

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

THIRTIETH 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

Monday, May 24, 2010

The Senate was called to order at 3:20 o'clock P.M. by Hon. Sharon Broome, President Pro Tempore of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Amedee	Duplessis	Morrell
Appel	Erdey	Morrish
Broome	Guillory	Mount
Chabert	Hebert	Nevers
Claitor	Marionneau	Riser
Crowe	Martiny	Shaw
Dorsey	McPherson	Thompson
Total - 21		

ABSENT

Mr. President	Gautreaux N	Michot
Adley	Heitmeier	Murray
Alario	Jackson	Peterson
Cheek	Kostelka	Quinn
Donahue	LaFleur	Smith
Gautreaux B	Long	Walsworth
Total - 18		

The President Pro Tempore of the Senate announced there were 21 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Joe Green, 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 Mount, the reading of the Journal was dispensed with and the Journal of May 20, 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 20, 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. 318—
BY SENATOR HEITMEIER**

AN ACT

To enact R.S. 51:1905.2, relative to deceptive practices in soliciting charitable contributions; to require certain notification on donation receptacles of commercial businesses; to provide for violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 342—

**BY SENATORS MARIONNEAUX AND THOMPSON
AN ACT**

To amend and reenact R.S. 51:1423(A), (D) and (E), and to enact R.S. 51:1423(F), relative to gift certificates; to provide for cash redemption of remaining value under a certain amount; to eliminate certain exemptions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 412—
BY SENATOR DONAHUE**

AN ACT

To enact R.S. 39:332.1, relative to property control; to create the State Buildings and Lands Highest and Best Use Advisory Group; to provide for duties and responsibilities; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 20, 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. 98—
BY SENATORS MARTINY AND DUPLESSIS**

AN ACT

To amend and reenact R.S. 37:1788(B)(2) and to enact R.S. 37:1788(B)(3), relative to pawnbrokers; to provide for change in ownership of pawnshops under certain circumstances; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 198—
BY SENATOR DUPLESSIS**

AN ACT

To amend and reenact R.S. 32:707.2(C)(2) and (3), and to enact R.S. 6:969.18(A)(5) and R.S. 32:707.2(H), relative to electronic lien

and title services; to authorize financial institutions to charge consumer fees in connection with motor vehicle transactions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 291—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 404—
BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:248, relative to state government services; to provide for the development of a long term plan to create regional governmental service centers; to provide for the submission of the plan to the Joint Legislative Committee on the Budget for approval; to provide for annual updating of the plan; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 415—
BY SENATOR MICHOT

AN ACT

To enact R.S. 51:1427, relative to deceptive or unfair trade practices or acts; to prohibit a person from selling or offering to sell computer software products which the person has developed or manufactured, or services that the person develops or supplies, while knowingly using stolen or misappropriated computer software; to provide for sanctions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 484—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 6:263, relative to capital, surplus, and dividends of state banks; to provide relative to state bank dividends and stock purchased or redeemed; to require capital surplus; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 540—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:306, relative to the dedication of cemetery property; to provide for legislative intent; to provide for the protection of unmarked human burial sites; to provide for notice; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 168—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:606(B) and (C), and 706 and to enact R.S. 8:1(22.1) and 606(D), relative to cemeteries; to provide for commencement and completion requirements of mausoleums or similar structures; to provide for commencement and the completion requirements of improvements on undeveloped cemetery property; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 616—
BY SENATOR MCPHERSON

AN ACT

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

Reported without amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 20, 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. 86—
BY SENATOR B. GAUTREUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, the division of administration, and the Department of Education to study the feasibility of appropriating directly to the state retirement systems those funds currently included in the Minimum Foundation Program (MFP) appropriation for payment of the employer contributions to the retirement systems.

Reported without amendments.

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.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 24, 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. 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 340 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "and to" change "R.S. 9:1123.115(A)" to "R.S. 9:1123.115(A)(1) and (2)"

AMENDMENT NO. 2

On page 1, line 6, following "Section 1." and before "is hereby" change "R.S. 9:1123.115(A)" to "R.S. 9:1123.115(A)(1) and (2)"

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 396 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 20, 2010, on page 1, line 6, change "1749.14(C)(1)(v)" to "1749.14(C)(1)(b)(v)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 20, 2010, on page 1, line 23, following "and" and before "are" change "1749.14(C)(1)(v)" to "1749.14(C)(1)(b)(v)"

AMENDMENT NO. 3

On page 2, line 7, following "40:1749.15" and before ", prior" delete "and 1749.15.1"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 447 by Representative Pearson

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on May 20, 2010, on page 1, line 12, following "Further," and before "such" insert "use of"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on May 20, 2010, on page 1, line 13, following "shall not be" and before "of

Subsection" change "considered a violation" to ". in and of itself, cause for disapproval by the commissioner under the provisions"

AMENDMENT NO. 3

On page 5, line 7, following "shall" and before "have" delete "only"

AMENDMENT NO. 4

On page 5, line 9, following "insurance" and before "if" insert "only"

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 without amendments.

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 without amendments.

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; and to provide for exceptions; and to provide for related matters.

Reported without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 591 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 20, 2010, on page 1, line 5, change "page 12" to "line 12" and "page 13" to "line 13"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

HOUSE BILL NO. 1030—

BY REPRESENTATIVES ST. GERMAIN, BOBBY BADON, BARROW, BILLIOT, BURRELL, DIXON, DOERGE, GISCLAIR, GUILLORY, HILL, JOHNSON, LAFONTA, MONTOUCE, 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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1207 by Representative Arnold

AMENDMENT NO. 1

On page 8, line 9, following "other" and before "of" change "by-products" to "byproducts"

AMENDMENT NO. 2

On page 8, line 16, following "to" change "any of the foregoing" to "any costs as provided in Subparagraph (a) and (b) of this Paragraph"

AMENDMENT NO. 3

On page 14, line 16, after "time" insert "period"

AMENDMENT NO. 4

On page 14, line 22, following "court" and before "and" delete ";

May 24, 2010

AMENDMENT NO. 5

On page 17, line 11, and before "in" change "apply" to "applying"

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 without amendments.

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 without amendments.

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 without amendments.

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 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.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 86—

BY SENATOR LAFLEUR
A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions made to the state with its history, culture, and people, and to proclaim May 24, 2010, as Tunica-Biloxi Day at the Senate.

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

SENATE RESOLUTION NO. 87—

BY SENATOR JACKSON
A RESOLUTION

To recognize Monday, May 24, 2010, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

SENATE RESOLUTION NO. 88—

BY SENATOR HEBERT
A RESOLUTION

To urge and request the Louisiana Legislative Auditor to conduct a compliance audit and a performance audit of the district attorney's office in the Sixteenth Judicial District.

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

SENATE RESOLUTION NO. 89—

BY SENATOR ADLEY
A RESOLUTION

To memorialize the Congress of the United States to enact House Concurrent Resolution 226 to support observance of "Spirit of '45 Day".

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

SENATE RESOLUTION NO. 90—

BY SENATOR GUILLORY
A RESOLUTION

To create and provide with respect to a special Senate committee to study and make recommendations with respect to the adequacy of funding for the operation of the office of state police, the operation of the state's correctional system, and the function and operation of the state's parole and probation system.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To urge and request Louisiana law firms, law departments, and courts to execute the Louisiana State Bar Association Statement of Diversity Principles.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Appel	Hebert	Murray
Broome	Jackson	Nevers
Chabert	LaFleur	Peterson
Cheek	Long	Shaw
Claitor	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	Michot	Walsworth

Total - 30

NAYS

Total - 0

ABSENT

Mr. President	Guillory	McPherson
Crowe	Heitmeier	Quinn
Donahue	Kostelka	Riser
Total - 9		

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 24, 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. 189	HB No. 214	HB No. 538
HB No. 781	HB No. 1293	HB No. 1310
HB No. 244	HB No. 1172	HB No. 1376
HB No. 1458	HB No. 1481	HB No. 1442
HB No. 1443		

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 189—
 BY REPRESENTATIVE RICHARD AND SENATOR KOSTELKA
 AN ACT

To enact R.S. 11:441.2, relative to early retirement; to enact the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System; to provide for eligibility, retirement benefits, restrictions on hiring new employees, abolition of vacated positions, restrictions on appropriated funds, and funding; 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. 214—
 BY REPRESENTATIVE KLECKLEY
 AN ACT

To amend and reenact Code of Civil Procedure Article 253(B) and to enact Code of Civil Procedure Article 253(C), relative to the electronic filing and storage of documents; to authorize the establishment of a system; to provide procedures; and to provide for related matters.

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

HOUSE BILL NO. 244—
 BY REPRESENTATIVE KLECKLEY
 AN ACT

To amend and reenact R.S. 22:1000(A)(1)(a)(vi) and (2), 1002, and 1003 and to enact R.S. 22:1003.1, relative to dependent health insurance coverage for children or grandchildren; to provide for such coverage until the age of twenty-six; to delete the requirement for full-time student status; to delete the requirement for unmarried status; to provide for exceptions; to set certain requirements and restrictions for health insurance issuers and health maintenance organizations in providing such coverage; to exempt the Office of Group Benefits; and to provide for related matters.

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

HOUSE BILL NO. 538—
 BY REPRESENTATIVE BURFORD
 AN ACT

To enact R.S. 33:2740.18.4, relative to the city of Mansfield; to authorize the governing authority of the city to levy and collect a hotel occupancy tax subject to voter approval; to provide for the use of such tax; and to provide for related matters.

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

HOUSE BILL NO. 781—
 BY REPRESENTATIVE CHAMPAGNE
 AN ACT

To enact R.S. 33:7714, relative to wastewater districts; to create a consolidated wastewater district for the towns of Erath and Delcambre; to provide for the purpose, boundaries, and powers of the district; to provide for the governance of the district; to provide for the issuance of bonds; to provide restrictions on the issuance of bonds; to provide for the assumption of debt; to provide for the levy of an ad valorem tax; to provide for an election on the question of such ad valorem tax; to provide for the powers, rights, and duties of districts subsumed by this district; to provide for existing contractual rights; and to provide for related matters.

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

HOUSE BILL NO. 1172—
 BY REPRESENTATIVE TUCKER
 AN ACT

To amend and reenact R.S. 49:150.1, relative to the state capitol complex; to provide for the allocation and use of space within the state capitol complex; and to provide for related matters.

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

HOUSE BILL NO. 1293—
 BY REPRESENTATIVE PUGH
 AN ACT

To enact R.S. 33:423.20, relative to the power of an elected chief of police in certain municipalities; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

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

HOUSE BILL NO. 1310—
 BY REPRESENTATIVE RITCHIE
 AN ACT

To amend and reenact R.S. 26:932(8) and to enact R.S. 26:901(18) and 903(6), relative to tobacco products; to provide for fees applicable to tobaccoconists; to provide for definitions; and to provide for related matters.

May 24, 2010

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

HOUSE BILL NO. 1376— BY REPRESENTATIVES HINES, ABRAMSON, AUSTIN BADON, HENRY BURNS, TIM BURNS, CARTER, HARDY, HAZEL, HOWARD, LABRUZZO, LANDRY, LORUSSO, PEARSON, POPE, JANE SMITH, AND TEMPLET

AN ACT

To amend and reenact R.S. 17:158(A), relative to the transportation of students by local school boards to certain elementary and secondary schools; to authorize a local 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. 1442— BY REPRESENTATIVES CARMODY, ARMES, CARTER, DIXON, DOWNS, RITCHIE, PATRICIA SMITH, AND THIBAUT

AN ACT

To enact R.S. 17:81.6(C), (D), (E), and (F), relative to public school employees; to provide for the reporting by public school employees of irregularities or improprieties in the administration of standardized tests; to prohibit certain actions relative to such reporting; to provide for penalties; to provide for the recovery of damages, attorney fees, and court costs under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1443— BY REPRESENTATIVES EDWARDS, HAZEL, MCVEA, AND RICHARDSON AND SENATOR MARIONNEAUX

AN ACT

To establish requirements of certain contracts entered into by the Department of Health and Hospitals for the privatization of activities performed by certain institutions or programs; to provide for the method of source selection; to provide evaluation factors to be included in a request for proposals; to require legislative approval; to provide for the submission of reports; and to provide for related matters.

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

HOUSE BILL NO. 1458— BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 17:416.13(C) and (D), relative to student codes of conduct; to provide relative to a review by a local school board of the student code of conduct; to provide relative to the purpose of such review and to require certain actions as necessary; to provide guidelines and a timeline for such review; to provide definitions; to provide relative to certain notifications to students; to provide relative to the investigation of reports of certain prohibited actions; 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. 1481— (Substitute for House Bill No. 1025 by Representative Landry)

BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact R.S. 17:416.7, relative to school boards; to require school boards to notify parents prior to implementing new school uniform policies or changing existing school uniform policies; 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.

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 24, 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. 186 HCR No. 178 HCR No. 181

HCR No. 185

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE ROSALIND JONES

A CONCURRENT RESOLUTION

To authorize and request the Department of Public Safety and Corrections to conduct a statewide evaluation of the commodities offered through canteen services, to study the feasibility of developing uniform prices for all commodities offered to inmates, and to report its findings prior to the convening of the 2011 Regular Session.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Alario, Amedee, Appel, Broome, Crowe, Donahue, Dorsey, Duplessis, Erdy, Gautreaux B, Gautreaux N, Guillory, Hebert, Jackson, LaFleur, Long, Marionneaux, Martiny, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Shaw, Smith, Thompson.

Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Chabert, Cheek, Claitor, Heitmeier, Kostelka, McPherson, Quinn, Riser, Walsworth.

Total - 9

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

HOUSE CONCURRENT RESOLUTION NO. 181—
 BY REPRESENTATIVE JOHNSON
 A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state and to proclaim Monday, May 24, 2010, as Tunica-Biloxi Day.

The resolution was read by title. Senator LaFleur 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	Jackson	Peterson
Chabert	LaFleur	Riser
Claitor	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	Michot	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Cheek	Heitmeier	McPherson
Crowe	Kostelka	Quinn
Total - 6		

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

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules to advance to Special Order of the Day:

Special Order of the Day

SENATE BILL NO. 1—
 BY SENATOR CHAISSON
 A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(A)(2) and (C) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the dedication and deposit of certain revenues into the Budget Stabilization Fund; to delete the provisions relative to the amount of mineral revenues received by the state before mineral revenues may be deposited into the Budget Stabilization Fund; to provide for incorporation of monies in the Budget Stabilization Fund into the official forecast for the current fiscal year and the next fiscal year; to direct the treasurer to transfer monies from the Budget Stabilization Fund to the state general fund in certain circumstances; to suspend or reduce deposits into the Budget Stabilization Fund in certain circumstances; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Senator Chaisson moved to make Senate Bill No. 1, which was Special Order of the Day No. 1 on Tuesday, May 25, 2010, Special Order of the Day No. 1 on Tuesday, June 1, 2010.

SENATE BILL NO. 2—
 BY SENATOR CHAISSON
 AN ACT

To amend and reenact R.S. 39:94(A)(2) and (C), relative to the Budget Stabilization Fund; to provide for the dedication and deposit of certain revenues into the Budget Stabilization Fund; to delete the provisions relative to the amount of mineral revenues received by the state before mineral revenues may be deposited into the Budget Stabilization Fund; to provide for the incorporation of monies in the Budget Stabilization Fund into the official forecast for the current fiscal year and the next fiscal year; to direct the treasurer to transfer monies from the Budget Stabilization Fund to the state general fund in certain circumstances; to suspend or reduce deposits into the Budget Stabilization Fund in certain circumstances; to provide for an effective date; and to provide for related matters.

Senator Chaisson moved to make Senate Bill No. 2, which was Special Order of the Day No. 2 on Tuesday, May 25, 2010, Special Order of the Day No. 2 on Tuesday, June 1, 2010.

SENATE BILL NO. 391—
 BY SENATOR CHAISSON
 A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to specify an election for submission of the proposition to electors and provide a ballot proposition.

Senator Chaisson moved to make Senate Bill No. 391, which was Special Order of the Day No. 3 on Tuesday, May 25, 2010, Special Order of the Day No. 3 on Tuesday, June 1, 2010.

SENATE BILL NO. 392—
 BY SENATOR CHAISSON
 AN ACT

To amend and reenact R.S. 39:75(C)(2)(b) and (E)(1) and (2), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

Senator Chaisson moved to make Senate Bill No. 392, which was Special Order of the Day No. 4 on Tuesday, May 25, 2010, Special Order of the Day No. 4 on Tuesday, June 1, 2010.

SENATE BILL NO. 410—
 BY SENATOR CHAISSON
 AN ACT

To amend and reenact R.S. 39:98.1(A)(3), relative to the Millennium Trust; to change the amount of deposits into the Millennium Trust from monies received as a result of the Master settlement; to provide for an effective date; and to provide for related matters.

Senator Chaisson moved to make Senate Bill No. 410, which was Special Order of the Day No. 5 on Tuesday, May 25, 2010, Special Order of the Day No. 5 on Tuesday, June 1, 2010.

SENATE BILL NO. 434—
 BY SENATOR CHAISSON
 A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(A)(1)(c) of the Constitution of Louisiana, relative to the Millennium Trust; to change the amount of deposits into the Millennium Trust from monies received as a result of the Master Settlement; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

May 24, 2010

Senator Chaisson moved to make Senate Bill No. 434, which was Special Order of the Day No. 6 on Tuesday, May 25, 2010, Special Order of the Day No. 6 on Tuesday, June 1, 2010.

House Concurrent Resolutions, Resumed

HOUSE CONCURRENT RESOLUTION NO. 185— BY REPRESENTATIVE LANDRY

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court to develop a centralized system for monitoring the certification and registration of parenting coordinators and to make the list of currently certified coordinators readily available to the general public.

The resolution was read by title. Senator Michot moved to concur in the House 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, Erdey, Morrell, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Claitor, Heitmeier, Kostelka.

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

HOUSE CONCURRENT RESOLUTION NO. 186— BY REPRESENTATIVE FOIL AND SENATOR CLAITOR

A CONCURRENT RESOLUTION

To commend Kleinpeter Farms Dairy for its contributions to Louisiana's economy, its environmental stewardship, and its community service.

The resolution was read by title. Senator Claitor moved to concur in the House 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, Erdey, Morrish, etc.

Table with 3 columns: Name, Yeas, Nays. Lists names like Donahue, McPherson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Heitmeier, Kostelka.

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. 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 referred by the President to the Committee on Judiciary B.

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 referred by the President to the Committee on Judiciary B.

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 referred by the President to the Committee on Natural Resources.

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 referred by the President to the Committee on Education.

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 referred by the President to the Committee on Judiciary C.

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 referred by the President to the Committee on Judiciary B.

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 referred by the President to the Committee on Labor and Industrial Relations.

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 referred by the President to the Committee on Education.

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 referred by the President to the Committee on Senate and Governmental Affairs.

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 referred by the President to the Committee on Natural Resources.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Nicholas "Nick" Gautreaux, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 20, 2010

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 569—
BY REPRESENTATIVES CARMODY AND HAZEL
AN ACT

May 24, 2010

To amend and reenact R.S. 56:116.1(B)(10) and (D), relative to hunting; to provide for times, places, and methods of taking outlaw quadrupeds, nutria, and beaver; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 862—
BY REPRESENTATIVE CORTEZ
AN ACT

To authorize and provide for the transfer or lease of certain state property in Lafayette Parish to the Lafayette Parish Consolidated Government from the Department of Transportation and Development and division of administration; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 878—
BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:104(A)(9) and 302.1(H), relative to issuance of hunting and fishing licenses; to provide for the issuance of such licenses at resident rates to nonresident students enrolled full-time in Louisiana colleges and universities; to remove the requirement that such issuance shall only be to a student from a state that provides the same reduced-rate option to Louisiana students enrolled in a college or university in that state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 881—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:23, relative to penalties for wildlife and fishery violations; to provide for penalties for violations of certain wildlife and fishery provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 882—
BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 48:757(A)(1)(d), relative to off-system work by the Department of Transportation and Development; to authorize the department to construct, maintain, and improve roads in wildlife management areas of the state and refuges, and other lands owned by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 884—

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

AN ACT

To amend and reenact R.S. 56:699.5, relative to hunter education; to provide for exceptions to the requirement for hunter education; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 895—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 30:2344(D), to enact R.S. 30:2344(E) and (F), and to repeal R.S. 30:2345, relative to asbestos abatement in schools; to provide for asbestos abatement; to provide for the methods of abatement; to repeal the Louisiana School Asbestos Abatement Commission; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE HARDY

AN ACT

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

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE BARRAS

AN ACT

To authorize and provide for the transfer or lease of certain state property in Iberia Parish from the division of administration to Dr. John Hebert; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 1336—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 34:852.2(5), 852.3(A) as enacted by Act No. 508 of the 2009 Regular Session of the Legislature, and 852.13 and to repeal R.S. 34:852.3(A) as enacted by Act No. 319 of the 2007 Regular Session of the Legislature, relative to vessel hull identification numbers; to provide for assigning hull identification numbers to certain vessels by the Department of Wildlife and Fisheries; to provide for the authority to promulgate rules and regulations; to provide for eligibility as a manufacturer; to provide for record keeping and inspections; to provide for fees; and to provide for related matters.

Reported favorably.

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

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program administered by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1354—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 56:632(A), 632.5(A), and 632.7 and to enact R.S. 56:632.5.1, relative to the reptile and amphibian wholesale/retail dealer's license; to require such license for a person to possess or sell certain nonindigenous or poisonous snakes or constrictors; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

Respectfully submitted,
NICHOLAS "NICK" GAUTREAUX
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

May 20, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 66—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 17:3991(B)(4) and to enact R.S. 17:3991(C)(1)(d), relative to charter schools; to require each charter school to establish an enrollment preference for students residing in the immediate neighborhood surrounding the school; to provide relative to the determination of the geographic boundaries of each such neighborhood; to require that the enrollment of each charter school be composed of a certain percentage of students residing in the immediate neighborhood of the school; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 701—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 17:221.4(C), relative to education; to require certain persons who fail to graduate from high school as a result of expulsion or legally and voluntarily withdrawing from their school system to serve not less than two years in the Louisiana National Guard or United States Armed Forces; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 46—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:81(T) and 3996(B)(24), relative to instruction to students in public schools concerning dating violence; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 251—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:21(B), relative to the state superintendent of education for public elementary and secondary education; to provide that the state superintendent shall possess certain minimum qualifications at the time of appointment by the State Board of Elementary and Secondary Education; to provide that the state board may establish additional qualifications; to provide limitations; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 253—

BY REPRESENTATIVES MONTOUCET AND GUILLORY AND SENATOR MORRISH

AN ACT

To enact R.S. 25:215(B)(17), relative to the Acadia Parish Library; to transfer responsibility for accounting and management of library funds to the Acadia Parish Library Board of Control; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 388—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:3973(4) and 3997(B)(1) and (E), relative to teachers transferring to a charter school from a city, parish, or other local public school system; to provide relative to certain leaves of absence for such teachers; to provide definitions; to provide effectiveness; to provide guidelines relative to the transfer of an employee of a city, parish, or other local public school system to a Type 4 charter school; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 443—

BY REPRESENTATIVE HUTTER

AN ACT

To repeal R.S. 17:1994(B)(15), (33), (34), and (41); to repeal provisions designating the Jefferson, Sidney N. Collier, Slidell, and West Jefferson campuses as part of the Louisiana Technical College; to provide relative to the transfer of certain programs, courses of study, funds, facilities, property, obligations, and functions; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 580—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:1945(A) and (B), relative to special schools for students with exceptionalities; to provide for a designation for certain special schools under the jurisdiction of the State Board of Elementary and Secondary Education; to authorize such schools to share services and functions under certain conditions; to allow for the enrollment in such schools of children with orthopedic impairments under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 745—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 17:66(A)(2) and to enact R.S. 41:904, relative to certain school systems in East Baton Rouge Parish; to provide for the transfer of certain sixteenth section lands between the East Baton Rouge Parish School System and the Central Community School System; to provide relative to the geographic boundaries of the Central Community School System; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 974—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:7.1(B)(3)(introductory paragraph), relative to teacher certification; to provide relative to the employment experience necessary for certain principals to be exempt from certain testing requirements relative to certification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1029—

BY REPRESENTATIVES HOFFMANN, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, FOIL, GISCLAIR, HARDY, HARRISON, HENRY, KATZ, LABRUZZO, LITTLE, MONTUCET, NOWLIN, PERRY, RICHARD, SCHRODER, SIMON, GARY SMITH, JANE SMITH, AND WOOTON
AN ACT

To amend and reenact R.S. 17:183.3(B)(2)(d), 274, 274.1, and 3996(B)(14) and to repeal R.S. 17:3996(B)(13), relative to curricula; to provide for Free Enterprise as an elective course rather than a prerequisite to high school graduation; to require inclusion of Free Enterprise instruction in the required Civics course; to provide relative to the duration and credit units of the Civics course; to provide for exceptions; to delete Free Enterprise from course requirements relative to the career major program; to provide for effectiveness; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 1093—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 17:1990(B)(1)(d), relative to the powers, duties, and functions of the Recovery School District, to require legislative approval of certain expenditures, contracts, and changes to contracts, regarding capital expenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1180—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 17:351(D), relative to the use of state funds for computer hardware; to permit a city, parish, or other local public school board to use state funds to purchase computer hardware; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1238—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 25:380.152(C)(1), relative to the governing board of the Germantown Colony Museum; to provide relative to board membership; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BEN W. NEVERS
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Jean-Paul "JP" Morrell, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 20, 2010

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 141—

BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 33:9037(A), 9038.35, and 9038.38(P), relative to tax increment finance; to authorize joint ventures or cooperative endeavors among public entities utilizing tax increment finance; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 221—

BY SENATOR APPEL
AN ACT

To enact Chapter 46 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9661, relative to political subdivisions; to prohibit a political subdivision from assessing or charging nonresidents a higher rate or fee than residents; to provide for enforcement; and to provide for related matters.

Reported with amendments.

May 24, 2010

SENATE BILL NO. 730—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9097.2(B), (E)(1) and (3), and (G)(1), (3)(b) and (4), relative to the South Burbank Crime Prevention District; to provide relative to boundaries and governance; to provide relative to parcel fees and ad valorem taxes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 747—
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.66(C) and R.S. 49:220.10, relative to housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide with respect to Road Home Program applicants whose claims were denied because of unresolved succession and inheritance issues; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 772—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 36:801.1(A) and R.S. 38:330.12(A) and to enact R.S. 36:509(P) and R.S. 38:330.12.1, relative to the New Orleans Lakefront Airport; to create the New Orleans Lakefront Airport Authority; to provide for transfer of the management, control, and maintenance of the airport facility to the authority; to provide for the powers, duties, and functions of the authority exercised through a board of commissioners of the authority; to provide for the membership of the board of commissioners; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 223—
BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 33:3819(I), relative to waterworks districts in Calcasieu Parish; to provide for the per diem paid to waterworks district commissioners; to authorize the parish governing authority to authorize an increase in per diem upon request from such a district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 413—
BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:405(C), relative to meetings of the board of aldermen in a Lawrason Act municipality; to remove prohibitions on business discussed at special meetings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 437—
BY REPRESENTATIVE RICHARDSON

AN ACT

To amend and reenact R.S. 43:144, relative to the publication of official proceedings of certain political subdivisions; to provide a deadline by which such official proceedings shall be prepared and recorded in the official journal of the entity; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 438—
BY REPRESENTATIVE PEARSON

AN ACT

To enact R.S. 33:2956, relative to investments of foundations and similar entities created by the governing bodies of hospital

service districts; to authorize and provide relative to investments of such entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 618—
BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 33:4713, relative to expenses of certain local government officials; provides with respect to the payment of monies owed the parish governing authority by certain tax recipient bodies; to authorize the retention of tax revenues under certain circumstances; to require the remittance of tax revenues by the sheriff to the parish governing authority; to provide for certain time limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 683—
BY REPRESENTATIVES BARROW AND RICHARDSON

AN ACT

To enact R.S. 33:9097.8, relative to the Park Forest East Crime Prevention and Improvement District in East Baton Rouge Parish; to create the district; to provide for the boundaries and governance of the district; to provide for the powers and duties of the district; to provide for the levy of a parcel fee within the district; to provide for the management of the funds of the district; to provide for dissolution of the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 915—
BY REPRESENTATIVE RICHARDSON

AN ACT

To amend and reenact R.S. 13:2571(A) and (B), relative to parking violations; to provide for the enforcement of certain ordinances; to provide with respect to municipalities having a population of twenty-five thousand or more; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JEAN-PAUL "JP" MORRELL
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 20, 2010

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 692—
BY SENATOR MORRELL

AN ACT

To enact R.S. 32:57(I) and R.S. 38:330.12.1, relative to the Orleans Levee District; to provide relative to the authority of and the disposition of penalties for citations issued by police officers employed by the Orleans Levee District; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 754—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 36:801.1(A) and R.S. 38:330.12 and to enact R.S. 36:509(P) and R.S. 38:330.12.1, relative to non-flood assets of levee districts; to provide for the management and control of such assets; to create the Non-flood Protection Asset Management Authority; to provide for the powers, duties, and functions of the authority; to provide for a board of commissioners of the authority and for the membership of the board; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 768—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:473.1(D) and (E), relative to motor vehicles; to provide for the presumption of responsibility for an abandoned motor vehicle; to provide for the towing and storage of an abandoned motor vehicle; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 97—

BY REPRESENTATIVES CORTEZ, ARMES, BILLIOT, HENRY BURNS, DIXON, DOERGE, GISCLAIR, SAM JONES, AND POPE

AN ACT

To amend and reenact R.S. 32:402.1(D), relative to driver's education; to allow for certain persons to participate in a portion of a driver's education course prior to their fifteenth birthday; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 118—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 32:1311(B), relative to motor vehicle inspection; to exempt certain registered antique vehicles from inspection; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 152—

BY REPRESENTATIVE HARDY

AN ACT

To amend and reenact R.S. 32:415(B)(1) and 415.1(A)(1) and (C), relative to driver's license suspensions and revocations; to provide for extension of a driver's license suspension period after certain convictions; to provide for economic and medical hardship license application procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 168—

BY REPRESENTATIVES HENRY BURNS, BILLIOT, CHANDLER, EDWARDS, LEGER, RICHARD, RICHMOND, AND SMILEY

AN ACT

To amend and reenact R.S. 38:214 and 218 and to enact R.S. 48:223(G), relative to drainage obstruction; to provide for the issuance of citations; to provide for enforcement of penalties; to provide for collection of fines; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 252—

BY REPRESENTATIVE LORUSSO

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 Washington Artillery; 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 with amendments.

HOUSE BILL NO. 485—

BY REPRESENTATIVE BILLIOT

AN ACT

To amend and reenact R.S. 38:301.1(A), relative to elevation reports; to require that levee elevation reports indicate the elevation based on the North American Vertical Datum of 1988; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 494—

BY REPRESENTATIVE BILLIOT

AN ACT

To amend and reenact R.S. 38:301(E)(1) and to enact R.S. 38:301(A)(4) and (F), relative to bicycle paths and walkways adjacent to flood control levees or structures; to authorize public use of property along or adjacent to any flood control levee or structure for recreational purposes; to authorize construction or permit bicycle paths and walkways; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 584—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 32:300.3(D), relative to motor vehicles; to limit liability of law enforcement agencies involved in funeral processions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 585—

BY REPRESENTATIVE PERRY

AN ACT

To amend and reenact R.S. 48:231(A) and (B)(1), relative to the highway priority construction program; to provide for scheduling of public hearings; to provide for notice requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 594—

BY REPRESENTATIVE BILLIOT

AN ACT

To amend and reenact R.S. 32:232.1, relative to inoperative traffic signals; to provide for procedures for the operator of a motor vehicle to follow when a traffic signal is inoperative at an intersection; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1107—

BY REPRESENTATIVE JOHNSON

AN ACT

To authorize the Red River, Atchafalaya, and Bayou Beouf Levee District to exchange certain property in Avoyelles Parish with the adjacent landowners; to provide for property descriptions; to provide for reservation of mineral rights; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON

RETIREMENT

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 24, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 229—

BY REPRESENTATIVE PEARSON
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) of the Constitution of Louisiana and to add Article X, Section 29(F) of the Constitution of Louisiana, to provide relative to benefit provisions for members of public retirement systems; to require a two-thirds vote for passage of a benefit provision having an actuarial cost; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 519—

BY REPRESENTATIVES CORTEZ, BOBBY BADON, BARROW, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HARDY, MICHAEL JACKSON, KLECKLEY, LANDRY, LORUSSO, PEARSON, ROBIDEAUX, JANE SMITH, PATRICIA SMITH, AND TUCKER
AN ACT

To amend and reenact R.S. 11:710, relative to reemployment of retirees in the Teachers' Retirement System of Louisiana; to prohibit retirees reemployed in certain positions from receiving benefits during the period of reemployment; to provide relative to contributions during such period; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1187—

BY REPRESENTATIVE MONTOUCEZ
AN ACT

To enact R.S.11:1753(C) and 1923(C), relative to the Municipal Employees' Retirement System of Louisiana and the Parochial Employees' Retirement System of Louisiana; to provide with respect to membership of certain employees; to provide an effective date; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
D.A. "BUTCH" GAUTREAUX
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Robert M. Marionneaux, Jr., Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 24, 2010

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 432—

BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to Article VII, Section 4(B) and to repeal Article IX, Section 9 of the Constitution of Louisiana, relative to taxes related to natural resources and the use of such taxes; to repeal certain severance taxes; to allow certain natural resources to be subject to the levy of a tax upon hydrocarbon processing in the state imposed under the legislature's general authority to tax under the Constitution of Louisiana; to require certain dedications if such tax is levied; to provide for distribution of the revenues from such tax; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without action.

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 favorably.

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.

Reported favorably.

HOUSE BILL NO. 187—
BY REPRESENTATIVE GUILLORY
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.

Reported favorably.

HOUSE BILL NO. 639—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 18:1284(C) and 1285(A)(1), relative to tax elections called by political subdivisions; to provide requirements for tax propositions; to provide requirements for notice of tax elections; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

Senate Bills and Joint Resolutions
on Second Reading

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.

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

Reconsideration

The vote by which Senate Bill No. 85 failed to pass on Wednesday, May 19, 2010, was reconsidered.

SENATE BILL NO. 85—
BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:62(8)(a) and (b), 1946, and 1966, relative to the Parochial Employees' Retirement System; to provide for ranges for employee contributions for Plans A and B; to provide the board of trustees with authority to set the employee contribution rates for members of Plan A and Plan B within the ranges; to provide for an effective date; and to provide for related matters.

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

Reconsideration

The vote by which Senate Bill No. 334 failed to pass on Wednesday, May 19, 2010, was reconsidered.

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.

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

Mr. President in the Chair

Senate Bills and Joint Resolutions
Returned from the House of Representatives
with Amendments

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 3 by Senator Martiny

AMENDMENT NO. 1

On page 1, delete lines 9 through 14 in their entirety and insert the following:

"D. * * *"

AMENDMENT NO. 2

On page 2, delete lines 3 through 8 in their entirety and insert asterisks

"* * *"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ligi to Engrossed Senate Bill No. 3 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 2, change "who has not been served" to "upon whom service was not requested within the period required by Paragraph (1) of this Subsection"

Senator Martiny moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Initials, Name. Lists members present for the roll call, including Mr. President, Duplessis, Morrell, etc.

Total - 36

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NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

The Chair declared the amendments proposed by the House were concurred in. Senator Martiny moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 46 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, change "Art." to "Article"

AMENDMENT NO. 2

On page 1, line 6, change "Art." to "Article"

Senator Appel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Cheek Kostelka
Heitmeier Marionneaux
Total - 4

The Chair declared the amendments proposed by the House were concurred in. Senator Appel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 77 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 48:2074(D)(2)" and before "and" insert ",(6)"

AMENDMENT NO. 2

On page 1, line 4, after "Works" delete the remainder of the line and insert the following: "and the chairman of the House Committee on Transportation, Highways and Public Works shall rotate as chairman of the board; and to provide for related"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 48:2074(D)(2)" and before "and" insert ",(6)"

AMENDMENT NO. 4

On page 2, delete lines 3 through 5 in their entirety and insert the following:

"(6) The chairman of the House Committee on Transportation, Highways and Public Works or his designee, who shall serve as chairman on a two-year rotating basis with the chairman of the Senate Committee on Transportation, Highways and Public Works.

(7) The Chairman of the Senate Committee on Transportation, Highways and Public Works Committee or his designee, who shall serve on a two-year rotating basis with the chairman of the House Committee on Transportation, Highways and Public Works."

AMENDMENT NO. 5

On page 2, after line 6, add the following:

"Section 2. The chairman of the Senate Committee on Transportation, Highways and Public Works shall serve as chairman beginning on January 1, 2011 and ending on December 31, 2012. The chairman of the House Committee on Transportation, Highways and Public Works shall serve as chairman beginning on January 1, 2013 and ending on December 31, 2014. This two-year rotation shall continue unless otherwise provided by law."

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Morrell
Adley Erdey Morrish
Alario Gautreaux B Mount
Amedee Gautreaux N Murray
Appel Guillory Nevers
Broome Hebert Peterson
Chabert Jackson Quinn
Cheek LaFleur Riser
Claitor Long Shaw

Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneau
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

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

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 437 by Senator Appel

AMENDMENT NO. 1

On page 1, line 10, change "H.(1)" to "H."

AMENDMENT NO. 2

On page 1, line 11, delete "such"

AMENDMENT NO. 3

On page 1, line 13, change "non-residential contracts" to "an action commenced after the expiration of the five-year period provided by this Section."

AMENDMENT NO. 4

On page 1, line 14, after "faith" delete the remainder of the line and at the beginning of line 15, delete "prescriptive period"

AMENDMENT NO. 5

On page 1, line 15 change "that party" to "the party who made the allegation"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 437 by Senator Appel

AMENDMENT NO. 1

On page 1, line 16, following "proven" and before "then" delete "to have occurred"

AMENDMENT NO. 2

On page 1, line 17, and before "the" change "committing" to "that has committed"

Senator Appel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka
Total - 2	

The Chair declared the amendments proposed by the House were rejected. Senator Appel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed Senate Bill No. 514 by Senator Murray

AMENDMENT NO. 1

On page 1, line 15, change "In order to" to "To"

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AMENDMENT NO. 2

On page 2, line 10, delete "at least fifteen days prior"

AMENDMENT NO. 3

On page 2, line 11, after "meeting" and before "and" insert "at least fifteen days in advance"

AMENDMENT NO. 4

On page 2, line 12, change "prior to" to "before"

AMENDMENT NO. 5

On page 2, line 21, after "trends" change the comma "," to a period "." and delete "and all other relevant factors and judgments."

AMENDMENT NO. 6

On page 2, line 24, after "experience" delete "for the purpose of determining surcharge rates"

AMENDMENT NO. 7

On page 2, line 29, change "greater-than-expected" to "greater than expected"

AMENDMENT NO. 8

On page 3, line 25, change "board's website" to "website of the board"

AMENDMENT NO. 9

On page 4, line 1, delete "by the state treasurer"

AMENDMENT NO. 10

On page 4, at the beginning of line 2, delete "the"

AMENDMENT NO. 11

On page 4, line 3, delete "(f)" and delete the remainder of the line in its entirety

AMENDMENT NO. 12

On page 4, line 4, delete "(g)" and delete the remainder of the line and lines 5 through 13 in their entirety

AMENDMENT NO. 13

On page 4, line 14, change "(h)" to "(f)" and delete "from the fund"

AMENDMENT NO. 14

On page 4, line 15, change "such" to "the"

AMENDMENT NO. 15

On page 4, line 17, delete "so as"

AMENDMENT NO. 16

On page 4, line 22, change "such surplus balance" to "surplus"

AMENDMENT NO. 17

On page 4, at the beginning of line 23, change "on hand is" to "assets are"

AMENDMENT NO. 18

On page 5, line 6, after "to" and before "other" delete "such" and after "authority" and before "expressly" delete "elsewhere"

AMENDMENT NO. 19

On page 5, line 12, change "such form as may be" to "the form"

Senator Murray moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Morrell
Adley Erdey Morrish

Alario Gautreaux B Mount
Amedee Gautreaux N Murray
Appel Guillory Nevers
Broome Hebert Peterson
Chabert Jackson Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Martiny Smith
Donahue McPherson Thompson
Dorsey Michot Walsworth
Total - 36

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

The Chair declared the amendments proposed by the House were concurred in. Senator Murray moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 8, after "contrary, a" delete the remainder of the line, and at the beginning of line 9, delete "or motorcycle" and insert "motor vehicle"

AMENDMENT NO. 2

On page 1, line 12, after "noncompliance" and before "and" insert "if for a violation of R.S. 32:863.1, or a citation or violation ticket"

AMENDMENT NO. 3

On page 2, line 2, after "impound a" delete the remainder of the line and at the beginning of line 3, delete "van, recreational vehicle, or motorcycle" and insert "motor vehicle"

AMENDMENT NO. 4

On page 2, line 3, after "violation" insert ", when the motor vehicle involves a violation of Title 14 or Part X of Chapter 40 of the Revised Statutes of Louisiana of 1950, the motor vehicle or its contents is an instrument of a crime or has evidentiary value, or when the operator is operating a motor vehicle under suspension or revocation of his driver's license"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No.4 proposed by the House Committee on Transportation, Highways, and Public Works, on line 12 change "Part X of Chapter 40" to "Part X of Chapter 4 of Title 40"

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 412—
BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:332.1, relative to property control; to create the State Buildings and Lands Highest and Best Use Advisory Group; to provide for duties and responsibilities; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 412 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "R.S. 39:332.1," insert the following: "Part XI-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of"

AMENDMENT NO. 2

On page 1, delete line 6 in its entirety and insert the following: "Section 1. Part XI-A of Chapter 1 of Subtitle I of Part XI-A of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950 Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:332.1, is hereby enacted to read as follows:

Part XI-A. State Buildings and Lands Highest and Best Use Advisory Group

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 412 by Senator Donahue

AMENDMENT NO. 1

In House Committee Amendment No.2 proposed by the House Committee on Appropriations, on line 7, following "Subtitle I" delete "of Part XI-A of Chapter 1"

Senator Donahue moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator Donahue moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 318—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 51:1905.2, relative to deceptive practices in soliciting charitable contributions; to require certain notification on donation receptacles of commercial businesses; to provide for violations; and to provide for related matters.

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

SENATE BILL NO. 342—

BY SENATORS MARIONNEAUX AND THOMPSON

AN ACT

To amend and reenact R.S. 51:1423(A), (D) and (E), and to enact R.S. 51:1423(F), relative to gift certificates; to provide for cash redemption of remaining value under a certain amount; to eliminate certain exemptions; and to provide for related matters.

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

May 24, 2010

Senate Concurrent Resolutions on Second Reading Reported by Committees

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.

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 Concurrent Resolution No. 75 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "the" and before "to" delete "Office of Mental Health" and insert "the Department of Health and Hospitals"

AMENDMENT NO. 2

On page 1, line 4, after "by" and before "facilities" insert "existing"

AMENDMENT NO. 3

On page 1, line 5, after "the" and before ", provide" delete "Office of Mental Health" and insert "office of mental health within the Department of Health and Hospitals"

AMENDMENT NO. 4

On page 1, line 6, after "proposals" delete the remainder of the line

AMENDMENT NO. 5

On page 1, line 7, before "and" delete "approval," and after "to" and before "submit" delete "direct the Department of Health and Hospitals to"

AMENDMENT NO. 6

On page 1, line 10, before "to include" delete "the Office of Mental Health" and insert "the Department of Health and Hospitals"

AMENDMENT NO. 7

On page 1, line 12, after "by" and before "facilities" insert "existing" and after "the" delete "Office of Mental" and insert "office of mental health within the Department of"

AMENDMENT NO. 8

On page 1, line 13, after "Health" and before "," insert "and Hospitals" and after "selection" and before "and" delete ", "

AMENDMENT NO. 9

On page 1, line 14, after "proposals," delete the remainder of line

AMENDMENT NO. 10

On page 1, line 15, before "to submit" delete "Health and Hospitals"

AMENDMENT NO. 11

On page 1, line 18, after "include" and before "Eastern" delete "the" and insert "currently existing facilities at the following locations:"

AMENDMENT NO. 12

On page 2, line 5, after "Hospitals" and before "for" delete "beginning any time after April 15, 2010,"

AMENDMENT NO. 13

On page 2, line 6, after "following" and before "institutions" insert "existing"

AMENDMENT NO. 14

On page 2, line 7, before "during" delete "Office of Mental Health" and insert "office of mental health within the Department of Health and Hospitals"

AMENDMENT NO. 15

On page 2, line 10, after "Hospital" insert "." and delete the remainder of the line

AMENDMENT NO. 16

On page 2, delete lines 11 through 13 in their entirety

AMENDMENT NO. 17

On page 3, delete lines 10 through 18 in their entirety

AMENDMENT NO. 18

On page 4, delete lines 13 through 14 in their entirety

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

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

SENATE CONCURRENT RESOLUTION NO. 77— BY SENATOR MCPHERSON A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to investigate, study, and develop a plan or strategy to modernize and improve the state developmental disability centers, focusing particularly on an assessment of the current operation and maintenance of the existing developmental disability centers and the feasibility of replacing those existing facilities, with the resulting plan or strategy detailing how Louisiana can modernize its current facilities to reflect the best practices in care and cost savings for those with developmental disabilities.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting 'YEAS' in three columns: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Guillory, Nevers, Appel, Hebert, Peterson, Broome, Jackson, Quinn, Chabert, LaFleur, Riser, Cheek, Long, Shaw, Claitor, Marionneaux, Smith, Crowe, Martiny, Thompson, Donahue, McPherson, Walsworth, Dorsey, Michot, Duplessis, Morrell.

Total - 37

NAYS

Total - 0

ABSENT

Table listing names of members who were 'ABSENT': Heitmeier, Kostelka. Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

Senator Mount moved to suspend the rules to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

SENATE BILL NO. 13—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of pension or retirement benefits; to provide for garnishment or seizure of benefits from public retirement or pension systems, plans, or funds; to provide relative to the applicability of certain court orders to such benefits; to provide for garnishment or seizure of such benefits to pay any fine or restitution ordered for certain felony convictions associated with service as an elected official; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator B. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Engrossed Senate Bill No. 13 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 8, after "restitution" insert ", or any costs of incarceration, probation, or parole,"

AMENDMENT NO. 2

On page 1, line 9, after "official" insert "or public employee"

AMENDMENT NO. 3

On page 1, line 16, after "garnishment or seizure" delete the remainder of the line and delete line 17 and insert "related to felony convictions"

AMENDMENT NO. 4

On page 2, delete line 12 and insert the following: "restitution or fine, or any costs of incarceration, probation, or parole, imposed on such member, former member, or retiree as a"

AMENDMENT NO. 5

On page 2, line 15, after "official" insert "or public employee"

On motion of Senator B. Gautreaux, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 13 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"(2) Notwithstanding any other provision of law to the contrary, a garnishment authorized pursuant to this Subsection shall not impinge on the community property interest of a spouse or former spouse not subject to the garnishment."

AMENDMENT NO. 2

On page 2, line 16, change "(2)" to "(3)"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Marionneau
Kostelka	Riser
Total - 4	

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

SENATE BILL NO. 345—

BY SENATOR DONAHUE

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.1(C) of the Constitution of Louisiana, relative to the constitutional requirements and procedures for the imposition or increase in a fee or civil fine; to provide exceptions relative to public postsecondary education tuition amounts and mandatory fees; to provide with respect to the cost of attendance at public institutions of postsecondary education; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 711—

BY SENATORS CHEEK AND LAFLEUR

AN ACT

To enact Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2901, relative to the Community Hospital Stabilization Fund; to create the Community Hospital Stabilization Fund as a special fund in the

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state treasury; to provide for deposit of certain monies into the fund; to provide for the uses of monies in the fund; to provide for certain Medicaid and disproportionate share payments to non-rural, non-state community hospitals; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Marionneau
Kostelka Quinn
Total - 4

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

SENATE BILL NO. 219—

BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Articles 863(B) and (D) and to enact Code of Civil Procedure Article 863(G), relative to pleadings in civil actions; to provide with respect to the requirements of signing pleadings; to provide with respect to sanctions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneau
Total - 3

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

SENATE BILL NO. 312—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 15:571.3(B)(1), relative to diminution of sentence for good behavior; to provide for application; and to provide for related matters.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 312 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 3, after "application;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, line 6, after "1992" and before the period "." insert the following: "and who are not serving a sentence for the following offenses:

(i) A sex offense as defined in R.S. 15:541.

(ii) A crime of violence as defined in R.S. 14:2(B).

(iii) Any offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction.

AMENDMENT NO. 3

On page 2, after line 10, insert the following:

"Section 3. This Act shall become effective on October 15, 2010."

On motion of Senator Morrish, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Kostelka
Heitmeier Marionneaux
Total - 4

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

SENATE BILL NO. 406— BY SENATOR MCPHERSON

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 provide for criminal background checks; to provide for certain entities' access to expunged records; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 406 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 1, following "and" and before "information" change "said" to "such"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

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

SENATE BILL NO. 502— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 15:1352(A)(12) and to enact R.S. 15:1352(A)(20) through (29), relative to "racketeering activity"; to provide for inclusion of additional enumerated crimes to the definition of "racketeering activity"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

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

SENATE BILL NO. 720— BY SENATOR MORRELL

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide that certain contracts obtained through fraud, bribery, corruption or other criminal acts are against public policy and are absolutely null and void and unenforceable; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

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

SENATE BILL NO. 797— (Substitute of Senate Bill No. 29 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R.S. 47:1992(G), relative to the Orleans Parish Assessor; to provide a procedure for inspection of assessment lists in Orleans Parish; to provide for hearing by board of review; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 797 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 16, following "period" insert "of"

AMENDMENT NO. 2

On page 2, line 13, following "later" and before "three" insert "than"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
Total - 3

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

SENATE BILL NO. 799— (Substitute of Senate Bill No. 741 by Senator B. Gautreaux)

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 41:1215.3, relative to the leasing of certain state property; to provide for the property description; to provide for terms and conditions; to provide for the uses of the property subject to the lease; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 799 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 7, following "Notwithstanding" and before "any" delete "with"

AMENDMENT NO. 2

On page 1, line 12, following "property" and before "and" insert ";

AMENDMENT NO. 3

On page 1, line 14, following "paid" and before "to" change "bi-annually" to "biannually"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Kostelka
Heitmeier Marionneaux
Total - 4

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

SENATE BILL NO. 800— (Substitute of Senate Bill No. 779 by Senator LaFleur and Michot and Representative Montoucet)

BY SENATOR LAFLEUR

AN ACT

To amend and reenact Chapter 13 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:651 through 655, relative to the Council for the Development of French in Louisiana; to statutorily create the council; to provide relative to the council's domicile, purposes, membership, powers, duties, and functions; to provide relative to members' terms and compensation; to provide relative to vacancies; to provide for the appointment of an executive committee and an executive director; to provide for policies and bylaws; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 800 by Senator LaFleur

AMENDMENT NO. 1

On page 3, line 14, following "(I)" change "LaFourche" to "Lafourche"

AMENDMENT NO. 2

On page 4, line 5, following "the" change "Assemblée" to "Assemblée"

AMENDMENT NO. 3

On page 4, line 6, following "des" change "parlementaires Francophonies" to "Parlementaires Francophones"

AMENDMENT NO. 4

On page 4, line 24, following "Louisiana" and before "Bar" insert "State"

On motion of Senator Amedee, 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	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Jackson	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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. 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.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 421 by Senator Murray

AMENDMENT NO. 1

On page 1, line 16, following "under" insert "any of"

AMENDMENT NO. 2

On page 2, line 3, following "condition" change "; or" to ";"

AMENDMENT NO. 3

On page 2, line 7, following "regimen" change ";" to ";" and delete line 8 in its entirety

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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

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SENATE BILL NO. 591—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 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.

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

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

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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.

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.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 802 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 5, following "demonstrates" and before "all" delete "that" and following "following" delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 6, delete "business practice"

AMENDMENT NO. 3

On page 2, line 10, following "(3)" change "Where" to "When"

AMENDMENT NO. 4

On page 2, line 11, following "it" and before "provides" insert "as a matter of routine business practice,"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Morrell
Total - 1

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVES FANNIN, MORRIS, BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DANAHAY, DOERGE, DOWNS, ELLINGTON, GEYMANN, GISCLAIR, GUINN, HARRISON, HAZEL, HENDERSON, SAM JONES, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LORUSSO, MCVEA, MILLS, MONToucET, NOWLIN, PEARSON, RICHARD, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, WHITE, AND WILLIAMS AND SENATORS ADLEY, LONG, AND SHAW

A CONCURRENT RESOLUTION

To request the Ground Water Resources Commission, through its chair, to prepare a report on the state's ground and surface water resources and to provide recommendations for the optimal management and protection of the state's surface water and ground water resources, to be submitted to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality no later than March 1, 2011.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Adley 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	Peterson
Broome	Jackson	Quinn
Chabert	LaFleur	Riser
Cheek	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Claitor	Kostelka
Heitmeier	Nevers
Total - 4	

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to reconsider the vote by which HCR 1 was adopted.

Without objection, so ordered.

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

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2011 Regular Session of the Legislature of Louisiana the provisions of R.S. 49:214.6.6, relative to the Infrastructure Priority Program.

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

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2010-2011, as adopted by the Coastal Protection and Restoration Authority.

Reported favorably by the Committee on Natural Resources. The concurrent resolution was read by title and recommitted to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a red light at the intersection of North Acadia Road on Louisiana Highway 648 (Percy Brown Road) in Lafourche Parish and to reduce the speed along this route.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrish
Adley	Erdey	Mount

Alario	Gautreaux B	Murray
Amedee	Guillory	Nevers
Appel	Hebert	Quinn
Broome	Jackson	Riser
Chabert	LaFleur	Shaw
Cheek	Long	Smith
Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth
Donahue	Michot	
Dorsey	Morrell	
Total - 34		

NAYS

Total - 0

ABSENT

Gautreaux N	Kostelka	Peterson
Heitmeier	Marionneaux	
Total - 5		

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

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVES JANE SMITH, BILLIOT, HENRY BURNS, FOIL, GISCLAIR, GUINN, SAM JONES, LAMBERT, LITTLE, AND MORRIS
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to maintain the current incentives for the exploration and production of domestic oil and natural gas.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the possibility of installing highway shoulders along that portion of Louisiana Highway 308 which runs south of Louisiana Highway 90 in Lafourche Parish and through Ascension Parish to Louisiana Highway 1.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Guillory	Nevers
Appel	Hebert	Peterson
Broome	Jackson	Quinn
Chabert	LaFleur	Riser
Cheek	Long	Shaw
Claitor	Marionneaux	Smith
Crowe	Martiny	Thompson
Donahue	McPherson	Walsworth
Dorsey	Michot	
Duplessis	Morrell	
Total - 37		

NAYS

Total - 0

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ABSENT

Heitmeier Kostelka
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 36— BY REPRESENTATIVE ROY

A CONCURRENT RESOLUTION

To urge and request the division of administration, state land office, in consultation with the Department of Natural Resources, office of mineral resources, to study and provide a report on the total amount of acres to which the state owns the mineral rights, and the total amount of acres currently subject to a mineral lease, and the total amount of acres on which the state owns mineral rights where the property was adjudicated to the state pursuant to the Tax Adjudicated Lands Records Program from 1938 through 1962 and subsequently transferred to private ownership.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley Heitmeier Marionneaux
Guillory Kostelka
Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 39— BY REPRESENTATIVES ST. GERMAIN, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, GISCLAIR, GUINN, SAM JONES, MONTOUCET, AND MORRIS

A CONCURRENT RESOLUTION

To approve the Atchafalaya Basin Annual Plan, as adopted by the Atchafalaya Basin Research and Promotion Board.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley Kostelka
Heitmeier Marionneaux
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 44— BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study the economic feasibility and practicality of the state authorizing tax credits for certain costs and expenses attributable to the mitigation of deterioration of coastal property, and to report its findings to the House ways and means and natural resources and environment committees and the Senate revenue and fiscal affairs and natural resources committees prior to the convening of the 2011 Regular Session of the Legislature.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Marionneaux
 Kostelka Peterson
 Total - 4

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

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to advance to the order of:

House Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator N. Gautreaux asked that House Concurrent Resolution No. 1 be called from the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1—
 BY REPRESENTATIVES FANNIN, MORRIS, BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DANAHAY, DOERGE, DOWNS, ELLINGTON, GEYMANN, GISCLAIR, GUINN, HARRISON, HAZEL, HENDERSON, SAM JONES, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LORUSSO, MCVEA, MILLS, MONTUCET, NOWLIN, PEARSON, RICHARD, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, WHITE, AND WILLIAMS AND SENATORS ADLEY, LONG, AND SHAW
A CONCURRENT RESOLUTION

To request the Ground Water Resources Commission, through its chair, to prepare a report on the state's ground and surface water resources and to provide recommendations for the optimal management and protection of the state's surface water and ground water resources, to be submitted to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality no later than March 1, 2011.

Reported favorably by the Committee on Natural Resources.

Floor Amendments

Senator N. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed House Concurrent Resolution No. 1 by Representative Fannin

AMENDMENT NO. 1
 On page 1, line 7, after change "2011" to "2012"

AMENDMENT NO. 2
 On page 6, line 14, change "2011" to "2012"

On motion of Senator N. Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Morrell
 Adley Erdey Morrish
 Alario Gautreaux B Mount

Amedee Gautreaux N Murray
 Appel Guillory Nevers
 Broome Hebert Peterson
 Chabert Jackson Quinn
 Cheek LaFleur Riser
 Claitor Long Shaw
 Crowe Martiny Smith
 Donahue McPherson Thompson
 Dorsey Michot Walsworth
 Total - 36

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
 Total - 3

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

House Concurrent Resolutions on Second Reading Reported by Committees, Resumed

HOUSE CONCURRENT RESOLUTION NO. 2—
 BY REPRESENTATIVE LANDRY
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Bar Association and the Louisiana Supreme Court to develop a centralized system for monitoring the certification and registration of mediators and to make the list of currently certified mediators readily available to the general public.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Kostelka Marionneaux
 Total - 3

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

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HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVE FOIL
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study and make recommendations for the revision of the laws pertaining to the expropriation of immovable property by private entities.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Kostelka	Marionneaux
Heitmeier	LaFleur	
Total - 5		

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

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE KATZ
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adopt Senate Joint Resolution 26 disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under Section 202(a) of the Clean Air Act.

Reported favorably by the Committee on Environmental Quality.

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

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVES KATZ, BILLIOT, HENRY BURNS,
CHAMPAGNE, DOVE, GISCLAIR, LITTLE, AND ST. GERMAIN
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to postpone the United States Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing federal Clean Air Act authority until congress adopts a balanced approach to address climate and energy supply issues without crippling the economy.

Reported favorably by the Committee on Environmental Quality.

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

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

Bagneris Rule

Senator Broome moved to suspend the rules to temporarily pass over controversial House Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Chabert	Kostelka	Quinn
Heitmeier	Marionneaux	
Total - 5		

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

Senator Broome in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Michot
Adley	Dorsey	Morrell
Alario	Duplessis	Morrish
Amedee	Erdey	Mount
Appel	Guillory	Murray
Broome	Hebert	Peterson
Chabert	LaFleur	Shaw
Cheek	Long	Smith
Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth
Total - 30		

NAYS

Total - 0

ABSENT

Gautreaux B	Jackson	Nevers
Gautreaux N	Kostelka	Quinn
Heitmeier	Marionneaux	Riser
Total - 9		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux B	Kostelka	Quinn
Heitmeier	Marionneaux	
Total - 5		

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

HOUSE BILL NO. 63—
BY REPRESENTATIVE GEYMANN
AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to Sidney J. and Sherilyn M. Cormier from the division of administration; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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

HOUSE BILL NO. 70—
BY REPRESENTATIVE GEYMANN
AN ACT

To enact Subpart B-4-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.81 through 130.83, relative to the Wards 4 and 6 Economic Development Board in Beauregard Parish; to establish the board; to provide for appointment of members to the board; to provide the powers and duties of the board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Jackson	Quinn
Cheek	LaFleur	Riser

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Claitor	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total - 3		

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

HOUSE BILL NO. 81—
BY REPRESENTATIVES SAM JONES AND MILLS
AN ACT

To amend and reenact R.S. 56:796(A) and (B)(1), relative to the Lake Fausse Point and Grand Avoille Cove Advisory Board; to provide relative to membership of the board; to provide with respect to jurisdiction over Lake Dauterive; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux B	Kostelka
Heitmeier	Marionneaux
Total - 4	

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

HOUSE BILL NO. 96—
BY REPRESENTATIVE RICHARD
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 application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Morrell
Adley	Duplessis	Morrish
Alario	Erdey	Mount
Amedee	Gautreaux B	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	LaFleur	Quinn
Cheek	Marionneaux	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Gautreaux N	Kostelka	Walsworth
Heitmeier	Long	
Jackson	Riser	
Total - 7		

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

HOUSE BILL NO. 144—
BY REPRESENTATIVE GEYMAN
AN ACT

To enact R.S. 33:3812(I), relative to waterworks districts in Beauregard Parish; to authorize the parish to create commissioner districts within Waterworks District No. 3; to provide a definition of commissioner districts; to provide for representation on the board of commissioners; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Nevers
Total - 3		

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

HOUSE BILL NO. 495—
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 9:1103, relative to carbon sequestration; to provide for ownership of compensation from certain carbon sequestration; to provide for exceptions; and to provide for related matters.

Floor Amendments

Senator N. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 495 by Representative Harrison

AMENDMENT NO. 1

On page 1, delete line 12, and insert "occurs, unless (a) contractually assigned to another party; or (b) the sequestration."

AMENDMENT NO. 2

On page 1, line 16, delete "R.S. 49:214.5.4(F)." and insert "R.S. 49:214.5.4. In such instance, the monetary compensation is the property of the state."

On motion of Senator N. Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Marionneau
Appel	Kostelka	
Total - 5		

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

HOUSE BILL NO. 515—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:108(B)(3), (C), and (F), relative to the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the Municipal Police Employees' Retirement System, provides for the organization, governance,

administration, and membership of the Funding Review Panel charged with studying the funding and benefit provisions of such systems; to provide with respect to election of a chairman for such panel; to provide for reporting requirements; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka	Marionneau
Total - 3		

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

HOUSE BILL NO. 517—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:62(5)(c) and to repeal R.S. 24:36(E), relative to the Louisiana State Employee's Retirement System; to provide for the employee contribution rate of the clerk and sergeant at arms of the Louisiana House of Representatives and the secretary and sergeant at arms of the Louisiana Senate; to provide for the employee contribution rate of legislators, the governor, lieutenant governor, and certain other elected officials; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Guillory	Murray
Amedee	Hebert	Nevers
Appel	Jackson	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser
Cheek	Marionneau	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson

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Dorsey Michot Walsworth
 Erdey Morrell
 Total - 35

NAYS

Total - 0

ABSENT

Donahue Heitmeier
 Duplessis Kostelka
 Total - 4

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

HOUSE BILL NO. 518—
 BY REPRESENTATIVE ROBIDEAUX
 AN ACT

To amend and reenact R.S. 11:403(1), relative to the Louisiana State Employee's Retirement System; to provide for the definition of "accumulated contributions"; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis Kostelka
 Heitmeier Marionneaux
 Total - 4

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

HOUSE BILL NO. 587—
 BY REPRESENTATIVE GARY SMITH
 AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Charles Parish to the Pontchartrain Levee District from the Department of Transportation and Development; and to provide for related matters.

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

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	Jackson	Peterson
Chabert	LaFleur	Quinn
Cheek	Long	Riser
Claitor	Marionneaux	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis Heitmeier Kostelka
 Total - 3

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

HOUSE BILL NO. 646—
 BY REPRESENTATIVE BROSETT
 AN ACT

To enact R.S. 38:330.1(C)(2)(a)(xi), relative to the Southeast Louisiana Flood Protection Authorities; to add a member to the nominating committee; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis Kostelka
 Heitmeier Marionneaux
 Total - 4

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

HOUSE BILL NO. 670—

BY REPRESENTATIVES HENRY, BILLIOT, GISCLAIR, GIROD JACKSON, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL

AN ACT

To amend and reenact R.S. 33:9611(A), 9612, and 9613(D) and (E)(2) and (5), relative to local ethics entities; to provide for the creation and administration of local ethics entities by certain parishes; to provide for the powers of local ethics entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	Kostelka
Heitmeier	Marionneau
Total - 4	

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

HOUSE BILL NO. 688—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 49:214.6.2(E), relative to the Coastal Protection and Restoration Authority; to authorize the authority to assist in the formation of a coastal science consortium; to provide relative to the membership and governing council of the consortium; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux B	Murray
Alario	Gautreaux N	Nevers
Amedee	Guillory	Peterson
Appel	Hebert	Quinn
Broome	Jackson	Riser
Chabert	Long	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Crowe	Michot	Walsworth

Donahue	Morrell
Dorsey	Morrish
Total - 34	

NAYS

Total - 0

ABSENT

Duplessis	Kostelka	Marionneau
Heitmeier	LaFleur	
Total - 5		

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

HOUSE BILL NO. 746—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:441(A)(1)(d), relative to the Louisiana State Employees' Retirement System; to provide for calculation of benefits for persons electing early retirement; to provide for different calculation methods depending upon whether such persons are in service at the time of retirement; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	Kostelka
Heitmeier	Marionneau
Total - 4	

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

Mr. President in the Chair

HOUSE BILL NO. 870—

BY REPRESENTATIVE GEYMAN

AN ACT

To direct the Department of Public Safety and Corrections to not implement the provisions of the Federal PASS ID Act of 2009; and to provide for related matters.

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

May 24, 2010

ROLL CALL

The roll was called with the following result:

YEAS

Adley Erdey Morrish
Alario Gautreaux B Mount
Amedee Gautreaux N Murray
Appel Guillory Nevers
Broome Hebert Peterson
Chabert Jackson Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Martiny Smith
Donahue McPherson Thompson
Dorsey Michot Walsworth
Total - 33

NAYS

Total - 0

ABSENT

Mr. President Heitmeier Marionneaux
Duplessis Kostelka Morrell
Total - 6

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

HOUSE BILL NO. 874— BY REPRESENTATIVES HARRISON, DOVE, AND ST. GERMAIN AND SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 56:10(B)(7)(a) and (D), 103(C)(1), 103.1(B)(1), 153, the heading of Subpart A-2 of Part IV of Chapter 1 of Title 56, 164(A) and (B)(introductory paragraph), 165, and 649.1(A) and to repeal R.S. 56:152, 154, 161, 162, and 163, relative to the issuance of stamps for hunting wild turkey and duck; to change the name of the wild turkey stamp to the wild turkey "license"; to provide for a distinction between "duck stamp" and "duck license"; to provide for fees associated with the purchase of duck stamps and issuance of duck licenses; and to provide for related matters.

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

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 Nevers
Appel Hebert Peterson
Chabert Jackson Quinn
Cheek LaFleur Shaw
Claitor Long Smith
Crowe Martiny
Dorsey McPherson
Total - 28

NAYS

Donahue Riser Walsworth
Murray Thompson
Total - 5

ABSENT

Broome Heitmeier Marionneaux
Duplessis Kostelka Michot
Total - 6

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

HOUSE BILL NO. 1126—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 11:1521(A) and (C) and 1530(K)(2)(a), relative to the Clerks' of Court Retirement and Relief Fund; to provide for retirement eligibility and calculation of retirement benefits for persons whose system membership begins on or after January 1, 2011; to provide for calculation of benefits for post-Deferred Retirement Option Plan participation; to provide an effective date; and to provide for related matters.

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

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 Jackson Quinn
Broome LaFleur Riser
Chabert Long Shaw
Cheek Martiny Smith
Claitor McPherson Thompson
Donahue Michot Walsworth
Dorsey Morrell
Erdey Morrish
Total - 34

NAYS

Total - 0

ABSENT

Crowe Heitmeier Marionneaux
Duplessis Kostelka
Total - 5

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

HOUSE BILL NO. 1142—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:539(A)(1) and to enact R.S. 11:441(G), 502.3(D), 538.1, and 538.2; relative to the Louisiana State Employees' Retirement System; to provide for conformity and compliance with qualified plan provisions of the Internal Revenue Code; to provide for limitations on contributions to a plan; to provide relative to the reversion of funds to employers; to provide for rollovers of distributions; to require the distribution of certain information relative to such rollover distributions; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Duplessis	Kostelka
Heitmeier	Marionneaux
Total - 4	

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

HOUSE BILL NO. 1150—
BY REPRESENTATIVE ABRAMSON
AN ACT

To provide for the transfer or lease of certain state property in Orleans Parish from the division of administration and to provide for specific use of the property.

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

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	Jackson	Quinn
Broome	LaFleur	Riser
Chabert	Long	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Morrell	
Erdey	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Crowe	Heitmeier	Marionneaux
Duplessis	Kostelka	
Total - 5		

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

HOUSE BILL NO. 1255—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 56:56, relative to seizure of things illegally used or possessed; to authorize the voluntary surrender to the Department of Wildlife and Fisheries of live animals illegally possessed; and to provide for related matters.

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

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	Jackson	Quinn
Broome	LaFleur	Riser
Chabert	Long	Shaw
Cheek	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Morrell	
Erdey	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Claitor	Heitmeier	Marionneaux
Duplessis	Kostelka	
Total - 5		

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

HOUSE BILL NO. 1277— (Substitute for House Bill No. 53 by Representative Roy)

BY REPRESENTATIVE ROY
AN ACT

To enact R.S. 32:387.19, relative to special permits; to authorize the use of a portion of Interstate 49 as an alternate route for U.S. Highway No. 71 and U.S. Highway No. 167 to haul agronomic or horticultural crops on the interstate; and to provide for related matters.

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

YEAS

Mr. President	Dorsey	Michot
Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Chabert	Jackson	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Total - 33		

NAYS

Total - 0

ABSENT

Duplessis	Kostelka	Peterson
Heitmeier	Marionneau	Walsworth
Total - 6		

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

Rules Suspended

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 24, 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. 103— BY SENATORS N. GAUTREUX, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVE JANE SMITH

AN ACT

To enact Subpart B of Part XIII of Chapter 2 of 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; creates the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 52— BY SENATOR B. GAUTREUX

AN ACT

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

Reported with amendments.

SENATE BILL NO. 151— BY SENATOR ADLEY

AN ACT

To enact R.S. 14:73.1(14) and 73.9, relative to computer aided crime; to prohibit the use of an Internet, virtual, street-level map in the commission of a crime; to prohibit the use of an Internet, virtual, street-level map in the commission or attempted commission of an act of terrorism; to provide for enhanced penalties; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 61— BY SENATOR AMEDEE

AN ACT

To amend and reenact Code of Criminal Procedure Article 162 and 731(B) and to enact Code of Criminal Procedure Article 202 (D)(5) and R.S. 9:2603.1 (F), relative to the issuance of warrants

and subpoenas; to provide for certain requirements relative to electronic signatures; and to provide for related matters.

Reported with amendments.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 24, 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. 196— BY SENATOR MOUNT AND REPRESENTATIVE KATZ AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404(B) and to enact R.S. 46:1403(A)(11) and to repeal Chapter 15 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1451 through 1459, relative to child-placing agencies; to expand the definition of a child-placing agency; to provide for licensure of transitional youth residences as child-placing agencies; to provide an exemption to licensure of child-placing agencies operated by the Department of Social Services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 214— BY SENATOR MOUNT AND REPRESENTATIVE KATZ AN ACT

To amend and reenact R.S. 37:793(G) and to enact R.S. 37:793(B)(5), relative to the administration of nitrous oxide inhalation analgesia; to provide for the administration of nitrous oxide inhalation analgesia by certain dental hygienists; to provide for a permit; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 303— BY SENATOR LONG AN ACT

To enact R.S. 37:2804(K), relative to the powers and duties of the Louisiana Board of Chiropractic Examiners; to provide for the power to enter into certain transactions involving immovable property; to provide for the authority of the board to borrow funds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 374— BY SENATOR MORRELL AN ACT

To amend and reenact R.S. 15:529.1(G), relative to the habitual offender law; to provide for imprisonment at hard labor for persons sentenced under the habitual offender law; and to provide for related matters.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 91—

BY SENATOR CHAISSON

A RESOLUTION

To urge and request the Department of Transportation and Development to establish a joint task force with the parish council of St. Charles Parish to study the possibility of improving safety issues on Louisiana Highway 90 through St. Charles Parish.

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

SENATE RESOLUTION NO. 92—

BY SENATOR MARIONNEAUX

A RESOLUTION

To designate Saturday, May 29, 2010 as "Shady Grove High School Class of 1980 Day".

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

Rules Suspended

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 86—

BY SENATOR LAFLEUR

A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions made to the state with its history, culture, and people, and to proclaim May 24, 2010, as Tunica-Biloxi Day at the Senate.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the President of the United States to immediately issue an emergency executive order directing all available United States Armed Forces assets to assume control for all the response operations of fighting the catastrophic oil spill in the Gulf of Mexico, declaring martial law, calling for fines to be levied against British Petroleum for damages caused by the Deepwater Horizon oil spill to pay for response efforts, and ordering all federal agencies to give Louisiana quick and helpful cooperation in its mission of protecting its coastline, and to cease and desist the use of all products listed on the U.S. EPA National Oil and Hazardous Substances Pollution Contingency Plan, Subpart J, Product Schedule, that contain petroleum distillates, propylene glycol, and other chemicals that are hazardous to human health, including 2-butoxyethanol, that are now being used to combat the oil spill off the Louisiana coast,

and to order certain federal agencies responsible for monitoring worker safety, public health, and the environment to take aggressive action to prevent further human and ecological tragedy from this catastrophe.

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

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 24, 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. 1032 HB No. 733

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 733—

BY REPRESENTATIVE ANDERS

AN ACT

To enact R.S. 3:1221, relative to carbon sequestration; to authorize participation in greenhouse gas emission reduction programs; to provide for the state's participation; and to provide for related matters.

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

HOUSE BILL NO. 1032—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:2740.67(C)(1), (2), and (3), relative to the Greenwell Springs-Airline Economic Development District; to change the membership of the board of commissioners of the district; to provide relative to terms of board members; 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 24, 2010

To the Honorable President and Members of the Senate:

May 24, 2010

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. 188 HCR No. 190 HCR No. 192
HCR No. 193

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 188— BY REPRESENTATIVE GARY SMITH A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the feasibility of and necessity for legislation which imposes restrictions on the residence of certain sex offenders by prohibiting sex offenders from establishing a residence in an area of high concentration of children.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Hebert, Nevers, Appel, Jackson, Peterson, Broome, LaFleur, Quinn, Chabert, Long, Riser, Cheek, Martiny, Shaw, Crowe, McPherson, Smith, Donahue, Michot, Thompson, Dorsey, Morrell, Walsworth. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Claitor, Guillory, Kostelka, Duplessis, Heitmeier, Marionneaux. Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 190— BY REPRESENTATIVE CONNICK A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers and Barack Obama, President of the United States, to expedite permitting for the state of Louisiana's coastal use permit application to dredge sand to be used to bolster our barrier islands in order to prevent oil from the Deepwater Horizon oil leak from entering our marshes.

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

HOUSE CONCURRENT RESOLUTION NO. 192— BY REPRESENTATIVE HARDY A CONCURRENT RESOLUTION

To urge and request the governor and the attorney general of the state to hastily determine who is at fault and then timely pursue actions against those responsible for the resulting oil spill caused by the explosion that occurred on the rig Deepwater Horizon. The resolution was read by title and referred by the President to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 193— BY REPRESENTATIVE DIXON A CONCURRENT RESOLUTION

To urge and request the office of state fire marshal and the Louisiana State University Fire and Emergency Training Institute to perform a study to identify any opportunities for fire, EMT, emergency services, disaster relief, and disaster planning training at England Airpark.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Hebert, Nevers, Appel, Jackson, Peterson, Broome, LaFleur, Quinn, Chabert, Long, Riser, Cheek, Martiny, Shaw, Claitor, McPherson, Smith, Crowe, Michot, Thompson, Dorsey, Morrell, Walsworth. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Donahue, Guillory, Kostelka, Duplessis, Heitmeier, Marionneaux. Total - 6

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 Reported by Committees

Senator Nevers asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committee.

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.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 7, at the beginning of line 17, between "to" and "parents" insert "at least two"

AMENDMENT NO. 2

On page 7, delete lines 18 through 23, and insert the following: "following groups or organizations as follows:

- (i) One member appointed by the Associated Professional Educators of Louisiana.
- (ii) One member appointed by the Louisiana Association of Educators.
- (iii) One member appointed by the Louisiana Federation of Teachers.
- (iv) One member appointed by the Louisiana Association of School Superintendents.
- (v) One member appointed by the Louisiana Association of Principals.
- (vi) One member appointed by the Louisiana Association of Public Charter Schools.
- (vii) Two members of the Senate Committee on Education, appointed by the chairman thereof.
- (viii) Two members of the House Committee on Education, appointed by the chairman thereof.
- (ix) One member appointed by each member of the State Board of Elementary and Secondary Education."

AMENDMENT NO. 3

On page 7, line 27, between "its" and "recommendations" change "final" to "initial" and between "board" and "by" insert "and the Senate and House committees on education"

AMENDMENT NO. 4

On page 8, delete lines 1 through 10, and insert the following:

"(7) Submit a written report to the Senate Committee on Education and the House Committee on Education not later than sixty days prior to the 2011 and the 2012 regular sessions of the legislature regarding the status of the development of the value-added assessment model as specified in R.S. 17:3902(B)(5) and the methodology used in such development. The committees may meet separately or jointly and may disapprove the assessment model so presented upon majority vote of each committee, if the committees determine that the methodology is arbitrary or not evidence-based.

(8) Beginning in 2013 and thereafter, submit a written report to the Senate Committee on Education and the House Committee on Education, not later than March first of each year, and at such other times as requested by the committees, regarding the implementation, results, and effectiveness of the value-added assessment model as provided in this Part."

AMENDMENT NO. 5

On page 9, at the end of line 21, insert "The department shall submit a report to the Senate Committee on Education and the House Committee on Education which contains the details of any monitoring methods developed pursuant to this Subparagraph."

AMENDMENT NO. 6

On page 13, line 27, between "period." and "Each" insert "Such plan shall be designed to assist each teacher and administrator in meeting the standards for effectiveness, effectively addressing the social, developmental, and emotional needs of students and maintaining a classroom environment that is conducive to learning."

AMENDMENT NO. 7

On page 14, line 29, between "board" and "for" insert "for grade levels and subjects"

AMENDMENT NO. 8

On page 14, line 29, between "For" and "and subjects" change "grades" to "grade levels"

AMENDMENT NO. 9

On page 15, at the beginning of line 4, delete "Human Development Index."

AMENDMENT NO. 10

On page 18, line 23, between "teacher" and "employed" insert "and administrator" and between "school" and the period "." insert "using the value-added assessment model and measures of student growth as determined by the State Board of Elementary and Secondary Education pursuant to R.S. 17:3902(B)(5)"

AMENDMENT NO. 11

On page 18, line 26, between "using" and "value-added" change "a" to "the"

AMENDMENT NO. 12

On page 18, line 27, between "board" and "for" insert "for grade levels and subjects"

AMENDMENT NO. 13

On page 18, at the beginning of line 28, change "grades" to "grade levels"

AMENDMENT NO. 14

On page 19, at the end of line 1, delete "Human Development" and at the beginning of line 2, delete "Index."

AMENDMENT NO. 15

On page 19, line 6, after "school." delete the remainder of the line

AMENDMENT NO. 16

On page 19, delete line 7, and insert the following:

"(3) The state superintendent of education shall make available to the public the data specified in R.S. 17:3902(B)(5) as may be useful for conducting statistical analyses and evaluations of educational personnel, but shall not reveal information pertaining to the evaluation report of a particular employee. Beginning with the 2012-2013 school year, such public information may include school level student growth data as specified in R.S. 17:3902(B)(5).

(4) (a) The State Board of Elementary and Secondary Education may request that the state Department of Education monitor evaluation programs established pursuant to this Section as necessary. The method to be used in monitoring such programs shall be established by the department with the approval of the board and shall be sufficient to determine the extent to which any programs have been implemented, and whether such programs comply with the provisions of this Section.

(b) If, in conducting such monitoring, the department determines that the governing authority of a charter school has failed to implement its evaluation program or has otherwise failed to comply with the provisions of this Section, the department shall notify the

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charter school governing authority of such failure, and the charter school governing authority shall correct such failure within sixty calendar days after receiving such notification. The department also shall notify the State Board of Elementary and Secondary Education of such failure, by the charter school governing authority.

(c) If the failure is not corrected within the prescribed sixty calendar days, the department shall notify the board of such continued failure and shall recommend to the board whatever sanctions against such charter school governing authority the department deems appropriate, which may include withholding funds distributed pursuant to the minimum foundation program formula until the corrections are made. The board shall act upon such recommendation within sixty calendar days after its receipt of the notification."

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

May 24, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 401— BY SENATORS THOMPSON AND NEVERS AND REPRESENTATIVE KATZ

AN ACT

To enact R.S. 40:1300.144(A)(4), relative to rural hospitals; to provide for rural hospital reimbursement; to provide for the development of payment methods that optimize federal funds to reduce or eliminate small rural hospitals' reliance upon uncompensated care costs funding; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 471— BY SENATOR MICHOT

AN ACT

To enact Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2901, relative to a special treasury fund; to create the Health Care Stabilization Fund; to provide for deposit of certain monies into the fund; to provide for the uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 583—

BY REPRESENTATIVES EDWARDS, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, ELLINGTON, FANNIN, GALLOT, GISCLAIR, GUINN, HARDY, HARRISON, HENDERSON, HENRY, HINES, HUTTER, GIROD JACKSON, SAM JONES, KATZ, LABRUZZO, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MILLS, MONTOU CET, PONTI, PUGH, RICHARD, RICHMOND, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To enact R.S. 46:121(4), 122(B)(5), and 123(L), relative to Louisiana Military Family Assistance; to provide for definitions; to

provide for uses of the Louisiana Military Family Assistance Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1065—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 49:259(B), relative to the Department of Justice Legal Support Fund, to increase the maximum allowable fund balance; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1267—

BY REPRESENTATIVE BROSSETT

AN ACT

To amend and reenact R.S. 39:6(C), relative to the duties of the commissioner of administration; to require that certain information concerning state contracts be included on the state spending website; to provide for effectiveness; and to provide for related matters.

Reported favorably.

Respectfully submitted, MICHAEL J. "MIKE" MICHOT Chairman

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 60 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 60—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 39:1401(C), relative to the State Bond Commission; to provide for the election of a chairman of the State Bond Commission by its members; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Privilege Report of the Legislative Bureau

May 24, 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.

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.

Reported without amendments.

Respectfully submitted,
 ROB MARIONNEAUX
 Chairman

Adoption of Legislative Bureau Report

On motion of Senator Nevers, the Bills and Joint Resolutions were read by title and passed to a third reading.

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 24, 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 Bills have been properly enrolled:

SENATE BILL NO. 98—
 BY SENATORS MARTINY AND DUPLESSIS
 AN ACT

To amend and reenact R.S. 37:1788(B)(2) and to enact R.S. 37:1788(B)(3), relative to pawnbrokers; to provide for change in ownership of pawnshops under certain circumstances; and to provide for related matters.

SENATE BILL NO. 168—
 BY SENATOR WALSWORTH
 AN ACT

To amend and reenact R.S. 8:606(B) and (C), and 706 and to enact R.S. 8:1(22.1) and 606(D), relative to cemeteries; to provide for commencement and completion requirements of mausoleums or similar structures; to provide for commencement and the completion requirements of improvements on undeveloped cemetery property; and to provide for related matters.

SENATE BILL NO. 198—
 BY SENATOR DUPLESSIS
 AN ACT

To amend and reenact R.S. 32:707.2(C)(2) and (3), and to enact R.S. 6:969.18(A)(5) and R.S. 32:707.2(H), relative to electronic lien and title services; to authorize financial institutions to charge consumer fees in connection with motor vehicle transactions; and to provide for related matters.

SENATE BILL NO. 291—
 BY SENATOR DONAHUE
 AN ACT

To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

SENATE BILL NO. 404—
 BY SENATOR DONAHUE
 AN ACT

To enact R.S. 39:248, relative to state government services; to provide for the development of a long term plan to create regional governmental service centers; to provide for the submission of the plan to the Joint Legislative Committee on the Budget for approval; to provide for annual updating of the plan; and to provide for related matters.

SENATE BILL NO. 415—
 BY SENATOR MICHOT
 AN ACT

To enact R.S. 51:1427, relative to deceptive or unfair trade practices or acts; to prohibit a person from selling or offering to sell computer software products which the person has developed or manufactured, or services that the person develops or supplies, while knowingly using stolen or misappropriated computer software; to provide for sanctions; and to provide for related matters.

SENATE BILL NO. 484—
 BY SENATOR DUPLESSIS
 AN ACT

To amend and reenact R.S. 6:263, relative to capital, surplus, and dividends of state banks; to provide relative to state bank dividends and stock purchased or redeemed; to require capital surplus; and to provide for related matters.

SENATE BILL NO. 540—
 BY SENATOR WALSWORTH
 AN ACT

To amend and reenact R.S. 8:306, relative to the dedication of cemetery property; to provide for legislative intent; to provide for the protection of unmarked human burial sites; to provide for notice; and to provide for related matters.

SENATE BILL NO. 616—
 BY SENATOR MCPHERSON
 AN ACT

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

Respectfully submitted,
 ROBERT W. "BOB" KOSTELKA
 Chairman

The foregoing Senate Bills 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 24, 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:

May 24, 2010

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, the division of administration, and the Department of Education to study the feasibility of appropriating directly to the state retirement systems those funds currently included in the Minimum Foundation Program (MFP) appropriation for payment of the employer contributions to the retirement systems.

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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 24, 2010

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON

A CONCURRENT RESOLUTION

To recognize Monday, June 7, 2010, as UNO Day at the Louisiana Legislature.

HOUSE CONCURRENT RESOLUTION NO. 163—

BY REPRESENTATIVE TEMPLET

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Service Commission to study and report on the feasibility of adopting the National Electrical Safety Code for the installation, operation, and maintenance of overhead and underground electrical facilities.

HOUSE CONCURRENT RESOLUTION NO. 164—

BY REPRESENTATIVE TEMPLET

A CONCURRENT RESOLUTION

To urge and request each owner or operator of a public utility or private facility, which maintains or uses utility poles in the state of Louisiana, to become a member of and participate in a statewide utility pole reporting system.

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVE AUSTIN BADON

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the public postsecondary education management boards, to study and make recommendations relative to including students who graduate from an institution in calculations for determining and for reporting on student graduation and completion rates by public postsecondary education institutions; to provide for a report to the legislative education committees of study findings and recommendations; and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVES WILLMOTT AND LIGI AND SENATOR MARTINY

A CONCURRENT RESOLUTION

To commend Arthur Tudela for his outstanding service to his country in the United States Marine Corps.

HOUSE CONCURRENT RESOLUTION NO. 168—

BY REPRESENTATIVES CARMODY AND WADDELL AND SENATOR SHAW

A CONCURRENT RESOLUTION

To commend Shreveport's Captain Shreve High School upon receipt of the 2010 National Gold Council of Excellence Award.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to develop a uniform form to be used by all courts in Louisiana to notify defendants charged with operating a vehicle while intoxicated of their rights and the penalty range for subsequent charges of operating a vehicle while intoxicated.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVES MCVEA, EDWARDS, AND THIBAUT AND SENATOR RISER

A CONCURRENT RESOLUTION

To commend Louise Williams of Wyanoke upon the celebration of her one-hundred-tenth birthday on June 15, 2010.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To urge and request television cable companies to determine methods to improve customer relations for the hearing impaired.

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVES GREENE, MICHAEL JACKSON, KATZ, AND PONTI AND SENATORS BROOME AND ERDEY

A CONCURRENT RESOLUTION

To commend East Baton Rouge Parish upon winning the Sixteenth Annual Elementary Championship Fitness Meet of the Governor's Games sponsored by the Governor's Council on Physical Fitness and Sports.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdy, Gautreaux B, Gautreaux N, Guillory, Hebert, Jackson, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Quinn, Riser, Shaw, Smith, Thompson, and Walsworth.

Total - 37

ABSENT

Heitmeier Kostelka
Total - 2

Leaves of Absence

The following leaves of absence were asked for and granted:

Heitmeier 1 Day Kostelka 1 Day

Announcements

The following committee meetings for May 25, 2010, were announced:

Agriculture	10:00 A.M.	Room C
Judiciary A	9:00 A.M.	Hainkel Rm
Judiciary B	9:30 A.M.	Room E
Judiciary C	10:00 A.M.	Room A

Adjournment

On motion of Senator Thompson, at 6:25 o'clock P.M. the Senate adjourned until Tuesday, May 25, 2010, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Tuesday, May 25, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk