES HINES, ABRAMSON, ARNOLD, AUSTIN BADON, BALDONE, BILLIOT, TIM BURNS, CARMODY, CONNICK, GISCLAIR, HARDY, HAZEL, HENRY, HOWARD, LABRUZZO, LEGER, LIGI, LORUSSO, NORTON, POPE, PUGH, RICHARD, SCHRODER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, THIERRY, TUCKER, WADELL, AND WILLMOTT

AN ACT

To enact R.S. 38:2227, relative to bidders on public projects; to provide for persons performing pre-bid services; to prohibit certain contractors from bidding on public projects; to provide for disqualifying crimes; to provide for proof of false attestations; and to provide for related matters.

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

HOUSE BILL NO. 1314—

BY REPRESENTATIVES HARDY, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HENRY, HINES, HUTTER, LIGI, SIMON, JANE SMITH, THIERRY, WILLIAMS, AND WOOTON
AN ACT

To enact R.S. 15:542.1(A)(5), relative to sex offenders; to provide relative to sex offender notification requirements; and to provide for related matters.

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

HOUSE BILL NO. 1330—

BY REPRESENTATIVE LITTLE
AN ACT

To repeal R.S. 22:2297(D)(1), relative to the Louisiana Citizens Property Insurance Corporation; to repeal the requirement of maintaining separate accounts and records for the Coastal Plan and the FAIR Plan.

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

HOUSE BILL NO. 1331—

BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d) and to enact R.S. 22:420, relative to liability trust funds; to prohibit further establishment of such trust funds which are exempt from the definition of insurance; as of a certain date; to provide for the establishment of such trust funds subject to the requirements of the Insurance Code; and to provide for related matters.

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

HOUSE BILL NO. 1370—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:2175.6(G) and to enact R.S. 40:2175.6(H) and (I), relative to outpatient abortion facilities; to provide for license actions imposed against an outpatient abortion facility; to provide for a system of notification, appeals, and injunctive relief; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1436—

BY REPRESENTATIVES NORTON, ARNOLD, AUSTIN BADON, BARROW, TIM BURNS, DIXON, ELLINGTON, GISCLAIR, HARDY, LABRUZZO, LEBAS, MILLS, RICHARD, RICHMOND, STIAES, THIERRY, AND WILLIAMS
AN ACT

To amend and reenact R.S. 15:542.1(A)(1)(b), relative to sex offenders; to provide relative to sex offender notification requirements; and to provide for related matters.

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

HOUSE BILL NO. 1460— (Substitute for House Bill No. 225 by Representative LaBruzzo)

BY REPRESENTATIVES LABRUZZO, BARROW, HENRY BURNS, TIM BURNS, LEGER, JANE SMITH, STIAES, TUCKER, WILLMOTT, AND WOOTON
AN ACT

To amend and reenact R.S. 11:446(A)(2)(b) and to enact R.S. 11:446(G), relative to the Louisiana State Employees' Retirement System; to allow a trust to receive benefits on behalf of a retiree's child beneficiary; and to provide for related matters.

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

HOUSE BILL NO. 1466— (Substitute for House Bill No. 599 by Representative Ellington)

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 56:6(32), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission, at the request of certain governmental entities, to adopt regulations for the use of certain fishing gear for certain lakes; and to provide for related matters.

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

HOUSE BILL NO. 1467— (Substitute for House Bill No. 1216 by Representative Gallot)

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 2593, Code of Criminal Procedure Articles 512 and 513, R.S. 3:3501, 3502(1), (4), (11), (15), and (21), 3503(E) and (F)(introductory paragraph), 3504, 3506, 3507, 3508(A), (B), and (C)(2), 3509(A), (C), (D), (F), (G), and (I), 3510(A), (C)(3), (F), (K)(1), and (M), 3511, 3512(E) and (F)(3), 3513(A), (F), (H), (I), (L), and (M)(2), 3514(H), (N), (P), and (Q), 3515(A) and (B)(introductory paragraph), 3517(A) and (B)(introductory paragraph), 3519(A), (C)(2), and (D), 3520(B), 3521(B), 3522(C), 3523(C) and (D), 3524(A), 3525(B), (C), (D), (H), (O), and (P), 3531(introductory paragraph), 3532, 3533(E)(1) and (6), 3534(E) and (F), 3535(C) and (D), 3541(introductory paragraph), 3542, 3543(D)(1) and (3), 3544(A)(3), (C), and (D), 3545(C) and (D), 3551, 3553(A), (B), (C), and (E), 3554(C) and (D), 3555, and 3556, R.S. 11:42(B)(1), (2), (3), (6), (7), (8)(a), and (9), 102(B)(3)(d)(v), (vi), (vii), and (viii), 103(B)(1) and (3)(d) and (e)(i)(bb) and (C)(introductory paragraph), 105(C)(1), 106(C)(1), 247(A)(2) and (3)(b) and (C), 413(3), 446(A)(5)(j) and (E), 542.1.1(E), 701(5)(c)(iii) and (33)(a)(viii) and (xii), 783(A)(3)(e), (C), (D)(1)(b)(ii), (F), (G)(1)(b)(ii), and (I)(1)(b)(ii), 883.3(E), and 1481(1)(a)(iii)(aa), R.S. 12:202.1(D), R.S. 14:67.21(F) and 403.6(A), R.S. 15:574.7(A) and (B)(2)(a), R.S. 17:7(28)(c) and (d), 17.5(D)(1) and (2), 24.10(I)(1)(a)(iii), 53(A), 170.4(C)(2), 183.3(B)(2)(b) and (D)(1)(b)(iii)(cc), 270(A), 416(A)(1)(c)(ii)(cc) and (2)(c), 1206.2(A)(1), 1518.1(I)(3), 1519.17, 1874(D) and (E), 2047(B), 2048.51(C)(14), 2922, 2923(A), 2924(A), 2926(A), 2927(A), 2928(A)(1) and (B), 2929, 2930(A) and (C), 2932(B), 3161, 3165(A)(1), 3983(A)(2)(b) and (3)(b) and (D), 3995(A)(6)(a), 3997(B)(2)(b) and (c)(i) and (ii)(aa), 4012(1), 4020(B), and 4024, R.S. 22:1078(A)(1), R.S. 24:7, 31.4(B)(1), 31.5(A)(4)(a) and (b) and (5) and (C)(1)(a), 52, 55(D)(2) and (E)(2)(a), 101, 107(A), 653(K)(1) and (3), R.S. 27:381(D) and (E), R.S. 29:653, R.S. 30:10.1(B)(3) and 213(A)(2) and 2117(E), R.S. 32:318(F), R.S. 33:322, 2740.52(B), 4710.3(A)(8), 9024(E)(2), 9206(5), 9602(C), and 9614(C), R.S. 35:406(B), R.S. 36:4(B)(1)(a), (b), (c), (d), (e), (j), (k), (l), (m), (q), and (z) and (15), 4.1(D)(14), 209(C)(2), (G), and (P), 254(A)(10)(h), 259(C)(1), (9), (10), (11), (12), and (16), (L), and (O), 509(B), 610(B)(2), 628(C)(1), 642(B) and (D)(1), 651(D)(1), (J), and (Q), 744(D), and 769(F)(2), R.S. 42:1118.1(A) and 1123(13)(a)(i)(dd), R.S. 44:4.1(B)(6) and (7), R.S. 46:56(B)(1), 61(B), 932(10), and 2132(3), and R.S. 49:220.23(A)(1), 220.24(J), and 965.4(4), to enact R.S. 11:701(33)(a)(xiii) and R.S. 36:4(B)(1)(r), (s), and (aa), 259(K), (N), (R), and (BB)(1), 359(B) and (C), 409(K), 610(G), 629(H) and (M), 651(D)(5), (O), and (V), 706(B), 769(K) and (L), R.S. 42:4.1.1, and R.S. 44:1.1, and to repeal R.S. 11:701(33)(c), R.S. 36:4(B)(10), 259(E)(18), (F)(6), (7), (11), (13), (14), and (17), 409(C)(6) and (I), 651(S) and (T), and 802.11 and R.S. 42:1141(B)(3), relative to the various codal provisions and provisions of the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain codal provisions; to provide for technical corrections to certain Louisiana Revised Statutes; and to provide for related matters.

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

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

May 11, 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:

HCR No. 158 HCR No. 159 HCR No. 4

HCR No. 157

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To create and establish the Constitutional Convention Study Commission to undertake all necessary study to examine the feasibility and advisability of calling a convention to revise the Constitution of Louisiana and, if a convention is found to be feasible and advisable, to make recommendations to the legislature for calling such a convention.

The resolution was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVES CONNICK, 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, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMANN, 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, MONTOUCET, 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, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request that British Petroleum remove Houston, Texas, from the choice of forum provision in the contract form utilized in the hiring of vessel owners in the response to the Deepwater Horizon disaster.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Chabert	Michot	Walsworth
LaFleur	Quinn	
Total - 5		

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

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the secretary of state to develop and implement an annual educational and instructional presentation concerning voting and voter registration targeted at high school seniors.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Michot
Adley	Gautreaux N	Morrell
Alario	Guillory	Morrish
Amedee	Hebert	Mount
Appel	Heitmeier	Murray
Broome	Jackson	Nevers
Cheek	Kostelka	Peterson
Donahue	Long	Riser
Dorsey	Marionneaux	Shaw
Duplessis	Martiny	Smith
Erdey	McPherson	Thompson
Total - 33		

NAYS

Total - 0

ABSENT

Chabert	Crowe	Quinn
Claitor	LaFleur	Walsworth
Total - 6		

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

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HOUSE CONCURRENT RESOLUTION NO. 159—
BY REPRESENTATIVE WILLMOTT AND SENATOR THOMPSON AND REPRESENTATIVES KATZ, ABRAMSON, BARROW, BURFORD, DOERGE, HILL, HINES, MICHAEL JACKSON, JOHNSON, LABRUZZO, LEBAS, MILLS, NOWLIN, POPE, AND SIMON

A CONCURRENT RESOLUTION

To commend the Department of Social Services on receiving a national bronze 2010 Telly Award for the department's public service television commercial to raise awareness of the Safe Haven Law of this state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Appel, Cheek, Crowe, Donahue, Dorsey, Duplessis, Erdey, Gautreaux B, Total - 32; Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, Long, Marionneaux, Martiny, McPherson, Michot; Morrell, Morrish, Mount, Murray, Nevers, Peterson, Riser, Shaw, Smith, Thompson

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Broome, Chabert, Total - 7; Claitor, LaFleur, Quinn; Walsworth

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 7—
BY REPRESENTATIVES WADDELL, KATZ, AND LEGER
AN ACT

To enact Subpart AA of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.85, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Chapter of the National Multiple Sclerosis Society; to authorize and provide a method for the making of other donations to the National Multiple Sclerosis Society on the income tax return; to provide for the disposition of such donated monies; to establish the Louisiana Chapter of the National Multiple Sclerosis Society Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for reporting; and to provide for related matters.

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

HOUSE BILL NO. 16—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(D)(2), relative to concealed handgun permits; to provide with respect to the training of persons applying for a concealed handgun permit; to provide for the certification of concealed handgun permit instructors; and to provide for related matters.

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

HOUSE BILL NO. 30—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:825.2(A), relative to special agents of the Department of Public Safety and Corrections; to increase the pool of employees who are eligible to be appointed special agents; and to provide for related matters.

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

HOUSE BILL NO. 43—
BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 17:405(A)(1)(b) and (i) and (C)(1), R.S. 40:981.3(A), (B), and (D) and 1058.10(A) and (C)(1), relative to drug free zones; to expand the area of drug free zones; and to provide for related matters.

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

HOUSE BILL NO. 45—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:320(B)(3), relative to taking of crabs; to remove the requirement for a crab trap to have a float and float line if the trap is placed in certain locations of the state; and to provide for related matters.

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

HOUSE BILL NO. 60—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(A)(1), (B), (C)(introductory paragraph), and (T), relative to concealed handgun permits; to provide for the issuance of Louisiana concealed handgun permits; to provide with respect to the recognition of nonresident concealed handgun permits; to provide for a period of time when previously issued nonresident concealed handgun permits shall be considered valid; and to provide for related matters.

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

HOUSE BILL NO. 108—
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to increase the jurisdictional amount in dispute for the city courts of New Iberia and Jeanerette; and to provide for related matters.

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

HOUSE BILL NO. 137—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Articles 44(B), 596, 1293(B), 1313(A)(4) and (B), 1462(B) and (C), 3652, 3656, 3662, 5152, and R.S.13:3471(8), relative to the continuous revision of the Code of Civil Procedure; to provide for service by private persons; to provide for class action prescription; to provide for service by electronic means; to provide for the right of a surety to plead discussion; to provide for discovery of electronic information; and to provide for related matters.

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

HOUSE BILL NO. 140—

BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 32:297.1 and R.S. 47:462(A)(introductory paragraph) and (1) and (B)(3)(a)(introductory paragraph) and to enact R.S. 47:462(D), relative to mini-trucks; to remove restrictions on the use of mini-trucks on state roads and highways; to require the office of motor vehicles to register mini-trucks; to provide for the definition of mini-truck; 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. 141—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1784, relative to applications to possess or transfer certain firearms; to provide for the use of electronic applications approved by the Department of Public Safety and Corrections for the possession or transfer of certain firearms; to provide that applications for the possession or transfer of certain firearms may be filed electronically; to provide that electronic applications are contingent upon purchase of equipment; and to provide for related matters.

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

HOUSE BILL NO. 158—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(C)(10) and to enact R.S. 40:1379.3(C)(18) and (19), relative to concealed handgun permits; to provide for the qualifications necessary for the issuance of a permit; to provide for a waiting period for reapplication following revocation or denial; and to provide for related matters.

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

HOUSE BILL NO. 259—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 74.2(C)(1), relative to the venue for a modification of child support; to provide for the parish where the person awarded support is domiciled; to provide for the registration of the support award; and to provide for related matters.

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

HOUSE BILL NO. 263—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Children's Code Article 313 and R.S. 46:236.2(B) and to enact R.S. 9:311(G), relative to child support proceedings; to provide for the jurisdiction of juvenile courts; to provide for the proper party to enforce obligations; to provide

for the modification of support; and to provide for related matters.

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

HOUSE BILL NO. 298—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:197 and 329(B) and to enact R.S. 32:329(C), (D), (E), (F), and (G), relative to bicycles and roadways; to provide relative to light requirements on the rear of bicycles; to provide for installation requirements; to allow persons riding bicycles upon a roadway the option of riding a bicycle on the improved shoulder under certain circumstances; 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. 398—

BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 9:2781(E) and to enact R.S. 9:2781(F), relative to suits on open accounts; to provide for the award of reasonable attorney fees in certain circumstances; to provide for definitions; to provide procedures for obtaining a judgment for attorney fees; and to provide for related matters.

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

HOUSE BILL NO. 408—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 14:102.6(A)(2), relative to the seizure and destruction of dogs and equipment used in dogfighting; to authorize certain persons to humanely euthanize dogs seized in connection with dogfighting; and to provide for related matters.

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

HOUSE BILL NO. 428—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 14:102.2(C), relative to offenses affecting public sensibility; to provide with respect to the seizure of animals treated cruelly; and to provide for related matters.

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

HOUSE BILL NO. 447—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 22:881.1, relative to certificates of insurance; to define such certificates and otherwise provide with respect to their issuance and effect; to provide for the responsibilities of the commissioner of insurance relative to such certificates, including approval of forms and enforcement; to provide for prohibitions and penalties; and to provide for related matters.

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

HOUSE BILL NO. 481—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 33:1423.1(B), (C), and (D), relative to collection of certain taxes and other obligations by sheriffs and ex officio tax collectors; to authorize sheriffs and ex officio tax collectors to employ certain parties to aid in the collection of certain delinquent taxes and obligations; to provide for the payment for collection services on a fee basis; to provide for the

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amount and payment of the fee; to provide relative to requirements for employing certain parties to aid in the collection of certain delinquent taxes and obligations; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 502—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:204.1, relative to fire-raising; to create the crime of fire-raising in a correctional facility; to provide criminal penalties; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 534—
BY REPRESENTATIVE CARTER
AN ACT

To enact R.S. 33:9097.8, relative to East Baton Rouge Parish; to create a crime prevention and improvement district for the Westminster and Pine Park Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; to provide for indemnity and exculpation of board members; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 535—
BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 33:130.702(F) and to repeal Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.791, relative to certain economic development districts; to repeal provisions that provide relative to the schedule of regular and special meetings held by the governing board of such districts; to provide relative to the Tangipahoa Parish Economic Development District; to change the frequency of regular meetings held by the governing board of the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 540—
BY REPRESENTATIVE GISCLAIR
AN ACT

To enact R.S. 38:301(C)(1)(b)(iii), (2)(h), and (4), relative to the South Lafourche Levee District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; 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. 542—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 33:9078(F)(4)(c), relative to the Kenilworth Improvement District in Orleans Parish; to provide relative to the renewal of parcel fees in the district; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 545—
BY REPRESENTATIVES BALDONE, BILLIOT, GISCLAIR, HENDERSON,
AND SAM JONES

AN ACT

To amend and reenact R.S. 56:325.3(A)(1), relative to commercial taking of spotted sea trout; to provide that the open season for such taking shall close each year when the maximum annual quota is reached; and to provide for related matters.

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

HOUSE BILL NO. 556—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 14:95.2(C)(4) and R.S. 40:1379.3(N)(11), relative to firearms; to provide with respect to firearm-free zones; to provide relative to the possession of firearms by concealed handgun permit holders; to retain the prohibition regarding the carrying of concealed handguns at a school; to prohibit the carrying of concealed handguns on any school campus or school bus; and to provide for related matters.

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

HOUSE BILL NO. 558—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv) and to enact R.S. 13:4751(E), relative to the surname of a minor; to provide for the vital records form; to provide for the contents of a birth certificate; to provide for the surname of a minor born outside of marriage; to provide for the filing of a petition for name change; and to provide for related matters.

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

HOUSE BILL NO. 560—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 33:4766(E)(1), relative to the condemnation of dilapidated and dangerous structures; to provide relative to the enforcement of privileges and liens granted in favor of a parish or municipality for the costs incurred in the demolition, removal, repair, or maintenance of any such structure; to authorize a parish and municipality seeking to enforce a privilege or lien as a tax against immovable property to submit the attested bills for such costs to the tax assessor of the parish in which the property is located as an alternative to submitting any such bill to the director of administration; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 579—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 47:818.40(F) relative to motor fuel taxes; to provide relative to surety bond requirements of certain licensees; to require the secretary of the Department of Revenue to waive surety bond requirements for certain licensees under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 595—
BY REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 47:1703(E), relative to ad valorem taxes on a homestead which has been destroyed or is uninhabitable due to a disaster; to authorize an extension of the homestead exemption and special assessment level for such homesteads

under certain circumstances; to provide for the claiming of the extension of the homestead exemption and the special assessment level; to provide for certain limitations and requirements; and to provide for related matters.

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

HOUSE BILL NO. 597—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:322.2(A) and (D)(2), to enact R.S. 56:322.2(C)(3), and to repeal R.S. 56:322.2(G) and (I), relative to commercial take of shad and skipjack; to authorize nighttime taking of shad and skipjack in Iberville Parish and the Atchafalaya Basin; and to provide for related matters.

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

HOUSE BILL NO. 641—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT

To repeal R.S. 56:431.1(D), relative to permits for devices to protect oysters from predation; to remove the date after which such permits may not be granted by the Department of Wildlife and Fisheries; and to provide for related matters.

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

HOUSE BILL NO. 642—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT

To amend and reenact R.S. 56:421(B)(introductory paragraph) and to enact R.S. 56:421(B)(14), relative to the Louisiana Oyster Task Force; to add a member to the task force; and to provide for related matters.

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

HOUSE BILL NO. 644—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT

To provide for the designation of an area of the public oyster seed grounds for relocation of certain leases; to provide for the leases eligible for such relocation; to provide for restrictions on such leases; to provide for administration of the relocation; and to provide for related matters.

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

HOUSE BILL NO. 656—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 56:722.1, relative to the Lafourche Parish Game and Fish Commission; to authorize the commission to govern, regulate, and control Lake Long; and to provide for related matters.

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

HOUSE BILL NO. 692—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT

To amend and reenact R.S. 56:426(D), relative to recordation of oyster leases; to extend the time within which a lease renewal must be recorded; and to provide for related matters.

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

HOUSE BILL NO. 693—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT

To amend and reenact R.S. 40:5.3.1, relative to oyster harvest and production; to require the Department of Health and Hospitals to notify oyster harvesters and dealers of a possible state exemption from the National Shellfish Sanitation Program's Vibrio management plan; and to provide for related matters.

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

HOUSE BILL NO. 694—
BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 38:329.3(I), relative to the St. Mary Levee District; to provide for the transfer of certain property from the Atchafalaya Basin Levee District to the St. Mary Levee District; 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. 695—
BY REPRESENTATIVES WOOTON, HARRISON, AND HUTTER
AN ACT

To enact R.S. 56:437, relative to the sale of oysters; to authorize the sale for raw consumption of oysters which have been harvested from Louisiana waters; and to provide for related matters.

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

HOUSE BILL NO. 712—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT

To amend and reenact R.S. 56:434(G) and to enact R.S. 56:434(H), relative to taking of seed oysters from the public seed grounds; to provide for certain restrictions; and to provide for related matters.

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

HOUSE BILL NO. 749—
BY REPRESENTATIVES POPE, CORTEZ, DOERGE, DOWNS,
HENDERSON, HOFFMANN, AND MONTOUCEZ
AN ACT

To amend and reenact R.S. 11:1503(7) and 1530(K)(2) and to repeal R.S. 11:231(A)(5), relative to the Clerks' of Court Retirement and Relief Fund; to provide for average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for transitional provisions; 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.

HOUSE BILL NO. 800—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 24:11.1, relative to the convening of extraordinary sessions of the legislature; to provide for limitations; to provide certain procedures for the concurrence of the legislature prior to the convening of certain extraordinary sessions; to provide for effectiveness; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

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HOUSE BILL NO. 841—
BY REPRESENTATIVE ARNOLD AND SENATOR MICHOT
AN ACT

To enact Chapter 10 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1001 through 1003, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to execute leases on state lands for development and production of energy from hydrokinetics; to provide for legislative finding; to provide a process for executing leases on state lands for the development and production of energy from hydrokinetics; to provide for the powers and duties of the secretary of natural resources; to provide for the powers and duties of the State Mineral and Energy Board; to authorize the implementation of fees; to provide for 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 Natural Resources.

HOUSE BILL NO. 850—
BY REPRESENTATIVE ROY
AN ACT

To enact R.S. 47:2153(B)(7), relative to ad valorem tax; to authorize the collection of a refundable deposit from certain participants at a tax sale; to provide for use of deposits; to provide for the form of the deposit; to provide for refunds; and to provide for related matters.

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

HOUSE BILL NO. 875—
BY REPRESENTATIVES HARRISON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CARMODY, CHAMPAGNE, CROMER, DOVE, EDWARDS, FOIL, GISCLAIR, GUINN, HARDY, HENDERSON, HOWARD, SAM JONES, LAMBERT, LEGER, LITTLE, LOPINTO, LORUSSO, RICHARD, SIMON, JANE SMITH, ST. GERMAIN, STIAES, TEMPLET, TUCKER, WILLIAMS, AND WOOTON AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B) and to enact R.S. 36:610(B)(11) and R.S. 56:494, relative to shrimp; to create the Louisiana Shrimp Task Force within the Department of Wildlife and Fisheries; to provide for its membership; to provide for its powers, duties, functions, and responsibilities; to provide relative to funding; to provide relative to the Shrimp Marketing and Promotion Account and the Shrimp Trade Petition Account; and to provide for related matters.

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

HOUSE BILL NO. 887—
BY REPRESENTATIVES ST. GERMAIN, BALDONE, AND DOVE AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:325.4(D), relative to finfish; to provide relative to submission of stock assessment reports; to authorize the development of stock management regimes for black drum, flounder, and sheephead for approval by the Wildlife and Fisheries Commission; and to provide for related matters.

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

HOUSE BILL NO. 888—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:325.2(A) and 326(E)(1)(a), relative to finfish; to provide for identification of certain saltwater finfish; and to provide for related matters.

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

HOUSE BILL NO. 890—
BY REPRESENTATIVES HARRISON, BOBBY BADON, BILLIOT, HENRY BURNS, CHAMPAGNE, DOVE, FOIL, GISCLAIR, GUINN, HENDERSON, LAMBERT, LITTLE, ST. GERMAIN, AND WILLIAMS AND SENATORS B. GAUTREAUX AND N. GAUTREAUX
AN ACT

To enact R.S. 56:578.15, relative to a state certification program for Louisiana wild fish; to authorize the secretary of the Department of Wildlife and Fisheries to establish such program; and to provide for related matters.

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

HOUSE BILL NO. 907—
BY REPRESENTATIVE ARNOLD
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 with respect to exceptions; and to provide for related matters.

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

HOUSE BILL NO. 911—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact Paragraph (A)(7) of Section 2 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 353 of the 1986 Regular Session of the Legislature, Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, Act No. 440 of the 1997 Regular Session of the Legislature, and Act Nos. 562 and 1214 of the 2003 Regular Session of the Legislature, relative to hospital service districts; to provide relative to the St. Tammany Parish Hospital Service District No.1 to provide relative to the governing board of the district; to increase the maximum amount of per diem authorized to be paid to members of the board; to increase the number of meetings for which members may receive per diem; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 940—
BY REPRESENTATIVE MONTOUTEC
A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide for with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 951—
BY REPRESENTATIVES BILLIOT, GISCLAIR, HENRY, LABRUZZO, AND LIGI AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To amend and reenact Part VII of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4890 and 4891 and R.S. 44:4.1(B)(18), relative to privileged communications made to code enforcement officers; to provide for the exercise of police powers by a parish; to provide a privilege for communications made to certain code enforcement officers; to exempt certain communications from the privilege; to provide restrictions on such privilege; to provide definitions; to provide a public records exception for such privileged communications; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 953—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:332(M), relative to crab fishing; to allow commercial fishermen with appropriate gear licenses to keep finfish while crabbing; and to provide for related matters.

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

HOUSE BILL NO. 986—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 46:1844(W)(1), relative to rights of victims; to provide relative to rights of minor victims and victims of sex offenses; to provide for protection of identities; to provide for penalties for violating the rights of minor victims and victims of sex offenses; and to provide for related matters.

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

HOUSE BILL NO. 1023—

BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 48:461.1(10), (11), and (12), 461.2(C), and 461.6(C), relative to outdoor advertising; to provide for definitions; to allow certain outdoor advertising to be considered legal and conforming; to permit new display sign technologies under certain circumstances; to provide for certain procedures relative to outdoor advertising subject to expropriation by the state; 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. 1047—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1574, relative to insurance; to create the Bail Bond Apprentice Program; to provide for oversight; to provide for apprenticeship; to provide for maintenance of records; to provide for qualifications and requirements; to provide for notification; and to provide for related matters.

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

HOUSE BILL NO. 1125—

BY REPRESENTATIVE WILLIAMS
AN ACT

To enact R.S. 32:202 and R.S. 47:463.141, relative to special prestige license plates; to provide for the creation and issuance of the "Share the Road" license plate; to provide for fees and distribution of fees; to provide for the promulgation of rules and regulations; to create the Louisiana Bicycle and Pedestrian Safety Fund; 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. 1159—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to charges for health care records; to provide for the fees charged for copying records; to prohibit additional charges for providing copies of records; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 1243—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 38:2214(A), relative to public contracts; to remove the requirement that a public entity include the time and place for bids in its resolution; 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. 1260—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:95.1(C), relative to the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to remove the authorization for law enforcement to issue permits allowing certain felons to possess firearms or carry concealed weapons; and to provide for related matters.

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

HOUSE BILL NO. 1268—

BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; 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 distribution of fees for such plates; 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. 1272—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 40:1379.3(H)(2) and to enact R.S. 40:1379.3(D)(3), relative to concealed handgun permits; to increase the period of time in which a concealed handgun permit is valid; to provide with respect to costs and fees; to provide with respect to the adoption of rules for certain permits; to authorize the use of fixed-case marking projectiles for handgun competency training; and to provide for related matters.

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

HOUSE BILL NO. 1285—

BY REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 47:463.141 and R.S. 56:10(B)(14), relative to special prestige license plates; to provide for the creation, issuance, and design of the "Rare and Endangered Species" license plate; to create the "Rare and Endangered Species Account"; to provide for fees and the requirement of fees to be deposited into the "Rare and Endangered Species Fund"; to provide for 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. 1288—

BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact R.S. 56:320(A)(1) and 322(E)(5) relative to methods of taking fish; to provide relative to the use of wire nets; to allow the use of wire nets and hoop nets for recreational fishing throughout the state; and to provide for related matters.

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

HOUSE BILL NO. 1301—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 44:19, relative to records in the custody of a coroner; to exempt certain medical records in the custody of a coroner from public records provisions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1307—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 42:5(D), relative to public comment at open meetings; to require a period of public comment at public meetings prior to a vote on any agenda item; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1325—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 48:1656(23), relative to the Regional Transit Authority; to provide for the general powers of the Regional Transit Authority; to provide a limitation of liability to certain entities; to provide for definitions; 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. 1346—
BY REPRESENTATIVES DOVE, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, GISCLAIR, GUINN, HARRISON, HENDERSON, SAM JONES, LAMBERT, LITTLE, MONTOUCET, RICHARD, ST. GERMAIN, WHITE, AND WOOTON
AN ACT

To amend and reenact R.S. 56:639.8(E) and (G), relative to the Artificial Reef Development Fund; to allow the monies in said fund to be used in association with the wild seafood certification program administered by the Department of Wildlife and Fisheries; and to provide for related matters.

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

HOUSE BILL NO. 1407— (Substitute for House Bill No. 450 by Representative Foil)
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 3:3807(B)(2), relative to retail florists; to repeal certain examination requirements for retail florists; 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. 1414—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 40:600.4(A)(1) and (5) and 600.6(A)(4)(a) and to enact R.S. 40:600.5(H) and 600.6(E), relative to the Louisiana Housing Finance Agency; to provide for changes to the board of commissioners; to provide for legislative oversight; to provide for annual reporting; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1464— (Substitute for House Bill No. 1089 by Representative Ellington)
BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 32:1268.3 and to repeal R.S. 32:1268.1(B), relative to repurchase of marine products; to provide for the repurchase of marine products by a manufacturer, distributor, or wholesaler; to provide for termination agreements; to provide for exemptions; 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.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

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

May 11, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 891—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 36:231(C)(1), to enact R.S. 30:2011(D)(26), and to repeal R.S. 30:2011(C)(1)(b) and R.S. 36:238(C), relative to the offices within the Department of Environmental Quality; to provide for the purposes for the offices within the Department of Environmental Quality; to provide for the elimination of the office of environmental assessment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 893—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 30:2011(D)(3), 2014(A)(1), and 2054(B)(2)(a), relative to the authority to issue a regulatory permit; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the authority to issue a regulatory permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 894—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 30:2154(B)(2)(a) and to enact R.S. 30:2154(B)(9), relative to regulatory permits; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits for solid waste; to provide for limitations on such authority; to provide for delegation of authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1169—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 30:2060(O), relative to air quality; to provide for toxic air pollution standards and compliance; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

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

May 11, 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. 443—

BY SENATOR LAFLEUR

AN ACT

To enact R.S. 40:1299.59, relative to civil actions alleging professional liability against architects, engineers and land surveyors, and civil actions alleging malpractice against health care providers; to require the attachment of an expert report to certain petitions for damages; to provide with respect to the content of the expert report; to provide with respect to the procedure for filing the expert report and answer to the petition; to provide for dismissal of actions for failure to file the report; to provide relative to prescription or peremption; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 786—

BY SENATOR QUINN

AN ACT

To enact R.S. 22:1892(E), relative to payment and adjustment of claims for policies other than life and health and accident; to provide for payment of claims in which an attorney and the insured have executed a contract granting an interest to the attorney in the subject matter of the claim; to provide for such interest to be superior to that of a loss payee; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JULIE QUINN
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

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

May 11, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 576—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:966(E)(2), relative to second offense possession of marijuana; to provide for a minimum fine; to provide relative to suspension of sentence; to require participation in substance abuse programs and community service in certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 581—

BY SENATOR PETERSON

AN ACT

To amend and reenact Code of Criminal Procedure Art. 437, relative to grand juries; to provide for inquiries into certain offenses; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 601—

BY SENATOR CLAITOR

AN ACT

To enact R.S. 14:140.1, relative to kickbacks in state contracts; to provide prohibitions, definitions, penalties, and reporting requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 685—

BY SENATOR MURRAY

AN ACT

To enact R.S. 14:110.1.1, relative to jumping bail; to create the crime of out of state bail jumping; to provide for certain criteria; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 686—

BY SENATORS MOUNT, ALARIO, GUILLORY, LONG, MARTINY AND MORRELL AND REPRESENTATIVES BARRAS, BILLIOT, TIM BURNS, CHAMPAGNE, HOFFMANN, LABRUZZO, LEGER, POPE, PUGH, RICHARD, JANE SMITH, TALBOT AND THIBAUT

AN ACT

To amend and reenact R.S. 14:98(D)(2) and (E)(2), relative to operating a vehicle while intoxicated; to provide for certain procedures relative to the forfeiture of vehicles; to provide for the allocation of certain funds; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 769—

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:51, relative to aggravated arson; to provide relative to injury to persons; to provide relative to injury to firefighters, law enforcement officers, and first responders; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 774—

BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Article 912.1(A), relative to criminal procedure; to provide relative to the right to appeal in any case of conviction of a capital offense; to provide for notice of the right to waive such appeal; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

REPORT OF COMMITTEE ON

AGRICULTURE, FORESTRY, AQUACULTURE, AND RURAL DEVELOPMENT

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

May 11, 2010

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

HOUSE BILL NO. 48— BY REPRESENTATIVE ANDERS AN ACT

To amend and reenact R.S. 3:3553(B) and 3556, relative to the assessment on grain sorghum; to authorize the application for and receipt of national assessment funds; to suspend the state assessment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 242— BY REPRESENTATIVE ANDERS AN ACT

To enact R.S. 3:3816(7), relative to arborist licenses; to provide for the issuance of temporary arborist licenses by the commissioner; to provide for certain temporary arborist license requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 313— BY REPRESENTATIVE GARY SMITH AN ACT

To amend and reenact R.S. 3:2772(E)(introductory paragraph) and (G)(introductory paragraph), relative to kennel licenses; to provide for license fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 430— BY REPRESENTATIVE PUGH AN ACT

To amend and reenact R.S. 3:730.8 and to enact R.S. 3:730.9, relative to the labeling of strawberries offered for sale; to provide for farm of origin labeling; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 576— BY REPRESENTATIVE MILLS AN ACT

To amend and reenact R.S. 3:2731 and 2778 and to repeal R.S. 3:2733 through 2737, relative to the regulation by local authorities of dogs; to provide for the adoption of ordinances; to provide for the imposition of fees and fines; to provide for the disposition of proceeds; and to provide for related matters.

Reported with amendments.

Respectfully submitted, FRANCIS C. THOMPSON Chairman

Senate Bills on Second Reading Reported by Committees

SENATE BILL NO. 4— BY SENATOR MURRAY AN ACT

To enact R.S. 33:4883, relative to the exercise of police powers by local governmental subdivisions; to authorize parish and municipal governing authorities to adopt ordinances regulating the backwash and drainage of swimming pools; 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. 47— BY SENATOR CROWE AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F), relative to fees paid as a condition of probation; to provide for the allocation and use of fees credited to the Sex Offender Registry Technology Fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 47 by Senator Crowe

AMENDMENT NO. 1

On page 2, delete lines 13 through 19 and insert the following: "(a) For Fiscal Year 2006-2007, the amount of one hundred ninety thousand dollars to the Department of Public Safety and Corrections, office of state police, to be used in the administration of programs for the registration of sex offenders in compliance with federal and state laws, and support of community notification efforts by local law enforcement agencies. For Fiscal Years 2007-2008 and thereafter through 2009-2010, the amount to be appropriated under this Subparagraph shall be twenty-five thousand dollars. For Fiscal Years 2010-2011, and thereafter, the amount to be appropriated to the Department of Public Safety and Corrections, office of state police, shall be twenty-five thousand dollars for the purposes of maintaining and administering the programs for the registration of sex offenders pursuant to this Subparagraph."

AMENDMENT NO. 2

On page 2, line 20 change "(a)" to "(b)"

AMENDMENT NO. 3

On page 2, line 21, after "total" insert "residual"

AMENDMENT NO. 4

On page 2, line 25 change "(b)" to "(c)"

AMENDMENT NO. 5

On page 3, line 6, change "(c)" to "(d)"

AMENDMENT NO. 6

On page 3, at the end of line 28, change "The" to "The After providing for the allocations in Subparagraphs (a), (b) and (c) of this Paragraph, the"

AMENDMENT NO. 7

On page 3, delete line 29, on page 4, delete lines 1 and 2, and insert the following: "remainder of the residual monies shall be distributed in the Sex Offender Registry Technology Fund shall, pursuant to an appropriation to the office of the attorney general, be distributed to the sheriff of each parish, based on the population"

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. 48—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 32:297.1, relative to motor vehicles and mini-vehicles; to delete safety and emission requirements; 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. 48 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 3, after "safety and" insert "certain"

AMENDMENT NO. 2

On page 1, line 9, after "state" delete the period "." and insert: ", if such vehicle meets all applicable federal and state safety and emissions standards **is equipped with the speed restriction device required for such vehicles by the United States Environmental Protection Agency.**"

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. 283—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:1423.1(B) and (C), relative to the collection and disposition of bonds, fines, fees, licenses, and taxes by sheriffs and ex officio tax collectors; to authorize sheriffs and ex officio tax collectors to contract with certain parties to aid in the collection of certain delinquent taxes and obligations; to provide for the payment of services on a fee basis; to limit the amount of the fee; 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. 283 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, after "(B)" delete "and" and insert a comma "," and after "(C)" insert " and (D)"

AMENDMENT NO. 2

On page 1, line 6, after "payment" and before "services" delete "of" and insert "for collection"

AMENDMENT NO. 3

On page 1, line 9, after "(B)" delete "and" and insert a comma "," and after "(C)" insert " and (D)"

AMENDMENT NO. 4

On page 2, line 5, strike "shall" and insert "**may**"

AMENDMENT NO. 5

On page 2, line 6, after "fee" insert "**paid to the tax recipient body by the taxpayer**"

AMENDMENT NO. 6

On page 2, line 9, after "rate" and before "shall" insert "**paid to the tax recipient body by the taxpayer**"

AMENDMENT NO. 7

On page 2, line 11, after "rate" insert "**or fee**" and after "attorney" insert "**or agency**"

AMENDMENT NO. 8

On page 2, line 13, after "attorney" insert "**or agency**"

AMENDMENT NO. 9

On page 2, line 15, after "counsel" insert "**or an agency**"

AMENDMENT NO. 10

On page 2, line 17, after "attorney" insert "**or agency**"

AMENDMENT NO. 11

On page 2, after line 20 insert the following:

"D. If as a result of any judgment or settlement, monies attributable to attorney **or agency** fees and expenses are paid to the sheriff or ex officio tax collector or director of finance for the city of New Orleans in an amount in excess of the amount owed to the attorney **or agency** under contract, the sheriff or ex officio tax collector or director of finance for the city of New Orleans shall rebate such excess to the affected tax recipient bodies based upon their pro rata payments for the cost of the attorney **or agency.**"

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. 296—

BY SENATOR MARTINY

AN ACT

To enact R.S. 33:2841.1, relative to the collection of taxes in municipalities; to authorize municipalities to hire an attorney or agency to assist in the collection of certain taxes; to provide for the assessments and collection of a fee for such assistance; 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. 296 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 10, change "**all**" to "**ad valorem**"

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. 299—

BY SENATOR DONAHUE

AN ACT

To enact R.S. 49:200.2, relative to state government services; to provide for a cost recovery budget request form; to provide for distribution of the form; to provide for an annual evaluation of certain fees; to provide relative to the development of a plan and schedule relative to the review of fees; to provide for an annual review and report of the findings of such review; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

May 11, 2010

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 299 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 2, after "To enact" and before "relative to" delete "R.S. 49:200.2," and insert "R.S. 39:32(L) and R.S. 49:308.6,"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." change "R.S. 49:200.2" to "R.S. 39:32(L)"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17 and on page 2, delete lines 1 through 8, and insert the following:
"§32. Budget request contents
* * *"

AMENDMENT NO. 4

On page 2, at the beginning of line 9, change "B.(1)(a)" to "L.(1)(a)"

AMENDMENT NO. 5

On page 3, between lines 22 and 23, insert the following:
"Section 2. R.S. 49:308.6 is hereby enacted to read as follows:
§308.6. State government fees for services and activities; cost recovery"

AMENDMENT NO. 6

On page 3, at the beginning of line 23, change "C.(1)" to "A.(1)"

AMENDMENT NO. 7

On page 4, at the beginning of line 4, change "D.(1)" to "B.(1)"

AMENDMENT NO. 8

On page 4, at the beginning of line 28, change "E." to "C."

AMENDMENT NO. 9

On page 5, line 4, change "Section 2." to "Section 3."

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. 308—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 49:968(B)(13), and R.S. 56:5(C), and to repeal R.S. 49:967(D); relative to the Wildlife and Fisheries Commission; to provide legislative oversight of certain rules and regulations; to require the commission to adopt rules and regulations in accordance with the Administrative Procedures Act; 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. 308 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, delete line 2 and insert:
"To amend and reenact R.S. 49:953(B)(1) and 968(B)(13) and R.S. 56:5(C) and 6(28), to enact R.S. 49:953(B)(5), and to repeal R.S. 49:967(D),"

AMENDMENT NO. 2

On page 1, line 5, after "Act;" insert "to authorize certain emergency rule procedures;"

AMENDMENT NO. 3

On page 1, delete line 8 and insert:
"Section 1. R.S. 49:953(B)(1) and 968(B)(13) are hereby amended and reenacted and R.S. 49:953(B)(5) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert:
"§953. Procedure for adoption of rules
* * *

B.(1) If an agency finds that an imminent peril to the public health, safety, or welfare requires adoption of a rule upon shorter notice than that provided in Subsection A of this Section and within five days of adoption states in writing to the governor of the state of Louisiana, the attorney general of Louisiana, the speaker of the House of Representatives, the president of the Senate, and the Department of the State Register, its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule. The provisions of this Paragraph also shall apply to the extent necessary to avoid sanctions or penalties from the United States, or to avoid a budget deficit in the case of medical assistance programs or to secure new or enhanced federal funding in medical assistance programs, or to provide relative to the Wildlife and Fisheries Commission as set forth below in this Subsection. The agency statement of its reason for finding it necessary to adopt an emergency rule shall include specific reasons why the failure to adopt the rule on an emergency basis would result in imminent peril to the public health, safety, or welfare, or specific reasons why the emergency rule meets other criteria provided in this Paragraph for adoption of an emergency rule.
* * *

(5) Notwithstanding any provision of law to the contrary, (a) the Louisiana Wildlife and Fisheries Commission may adopt without a showing of imminent peril emergency rules relative to webless migratory game bird hunting seasons, trapping seasons, alligator seasons, shrimp seasons, oyster seasons, finfish seasons and size limits. Rules adopted annually pursuant to this Paragraph which open and close the offshore and fall shrimp seasons, the oyster season, the marine finfish seasons, the webless migratory game bird hunting season, and the trapping season shall be effective for a period of time equal to the length of the respective season; and (b) a legislative oversight subcommittee reviewing rules adopted pursuant to this Paragraph shall have thirty days from the date of adoption to conduct a hearing.
* * *

AMENDMENT NO. 5

On page 2, delete line 1 and insert
"Section 2. R.S. 56:5(C) and 6(28) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 6

On page 2, between lines 8 and 9, insert
"§6. Special powers and duties; statistics; rules and regulations; reports
The commission, through its secretary:
* * *

(28) May in accordance with law impose, by rule promulgated in accordance with the Administrative Procedure Act, a fee for nonresident recreational hunting licenses and nonresident recreational fishing licenses. The fee set by the commission shall supersede any such fee set by law. The provisions of R.S. 49:967(D) shall not apply to the adoption of the fees authorized by this Paragraph. The nonresident recreational hunting licenses shall be those nonresident licenses and the nonresident stamps authorized by Subpart A and Subpart A-1 of Part IV of this Chapter. The nonresident recreational fishing licenses shall be those nonresident licenses authorized by Subpart B of Part VI of this Chapter.
* * *

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

SENATE BILL NO. 365—

BY SENATOR MICHOT

AN ACT

To enact R.S. 39:1701.1, relative to procurement; to provide relative to cooperative purchasing; to provide for a survey and report of cooperative purchasing; 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. 395—

BY SENATOR N. GAUTREUX

AN ACT

To enact Subpart G of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.110 through 140.118, relative to railroad districts; to provide for the district's boundaries in Vermilion and Iberia parishes and for purpose, governance, and funding; to provide relative to the district's governing board's powers and duties; 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. 395 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, between lines 6 and 7 insert the following:
"Notice of intention to introduce this Act has been published."

AMENDMENT NO. 2

On page 3, line 1, after "**Commission**" insert "**and the University of Louisiana at Lafayette**"

AMENDMENT NO. 3

On page 3, line 4, after "**engineering**" insert "**and shall have a minimum of five years experience at the management and operational level of a railroad company**"

AMENDMENT NO. 4

On page 3, line 23, before "**district**" delete "**the**"

AMENDMENT NO. 5

On page 3, line 29, after "**Vermilion**" change "**and**" to "**or**" and after "**parishes,**" delete "**and**"

AMENDMENT NO. 6

On page 4, line 2, after "**employees**" insert a comma ", "

AMENDMENT NO. 7

On page 4, delete line 19 and insert "**rail services; and to engage in any action, such as the purchase of insurance, necessary or desirable for the maintenance or improvement of the district's property.**"

AMENDMENT NO. 8

On page 7, line 6, delete ", **donate,**"

AMENDMENT NO. 9

On page 8, line 23, after "**Iberia**" insert a comma ", "

AMENDMENT NO. 10

On page 8, line 26, after "**limited to**" delete ":" and insert a comma ", "

AMENDMENT NO. 11

On page 9, line 29, change "**moneys**" to "**money**"

AMENDMENT NO. 12

On page 10, line 2, after "**parties**" insert a comma ", "

AMENDMENT NO. 13

On page 11, delete lines 14 through 21, and insert: "**The district shall be subject to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950.**"

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. 411—

BY SENATOR CHAISSON

AN ACT

To enact R.S. 48:36, relative to the Department of Transportation and Development; to provide for topographic mapping responsibilities; to authorize the department to develop and maintain a statewide digital geospatial database; to provide for the adoption of rules; 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. 480—

BY SENATOR RISER

AN ACT

To enact R.S. 32:1518(C), relative to hazardous materials transportation and motor carrier safety; to provide relative to revocation of a hazardous materials endorsement on a commercial driver's license; 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. 480 by Senator Riser

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 32:1518(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "revocation of" delete "a" and change "endorsement" to "endorsements"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." insert "R.S. 32:1518(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

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

"A. No person shall offer or accept for transportation, load or unload, or transport a hazardous waste or hazardous material as defined in R.S. 32:1502, in a **criminally negligent or reckless** manner that ~~endangers~~ or could endanger human life or health."

AMENDMENT NO. 5

On page 1, delete lines 9 through 13 and insert the following:

"**C.(1) The department may revoke the "H"- hazardous materials endorsement issued pursuant to the provisions of R.S. 32:408(B)(3)(d) or the "X"- combination tank vehicle and hazardous materials endorsement issued pursuant to the provisions of R.S. 32:408(B)(3)(e), or both, on the commercial driver's license of any person upon a final judgment of conviction or assessment of a civil penalty for a second or subsequent violation of this Section, if the material transported when the violation occurred met the definition of an extremely hazardous substance (EHS), as defined in R.S. 30:2363(5).**"

AMENDMENT NO. 6

On page 1, after line 13, insert the following:

"**(2) The department may consider any prior final judgment of conviction or assessment of civil penalty under this Section to**

determine whether or not to revoke an "H" or "X" endorsement on a commercial driver's license."

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. 498—
BY SENATOR CHABERT**

AN ACT

To amend and reenact R.S. 56:302.9(G), relative to charter boat fishing guide licenses; to provide for the fees collected from the sale of charter boat fishing guide licenses; to provide for expenditure of funds; and to provide for related matters.

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

**SENATE BILL NO. 512—
BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 33:4085(A), relative to the Sewerage and Water Board of New Orleans; to increase the limit under which the board may perform construction work for its public systems; 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. 512 by Senator Murray

AMENDMENT NO. 1

On page 1, between lines 5 and 6, insert the following: "Notice of intention to introduce this Act has been published."

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. 537—
BY SENATOR NEVERS**

AN ACT

To amend and reenact R.S. 23:381(1), 382, 383, 384(A), (B)(2), and (C), 385,386, 387, 388(B), 389, 390, and 392(B) and (D), relative to apprentices; to provide for representation on the apprenticeship council; to provide for terms of those serving on the council; to provide relative to the apprenticeship council and its recommendations; to provide for the appointment of a director of apprenticeship who is not subject to council approval; to provide relative to powers and duties of the director of the council; to provide relative to apprenticeship programs; to provide for apprenticeship committees; to provide for definition of an apprentice; to provide as to the content of apprentice agreements; to provide for the approval of apprentice agreements; to provide with respect to a rotation of employers; to provide with respect to controversies and complaints; to provide for civil penalties; 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. 537 by Senator Nevers

AMENDMENT NO. 1

On page 2, delete lines 10 through 12 and insert the following: "are participating in bona fide apprenticeship programs. **The three employee representatives shall be representatives of labor**

organizations, who have been nominated by state labor federations. The state official in charge of trade and industrial education"

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. 594—
BY SENATORS B. GAUTREUX AND APPEL**
AN ACT

To amend and reenact R.S. 11:263(D), to enact R.S. 11:267.1, and to repeal R.S. 11:263(E), 267, and 268, relative to public retirement systems; to provide relative to the prudent-man rule, investment authority and restrictions, and asset allocation; 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. 594 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 11:263(D), to enact R.S. 11:267.1" and insert "R.S. 11:263(C) and (D)"

AMENDMENT NO. 2

On page 1, delete lines 8 and 9 and insert the following:

"Section 1. R.S. 11:263(C) and (D) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 12 through 17 and delete pages 2 and 3 in their entirety and on page 4, delete line 1 and insert in lieu thereof the following:

"C. This standard requires the exercise of reasonable care, skill, and caution, and is to be applied to investments not in isolation, but in the context of the trust portfolio, and as part of an overall investment strategy, which shall include an asset allocation study and plan for implementation thereof, incorporating risk and return objectives reasonably suitable to that trust. **The asset allocation study and implementation plan shall include the examination of market value risk, credit risk, interest rate risk, inflation risk, counterparty risk, and concentration risk. The investment policy of each system, plan, or fund shall preserve and enhance principal over the long term and provide adequate liquidity and cash flow for the payment of benefits. The investments shall be diversified to minimize the risk of significant losses unless it is clearly prudent not to do so.**

D.(1) Notwithstanding the prudent-man rule, no governing authority of any system or fund governed by this Subpart shall invest more than fifty-five percent of the total portfolio in equities, except as provided in Paragraph (2) of this Subsection, ~~or in R.S. 11:267.~~

(2) The governing authority of any system to which ~~R.S. 11:267(A) is inapplicable~~ may invest more than fifty-five percent of the total portfolio in equities, so long as not more than sixty-five percent of the total portfolio is invested in equities and at least ten percent of the total equity portfolio is invested in one or more index funds which seek to replicate the performance of the chosen index or indices.

(3) When contemplating any investment, action, or asset allocation the following factors shall be given weight:

(a) The availability of public pricing to value each investment.

(b) The ability to liquidate each investment at a fair market price within a reasonable time frame for the size of investment that is being considered.

(c) The degree of transparency that accompanies each investment.

(d) The risk of fluctuations in currency that may accompany each investment.

(e) The experience of the professionals who will manage each investment and the financial soundness of the business entity employing such professionals.

(f) The degree of diversification which exists within each investment and that such investment itself may provide relative to the other existing investments in the system's portfolio.

(g) Whether leverage is involved.

(h) The potential for unrelated business taxable income as defined in Section 512 of the Internal Revenue Code.

(i) The jurisdiction of the laws that govern each investment.

(j) The net return that is expected relative to the risk that is associated with each investment.

* * *

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. 607—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 22:46(9)(a) and (10), 47(5), 48(A)(15), 451(A), and 452(1)(b), R.S. 23:1168(A)(1), 1195(A)(1), 1197(C) and the introductory paragraph of R.S. 23:1197(F), R.S. 23:1200, to enact R.S. 23:1195(D), 1200.6 through 1200.28, and to repeal R.S. 22:461(J) and 1982, relative to workers' compensation group self-insurance funds; to provide that such funds are not insurers nor to be deemed insurance; to provide for compliance examinations of group self-insurance workers' compensation funds by the commissioner of insurance; to provide for hearings of matters as a result of such examinations; to provide for appeal of hearing determinations by the division of administrative law; 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. 611—
BY SENATOR DORSEY

AN ACT

To enact R.S. 33:9038.64, relative to cooperative and economic development in East Baton Rouge Parish; to create the River Park Development District, a political subdivision of the state of Louisiana; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body; to provide for the levy and collection of taxes and special assessments within the district; to provide for the authority to create subdistricts within the district; to authorize the district to issue and sell bonds; to authorize the district to engage in tax increment financing; to provide for the duration of the district; and to provide for related matters.

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

SENATE BILL NO. 651—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 2:381, 385(A), and 802(A)(1), relative to aviation safety; to provide relative to airport zoning regulations; to provide relative to the adoption by certain political subdivisions of airport zoning regulations which comply with certain United States Department of Transportation, Federal Aviation Administration regulations; to provide relative to funding from the airport construction or development priority program; to provide terms and conditions; 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. 651 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 2, after "**Administration**" insert a comma ", "

AMENDMENT NO. 2

On page 3, line 13, after "**development**" insert "**priority**"

AMENDMENT NO. 3

On page 3, line 14, change "**U.S.**" to "**United States**"

AMENDMENT NO. 4

On page 3, line 16, after "**recommendations**" change "**and**" to "**or**"

AMENDMENT NO. 5

On page 3, line 24, delete "39:61 and 62" and insert "39:**104, 111, 114, and 121**"

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. 699—
BY SENATOR PETERSON

AN ACT

To enact Part XV of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1051, relative to local financing; to authorize public entities to create public benefit corporations and enter into contracts with such public benefit corporations for the planning, renovation, construction, leasing, subleasing, management and improvement of public properties and facilities; to exempt such public entities from limitations on property dispositions relating to surplus property in connection with the alienation or disposition of public properties and facilities to public benefit corporations created by such public entities provided that such property remains dedicated for public purposes; to authorize such public entities to enter into financing arrangements with their public benefit corporations and other private parties providing additional funds to such public benefit corporations to construct new facilities and/or to renovate existing public properties or facilities; 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. 699 by Senator Peterson

AMENDMENT NO. 1

On page 3, line 19, after "**facilities**" insert the following: "**after the payment of all fees and costs related to any financings and/or partnerships and the setting aside of any reserves required in connection therewith. Such fees and the size of any reserves shall be subject to the approval of the State Bond Commission**"

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. 704—
BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 29:414(C) and (D), relative to credit in the public retirement systems for service in the uniformed services; to provide for payment of contributions to public retirement systems for such service credit; to provide for time

periods for payment of such contributions; 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. 704 by Senator Shaw

AMENDMENT NO. 1

On page 1, line 2, after "in" and before "public" delete "the"

AMENDMENT NO. 2

On page 2, delete line 4 in its entirety and insert in lieu thereof the following: "for service in the uniformed services credit shall be used only count toward for determining"

AMENDMENT NO. 3

On page 2, delete line 7 in its entirety and insert in lieu thereof the following: "established by the Public Retirement Systems Actuarial Committee pursuant to R.S. 11:102 or 103, or as provided by the actuarial funding requirements and any other laws, rules, or regulations applicable to the public retirement system in which the employee receives credit under the provisions of this Subpart."

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. 706—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 39:51(E), relative to the General Appropriation Bill; to require that the Five Year Estimated Revenue Loss Chart from the Tax Exemption Budget be an appendix to the General Appropriation Bill; to provide for the annual review of the Tax Exemption Budget; 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. 724—

BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 41:642(A)(2), relative to sixteenth section and school board indemnity lands; to provide for revenues generated by certain sixteenth section and school board indemnity lands; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 759—

BY SENATOR THOMPSON

AN ACT

To enact Subpart B-20 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.441 through 130.447, relative to agricultural, economic, and industrial development in Madison Parish; to create the Madison Parish Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; to authorize the district to issue bonds and levy taxes; 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. 762—

BY SENATOR BROOME

AN ACT

To enact Chapter 44 of Title 51 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 51:2701 through 2703, relative to discrimination in land use or land development decisions; to provide for unlawful acts; 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. 762 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert in lieu thereof: "R.S. 51:2604.1, relative to the Louisiana Equal Housing Opportunity Act; to provide for"

AMENDMENT NO. 2

On page 1, line 3, delete "of R.S. 51:2701 through 2703, relative to"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 51:2604.1"

AMENDMENT NO. 4

On page 1, line 8, delete "comprised of R.S. 51:2701 through 2703,"

AMENDMENT NO. 5

On page 1, delete lines 9 through 13 in their entirety and insert: "**§2604.1 Discrimination against land usage prohibited**"

AMENDMENT NO. 6

On page 1, line 16, change "handicapping condition" to "disabilities"

AMENDMENT NO. 7

On page 2, delete line 5

AMENDMENT NO. 8

On page 2, line 6, change "A." to "B."

AMENDMENT NO. 9

On page 2, line 10 and 15, change "handicapping condition" to "disabilities"

AMENDMENT NO. 10

On page 2, line 24, between "development" and "proposed" change "of" to "or"

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. 776—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 37:2150.1(8.1), relative to contractors; to provide for the definition of a mechanical contractor; 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. 776 by Senator Adley

AMENDMENT NO. 1

On page 1, line 3, change "an" to "a"

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 Bills and Joint Resolutions
on Second Reading**

**SENATE BILL NO. 792— (Substitute for Senate Bill No. 136
by Senator Morrish)**

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:1421, the introductory paragraph of 1422(A), 1422(C), the introductory paragraph of 1427, 1427(1) and (3), 1428(A)(1) and (4)(b)(ii) and (C), and 1429 and to enact R.S. 22:2134(B)(3)(e) and R.S. 40:1428(A)(4)(b)(iv), relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections, public safety services, office of state police; to provide for definitions; to provide for powers and duties of the unit; to provide for reporting; to provide relative to the Insurance Fraud Investigation Fund; to extend the termination date of the unit; and to provide for related matters.

On motion of Senator Martiny the bill was read by title, ordered engrossed and passed to a third reading.

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

HOUSE BILL NO. 13—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 32:41(A)(13) and to enact R.S. 32:41(A)(14), relative to local governmental subdivision authority over traffic control on nonstate maintained roadways; to authorize local governmental subdivisions to install speed bumps on such roadways; and to provide for related matters.

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

HOUSE BILL NO. 172—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 56:116.1(B)(3), relative to methods of taking certain birds and quadrupeds; to provide for prohibited equipment used to take game birds and wild quadrupeds; and to provide for related matters.

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

HOUSE BILL NO. 182—

BY REPRESENTATIVE GISCLAIR

AN ACT

To enact R. S. 47:820.5.6, relative to exemptions from tolls on the Tomey J. Doucet Bridge; to provide for the exemptions from tolls for emergency vehicles under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 185—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 48:231(A) and (B)(1), relative to the state highway system; to provide relative to public hearings in each highway district; to restore the requirement that the Joint Highway Priority Construction Committee conduct public hearings in each highway district; to provide relative to the membership of the committee; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 185 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "48:231(A)" delete "and (B)(1)"

AMENDMENT NO. 2

On page 1, line 5, after "district;" delete the remainder of the line and on line 6, at the beginning of the line delete "committee;"

AMENDMENT NO. 3

On page 1, line 8, after "48:231(A)" delete "and (B)(1) are" and insert "is"

AMENDMENT NO. 4

On page 1, line 13, after "A." delete the remainder of the line and insert the following: "**Beginning on October 1, 2010, and not later than October 1 of each year thereafter, the**"

AMENDMENT NO. 5

On page 1, line 14, after "provide" delete "**the priority list**" and insert "**a proposed program of construction for the coming fiscal year**"

AMENDMENT NO. 6

On page 1, line 15, after "**Committee**" delete "**, which**" and insert "**The Committee**"

AMENDMENT NO. 7

On page 2, delete lines 6 through 15

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

HOUSE BILL NO. 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, LEPER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTOU CET, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, SCHRÖDER, 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.

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

May 11, 2010

HOUSE BILL NO. 295—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Part IX of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.31, relative to port properties; to authorize the board of commissioners of the St. Bernard Port, Harbor and Terminal District to name the administration/security complex building of the port in honor of a living person; to provide for limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 373—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(a), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development 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 Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 411—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:404(A)(3), relative to the duties of a mayor; to provide relative to provisions of the Lawrason Act; to correct a statutory reference; and to provide for related matters.

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

HOUSE BILL NO. 412—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:321 and to repeal Part II of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:501 through 571, and Part III of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:611 through 851, relative to certain forms of municipal government; to repeal provisions for the commission plan and commission-manager plan of municipal government; and to provide for related matters.

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

HOUSE BILL NO. 528—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 47:463.61(C), relative to the "Choose Life" prestige license plate; to provide for an annual fee; and to provide for related matters.

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

HOUSE BILL NO. 638—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 47:463.81, relative to special prestige license plates; to revise qualifications and fees for the issuance of the Fraternal Order of Police plate; and to provide for related matters.

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

HOUSE BILL NO. 764—

BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 48:256.2, relative to construction signage; to remove the requirement that contractors post certain signs near projects; and to provide for related matters.

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

HOUSE BILL NO. 967—

BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact R.S. 56:1692.1 and 1693.2(A) and to enact R.S. 56:1693.3, relative to state park recognition of certain discount cards issued by certain federal agencies; to provide restrictions on such recognition; and to provide for related matters.

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

HOUSE BILL NO. 1002—

BY REPRESENTATIVE BARROW
AN ACT

To enact Part I-A of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:481, relative to municipalities governed by special legislative charters; to provide that the provisions of the Lawrason Act govern if the provisions of any such charter are silent on a particular matter; to provide relative to conflicts; and to provide for related matters.

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

HOUSE BILL NO. 1088—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 23:1310.3, relative to workers' compensation claims; to provide for the initiation of a claim for benefits; to provide for service of process; to provide for the filing of an answer; to provide for mediation; to provide for the running of prescription; to require mediation to encourage settlement of the case; to provide for a dispute open in excess of three hundreds days; to provide for fines and other penalties when a party fails to appear; and to provide for related matters.

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

HOUSE BILL NO. 1204—

BY REPRESENTATIVES EDWARDS, ARMES, BILLIOT, HENRY BURNS, DOERGE, GISCLAIR, GUINN, HILL, SAM JONES, NORTON, AND ST. GERMAIN
AN ACT

To enact R.S. 47:490.22, relative to military license plates; to provide for the establishment of a military support license plate for military veterans; to provide for the design and issuance of the license plate; to provide relative to fees for the license plate; 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 Engrossed House Bill No. 1204 by Representative Edwards

AMENDMENT NO. 1
On page 1, line 13, after "vehicles," insert "motorcycles."

AMENDMENT NO. 2
On page 2, line 3, change "monies" to "money"

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

Senator Adley in the Chair

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules to advance to the order of:

Senate Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator Chaisson asked that Senate Concurrent Resolution No. 42 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 42— BY SENATOR CHAISSON A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$198,396,069.63, not to exceed one-third (1/3) of the balance of the Budget Stabilization Fund due to the reduction of the revenue forecast for the current fiscal year in the amount of \$319,000,000 as adopted by the Revenue Estimating Conference and recognized by the Joint Legislative Committee on the Budget at their meetings of April 14, 2010.

Floor Amendments

Senator Chaisson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Original Senate Concurrent Resolution No. 42 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 3, change "\$172,365,064.69" to "\$198,396,069.63"

AMENDMENT NO. 2
On page 2, between lines 21 and 22, insert the following: "WHEREAS, at the August 17, 2009 meeting of the Revenue Estimating, the balance in the Budget Stabilization Fund as of July 1, 2009, was certified to be \$853,719,305.89 with one-third determined to be \$284,573,101.96; and"

AMENDMENT NO. 3
On page 4, at the beginning of line 1, change "\$258,531,097.02" to "\$284,573,101.96"

AMENDMENT NO. 4
On page 4, line 2, change "\$172,365,064.69" to "\$198,396,069.63"

AMENDMENT NO. 5
On page 4, line 5, change "\$172,365,064.69" to "\$198,396,069.63"

AMENDMENT NO. 6
On page 4, line 10, change "\$172,365,064.69" to "\$198,396,069.63"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Alario, Appel, Broome, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdey, Total - 35, and names like Gautreaux B, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Riser, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, ABSENT. Lists names Amedee, Chabert, Total - 4, and name Gautreaux N, Quinn.

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

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules to take up at this time.

SENATE BILL NO. 348— BY SENATOR MARIONNEAUX AN ACT

To repeal R.S. 40:1300.256(B)(5) and (8), relative to prohibiting smoking in certain places; to provide for the removal of certain exemptions; and to provide for related matters.

Motion to Make Special Order

Senator Marionneaux asked for and obtained a suspension of the rules to make Senate Bill No. 348, which was on Third Reading and Final Passage, Subject to Call, Special Order of the Day No. 1 on Wednesday, May 12, 2010.

SENATE BILL NO. 334— BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 40:1300.253(1) and to repeal R.S. 40:1300.256(B)(5), relative to prohibiting smoking in certain places; to provide for definitions; to provide relative to exceptions; and to provide for related matters.

Motion to Make Special Order

Senator Marionneaux asked for and obtained a suspension of the rules to make Senate Bill No. 334, which was on Third Reading and Final Passage, Subject to Call, Special Order of the Day No. 2 on Wednesday, May 12, 2010.

May 11, 2010

Mr. President in the Chair

Regular Order, Resumed

Special Order of the Day

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 a Class "D" chauffeur's license or a Class "E" personal vehicle driver's license; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Appel, Broome, Cheek, Claitor, Donahue, Erdey, Hebert, Heitmeier, Jackson, LaFleur, Martiny, McPherson, Morrish, Mount, Murray, Nevers, Peterson, Riser, Smith, Thompson.

Total - 21

NAYS

Table with 3 columns of names: Alario, Duplessis, Guillory, Michot, Quinn, Shaw, Walsworth.

Total - 7

ABSENT

Table with 3 columns of names: Mr. President, Amedee, Chabert, Crowe, Dorsey, Gautreaux B, Gautreaux N, Kostelka, Long, Marionneaux, Morrell.

Total - 11

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

Explanation of Vote

Senator B. Gautreaux stated he appeared as absent on the vote on Senate Bill No. 407. He intended to vote nay and asked that the Official Journal so state.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR THOMPSON AND REPRESENTATIVE ELLINGTON A CONCURRENT RESOLUTION

To approve a proposed amendment, Action Plan Amendment Number 4, to the State of Louisiana Action plan for the utilization of Community Development Block Grant Funds in Response to hurricanes Gustav and Ike, proposed and approved by the Louisiana Recovery Authority, approved by the governor, and the Joint Legislative Committee on the Budget for the Economic Development Infrastructure Program, the State Cost-share Reserves Program, the Interoperable Communications

Infrastructure Program, and the Agriculture Program; and to provide for other matters pertaining thereto.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 39 by Senator Thompson

AMENDMENT NO. 1

On page 3, after line 24, insert the following:

"BE IT FURTHER RESOLVED that in accordance with the recommendation of the LRA, every project under the eighty million dollar Economic Development and Growth Infrastructure Program submitted for final approval under Action Plan Amendment No. 4 must first be approved by the Joint Legislative Committee on the Budget and must include documentation relative to any cooperative endeavor agreement (CEA) detailing how the funds will be utilized; what the company in question is committing to create in terms of new jobs, wages, health benefits, and capital investment; and clawback requirements for underperformance."

On motion of Senator Michot, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Alario, Appel, Broome, Cheek, Claitor, Donahue, Dorsey, Erdey, Gautreaux B, Guillory, Hebert, Heitmeier, Jackson, LaFleur, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Adley, Amedee, Chabert, Crowe, Duplessis, Gautreaux N, Kostelka, Long, Marionneaux.

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to imprint "Louisiana Bicentennial 1812-2012" on the license plates for private passenger motor vehicles and to issue such plates not later than January 3, 2011, through December 31, 2012, or until the Department of Public Safety and Corrections depletes its inventory of such plates.

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 Concurrent Resolution No. 55 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 7, after "April" change "12" to "30"

AMENDMENT NO. 2

On page 2, line 10, at the beginning of the line, change "1803-2003" to "1812-2012"

On motion of Senator McPherson, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Crowe	Marionneaux
Chabert	Gautreaux N	
Total - 5		

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 268—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:2051, 2052, 2053(A), 2054, 2055, 2056, 2057(A) and (C), 2058(A), (B)(7), (C) and (D), 2059(A) and (C)(1) through (4), 2060(A)(1) and (B), 2061(A), 2062(A) and (B), 2063, 2067, 2068(A) and (B), 2069(A) and (B), and R.S. 44:4.1(B)(10) and to enact R.S. 22:2057(D) and (E), 2059(C)(10) through (14), 2060.1, 2061(D), and 2061.1, and to repeal R.S. 22:2060(A)(3), relative to the Louisiana Insurance Guaranty Association Law, to provide for coverage limitations of the association; to provide for definitions; to provide for the creation of the association; to provide for membership of the board of directors; to provide for the powers and duties of the association; to provide for benefit limitations of the association; to provide for assessments of member insurers; to provide for venue, to provide for the plan of operation of the association; to provide for the powers and duties of the commissioner of insurance; to provide for the coordination among other Guaranty Associations; to provide for the effect of paid claims; to provide

for the exclusion of claims of "high net worth insureds"; to provide for the exhaustion of other coverage prior to making a claim against the association; to provide for the prevention of insolvencies; to provide for immunity; to provide for a stay of proceedings against insolvent insurers; to provide for prohibited advertising; to provide for effective date; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 268 by Senator LaFleur

AMENDMENT NO. 1

On page 2, lines 22, 24, and 26, at the end of the line, change ";" to " ."

AMENDMENT NO. 2

On page 3, lines 2, 8, 9, and 10, at the end of the line, change ";" to " ."

AMENDMENT NO. 3

On page 3, line 14, following "**risk**" change "**or**" to " ."

AMENDMENT NO. 4

On page 4, line 20, following "**insurer** and" and before ":" insert "**any of the following**"

AMENDMENT NO. 5

On page 4, line 24, following "**event**" change "; or" to " ."

AMENDMENT NO. 6

On page 4, line 28, change "**or**" to " ."

AMENDMENT NO. 7

On page 5, lines 4, 6, 26, and 28, at the end of the line change ";" to " ."

AMENDMENT NO. 8

On page 6, lines 1, 5, 9, and 10, at the end of the line change ";" to " ."

AMENDMENT NO. 9

On page 6, line 12, following "**losses**" change "**or**" to " ."

AMENDMENT NO. 10

On page 10, line 24, following "Subsections" and before "of" change "(A) and (B)" to "**A and B**"

AMENDMENT NO. 11

On page 15, line 22, following "Paragraph" and before "subsequent" change "A(1)" to "**(1) of this Subsection**"

AMENDMENT NO. 12

On page 19, line 24, following "under" delete "R.S." and on line 25, change "22:2058(A)(3)(c) above" to "**Subparagraph (c) of this Paragraph**"

AMENDMENT NO. 13

On page 24, line 11, following "**(b)**" and before "money" change "Loan" to "**Lend**"

AMENDMENT NO. 14

On page 24, line 29, following "**Part**" change "**and**" to " ."

On motion of Senator Marionneaux, the amendments were adopted.

May 11, 2010

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Engrossed Senate Bill No. 268 by Senator LaFleur

AMENDMENT NO. 1

On page 14, line 8, delete "shall the association"

AMENDMENT NO. 2

On page 14, delete line 20, and insert "Have no obligation to defend an insured"

AMENDMENT NO. 3

On page 14, line 24, change "The" to "(i) Have an" and between "occurrence" and "shall" insert "which"

AMENDMENT NO. 4

On page 15, line 5, change "(f)" to "(ii)"

AMENDMENT NO. 5

On page 15, line 13, delete "the association shall"

AMENDMENT NO. 6

On page 19, line 9, change "The association shall issue" to "(i) Issue"

AMENDMENT NO. 7

On page 19, line 13, change "(c)" to "(ii)"

AMENDMENT NO. 8

On page 19, line 24, change "(d)" to "(iii)"

AMENDMENT NO. 9

On page 19, line 26, change "(e)" to "(c)"

AMENDMENT NO. 10

On page 22, line 9, delete "the association," and change "may" to "have the right to"

AMENDMENT NO. 11

On page 22, line 12, delete "shall"

On motion of Senator LaFleur, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Guillory, Mount, Adley, Hebert, Murray, Alario, Heitmeier, Nevers, Appel, Jackson, Peterson, Broome, Kostelka, Quinn, Cheek, LaFleur, Riser, Claitor, Long, Shaw, Donahue, Martiny, Smith, Dorsey, McPherson, Thompson, Duplessis, Michot, Walsworth, Erdey, Morrell, Gautreaux B, Morrish, Total - 34

NAYS

Total - 0

ABSENT

Amedee, Chabert, Crowe, Gautreaux N, Marionneaux, Total - 5

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

SENATE BILL NO. 389

BY SENATOR HEBERT

A JOINT RESOLUTION

Proposing to amend Article V, Section 15(B) of the Constitution of Louisiana, relative to judicial districts; to provide for the establishment of judicial districts; to provide for applicability; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 389 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 5, following "of" and before "shall" change "Subparagraph (a) of this Paragraph" to "Subsubparagraph (a) of this Subparagraph"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Appel, Duplessis, Hebert, Jackson, LaFleur, Morrell, Murray, Peterson, Total - 8

NAYS

Mr. President, Adley, Alario, Broome, Cheek, Claitor, Dorsey, Heitmeier, Kostelka, Long, Martiny, Michot, Mount, Nevers, Riser, Shaw, Walsworth, Total - 17

ABSENT

Amedee, Chabert, Crowe, Donahue, Erdey, Gautreaux B, Gautreaux N, Guillory, Marionneaux, McPherson, Morrish, Quinn, Smith, Thompson, Total - 14

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Hebert moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

Rules Suspended

Senator Walsworth asked for and obtained a suspension of the rules to take up at this time.

SENATE BILL NO. 709—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 43:19, 24(B) and (C), 81, 82, and 87(A), and to enact R.S. 43:24(D) and (E), relative to the publication of acts of the legislature; to provide relative to the Official Journal of the State; to provide relative to printing contracts; and to provide for related matters.

On motion of Senator Walsworth the bill was read by title and recommitted to the Committee on Finance.

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 77—

BY SENATOR PETERSON

A RESOLUTION

To commend the service and contributions of The Links, Incorporated and to recognize Wednesday, May 12, 2010, as Louisiana Links Day at the State Capitol.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide an exemption or authorize states to exempt certain nonprofit organizations exempt from federal taxation under Section 501(c) of the Internal Revenue Code making residential mortgage loans to promote home ownership or home improvements for the disadvantaged, and its employees and agents, from requirements of the S.A.F.E. Act.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hebert	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Peterson
Appel	Kostelka	Riser
Broome	LaFleur	Shaw

Cheek
Donahue
Dorsey
Duplessis
Gautreaux B
Total - 28

Long
Martiny
Morrell
Morrish
Mount

Smith
Thompson
Walsworth

NAYS

Total - 0

ABSENT

Amedee
Chabert
Claitor
Crowe
Total - 11

Erdey
Gautreaux N
Guillory
Marionneaux

McPherson
Michot
Quinn

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

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

May 11, 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:

HB No. 314	HB No. 514	HB No. 1350
HB No. 187	HB No. 151	HB No. 1265
HB No. 1309	HB No. 1311	

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 151—

BY REPRESENTATIVE CARMODY

AN ACT

To amend and reenact R.S. 17:158(A)(3), to authorize the Bossier Parish School Board and the Caddo Parish School Board to transport to school any student who resides one mile or less from the school; to provide conditions and limitations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 187—

BY REPRESENTATIVE GULLORY

AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide relative to the payment of premiums for group insurance for certain retirees of the Acadia Parish Assessor's Office; to increase the years of service requirement for certain retirees; to provide for an effective date; and to provide for related matters.

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

May 11, 2010

HOUSE BILL NO. 314—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 14:90(C) and 90.3(F) and to repeal R.S. 14:90(D) and (E), relative to gambling; to provide technical corrections for certain exceptions to the crimes of gambling and gambling by computer; and to provide for related matters.

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

HOUSE BILL NO. 514—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 14:52(A), relative to the crime of simple arson; to expand the definition of simple arson; and to provide for related matters.

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

HOUSE BILL NO. 1265—
BY REPRESENTATIVE ARMES
AN ACT

To authorize and provide for the transfer or lease of certain state property in Vernon Parish from the Department of Transportation and Development to the Vernon Parish Police Jury; and to provide for related matters.

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

HOUSE BILL NO. 1309—
BY REPRESENTATIVE HOWARD
AN ACT

To amend and reenact R.S. 33:3815.3(A), (B), (C), and (F) and R.S. 34:844(A) and (B), relative to drinking water protection; to prohibit certain activity in areas adjacent to drinking water intakes; to provide for restricted areas and water intake zones; to provide for the authority of waterworks districts and local political subdivisions; and to provide for related matters.

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

HOUSE BILL NO. 1311—
BY REPRESENTATIVE GUILLORY
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Landry Parish to the city of Eunice from the division of administration; and to provide for related matters.

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

HOUSE BILL NO. 1350—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:3514(B), relative to the Louisiana Consumer Credit Law; to require disclosure of applicable fees in written consumer credit contracts and agreements; and to provide for related matters.

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

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**

May 11, 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. 55—
BY REPRESENTATIVES MORRIS, CONNICK, GEYMAN, LANDRY,
LIGI, LORUSSO, PONTI, PUGH, RICHARD, SMILEY, AND JANE SMITH
A CONCURRENT RESOLUTION

To urge and request the legislative auditor to undertake a detailed performance study of postsecondary education in Louisiana, and to report his findings to the Legislature of Louisiana prior to the convening of the 2011 Regular Session.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 55—
BY REPRESENTATIVES MORRIS, CONNICK, GEYMAN, LANDRY,
LIGI, LORUSSO, PONTI, PUGH, RICHARD, SMILEY, AND JANE SMITH
A CONCURRENT RESOLUTION

To urge and request the legislative auditor to undertake a detailed performance study of postsecondary education in Louisiana, and to report his findings to the Legislature of Louisiana prior to the convening of the 2011 Regular Session.

The resolution was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**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:

May 11, 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. 68—
BY SENATOR MORRELL
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the admission and expulsion criteria in charter schools and the impact of that criteria on at-risk and special needs students.

SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To urge and request the state of Louisiana, through the Department of Health and Hospitals and the Department of Economic Development, Louisiana State University, Xavier University, Tulane University, United States Department of Veterans Affairs, Board of Trustees for the New Orleans University Medical Center, and the Greater New Orleans Biosciences Economic Development District to execute a community benefits agreement.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Chabert
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee	½ Day	Chabert	1 Day
N. Gautreaux	½ Day	Marionneaux	½ Day

Announcements

The following committee meetings for May 12, 2010, were announced:

Commerce	10:00 A.M.	Room E
Health & Welfare	9:00 A.M.	Hainkel Rm
Insurance	9:00 A.M.	Room A
Senate & Gov't Affairs	9:00 A.M.	Room F

Adjournment

On motion of Senator Thompson, at 6:00 o'clock P.M. the Senate adjourned until Wednesday, May 12, 2010, at 2:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:30 o'clock P.M. on Wednesday, May 12, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk