

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

TWENTY-NINTH 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

Thursday, May 20, 2010

The Senate was called to order at 9:30 o'clock A.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	Gautreaux B	Murray
Alario	Guillory	Nevers
Amedee	Hebert	Peterson
Appel	Jackson	Riser
Broome	Long	Shaw
Chabert	Michot	Walsworth
Cheek	Morrish	
Claitor	Mount	
Total - 22		

ABSENT

Adley	Gautreaux N	McPherson
Crowe	Heitmeier	Morrell
Donahue	Kostelka	Quinn
Dorsey	LaFleur	Smith
Duplessis	Marionneaux	Thompson
Erdey	Martiny	
Total - 17		

The President of the Senate announced there were 22 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Brian Dore', 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 19, 2010, was adopted.

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 19, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 3—
BY SENATOR MARTINY

AN ACT

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

Reported with amendments.

SENATE BILL NO. 46—
BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 4907(B), relative to procedure in parish and city courts; to provide relative to the delay for applying for a new trial; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 77—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:2074 (D)(2) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works is chairman of the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 343—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 283, 3061, 3228, and 3396.18(B), and R.S. 9:1514(A)(1), (2) and (4) and (B), 1551(B), 1552(C) and (D), 2156(C)(10), 2157, 2431(7) and 3839, and R.S. 23:638, and R.S. 33:1501, 4545.23, 4546.16, and R.S. 47:55(2), 1673, and 2451; and to repeal Code of Civil Procedure Articles 2951, 2953 and 2954, and R.S. 6:653.4(F), 765(C), and 767(E), and R.S. 8:814, and R.S. 9:1552(E), 2432 through 2439, and 2449(C), and R.S. 12:603(F), and R.S. 40:33(H); all relating to inheritance taxes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 437—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 9:2772(H)(2), relative to contracts; to provide for recovery of attorney fees and court costs in certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 514—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 40:1299.44(A)(2), (5), and (6) and (D)(1)(c) and (2)(b)(iii), relative to the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board; to provide with respect to exemption of the board and fund from

rate regulation by the commissioner of insurance; to provide relative to the annual surcharge, including the manner of its determination; to provide relative to retention of monies in the fund; to provide with respect to composition of the board and to otherwise provide with respect to its authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 617—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 20, 2010

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills and reengrossed bills.

HOUSE BILL NO. 8—
BY REPRESENTATIVE WILLIAMS
AN ACT

To enact Code of Criminal Procedure Article 228.4, relative to the disposal of noncontraband unclaimed property seized in certain criminal investigations; to provide for the disposal of noncontraband unclaimed property seized in criminal investigations; to provide for the procedure for petitioning the court for the disposal of the noncontraband unclaimed property; to provide for the distribution of proceeds derived from the disposal of the noncontraband unclaimed property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 10—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(b), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections 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 without amendments.

HOUSE BILL NO. 14—
BY REPRESENTATIVE MONTOUCE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(C), (D), (E), (F), and (G), relative to the civil jurisdiction of city courts; to increase the civil jurisdictional amount in dispute in the City Court of Baker, in the City Court of Baton Rouge, in the City Court of Crowley, in the City Court of Rayne, and in the City Court of Zachary; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 28—
BY REPRESENTATIVE WOOTON AND SENATOR MARTINY
AN ACT

To enact Code of Criminal Procedure Article 957, relative to emergency sessions of court; to authorize the release of certain defendants on bail through an unsecured personal surety without proof of security interest under certain conditions; to provide for the conditions and criteria for the release of defendants without proof of security; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 31—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:134, 134.1(A), and 134.2(3)(b) and (c), relative to expropriation by a declaration of taking; to authorize the city of Lake Charles to expropriate property by a declaration of taking for certain purposes; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 113—
BY REPRESENTATIVE CHANDLER
AN ACT

To enact R.S. 13:783(F)(7), relative to the expenses of the clerk's office; to provide with respect to expenses of the offices of clerks of court in Caldwell Parish, Franklin Parish, Grant Parish, LaSalle Parish, and Winn Parish; to require the payment of medical insurance premium costs for certain retired personnel; to provide for eligibility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 135—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 2164, relative to appeals; to provide relative to sanctions for frivolous appeals and writ applications; to provide for attorney fees; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 142—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Title VIII of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 2660 through 2667, relative to the contract of exchange; to provide for the definition of exchange; to provide for rights and obligations of the parties to a contract of exchange; to provide for rights of the party evicted in exchange; to provide for rescission for lesion in

exchange; to provide for application of the rules of sale in exchange; and to provide for related matters

Reported without amendments.

HOUSE BILL NO. 150—

BY REPRESENTATIVE LIGI

AN ACT

To enact R.S. 15:255(N), relative to the mayor's court of the city of Kenner; to provide for the allocation of monies collected in the witness fee fund; to provide for the use of such monies; to prohibit the reduction of monies in the fund below fifty thousand dollars; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 255—

BY REPRESENTATIVES WOOTON, ARMES, BALDONE, GUINN, HARDY, LEGER, MCVEA, MILLS, POPE, RICHARD, JANE SMITH, ST. GERMAIN, AND WILLIAMS AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:574.4 and to enact R.S. 15:574.4.1 through 574.4.3, relative to parole; to provide for technical changes to the parole statutes; to direct the Louisiana State Law Institute to redesignate the provisions of R.S. 15:574.4.1 and 574.4.2 as R.S. 15:574.4 and 574.4.5; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 255 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 5, following "574.4.2 as" and before "and 574.4.5;" change "R.S. 15:574.4" to "R.S. 15:574.4.4"

AMENDMENT NO. 2

On page 10, line 21, following "pursuant to" and before ", has been" change "R.S. 15:574.4.1" to "R.S. 15:574.4.4"

AMENDMENT NO. 3

On page 12, line 3, before ", on parole" change "Paragraph (2) of this Subsection" to "this Paragraph"

HOUSE BILL NO. 286—

BY REPRESENTATIVES BURRELL, BARROW, AND HARDY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 312, 313, 315, 318, 319, 322(A), (B), and (C), 326(B), 330.2(E), 332(A), 334.1, 334.3(A)(2), 338, 342, 344, 345(A), (B), (C), (D)(introductory paragraph) and (1) and (2), (G), (I)(introductory paragraph) and (2), (J)(introductory paragraph) and (2) and 955(F), R.S. 13:846(A)(1)(c), R.S. 15:85, 86, and 88, and R.S. 22:1441(A)(2), (4), and (5), (C)(1) and (2)(b), (d), and (e), and (D), and 1585(A), to enact Code of Criminal Procedure Articles 349 through 349.9, and to repeal Code of Criminal Procedure Articles 322(D) and (E), 339, and 340(E) and R.S. 15:87, relative to bail; to provide for a comprehensive revision of the law regarding bail; to provide for the types of bail; to provide relative to sureties, personal sureties, and secured personal sureties; to provide for bail procedures; to provide relative to the establishment of a legal mortgage over immovable property to secure a bail obligation; to provide for procedures for the establishment of a legal mortgage; to provide for the cancellation of the mortgage; to provide for sanctions for furnishing false or incorrect information; to provide for bail at various stages of proceedings; to provide with respect to forfeitures and forfeiture procedures; to provide for the failure to appear and issuance of arrest warrant; to provide for procedures relative to recordation of judgments of bond forfeitures; to provide for appeals; to provide for enforcement and satisfaction of judgments of bond forfeiture; to provide for

failure to satisfy judgment of bond forfeiture; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 286 by Representative Burrell

AMENDMENT NO. 1

On page 10, line 6, following "date" change "or" to "and"

AMENDMENT NO. 2

On page 13, line 23, following "immediately" and before "issue" delete "and forthwith"

AMENDMENT NO. 3

On page 26, line 29, following "surrender" and before "appearance" insert "or the"

HOUSE BILL NO. 319—

BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand the class of petitioners; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 397—

BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact Children's Code Articles 1131(E)(1) and (G) and 1243.2(A)(1) and (C), relative to records checks in adoption proceedings; to provide for uniformity in records checks procedures in agency, private, and intrafamily adoptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 640—

BY REPRESENTATIVE HAZEL

AN ACT

To enact R.S. 15:544(D)(3)(e), relative to sex offender registration and notification; to provide with respect to the duration of sex offender registration and notification periods; to amend the definition of "clean record"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 645—

BY REPRESENTATIVES ABRAMSON AND TIM BURNS

AN ACT

To amend and reenact R.S. 9:5647, relative to powers of attorney; to clarify the application of the five-year prescriptive period for actions to set aside certain recorded documents; to provide for retroactive application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 782—

BY REPRESENTATIVE CROMER

AN ACT

To amend and reenact R.S. 19:351 and 352(A), relative to expropriation by a declaration of taking; to provide for definitions; to authorize the parish of St. Tammany to expropriate property by a declaration of taking for certain purposes; to repeal the termination date regarding the authority of expropriation by a declaration of taking; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 828—
BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 9:203(E)(8), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal magistrate judges to preside over a marriage ceremony for a specified period of time; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 892—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 30:2153(5), relative to solid waste management; to provide for the definition of a solid waste disposal facility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 898—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(h), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality 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 without amendments.

HOUSE BILL NO. 904—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to solid waste; to provide for the registration and permits of certain solid waste facilities; to provide for buffer zones; to provide for exceptions; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 913—
BY REPRESENTATIVES CHAMPAGNE, BALDONE, BARRAS, BILLIOT, HENRY BURNS, CARMODY, CARTER, CHANDLER, CORTEZ, DOWNS, FANNIN, FOIL, GISCLAIR, GUINN, HARRISON, HAZEL, HOFFMANN, SAM JONES, KATZ, LANDRY, LIGI, MILLS, MONTOUCET, MORRIS, ROBIDEAUX, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, TUCKER, AND WHITE
AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(4) and (23), 2074(A)(4), 2397, R.S. 33:4548.13, and R.S. 40:2821(B)(2) and 2824(B), to enact Chapter 14 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2301 through 2306, and R.S. 39:1022(C), and to repeal R.S. 30:2078 through 2088, relative to certain loans for water infrastructure from the revolving loan funds; to provide for the Department of Environmental Quality; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to redesignate the Municipal Facilities Revolving Loan Fund as the Clean Water State Revolving Fund; to provide for notices of intention to issue certain bonds; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Re-Reengrossed House Bill No. 913 by Representative Champagne

AMENDMENT NO. 1
On page 3, line 24, change "meaning:" to "meanings:"

AMENDMENT NO. 2
On page 4, line 21, following "CWSRF" and before "including" delete " "

AMENDMENT NO. 3
On page 5, line 2, following "of" and before "deposits" change "said" to "such"

AMENDMENT NO. 4
On page 7, line 10, following "contract" and before "including" delete " "

AMENDMENT NO. 5
On page 10, line 26, following "by" and before "obligation" change "said" to "such"

AMENDMENT NO. 6
On page 10, line 27, and before "obligation" change "said" to "such"

AMENDMENT NO. 7
On page 11, line 3, following "contract" and before "including" delete " "

AMENDMENT NO. 8
On page 11, line 17, following "be" and before "bearing" change "non-interest" to "noninterest"

AMENDMENT NO. 9
On page 12, line 22, following "presumed" and before "and" insert " "

HOUSE BILL NO. 1060—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 13:847(A)(1) through (8) and to repeal R.S. 13:846(A)(1)(b) and 847(A)(9) through (38), (B), and (C), relative to fees charged and received in criminal cases; to consolidate the fees charged by the clerks of the district courts, except Orleans Parish, in criminal matters; to increase certain fees the clerks of court charge in criminal matters; to repeal certain fees the clerks of court charge in criminal matters; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1060 by Representative Richmond

AMENDMENT NO. 1
On page 1, line 17, following "cases" and before ", as" change "where" to "when"

AMENDMENT NO. 2
On page 2, line 2, change "where" to "when"

HOUSE BILL NO. 1163—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 30:2022(D), relative to issuance of permits by the Department of Environmental Quality; to require written summaries of certain permit renewals, extensions, and

modifications; to provide for preliminary review of certain draft permits, modifications, and revisions by permit applicants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1259—
BY REPRESENTATIVE BURRELL
AN ACT

To enact R.S. 14:40.7, relative to assault and battery and related offenses; to create the crime of cyberbullying; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third 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 BILLS AND JOINT RESOLUTIONS**

May 19, 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. 35	HB No. 663	HB No. 726
HB No. 962	HB No. 990	HB No. 1106
HB No. 1129	HB No. 1141	HB No. 1143
HB No. 1256		

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

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

HOUSE BILL NO. 35—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least sixty years of age, have been incarcerated for at least ten years, and have met certain conditions; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 663—
BY REPRESENTATIVES LEGER, BALDONE, AND HOWARD
AN ACT

To amend and reenact Children's Code Articles 320, 321, and 809 and to enact Children's Code Article 881.1, relative to juvenile delinquency; to provide for indigency determination; to provide for reimbursement of legal fees in certain cases; to provide for right to counsel; to provide for the admissibility and voluntariness of a child's confession; to provide for the determination of admissibility of a confession; and to provide for related matters.

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

HOUSE BILL NO. 726—
BY REPRESENTATIVES CORTEZ, BOBBY BADON, HENRY BURNS,
DOVE, FOIL, GISCLAIR, GUINN, HENDERSON, LITTLE, MONTOUCET,
MORRIS, ST. GERMAIN, AND WILLIAMS
AN ACT

To enact Subpart B of Part XIII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; to create the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources; to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; to establish the Alternative Fuel Vehicle Revolving Loan Fund and to provide with respect thereto; 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. 962—
BY REPRESENTATIVES CARTER, BOBBY BADON, HENRY BURNS,
TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY,
HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, RICHARD,
ROBIDEAUX, SIMON, SMILEY, WILLIAMS, AND WOOTON AND
SENATORS APPEL, BROOME, DONAHUE, DUPLESSIS, MARTINY, AND
QUINN
AN ACT

To amend and reenact R.S. 17:3982(A)(1)(a) and (2) and (B) and 3992(A)(1) and (2), relative to charter schools; to provide relative to the process for submission, review, and approval of charter school proposals and renewal of charters; to provide relative to the use of local school board facilities and property by a chartering group; and to provide for related matters.

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

May 20, 2010

HOUSE BILL NO. 990—
BY REPRESENTATIVE THIERRY AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 15:1199.1, 1199.2(A)(introductory paragraph), 1199.3(2), 1199.4(A) and (M), 1199.7(A), 1199.9, 1199.10(B)(1), 1199.11, 1199.12, and 1199.14(B), to enact R.S. 15:1199.2(A)(5), (6), (7), (8), (9), (G), (H), (I), (J), (K), and (L), 1199.3(9), and 1199.4(N), and to repeal R.S. 15:1199.2(F), relative to inmate rehabilitation; to provide for reentry programs and initiatives; to provide for definitions; to provide for additional duties of the reentry advisory council; to provide with respect to eligibility standards; to provide for certification and licensing of skilled craftsmen; to provide for the percentage of inmate wages which can be taken to pay for some of the expenses of the program; to provide for the duration of the program; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 1106—
BY REPRESENTATIVES WHITE AND RICHARDSON
AN ACT

To amend and reenact Children's Code Article 305(B)(4) and (E) and Code of Criminal Procedure Article 644.1, relative to juvenile proceedings; to amend provisions relative to the divestiture of juvenile court jurisdiction; to provide relative to the jurisdiction over mental capacity determinations; to provide relative to mental capacity determination proceedings; and to provide for related matters.

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

HOUSE BILL NO. 1129—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 23:1293(A)(1), (3), and (5) and to enact R.S. 23:1293(A)(6), relative to confidential records regarding workers' compensation; to authorize the disclosure of specific information relating to an injured employee's claim; and to provide for related matters.

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

HOUSE BILL NO. 1141—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 17:195(A) and to enact R.S. 17:192.1, relative to school nutrition programs; to require certain public school governing authorities to implement procedures relative to denying meals to students during school hours; to provide relative to the documentation and reporting of such denials; to prohibit school employees from disclosing certain information relative to a student's inability to pay for meals and to provide for related 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. 1143—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 42:1141(A)(1) and (6), (B)(1)(a), and (C)(1), (2), (4)(c), (d), and (e), and (5), to enact R.S. 42:1141(C)(4)(f) and (g) and 1163.1, and to repeal R.S. 42:1141(B)(3), (C)(3)(c), and (E)(10) and 1163, relative to enforcement of laws within the jurisdiction of the Board of Ethics; to provide for the conduct of hearings and procedures related thereto; to provide for review of decisions related thereto; to provide for certain time limits for such enforcement; to provide relative to the powers, functions, and duties of the Board of Ethics, relative to such enforcement; to provide relative to the powers, functions, and duties of the Ethics

Adjudicatory Board and the division of administrative law, relative to such enforcement; to provide relative to the composition of and selection of members for the Ethics Adjudicatory Board; to provide for the terms of members of the Ethics Adjudicatory Board; to provide for applicability; and to provide for related matters.

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

HOUSE BILL NO. 1256—
BY REPRESENTATIVE CROMER AND SENATOR DONAHUE
AN ACT

To enact R.S. 56:1847(64) and 1855(N), relative to the natural and scenic rivers program; to add Bayou Liberty in St. Tammany Parish; to provide for certain authorized activities; and to provide for related matters.

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

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

HOUSE BILL NO. 102—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 44:9(K)(2) and to enact R.S. 44:9(K)(3), relative to expungement of arrest records in misdemeanor and felony cases; to provide that no fee shall be charged in certain expungement cases; 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. 180—
BY REPRESENTATIVES ROY, POPE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 15:587.1(B) and R.S. 44:9(F), (G), and (I) and to enact R.S. 15:587(A)(1)(f), relative to criminal records; to amend provisions regarding criminal background checks; to provide entities with access to criminal history information; to provide for the type of information available to those entities; to provide for confidentiality; 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. 219—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 14:102.24, relative to offenses affecting public sensibility; to create the crime of unlawful restraint of a dog; to provide for definitions; to provide for exceptions; to provide for applicability; to provide criminal penalties; 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. 277—
BY REPRESENTATIVE SAM JONES
AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.12, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; 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. 348—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 14:95.1(B), relative to the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to provide with respect to penalties for violations and attempted violations; 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. 486—

BY REPRESENTATIVES HARRISON, ARNOLD, BALDONE, HENRY BURNS, CARMODY, CARTER, ELLINGTON, GISCLAIR, HARDY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, TUCKER, AND WILLIAMS

AN ACT

To enact R.S. 17:3006, relative to school guidance counselors; to require school guidance counselors employed in public high schools to complete an academic profile for each student in the ninth grade; to provide for information to be included in the profile; to provide for student and parental involvement in completing the profile; to provide for annual review of the profile; and to provide for related matters.

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

HOUSE BILL NO. 488—

BY REPRESENTATIVES HARRISON, CARTER, GISCLAIR, HARDY, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 17:53, relative to training and instruction of school board members; to require each member of a local public school board to receive certain training; to authorize certain training during a member's first year of service; to provide for the designation of Distinguished School Board Member for school board members completing certain training; to require certain dissemination of information about training completed by school board members; and to provide for related matters.

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

HOUSE BILL NO. 563—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 15:571.35.1, relative to incarceration; to authorize the Lafourche Parish Sheriff's Office to establish a pilot program utilizing home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program; to require the development of rules and regulations for the development, implementation, and administration of such program; to provide for applicability; to provide for a limitation of liability; to require the inclusion of certain conditions within the rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; to provide for termination of the program; 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. 698—

BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 22:1892.1, relative to automobile insurance; to provide with respect to the use of arbitration or any other type of binding mediation by automobile insurers for certain purposes; 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. 729—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 41:892(C), (D), and (E) and to enact R.S. 41:892(F), relative to surplus property of school boards; to provide relative to the minimum bid which may be accepted when a school board attempts to sell such property; and to provide for related matters.

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

HOUSE BILL NO. 795—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:587(F), relative to criminal background information; to provide relative to an employer's access to criminal background information of a potential employee; to provide for duties of the Louisiana Bureau of Criminal Identification and Information; 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. 829—

BY REPRESENTATIVE LIGI
AN ACT

To amend and reenact R.S. 14:102.1(B), (C), and (D), to enact R.S. 14:102(10), and to repeal R.S. 14:102.1(A)(1)(g), relative to cruelty to animals; to amend the crime of cruelty to animals; 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. 876—

BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:427(A) and 428(B), relative to oyster leases; to delineate responsibility for obtaining a survey of the lease area; to provide relative to a lease application fee; 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. 1120—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 40:1058.3(C)(1) and to enact R.S. 40:1058.3(C)(4), relative to licensure of substance abuse and addiction treatment facilities; to provide for a moratorium on licensure of additional methadone maintenance programs; to provide for exceptions; to establish a needs assessment task force; and to provide for related matters.

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

HOUSE BILL NO. 1170—

BY REPRESENTATIVE LANDRY
AN ACT

To enact R.S. 32:414.2(E), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; and to provide for related matters.

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

May 20, 2010

HOUSE BILL NO. 1251—

BY REPRESENTATIVES CONNICK, CHAMPAGNE, CORTEZ, FANNIN, GEYMANN, HAZEL, LAMBERT, LEBAS, LEGER, LIGI, MCVEA, MORRIS, SMILEY, AND WHITE

AN ACT

To enact R.S. 39:116, relative to capital outlay; to require certain information relative to capital outlay projects to be reported annually; to require the reporting of information on certain completed capital outlay projects; to provide relative to the information that must be reported; to provide for certain requirements; and to provide for related matters.

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

HOUSE BILL NO. 1461— (Substitute for House Bill No. 230 by Representative Pearson)

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:62(4), 1141(A) and (C)(1)(a), and 1144(B)(2)(a) and to enact R.S. 11:1144(B)(4) and 1147(C)(2)(a)(iii), relative to the Louisiana School Employees' Retirement System; to provide with respect to employee contributions; to provide with respect to calculation of benefits; to provide with respect to retirement eligibility; to provide an effective date; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 421—

BY SENATOR MURRAY

AN ACT

To enact R.S. 22:1052, relative to therapeutic switching of medications under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 421 by Senator Murray

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 2, delete "evidence."

AMENDMENT NO. 3

On page 2, delete line 5 in its entirety.

AMENDMENT NO. 4

On page 2, line 6, change "(a)" to "(2)"

AMENDMENT NO. 5

On page 2, line 11, change "(b)" to "(3)"

AMENDMENT NO. 6

On page 2, line 15, delete "a period of fourteen days" and insert: "the customary period for the medication"

AMENDMENT NO. 7

On page 2, line 18, delete "two weeks" and insert: "the customary period for such medication"

AMENDMENT NO. 8

On page 2, line 20, delete "up to seven additional days." and insert: "for a period of time to be determined by the physician."

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

SENATE BILL NO. 591—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact RS. 37:970, relative to the licensure of nurses; to provide for the qualifications for licensure as a practical nurse; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 591 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 9 through 12 in their entirety and insert the following:

"(2) Be a permanent resident or citizen of the United States or have taken out his first citizenship papers;.

(3) Have successfully completed the course in an accredited school for the training of practical nurses."

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

SENATE BILL NO. 773—

BY SENATOR DONAHUE

AN ACT

To enact R.S. 28:22.1, relative to corners; to create health solutions centers in certain parishes according to the latest decennial census; to provide for legislative intent; to authorize certain services; to provide for consent; and to provide for related matters.

Reported by substitute by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute for Senate Bill No. 773 by Sen. Donahue)

BY SENATORS DONAHUE, CHEEK, B. GAUTREAUX, MOUNT, PETERSON AND NEVERS

AN ACT

To amend and reenact R.S. 44:4.1(B)(15) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:215.1 through 215.6, relative to coroners; to provide for the establishment of a Coroner's Strategic Initiative for a Health Information and Intervention Program within offices of the coroner; to provide for certain services; to provide for consent; to provide for the Coroner's Strategic Initiative for a Health Information and Intervention Program advisory board; to provide for an exception to the public records law; to provide for duties of certain treatment facilities; to provide for limitations of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:215.1 through 215.6, is hereby enacted to read as follows:

PART IX-A. CORONER'S STRATEGIC INITIATIVE FOR A HEALTH INFORMATION AND INTERVENTION PROGRAM

§215.1. Coroner's Strategic Initiative for a Health Information and Intervention Program; creation

The office of the coroner in each parish is hereby authorized to establish within his office a Coroner's Strategic Initiative for a Health Information and Intervention Program, hereinafter referred to as "CSI/HIP".

§215.2. Coroner's Strategic Initiative for a Health Information and Intervention Program; powers and duties

A. Subject to the availability of adequate funding, a CSI/HIP may perform any of the following functions:

(1) Provide a home-based support system, which shall not provide any mental health treatment but rather shall provide aid to the individual to ensure that the treatment protocol is being met and to access available mental health resources in the community for persons who satisfy all of the following criteria:

(a) The person was committed pursuant to Part III of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950.

(b) The person has completed the treatment program and has been released.

(c) The person has voluntarily consented to have personnel of the coroner, performing duties in conjunction with the CSI/HIP, periodically visit the person at the person's residence.

(2) Establish a community resource center that is accessible by telephone or Internet to provide twenty-four hour support for persons suffering from a mental health or substance abuse condition or disorder by providing educational and outreach materials about the resources for mental health patients which are available in the community, including the location, transportation, and methods for accessing these resources.

(3) Apply for and receive any grants, funds or monies from any foundation, nonprofit organization, state or federal governmental agency or entity.

§215.3. Treatment facilities; dissemination of information

A. For the purposes of this Section, "treatment facility" shall mean any healthcare facility which provides services or treatment to a person who is suffering from a mental health or substance abuse condition or disorder except for a nursing home as defined in R.S. 40:2009.2.

B. A treatment facility shall provide all individuals in the parish suffering from a mental health condition or disorder upon discharge or release an information and consent form which details the information, programs and services which can be provided by the CSI/HIP to individuals suffering from mental health conditions and disorders and includes a voluntary consent form for the individual to complete if the individual desires to have the treatment facility notify the CSI/HIP on behalf of the individual that the individual would like to be contacted by the CSI/HIP to receive additional information about the program.

C. The information and consent forms shall be provided to the treatment facility by the CSI/HIP.

§215.4. Consent

A. Prior to personnel of the coroner's office or CSI/HIP providing any home-based supports or services to an individual, the personnel of the coroner's office or of the CSI/HIP shall provide the individual in writing a full disclosure of all services to be provided, frequency of home visits, and notice that the individual may withdraw his consent in writing at any time. In addition, the individual shall also consent in writing to the list of persons, if any, to which the personnel of the coroner or the CSI/HIP may discuss his mental condition.

B. The personnel of the office of the coroner or the CSI/HIP shall ensure that if any protected health information of an individual is to be obtained from any healthcare provider that the information is obtained in accordance with the Health Insurance Portability and Accountability Act of 1996.

C. The office of the coroner or the CSI/HIP shall provide a copy to the individual of all signed consent forms.

D. All records of interviews, questionnaires, reports, statements, notes, and memoranda procured by and prepared by employees or agents of the office of coroner or by any other person, agency, or organization acting jointly with that office pursuant to a function which is authorized by R.S. 28:215.1 shall be deemed nonpublic and confidential information.

§215.5. Coroner's Strategic Initiative for a Health Information and Intervention Program; advisory board

A. Each coroner establishing the program authorized in R.S. 28:215.1 shall establish a Coroner's Strategic Initiative for a Health Information and Intervention Program Advisory Board to advise the coroner on matters related to the services and programs provided through Coroner's Strategic Initiative for a

Health Information and Intervention Program. The advisory board shall serve the coroner only in an advisory capacity and shall not have any control or authority over the services or programs provided or funds expended by the office of the coroner to carry out the functions of the Coroner's Strategic Initiative for a Health Information and Intervention Program. The advisory board shall be domiciled in the same parish in which the CSI/HIP is maintained.

B. The membership of the advisory board shall be the following:

(1) The executive director of the coroner's office, who shall also serve as the chairperson of the advisory board.

(2) The director of the Mental Health Advocacy Service or his designee.

(3) One member appointed by the chief executive officer of a hospital within the parish where the CSI/HIP is located and which operates a psychiatric ward.

(4) One member appointed by the executive director of the human services authority/district which serves the parish where the CSI/HIP is located.

(5) One member appointed by the National Alliance for the Mentally Ill for the parish in which the CSI/HIP is located.

(6) One member appointed by the Ministerial Alliance for the parish in which the CSI/HIP is located.

(7) One member appointed by the coroner who is a member of a civic organization which provides charitable resources or services to low income patients in the parish where the CSI/HIP is located.

C. Meetings of the advisory board shall be held at a time and place as determined by the chairperson or when requested by a majority of the board members. Notice of all meetings of the board, together with an agenda of the business to come before the board, shall be provided to the public. The board shall be subject to the Open Meetings Law (R.S. 42:4.1 et seq.) and the Public Records Law (R.S. 44:1 et seq.). A majority of the individuals appointed to the board shall constitute a quorum.

D. Members of the board shall serve on a voluntary basis and shall not receive any compensation or reimbursement for expenses.

§215.6. Limitation of liability

(1) Any and all personnel of the office of the coroner, who are performing duties in conjunction with the Coroner's Strategic Initiative for a Health Information and Intervention Program ("CSI/HIP"), shall be immune from criminal penalties or civil damages resulting from any act, decision, omission, communication, or any failure to act, which is made in good faith, including but not limited to any action pursuant to Part XXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, while engaged in the performance of the functions provided for in R.S. 28:215.1, unless the damage or injury is caused by willful or wanton negligence or gross misconduct.

(2) For the purposes of this Section, the "personnel of the office of the coroner" shall mean any person who provides services or furnishes assistance pursuant to this Part, including an employee, contractor, or volunteer.

Section 2. R.S. 44:4.1(B)(15) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(15) R.S. 28:56, 215.4, 391, 398

* * *

On motion of Senator Mount, the committee substitute bill was adopted and becomes Senate Bill No. 803 by Senator Donahue, substitute for Senate Bill No. 773 by Senator Donahue.

May 20, 2010

SENATE BILL NO. 803— (Substitute for Senate Bill No. 773 by Sen. Donahue)

BY SENATORS DONAHUE, CHEEK, B. GAUTREAUX, MOUNT, PETERSON AND NEVERS

AN ACT

To amend and reenact R.S. 44:4.1(B)(15) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:215.1 through 215.6, relative to coroners; to provide for the establishment of a Coroner's Strategic Initiative for a Health Information and Intervention Program within offices of the coroner; to provide for certain services; to provide for consent; to provide for the Coroner's Strategic Initiative for a Health Information and Intervention Program advisory board; to provide for an exception to the public records law; to provide for duties of certain treatment facilities; to provide for limitations of liability; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Second Reading

SENATE BILL NO. 801— (Substitute of Senate Bill No. 399 by Senator Riser)

BY SENATOR RISER

AN ACT

To enact R.S. 14:323, relative to the use of tracking devices; to prohibit the tracking of the location or movement of another person without the consent of that person; to provide for definitions; to provide for exceptions; to provide for penalties; 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.

SENATE BILL NO. 802— (Substitute of Senate Bill No. 618 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for automatic renewal of contracts; to provide for disclosure of procedures regarding cancellation of such contracts; to provide for exceptions upon failure to notify consumers; to provide for applicability and exceptions; and to provide for related matters.

On motion of Senator Quinn 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. 4—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 33:1448(G)(1) and to enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in Webster Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

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

HOUSE BILL NO. 100—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(e), relative to the Department of Economic Development, including provisions to provide for the re-creation of the Department of Economic 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 Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 114—

BY REPRESENTATIVE MILLS

AN ACT

To repeal R.S. 40:1005(A)(5), relative to the Prescription Monitoring Program Advisory Council; to remove the president of the Louisiana State Board of Examiners of Psychologists from the Prescription Monitoring Program Advisory Council.

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

HOUSE BILL NO. 153—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 40:2018.1(G), relative to the Louisiana Commission on HIV, AIDS, and Hepatitis C; to provide for a termination date; and to provide for related matters.

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

HOUSE BILL NO. 197—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:1005(A)(5) and 1013(C) and to enact R.S. 40:1003(6)(e) and 1005(A)(26), relative to the Prescription Monitoring Program; to further define "dispenser"; to provide for the membership of the Prescription Monitoring Program Advisory Council; to provide with respect to the levying and collection of fees by the Louisiana Board of Pharmacy; and to provide for related matters.

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

HOUSE BILL NO. 204—

BY REPRESENTATIVE CORTEZ

AN ACT

To amend and reenact R.S. 22:972(A), relative to health and accident insurance policies; to increase the amount of time before a form for such a policy is deemed approved before the commissioner of insurance's approval; and to provide for related matters.

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

HOUSE BILL NO. 285—

BY REPRESENTATIVE PEARSON

AN ACT

To enact R.S. 22:446, relative to surplus lines insurance; to exempt approved unauthorized insurers delivering such insurance in this state from laws regarding form and rate filing and approval; and to provide for related matters.

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

HOUSE BILL NO. 297—

BY REPRESENTATIVE GUINN

AN ACT

To enact Part VIII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1486.1 and 1486.2, relative to safe transportation of offshore oil platform workers; to provide for purpose; to provide for flotation devices to be equipped with personal locator beacons; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 312—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 40:1097, relative to the donation of blood by certain minors; to provide for the criteria that must be met in order for certain minors to donate blood; to provide for consent; to provide restrictions upon compensation for blood donation by certain minors; and to provide for related matters.

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

HOUSE BILL NO. 324—
BY REPRESENTATIVE CORTEZ
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and (c), relative to the Department of Insurance; to authorize that department to accept credit and debit cards for payment of obligations owed to the state through use of a private third-party processor with a convenience fee charged by such processor; and to provide for related matters.

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

HOUSE BILL NO. 340—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:1123.115(A) and to enact R.S. 9:1121.111, relative to the Louisiana Condominium Act; to require an advance be put in escrow accounts when purchasing a condominium unit; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 370—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:3891(8) and (9) and to enact R.S. 9:3891(14), relative to agency relations in real estate transactions; to provide for a change in the definition of "designated agency" and "designated agent"; to provide for a definition of "substantive contact"; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 380—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 40:1300.143(7)(a)(xiii)(introductory paragraph), relative to the Rural Hospital Preservation Act; to provide for the definition of certain rural hospitals; and to provide for related matters.

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

HOUSE BILL NO. 396—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 40:1749.13(B)(1) and (3) and 1749.14(A) and (B), to enact R.S. 40:1749.12(14) and 1749.15.1, and to repeal R.S. 40:1749.13(E), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define priority calls; to require regional notification centers to receive emergency locate requests twenty-four hours a day; to authorize a notice of intent to excavate to be sent electronically;

to require a member operator to furnish the regional notification center with emergency contact information; to require a record of electronic notice to be retained by the regional notification center; to require an operator of an underground cable television utility to participate in regional notification centers; to provide for an exemption for priority calls; to repeal expired temporary notification provisions; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 396 by Representative Arnold

AMENDMENT NO. 1
On page 1, line 1, after "reenact", delete the remainder of the line and at the beginning of line 2, delete "40:1749.12(14) and 1749.15.1" and insert the following: "R.S. 40:1749.12(4), 1749.13(B)(1) and (3), 1749.14(A) and (B), and 1749.20(B)(introductory paragraph), to enact R.S. 40:1749.12(14) and 1749.14(C)(1)(v)"

AMENDMENT NO. 2
On page 1, at the beginning of line 5, change "priority calls" to "excavation; to define "forestry excavator""

AMENDMENT NO. 3
On page 1, at the end of line 10 and at the beginning of line 11, delete the following: "to provide for an exemption for priority calls;"

AMENDMENT NO. 4
On page 1, line 12, after "provisions;" and before "and to" insert "to provide for violations;"

AMENDMENT NO. 5
On page 1, line 14, after "Section 1." delete the remainder of the line and insert the following: "R.S. 40:1749.12(4), 1749.13(B)(1) and (3), 1749.14(A) and (B), and 1749.20(B)(introductory paragraph) are hereby"

AMENDMENT NO. 6
On page 1, line 15, after "reenacted and" delete the remainder of the line and insert the following: "R.S. 40:1749.12(14) and 1749.14(C)(1)(v) are hereby enacted to read"

AMENDMENT NO. 7
On page 2, delete lines 1 through 4, and insert the following:
" (4) "Excavation" or "excavate" means any operation for the purpose of movement or removal of earth, rock, or other materials in or on the ground by the use of powered or mechanical or manual means, including pile driving, digging, blasting, auguring, boring, back filling, dredging, compressing, plowing-in, trenching, ditching, tunneling, land-leveling, grading, and mechanical probing. "Excavation" or "excavate" shall not include manual probing.
* * *

(14) "Forestry excavator" means an excavator who is a logger, prescribed burner, site preparation operator, or tree planter for commercial forestry operations."

AMENDMENT NO. 8
On page 3, delete lines 9 through 17, and insert the following:
"C.(1) Each operator of an underground facility or utility, after having received the notification request from the regional notification center of an intent to excavate, shall supply, prior to the proposed excavation, the following information to the person responsible for the excavation:
* * *

(v) In the case whereby a forestry excavator has requested that the utilities and facilities be marked for location, the operator of a utility or facility shall mark the area of their utilities or facilities. The markings provided by the operator shall be deemed good as long as

May 20, 2010

the markings are visible or up to thirty calendar days from the time the markings were made, whichever is shorter.

"§1749.20. Violations; penalties

B. An excavator or demolisher who violates the provisions of R.S. 40:1749.13, 1749.16 or 1749.17(B) shall be subject to the following:

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

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.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 447 by Representative Pearson

AMENDMENT NO. 1

On page 1, lines 18 and 19, delete "for the benefit of" and insert "to"

AMENDMENT NO. 2

On page 2, line 5, after "policyholder," delete the remainder of the line and in lieu thereof insert the following: "to whom a certificate of insurance has been issued"

AMENDMENT NO. 3

On page 3, delete lines 24 through 28 in their entirety and in lieu thereof insert the following:

"E. The commissioner may approve a certificate of insurance form that does not state that the form is provided for information only or similar language, provided that the form states that the certificate of insurance does not confer any rights or obligations other than those conveyed by the policy and that the terms of the policy control. Further, such a form shall not be considered a violation of Subsection D of this Section."

AMENDMENT NO. 4

On page 4, delete lines 1 and 2 in their entirety.

AMENDMENT NO. 5

On page 4, line 27, between "J." and "A certificate" insert the following:

"A properly executed certificate of insurance form, which has been approved by the commissioner and issued by a property and casualty insurer or an insurance producer, shall constitute a confirmation that the referenced insurance policy has been issued or that coverage has been bound notwithstanding the inclusion of "for information purposes only" or similar language on the face of the certificate."

AMENDMENT NO. 6

On page 5, at the end of line 22, insert the following: "Examinations or complaint investigations conducted by the commissioner under this Subsection shall be subject to the provisions of R.S. 22:1983(J)."

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

HOUSE BILL NO. 448—

BY REPRESENTATIVE FOIL
AN ACT

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

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 581—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:361(7) and (8) and 364(introductory paragraph) and to enact R.S. 22:361(9) and (10) and 364(B), relative to vehicle mechanical breakdown insurers; to provide a definition of road hazard and vehicle component coverage contracts; to provide an exception to the licensing requirements for vehicle mechanical breakdown insurers; and to provide for related matters.

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

HOUSE BILL NO. 582—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 39:1659 and 40:1300.281(F), relative to prosthetic and orthotic services; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 591—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:969.24.1 and 969.24.2, relative to the Motor Vehicle Sales Finance Act; to prohibit any act that lessens or eliminates competition; to provide for exceptions; to prohibit a lender in a motor vehicle retail purchase from requiring a dealer to sell any insurance coverage, service, or product in order to secure preferential financing rates; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 591 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 10, after "person or" change "entity licensed under this Title" to "any affiliates thereof, subject to the provisions of this Chapter."

AMENDMENT NO. 2

On page 1, at the end of page 12 and the beginning of page 13, change "retail motor vehicle dealer" to "seller"

AMENDMENT NO. 3

On page 1, line 14, after "offered" and before "by a particular" insert ", sold, backed, or sponsored"

AMENDMENT NO. 4

On page 1, line 20, change "licensee or an affiliate" to "person or affiliates thereof, subject to the provisions of this Chapter."

AMENDMENT NO. 5

On page 2, at the end of line 3 and the beginning of line 4, change "entity licensed under this Title" to "any affiliates thereof, subject to the provisions of this Chapter."

AMENDMENT NO. 6

On page 2, at the beginning of line 5, after "a" delete the remainder of the line and insert the following: "seller or prospective seller who makes"

AMENDMENT NO. 7

On page 2, at the end of line 6, change "or" to a comma " ,"

AMENDMENT NO. 8

On page 2, line 7, after "maintenance plan" and before "offered" insert ", or GAP product"

AMENDMENT NO. 9

On page 2, line 7, after "sponsored by" change "the" to "a particular entity, including but not limited to any"

AMENDMENT NO. 10

On page 2, line 8, after "distributor" and before "or to sell," insert the following: "of motor vehicles or affiliates thereof, as defined in R.S. 32:1252."

AMENDMENT NO. 11

On page 2, line 12, after "Chapter for any" delete the remainder of the line and insert the following: "person subject to the provisions of"

AMENDMENT NO. 12

On page 2, line 13, change "retail motor vehicle dealer" to "seller"

AMENDMENT NO. 13

On page 2, at the end of line 14 and the beginning of line 15, change "licensee or an affiliate" to the following: "person or any affiliates thereof, subject to the provisions of this Chapter"

AMENDMENT NO. 14

On page 2, line 15, after "financing" change "rates" to "or preferential limits on the amounts financed"

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

HOUSE BILL NO. 614—

BY REPRESENTATIVE PONTI

AN ACT

To enact R.S. 37:1490, relative to home inspections; to prohibit the performance of both home inspection services and real estate professional services by the same person in a transaction; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 615—

BY REPRESENTATIVE KATZ

AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(j), relative to the Department of Social Services; to provide for re-creation of the Department of Social Services 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 Health and Welfare. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 766—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (2), (5)(d), (7), and (11), relative to the Medicaid case mix reimbursement methodology for nursing homes; to provide for a date for promulgation of rules and regulations; to modify the reimbursement for direct care costs; to change the minimum occupancy penalty; to provide for the frequency of rate rebasing; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 776—

BY REPRESENTATIVE WILLMOTT

AN ACT

To amend and reenact R.S. 40:2116(J)(1)(introductory paragraph) and (c), relative to facility need review approvals; to provide for applicability of facility need review approvals; to extend the period of facility need review approval for certain facilities; to provide for certain exceptions to facility need review approval extension; and to provide for related matters.

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

HOUSE BILL NO. 872—

BY REPRESENTATIVE MILLS

AN ACT

To enact R.S. 37:1218, relative to the administration of influenza immunizations; to provide for allowable pharmacist services; to provide for conditions under which pharmacists may administer influenza immunizations; and to provide for related matters.

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

HOUSE BILL NO. 1030—

BY REPRESENTATIVES ST. GERMAIN, BOBBY BADON, BARROW, BILLIOT, BURRELL, DIXON, DOERGE, GISCLAIR, GUILLORY, HILL, JOHNSON, LAFONTA, MONTOUCEY, NORTON, PUGH, GARY SMITH, PATRICIA SMITH, AND STIAES

AN ACT

To amend and reenact R.S. 40:1232.1(A)(2) and (3) and 1232.3, relative to emergency medical services; to set a maximum fee for an emergency medical technician-basic certification and recertification for any individual who is an employee or volunteer of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, a volunteer fire department, or a municipal law enforcement agency; to exempt certain employees or volunteers of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, or a volunteer fire department from the authority of the Louisiana Emergency Medical Services Certification Commission to conduct disciplinary hearings, request investigations, and initiate prosecution, with certain exceptions and conditions; and to provide for related matters.

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

HOUSE BILL NO. 1078—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 36:104(A)(7) and (14) and R.S. 51:935, 2341(D)(2), and 2461 and to repeal R.S. 25:318(E), R.S. 33:130.753(C) and 4708(C)(5), R.S. 36:104(A)(8), R.S. 39:1953(B)(8), 2006(E), and 2176(E), R.S. 47:6020.4, 6027(F), and 6036(D)(5) and R.S. 51:1786(4), 1927.2, 2312(F), and 2319, relative to reporting requirements of the Louisiana Department of Economic Development and the Louisiana Economic Development Corporation; to provide for changes to reporting requirements of the Louisiana Department of

Economic Development to various state agencies; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1078 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 51:935," delete "2341(D)(2),"

AMENDMENT NO. 2

On page 1, line 5, after "2312(F)," delete "and", and after "2319," and before "relative to" insert "and 2341(D)(2),"

AMENDMENT NO. 3

On page 3, line 1, after "R.S. 51:935" delete ", 2341(D)(2),"

AMENDMENT NO. 4

On page 3, delete lines 25 through 28, and on page 4, delete lines 1 through 9

AMENDMENT NO. 5

On page 5, line 5, after "2312(F)," delete "and", and after "2319," and before "are" insert "and 2341(D)(2),"

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

HOUSE BILL NO. 1095—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:1006(B) and (E) and R.S. 40:1007(D), (E)(1) and (2), and (F)(introductory paragraph), relative to the Prescription Monitoring Program; to provide for reporting; to provide for access to information; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1095 by Representative Mills

AMENDMENT NO. 1

On page 2, after line 27, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

HOUSE BILL NO. 1198—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 17:1518.1(J) and 1519.5(C), R.S. 23:1(A) and 17(A), R.S. 28:821(C) and 824(I), (J)(1)(b), (K), and (L), R.S. 36:258(F), 301(B), 308(B), and 471(B), R.S. 38:2261(C) and (D), R.S. 39:1554(D)(1)(d) and 1595.4(B), (C), and (D), R.S. 40:1300.14(B)(introductory paragraph) and (13), R.S. 46:51(2) and (10), 2116.1(1), (2), and (4), 2116.2(A), 2351(A)(introductory paragraph), 2353, 2632(2), 2633(C) and

(E), 2634(A) and (B)(1), and 2635(B), R.S. 47:305.15(A) and 360(A), R.S. 48:307(B)(2) and (3), to enact R.S. 23:1(B)(6) and Chapter 15 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:3001 through 3061, R.S. 36:259(K) and (N), and 309(E), and to repeal R.S. 36:474(F) and 478(C), (D), (E), (G), (I), and (J), Subparts B and C of Part III of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 through 373, Chapter 26 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2101 through 2106, and Chapter 50 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2651 through 2655, relative to the office of Louisiana Rehabilitation Services within the Department of Social Services; to provide for the transfer of such functions from the Department of Social Services to the Department of Health and Hospitals and the Louisiana Workforce Commission; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1198 by Representative Katz

AMENDMENT NO. 1

On page 4, delete lines 25 through 28 in their entirety

AMENDMENT NO. 2

On page 5, line 1, change "3003" to "3002"

AMENDMENT NO. 3

On page 5, line 8, change "3004" to "3003"

AMENDMENT NO. 4

On page 5, line 19, change "3005" to "3004"

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1207—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 10:9-109(c)(4), (5), and (6)(C) and to enact R.S. 10:9-109(c)(7) and Part VII of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1251 through 1261, relative to utilities; to provide for security interests in investment recovery property; to provide for legislative intent and definitions; to provide with respect to issuance of financing orders; to provide for appeals of financing orders; to provide for a utility's interest in a financing order; to provide for investment recovery property; to provide for the sale of investment recovery property; to provide for the perfection and true sale status of a sale of investment recovery property; to provide for subsidiaries of electric utilities; to provide for conflicts of laws; to provide for the creation, perfection, and priority of security interests in investment recovery property; to provide a state pledge of non-impairment of investment recovery bonds; to exempt investment recovery bonds from being public debt; to provide an exclusion from secured transaction provisions of the uniform commercial laws; to provide for non-impairment of the jurisdiction of the commission; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1271—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1232.2(B)(1)(introductory paragraph) and (b) and to enact R.S. 40:1232.2(B)(1)(d) and (e), relative to the Louisiana Emergency Medical Services Certification Commission; to provide for membership; to provide for a date for change of certain membership; and to provide for related matters.

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

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.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1408— (Substitute for House Bill No. 1208 by Representative Tucker)

BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 4:185.1, relative to gaming proceeds; to provide for auditing of the Horsemen's Benevolent and Protective Association and its operations and programs by the legislative auditor; to provide for guidelines; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 1408 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 11, delete "beginning on or after January" and at the beginning of line 12, delete "1, 2005"

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

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.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 85—

BY SENATOR MORRISH
A RESOLUTION

To recognize and commend Mr. Kenneth Francis Lasserre for thirty-eight years of outstanding service and dedication to education and to congratulate him on the occasion of his retirement.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 88—

BY SENATOR CLAITOR
A CONCURRENT RESOLUTION

To commend Catholic High School in Baton Rouge and its athletic program for earning five separate state championships in 2009-2010.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Adley	Gautreaux N	Murray
Alario	Guillory	Nevers
Amedee	Hebert	Peterson
Appel	Heitmeier	Riser
Broome	Jackson	Shaw
Chabert	Long	Smith
Cheek	Marionneau	Thompson
Claitor	Michot	Walsworth
Dorsey	Morrish	
Total - 29		

NAYS

Total - 0

ABSENT

Crowe	Kostelka	Morrell
Donahue	LaFleur	Quinn
Duplessis	Martiny	
Erdey	McPherson	
Total - 10		

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

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 20, 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. 18—

BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Board of Supervisors to study fully implementing the recommendations from the March 23, 2009, Interim LSU Public Hospital Financial and Operational Assessment performed by Alvarez and Marsal and to expand the findings to applications in all hospitals operated by the Louisiana State University System where it is found to be appropriate.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To commend Katherine Putnam on her reign as Miss Louisiana for 2009, and to recognize Wednesday, May 26, 2010, as Miss Louisiana Organization Day at the Louisiana State Capitol.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

**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 20, 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 Bill has been properly enrolled:

SENATE BILL NO. 15—

BY SENATOR APPEL

AN ACT

To amend and reenact the title to Part II-B of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 and R.S. 47:491(A)(1) and (6) and 492(A), (B), and (E), relative to amateur radio station operators; to provide for changing the design of a prestige license plate from "HAM Operator" to "Amateur Radio"; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Bill was signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 20, 2010

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 143—

BY SENATOR LONG AND REPRESENTATIVES AUBERT, DIXON, DOERGE, GISCLAIR, GUINN, HILL, MONTOU CET AND ST. GERMAIN
AN ACT

To designate Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers Highway"; and to provide for related matters.

SENATE BILL NO. 223—

BY SENATORS MOUNT, ALARIO, APPEL, BROOME, CHAISSON, CHEEK, DONAHUE, DORSEY, ERDEY, B. GAUTREAU X, GUILLORY, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE GEYMAN N
AN ACT

To designate that section of Louisiana Highway US 171 between its intersection with Sam Houston Jones Parkway and its intersection with You Winn Road as the "Senior Trooper Duane Dalton Memorial Highway"; and to provide for related matters.

SENATE BILL NO. 251—

BY SENATORS DORSEY, ALARIO, AMEDEE, APPEL, BROOME, ERDEY, B. GAUTREAU X, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAU X, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES AUBERT, DIXON, GISCLAIR, GUINN, HILL, MONTOU CET AND ST. GERMAIN
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 annual fee and disposition of such fee for such plates; to provide for the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 270—

BY SENATOR WALSWORTH AND REPRESENTATIVE HOFFMANN
AN ACT

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

SENATE BILL NO. 273—

BY SENATOR WALSWORTH AND REPRESENTATIVES HOFFMANN AND KATZ
AN ACT

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

SENATE BILL NO. 15—

BY SENATOR APPEL

AN ACT

To amend and reenact the title to Part II-B of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 and R.S. 47:491(A)(1) and (6) and 492(A), (B), and (E), relative to amateur radio station operators; to provide for changing the design of a prestige license plate from "HAM Operator" to "Amateur Radio"; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

ATTENDANCE ROLL CALL**PRESENT**

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Riser
Cheek	Jackson	Shaw
Claitor	Long	Smith
Crowe	Marionneaux	Thompson
Donahue	McPherson	Walsworth
Dorsey	Michot	
Total - 35		

ABSENT

Kostelka	Martiny
LaFleur	Quinn
Total - 4	

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur	1 Day	Kostelka	1 Day
Martiny	1 Day	Quinn	1 Day

Announcements

The following committee meetings for May 24, 2010, were announced:

Finance	1:00 P.M.	Room A
Retirement	1:00 P.M.	Room E
Rev. & Fiscal Affairs	1:00 P.M.	Hainkel Rm

Adjournment

On motion of Senator Thompson, at 10:10 o'clock A.M. the Senate adjourned until Monday, May 24, 2010, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Monday, May 24, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk