

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

THIRTY-FIFTH 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

Wednesday, June 2, 2010

The Senate was called to order at 1:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Heitmeier	Murray
Alario	Kostelka	Nevers
Amedee	Long	Riser
Broome	Marionneau	Shaw
Chabert	Michot	Smith
Cheek	Morrell	Thompson
Gautreaux B	Morrish	Walsworth
Total - 21		

ABSENT

Adley	Duplessis	LaFleur
Appel	Erdey	Martiny
Claitor	Gautreaux N	McPherson
Crowe	Guillory	Mount
Donahue	Hebert	Peterson
Dorsey	Jackson	Quinn
Total - 18		

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

Prayer

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

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of June 1, 2010, was adopted.

Introduction of Senate Resolutions

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

**SENATE RESOLUTION NO. 105—
BY SENATOR BROOME**

A RESOLUTION

To recognize Wednesday, June 2, 2010, as Pro-Life Day at the Louisiana State Capitol and to commend the state's pregnancy resource centers, adoption agencies, and maternity homes.

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

**SENATE RESOLUTION NO. 106—
BY SENATOR CHEEK**

A RESOLUTION

To recognize Thursday, June 3, 2010, as Girl Scouts of the USA Day at the Louisiana State Capitol.

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

**Senate Concurrent Resolutions on
Second Reading**

**SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATOR PETERSON**

A CONCURRENT RESOLUTION

To commend the Louisiana Cancer Control Partnership and their efforts to develop the Comprehensive Cancer Control Plan for Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Kostelka	Nevers
Alario	LaFleur	Peterson
Amedee	Long	Shaw
Broome	Marionneau	Smith
Chabert	Michot	Thompson
Cheek	Morrell	Walsworth
Gautreaux B	Morrish	
Heitmeier	Murray	
Total - 22		

NAYS

Total - 0

ABSENT

Adley	Duplessis	Martiny
Appel	Erdey	McPherson
Claitor	Gautreaux N	Mount
Crowe	Guillory	Quinn
Donahue	Hebert	Riser
Dorsey	Jackson	
Total - 17		

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

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

**SENATE BILL NO. 269—
BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 33:2740.9.1, relative to special taxing districts; to provide for the proportional sharing of direct benefits of capital improvements in municipalities located in parishes with capital improvement districts; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 269 by Senator Broome

AMENDMENT NO. 1

Change author from Senator Broome to Senator Murray

AMENDMENT NO. 2

On page 1, line 2, change "amend and reenact R.S. 33:2740.9.1," to "provide" and delete "taxing"

AMENDMENT NO. 3

On page 1, delete line 3, on line 4, delete "located in parishes with capital improvement", and insert the following: "authority to levy, impose, and collect parcel fees in certain"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line, delete line 8 and on line 9, change "A.(1) Any capital improvement" to the following:

"A. Definitions. As used in this Act, unless the context requires otherwise, the following terms shall have the following meaning:

(1) "Board" means the board of commissioners of the district.

(2) "City" means any city with boundaries coterminous with the parish in which it is located.

(3) "District" means any special"

AMENDMENT NO. 5

On page 1, line 9, change "authorized" to "created"

AMENDMENT NO. 6

On page 1, line 10 change "and created by the" to ", designated as a management district and situated in a parish with a city-parish home rule form of government.

B. Parcel fee assessment authority. (1) The"

AMENDMENT NO. 7

On page 1, line 10, delete "a parish shall ensure that the citizens", delete lines 11 through 14, and insert the following: "the city is hereby authorized to levy and collect annually a special parcel fee provided for in this Act on each parcel located in the district subject to and in accordance the provisions of this Act.

(2) The amount of the parcel fee"

AMENDMENT NO. 8

On page 1, line 15, delete "(2) The proportional contribution of each municipality", on line 16, delete "percent of total tax revenues collected by the capital", delete line 17 and on page 2, delete lines 1 through 12, and insert the following: "Bureau of the Treasury within the Department of Finance of the city, or equivalent entity, or its designee as of January 1, 2010 and shall be as follows, based on the classification of the parcel:

(a) For each Tier One Parcel, a flat parcel fee of one hundred eighty-five dollars per year.

(b) For each Tier two Parcel, a flat parcel fee of three hundred ninety-five dollars per year.

(c) For each Tier Three Parcel, a flat parcel fee shall be assessed as follows:

(i) For each Tier 3A Parcel, a flat parcel fee of fifteen thousand dollars per year.

(ii) For each Tier 3B Parcel, a flat parcel fee of ten thousand dollars per year.

(iii) For each Tier 3C Parcel and 3D Parcel, a flat parcel fee of five thousand dollars per year.

(iv) For each Tier 3E Parcel and Tier 3F Parcel, a flat parcel fee of three thousand dollars per year.

(v) For each Tier 3G Parcel, a flat parcel fee of two thousand dollars per year.

(vi) For each Tier 3H parcel, Tier 3I Parcel, Tier 3J Parcel, and 3K Parcel, a flat parcel fee of one thousand five hundred dollars per year.

(vii) For each Tier 3L Parcel, a flat parcel fee of one thousand dollars per year.

(viii) For each Tier 3M Parcel, a flat parcel fee of nine hundred dollars per year.

(ix) For each Tier 3N Parcel, a flat parcel fee of five hundred dollars forty five per year.

(3) The amount of the parcel fee for each parcel classification shall be fixed and shall not change prior to the expiration of the term of the parcel fee.

(4) The following terms shall have the following meaning when used in this Act:

(a) The term "parcel" means a tract of land in the district, including all buildings and improvements thereon, excluding any property that is exempt in full from ad valorem taxation.

(b) The term "Tier One Parcel" means a parcel that is used solely for residential purposes as either a single family dwelling or a multiple family dwelling with no more than four residential units. If any unit or portion of the parcel is used for commercial or any other non-residential purpose, the entire parcel shall not be a Tier One Parcel and instead shall be classified as either a Tier Two Parcel or a Tier Three Parcel.

(c) The term "Tier Two Parcel" means a parcel that does not qualify as a Tier One Parcel and or a Tier Three Parcel.

(d) The term "Tier Three Parcel" means a parcel that does not qualify as a Tier One Parcel and the use of the parcel corresponds to one of the following descriptions:

(i) The parcel is primarily used for a hotel, and the hotel has at least one thousand rooms available for guest occupation. Such a parcel shall be referred to as a "Tier 3A Parcel".

(ii) The parcel is used primarily for office space, and the structure on the parcel contains at least four hundred thousand square feet of floor space. Such a parcel shall be referred to as a "Tier 3B Parcel".

(iii) The parcel is primarily used for a hotel, and the hotel has at least three hundred twenty-five rooms but fewer than one thousand rooms available for guest occupation. Such a parcel shall be referred to as a "Tier 3C Parcel".

(iv) The parcel is used primarily for public parking, and an enclosed parking structure is built on the parcel that has at least one thousand designated parking spaces. Such a parcel shall be referred to as a "Tier 3D Parcel".

(v) The parcel is primarily used for a hotel, and the hotel has at least one-hundred fifty rooms but fewer than three hundred twenty-five rooms available for guest occupation. Such a parcel shall be referred to as a "Tier 3E Parcel".

(vi) The parcel is used primarily for a retail shopping center, and the structure on the parcel contains at least one hundred thousand square feet of floor space. Such a parcel shall be referred to as a "Tier 3F Parcel".

(vii) The parcel is primarily used for a hotel, and the hotel has at least ninety rooms but fewer than one hundred fifty rooms available for guest occupation. Such a parcel shall be referred to as a "Tier 3G Parcel".

(viii) The parcel is used primarily for public parking, and an enclosed parking structure is built on the parcel that has at least one hundred designated parking spaces but fewer than one thousand designated parking spaces. Such a parcel shall be referred to as a "Tier 3H Parcel".

(ix) The parcel is used primarily for public parking, and has a surface parking lot on the parcel that has at least two hundred seventy-five designated parking spaces. Such a parcel shall be referred to as a "Tier 3I Parcel".

(x) The parcel is used primarily for a retail shopping center, and the structure on the parcel contains at least twenty-five thousand square feet of floor space but fewer than one hundred thousand square feet of floor space. Such a parcel shall be referred to as a "Tier 3J Parcel".

(xi) The parcel is used primarily for office space, and the structure on the parcel contains at least fifty thousand square feet of floor space but fewer than four hundred thousand square feet of floor space. Such a parcel shall be referred to as a "Tier 3K Parcel".

(xii) The parcel is used primarily for public parking, and has a surface parking lot on the parcel that has at least one

hundred designated parking spaces but fewer than two hundred seventy-five designated parking spaces. Such a parcel shall be referred to as a "Tier 3L Parcel".

(xiii) The parcel is primarily used for a hotel, and the hotel has at least twenty-five rooms but fewer than ninety available for guest occupation. Such a parcel shall be referred to as a "Tier 3M Parcel".

(xiv) The parcel is used in whole or in part for commercial purposes, the use of the parcel does not correspond to a parcel use described in (5)(d)(i) through (5)(d)(xiii), and a business operating on the parcel holds a "Class A retail alcoholic beverage" permit issued by the city. Such a parcel shall be referred to as a "Tier 3N Parcel".

(5) Each condominium parcel as defined in R.S. 9:1121.103 shall be a separate parcel for purposes of this Act, and, pursuant to R.S. 9:1121.105, the parcel fee authorized by this Act shall be assessed against each individual condominium parcel. However, condominium property consisting exclusively of parking spaces shall be deemed to be a single parcel and the parcel fee authorized by this Act shall be assessed against the entire condominium property as a single entity and shall be payable by the condominium association.

(6) Each timeshare unit as defined in R.S. 9:1131.2 (and not each use period) shall be classified as a separate parcel for purposes of this Act, and, pursuant to R.S. 9:1131.9, the parcel fee authorized by this Act shall be assessed against the timeshare property as a single entity unless the timeshare property is subject to the Louisiana Condominium Act, R.S. 9:1121.101 et seq., in which case the parcel fee shall be assessed as provided in R.S. 9:1121.105.

(7) The proceeds of the parcel fee shall be used solely and exclusively for the purposes authorized by law applicable to the district.

(8)(a) The parcel fee shall be levied and collected only after the question of its imposition has been submitted to and approved by a majority of registered voters of the district voting on the question at an election to be conducted in accordance with the Louisiana Election Code on a date selected by the board. In order to comply with R.S. 18:1299.1(A), the district is authorized to incorporate by reference thereto law detailing the amount of the parcel fees and the classifications of the parcels in the proposition, and additionally, the district shall make available for inspection by the public such fees and classifications at the district's office during regularly scheduled business hours.

(b) The authority to levy the parcel fee shall expire after the levy of the parcel fee for 2014.

(c) The parcel fee authorized by this Act may be renewed for an additional term not to exceed five years only after both of the following have occurred:

(i) The renewal is authorized by additional legislation.

(ii) The question of renewal is submitted to and approved by a majority of registered voters of the district voting on the question at an election to be conducted in accordance with the Louisiana Election Code on a date selected by the board.

(9) Any parcel fee which is unpaid shall be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

(10) The manner in which the proceeds of the parcel fee are collected, paid over, maintained, and paid out shall be as otherwise provided by law applicable to the district.

(11) The cessation of the authority to levy the parcel fee and the disposition and use of remaining unspent funds of the district if the district ceases to exist shall be as otherwise provided by law applicable to the district.

C. Funding. (1) The board shall use the proceeds of the parcel fee authorized by this Act solely for the purposes set forth in law applicable to the district.

(2) The board shall endeavor to deploy its resources funded by the parcel fee authorized by this Act as provided by law applicable to the district

Section 2. The provisions of this Act shall supersede any contrary provisions of law.

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

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

SENATE BILL NO. 367—
BY SENATOR MICHOT

AN ACT

To enact Part IV-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2271, relative to purchasing by certain public entities; to authorize the use of reverse auctions by certain political subdivisions for the purchase of materials, supplies, or equipment; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 367 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, change "enact" to "amend and reenact R.S. 39:1554(E) and to enact"

AMENDMENT NO. 2

On page 1, line 3, change "relative" to "and Subpart B-1 of Part III of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1598.1, and R.S. 39:1661(D) and 1671(H), relative"

AMENDMENT NO. 3

On page 1, line 4, change "political subdivisions" to "public entities"

AMENDMENT NO. 4

On page 1, line 5, change "materials, supplies, or equipment" to "certain materials, supplies, services, products, or equipment"

AMENDMENT NO. 5

On page 3, between lines 5 and 6, insert the following:

"Section 2. R.S. 39:1554(E) is hereby amended and reenacted and Subpart B-1 of Part III of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1598.1, and R.S. 39:1661(D) and 1671(H) are hereby enacted to read as follows:

§1554. Application of this Chapter

* * *

E.(1) Political subdivisions authorized to adopt this Chapter. The procurement of supplies, services, major repairs, and construction by political subdivisions of this state shall be in accordance with the provisions of R.S. 38:2181 through 38:2316, except that all political subdivisions are authorized to adopt all or any part of this Chapter and its accompanying regulations.

(2) Additionally, all political subdivisions which are not subject to this Chapter may adopt the provisions of R.S. 39:1598.1 and its accompanying regulations.

* * *

SUBPART B-1. CERTAIN AUCTION METHODS

§1598.1. Reverse auction

A.(1) Notwithstanding the provisions of Subpart B of this Part, with the approval of the state director of purchasing and the determination of the head of the using agency that the best interests of the state would be served and that electronic online bidding is more advantageous than other procurement methods provided in this Chapter, a reverse auction may be utilized for the acquisition of materials, supplies, services, products, or equipment.

(2) For purposes of this Subpart, "reverse auction" means a competitive online solicitation process on the Internet for materials, supplies, services, products, or equipment in which vendors compete against each other online in real time in an open and interactive environment.

B. Prior to the implementation of this Subpart, the state director of purchasing shall develop policies, procedures, and promulgate regulations, in accordance with the Administrative Procedure Act. Such policies and procedures may require that:

(1) Vendors register before the opening date and time, and as part of the registration, require that the vendors agree to any terms and conditions and other requirements of the solicitation.

(2) Vendors be prequalified prior to placing bids and only allow bidders who are prequalified to submit bids.

(3) The solicitation shall designate an opening date and time and the closing date and time. The closing date and time may be fixed or remain open depending on the structure of the item being bid.

(4) At the opening date and time, the using agency shall begin accepting online bids and continue accepting bids until the bid is officially closed. Registered bidders shall be allowed to lower the price of their bid below the lowest bid posted on the Internet until the closing date and time.

(5) Bidders' identities shall not be revealed during the bidding process; only the successively lower prices, ranks, scores, and related bid details shall be revealed.

(6) All bids shall be posted electronically and updated on a real-time basis.

(7) The using agency shall retain the right to cancel the solicitation if it determines that it is in the agency's or the state's best interest.

(8) The using agency shall retain its existing authority to determine the criteria that will be used as a basis for making awards.

* * *
§1661. Contract clauses; administration
* * *

D. Regulations may permit or require the inclusion in state contracts of clauses relative to reverse auctions pursuant to the implementation of the provisions of R.S. 39:1598.1.

§1671. Authority to resolve protested solicitations and awards
* * *

H. The state director of purchasing is hereby authorized to promulgate regulations relative to protests, in accordance with the Administrative Procedure Act, to implement the provisions of R.S. 39:1598.1."

AMENDMENT NO. 6

On page 3, line 6, change "Section 2." to "Section 3."

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

SENATE BILL NO. 382—
BY SENATOR MORRELL

AN ACT

To enact R.S. 49:214.11, relative to hurricane protection, flood control and coastal restoration; to provide relative to recovery for certain losses arising from integrated coastal protection; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 414—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 39:2(36) through (48), and to enact R.S. 39:2(49) and 36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 414 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "through (48)," delete the remainder of the line, delete lines 3 and 4, and insert the following: "and to enact R.S. 39:2(49), 32(E)(9), and 36(A)(3)(c) and (6), relative to budgetary procedures; to require that certain personnel information involving classified employees be included in budget requests; to provide for the contents and format of the executive budget; to provide for certain comparative statements and personnel information in the executive budget; to provide for an effective date; and to provide for related"

AMENDMENT NO. 2

On page 1, line 8, change "39:2(49)" to "39:2(49), 32(E)(9), and 36(A)(3)(c) and (6)"

AMENDMENT NO. 3

On page 3, between lines 19 and 20, insert the following:

"§32. Budget request contents
* * *
E. A personnel table as defined by this Subsection shall be included with the budget request. The table shall contain information and be in a form as required by the budget office and shall include authorized, estimated, and requested positions organized according to programs or subprograms as follows:
* * *

(9) The title, job description, and salary of each unclassified employee for the last fiscal year concluded, the existing operating budget, and for the ensuing fiscal year.
* * *

AMENDMENT NO. 4

On page 3, between lines 27 and 28, insert the following:

"(3) Comparative statements for each department and budget unit by the means of financing of the existing operating budget for a date certain to be established by the budget office for the current fiscal year and recommended expenditures for the ensuing fiscal year. All such comparative statements shall include the following:
* * *

(c) The title, job description, and salary of each unclassified employee for the last fiscal year concluded, the existing operating budget, and for the ensuing fiscal year.
* * *

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

SENATE BILL NO. 562—
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 25:1312(A), 1314, 1315, and 1316, and to repeal R.S. 25:1313(B)(3), R.S. 36:744(M) and 801.21, relative to the South Louisiana Wetlands Discovery Center, to remove the center from the Department of State Office; and to provide for related matters.

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

SENATE BILL NO. 657—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 39:51(D), relative to general appropriation bill for the judiciary to provide relative to on-line posting the budget request of certain courts; and to provide for related matters.

Reported by substitute by the Committee on Finance. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 657 by Senator Hebert)

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 39:1308 and 1310 and to enact R.S. 39:1309(E), relative to local government budgets; to require certain budgetary information to be published on the official Internet website or portal of the district attorney for the Sixteenth Judicial District; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:1308 is hereby amended and reenacted to read as follows:

§1308. Inspection of the proposed budget

A. The proposed budget of a political subdivision shall be available for public inspection at the following locations:

(1) Municipalities: at the office of the mayor or municipal governing authority.

(2) School boards: at the school board office.

(3) Special districts: at the office of the governing authority of the special district.

(4) All other political subdivisions: at the office of the individual political subdivision.

(5) In cases where the political subdivision is located within the boundaries of more than one parish, the proposed budget shall be available at the office of the parish governing authority of each parish.

B. The district attorney for the Sixteenth Judicial District shall also post the proposed budget of his office on the official Internet website or portal of the district attorney of the Sixteenth Judicial District.

§1309. Adoption

* * *

E. Upon adoption, the district attorney for the Sixteenth Judicial District shall also post the adopted budget of his office on the official Internet website or portal of the district attorney of the Sixteenth Judicial District at the time the budget is adopted.

§1310. Amending the budget

A. When the governing authority has received notification pursuant to R.S. 39:1311, or there has been a change in operations upon which the original adopted budget was developed, the governing authority shall adopt a budget amendment in an open meeting to reflect such change. When an independently elected parish official has received notification pursuant to R.S. 39:1311(A), or when there has been a change in operations upon which the original adopted budget was developed, the independently elected official shall adopt a budget amendment and publish such amendment in the official journal as described by R.S. 39:1307(B). In no event shall a budget amendment be adopted proposing expenditures which exceed the total of estimated funds available for the fiscal year.

B. The district attorney for the Sixteenth Judicial District shall also post the amended budget of his office on the official Internet website or portal of the district attorney of the Sixteenth Judicial District at the time it is amended.

Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2010, or on the day following such approval by the legislature, whichever is later.

On motion of Senator Michot, the committee substitute bill was adopted and becomes Senate Bill No. 807 by Senator Hebert, substitute for Senate Bill No. 657 by Senator Hebert.

SENATE BILL NO. 807— (Substitute of Senate Bill No. 657 by Senator Hebert)

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 39:1308 and 1310 and to enact R.S. 39:1309(E), relative to local government budgets; to require certain budgetary information to be published on the official Internet website or portal of the district attorney for the

Sixteenth Judicial District; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 708—

BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(v)(aa) and (bb), relative to public contracts for levees which are not maintained with federal funds; to change the termination date for contracts awarded for certain projects providing for the restoration and rehabilitation of certain levees under certain circumstances or agreements for certain mitigation on public lands; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 708 by Senator Chabert

AMENDMENT NO. 1

On page 2, line 2 change "**two**" to "one"

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

SENATE BILL NO. 709—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 43:19, 19.1, 24(B) and (C), 81, 82, and 89, and to enact R.S. 43:24(D), and to repeal R.S. 43:87, relative to the publication of acts of the legislature; to provide relative to the Official Journal of the State; to provide relative to printing contracts; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 709 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 43:19," insert "19.1," and change "87(A), and" to "89,"

AMENDMENT NO. 2

On page 1, line 3, change "43:24(D) and (E)" to "43:24(D), and to repeal R.S. 43:87"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 43:19," insert "19.1," and change "87(A)" to "89"

AMENDMENT NO. 4

On page 1, line 8, change "and (E) are" to "is"

AMENDMENT NO. 5

On page 2, delete lines 2 through 29, delete pages 3 through 5 in their entirety, and insert the following:

"§19.1. Legislative web site

Any legislative or governmental instrument, journal, index, order, report, or other official document of the state which has previously been published in the official journal of the state as provided for in ~~this Title~~ **R.S. 43:81(A)** may be made accessible on the official Internet web site or portal of the Louisiana State Legislature.

June 2, 2010

§24. Acts; numbering; ~~printing~~; publication

B. The secretary of state shall, upon request, deliver copies of the acts, in numerical order by act number, to the person, firm, or corporation to whom the contract for printing acts was awarded. He shall also deliver copies of the acts in the same order to the state printer of the Official Journal of the State for publication in the official journal. The acts shall be published in numerical order by act number. The secretary of state shall endorse in the register required in Subsection A above of this Section the date and time of delivery of the acts for publication in the official journal and for printing of the acts.

C. The secretary of state shall take all necessary actions to cause the acts and joint resolutions of the legislature to be printed in made accessible on the Internet website or portal of the Official Journal of the State within the time limits established by R.S. 43:87 43:81. He shall also take all necessary actions to cause the date of such publication in the official journal to be printed below each act in the acts published as provided in R.S. 43:19.

D. (1) Within sixty days following the final adjournment of a regular, extraordinary, or emergency session of the legislature, the secretary of state shall cause a notice to be published once in the official journal of each parish, informing the public where the full text of the acts of the legislature may be viewed. Requirements for the notice shall include:

(a) The notice shall appear in a box format with a bolded outline in a size of not less than three columns by ten and a half inches or a comparable size.

(d) Appropriately-sized headline typeface shall be used.

(c) The language of the notice shall be prepared by the secretary of state and shall include the website address for the Official Journal of the State.

(2) The cost of each notice required by Paragraph (1) of this Subsection shall be a maximum of ninety percent of the commercial display advertising rate charged by the official journal of each parish for a similar volume of business.

§81. Official journal of state

A. The printing of advertisements, public notices, proclamations and the promulgation of all laws and joint resolutions of the legislature, and all public notices and advertising to be done by the legislature, or the executive or other departments and institutions of the state government, shall be published in a daily newspaper to be known and designated as the "Official Journal of the State", which newspaper shall have and possess the following qualifications, viz:

(1) It shall possess the second periodicals class mailing privilege.

(2) It shall be published in the city of Baton Rouge, Louisiana.

(3) It shall have been so published for at least six days per week for a period of not less than two years prior to the time that it is awarded the contract as the Official Journal of the State, as provided herein.

(4) It shall have an audited paid daily circulation of not less than ten thousand for at least one year prior to the time it is awarded the contract.

(5) The publisher thereof shall possess the capability and shall agree to publish all acts and joint resolutions of the legislature within the time limits established by R.S. 43:87.

B.(1) For the purposes of Article III, Section 19 of the Constitution of Louisiana, the Official Journal of the State shall be the Internet website or portal of the Official Journal of the State.

(2) All laws and joint resolutions shall be accessible through the Official Journal of the State as defined in this Subsection prior to the sixtieth day after final adjournment of the session in which they were enacted and shall remain accessible for at least one year. Any act that contains an effective date prior to the sixtieth day after final adjournment shall be accessible prior to the effective date contained therein, if possible, or if not possible, as soon as possible after said effective date.

§82. Contract to be let by bids; duration of contract
The contract for printing by the "State Printer of the Official Journal of the State" shall be let to the lowest bidder possessing the

qualifications enumerated in R.S. 43:81(A) hereof, and shall run for a period of two years beginning July first and ending June thirtieth; provided, that the first contract which shall be awarded under the provisions of this Chapter shall be effective on July 1, 1956.

§89. Cancellation of contract for non-performance; letting of contract for unexpired term; publication of notices or advertisements continued

A. Should the state printer of the official journal of the state fail to comply with the provisions of the contract under the terms of which it or he was designated as such state printer and said contract be cancelled for such failure or non-compliance, after two days' notice in writing to such state printer and his failure to immediately resume his duties and obligations under said contract, the Division of Administration, Office of the Governor, division of administration shall give notice of the letting of the contract for the unexpired portion of the two-year two-year term thereof by having an invitation for bids inserted in three or more of the leading newspapers published in the state for three weeks prior thereto, and all printing as provided for in this Chapter for said unexpired term shall be let in one contract; provided that if there is no other newspaper published in the city of Baton Rouge, except one with the same principal ownership, which meets the qualifications required by R.S. 43:81(A), such contract for such unexpired term shall be made with a newspaper published in the city of New Orleans possessing all the other qualifications required by said R.S. 43:81(A) except that of domicile.

B. As soon as practicable after any such default in or cancellation of the contract of the state printer, as hereinabove described, the Division of Administration, Office of the Governor, division of administration shall negotiate with any other qualified newspaper published in the city of Baton Rouge, other than one under the same principal ownership of the newspaper which is in default, or if there be no other such qualified newspaper published in the city of Baton Rouge then to negotiate with one published in the city of New Orleans for the publication under the best possible terms of all printing required to be published in the official journal of the state until such time as a new contract can be let for the unexpired portion of said two-year two-year term.

C. Should any of the matter required to be printed under R.S. 43:81(A) have been published in the official journal of the state prior to the state printer's default under any contract under which it or he was designated as such state printer, the publishing of the same matter by the newspaper employed as state printer until such time as a new contract can be let for the unexpired portion of said two-year two-year term, as provided in this Section, for the remaining number of times prescribed by law shall serve as a complete publication, without the necessity of re-publishing republishing such matter for the number of times theretofore published by the state printer who has defaulted under any such contract. Should any of the matter required to be printed under R.S. 43:81(A) have been published in the newspaper employed as state printer until such time as a new contract can be let for the unexpired portion of said two-year two-year term, as provided in this Section, the publishing of the same matter by the newspaper awarded the contract for the unexpired portion of said two-year two-year term for the remaining number of times prescribed by law shall serve as a complete publication, without the necessity of republishing such matter for the number of times theretofore published by the newspaper employed as state printer, as aforesaid.

Section 2. R.S. 43:87 is hereby repealed.

Section 3. This Act shall become effective on January 1, 2011."

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

SENATE BILL NO. 746—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:3129(C) and (E), and 3130(B)(1), and R.S. 39:28(C) and 32.1, and to enact R.S. 17:3129(F), relative to postsecondary education; to provide relative to funding institutions of postsecondary education; to provide for the powers of the Board of Regents; to provide for approval of the budget request forms; to require legislative approval of the

formula adopted by the Board of Regents; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 746 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 5, between "provide" and "budget" change "for approval of the" to "relative to"

AMENDMENT NO. 2

On page 1, delete line 6, and insert in lieu thereof "require that the formula adopted by the Board of Regents be reported to certain legislative committees; and to"

AMENDMENT NO. 3

On page 2, line 8, after "**annually**" delete the remainder of the line, delete lines 8 through 10 in their entirety, and insert the following "**reported to the Senate Committee on Education, the Senate Committee on Finance, the House Committee on Education, and the House Committee on Appropriations, not later than March fifteenth of each year.**"

AMENDMENT NO. 4

On page 2, line 23, after "**annually**" delete the remainder of the line, delete lines 23 through 25 in their entirety, and insert "**reported to the Senate Committee on Education, the Senate Committee on Finance, the House Committee on Education, and the House Committee on Appropriations, not later than March fifteenth of each year.**"

AMENDMENT NO. 5

On page 3, line 8, before "education" insert "**postsecondary**"

AMENDMENT NO. 6

On page 3, delete line 22, and insert "C. Each **higher postsecondary**"

AMENDMENT NO. 7

On page 4, line 19, change "**approved by**" to "**reported to**"

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

SENATE BILL NO. 775—

BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 48:972, relative to bridges; provides relative to free passage for publicly owned vehicles over toll bridges; and to provide for related matters.

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

Senator Broome in the Chair

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 146—

BY REPRESENTATIVE BROSSETT

AN ACT

To enact R.S. 33:9091.16, relative to Orleans Parish; to create the Seabrook Neighborhood Improvement and Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 147—

BY REPRESENTATIVE BROSSETT

AN ACT

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

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

HOUSE BILL NO. 149—

BY REPRESENTATIVE EDWARDS

AN ACT

To enact R.S. 33:4574.18, relative to the St. Helena Parish Tourist Commission; to authorize commission members to receive a per diem; to provide restrictions on the per diem; and to provide for related matters.

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

HOUSE BILL NO. 183—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 33:1448.1(C) and (D), relative to the Bossier Parish Retired Employees Insurance Fund; to provide for the investments and use of the Bossier Parish Retired Employees Insurance Fund; and to provide for related matters.

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

HOUSE BILL NO. 216—

BY REPRESENTATIVES FOIL, THIBAUT, AND WILLIAMS

AN ACT

To enact Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031, relative to the establishment of a school choice pilot program in certain parishes for certain students with exceptionalities; to provide for the purpose of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for program administration, implementation, and reporting; and to provide for related matters.

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

HOUSE BILL NO. 277—

BY REPRESENTATIVE SAM JONES

AN ACT

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

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

June 2, 2010

HOUSE BILL NO. 298—

BY REPRESENTATIVE BALDONE
AN ACT

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

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

HOUSE BILL NO. 303—

BY REPRESENTATIVES HENRY, BOBBY BADON, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HINES, LABRUZZO, LAMBERT, LIGI, NOWLIN, SMILEY, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, AND QUINN
AN ACT

To enact R.S. 17:236.3, relative to the eligibility of students in state-approved home study programs to participate in interscholastic athletics in certain high schools; to provide applicability; to provide guidelines and conditions for participation; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 332—

BY REPRESENTATIVE NOWLIN
AN ACT

To repeal R.S. 13:997 and Act No. 492 of the 1962 Regular Session of the Legislature, relative to the Natchitoches Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any obligations, property, records, and employees of the commission; and to provide for related matters.

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

HOUSE BILL NO. 390—

BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 33:4712.14, relative to naming a recreation center; to authorize the governing authority of the town of Farmerville to name the Farmerville Recreation Center in honor of Willie Davis, Jr.; and to provide for related matters.

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

HOUSE BILL NO. 405—

BY REPRESENTATIVE DIXON
AN ACT

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 405 by Representative Dixon

AMENDMENT NO. 1

On page 1, at the end of line 3, after "provide" delete the remainder of the line and at the beginning of line 4, delete "adopt guidelines for" and insert "for the adoption of rules and regulations relative to"

AMENDMENT NO. 2

On page 2, line 1, after "adopt" change "guidelines" to "rules and regulations"

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

HOUSE BILL NO. 420—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3995(A)(1) and (2) and to repeal R.S. 17:3995(A)(3), relative to charter school funding; to provide relative to the use of certain local revenues for computing and allocating the per pupil amount provided to all charter schools; to provide exceptions; to remove provisions requiring certain minimum per pupil funding amounts pursuant to the most recent legislatively approved minimum foundation program formula; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 534—

BY REPRESENTATIVE CARTER
AN ACT

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

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

HOUSE BILL NO. 539—

BY REPRESENTATIVE KATZ AND SENATORS KOSTELKA, THOMPSON, AND WALSWORTH
AN ACT

To authorize and provide for the sale of specified school property by the City of Monroe School Board; to authorize such sale at public auction or private sale; to require an ordinance providing for such sale; to provide for public notice and a public hearing; to provide for legal challenges to the sale; and to provide for related matters.

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

HOUSE BILL NO. 560—

BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 33:4766(E)(1), relative to the condemnation of dilapidated and dangerous structures; to provide relative to the enforcement of privileges and liens granted in favor of a parish or municipality for the costs incurred in the demolition, removal, repair, or maintenance of any such

structure; to authorize a parish and municipality seeking to enforce a privilege or lien as a tax against immovable property to submit the attested bills for such costs to the tax assessor of the parish in which the property is located as an alternative to submitting any such bill to the director of administration; and to provide for related matters.

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

HOUSE BILL NO. 656—

BY REPRESENTATIVE GISCLAIR
AN ACT

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

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

HOUSE BILL NO. 694—

BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 38:329.3(I), relative to the St. Mary Levee District; to provide for the transfer of certain property from the Atchafalaya Basin Levee District to the St. Mary Levee District; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 694 by Representative Sam Jones

AMENDMENT NO. 1

Delete lines 9 through 13 in their entirety, and insert the following:

"(1) Upon the effective date of this Subsection, ownership of the following property situated in St. Mary Parish and belonging to the Atchafalaya Basin Levee District shall be transferred to the St. Mary Levee District: (a) immovable property; (b) any mineral lease of the levee district on property situated in St. Mary Parish that is not in production or has been in production for more than ten years prior to the date of the transfer; (c) leases, servitudes, rights-of-way, and other property interests that are not mineral leases; and (d) books, records, and documents.

(2) The transfer of ownership set forth in this Subsection shall occur by operation of law and shall be complete without the necessity of any other act, instrument, or deed. However, the St. Mary Levee District shall confect instruments as necessary for filing, recordation, or other purposes, showing the transfer of the property or property interest.

(3) The transfer of the property or property interest shall relieve the Atchafalaya Basin Levee District from liability for the property or property interest."

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

HOUSE BILL NO. 709—

BY REPRESENTATIVES BROSSETT, CARTER, CONNICK, HAZEL, HINES, HUTTER, MICHAEL JACKSON, LAFONTA, LEGER, LIGI, MILLS, RICHMOND, STIAES, AND WILLMOTT
AN ACT

To amend and reenact R.S. 11:701(33)(c), the heading of Part II-B of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, R.S. 17:1970.21, 1970.22(1) and (2), 1970.23(A), 1970.24(A), (B)(1)(a) through (c) and (2)(a), (C), (E)(1)(b), (d), (i), (m), and (n) and (2)(f), 1970.25(A), 1970.26(A)(2)(b), (B)(2), and (C)(1)(introductory paragraph) and (2), and 1970.27, R.S.

36:651(D)(8), and R.S. 42:1111(A)(3), relative to the New Orleans Center for the Creative Arts/Riverfront; to provide with respect to legislative intent; to provide relative the center's placement as a state agency in the Department of Education; to provide for a change in the center's name; to provide relative to student eligibility, board membership, terms, powers, duties, and faculty; to provide relative to funding, including the center's inclusion in the minimum foundation program formula; 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. 709 by Representative Brossett

AMENDMENT NO. 1

On page 1, line 6, change "1970.27" to "1970.27(B)"

AMENDMENT NO. 2

On page 1, line 11, after "funding" delete the remainder of the line and at the beginning of line 12, delete "foundation program formula"

AMENDMENT NO. 3

On page 2, at the end of line 10, change "1970.27" to "1970.27(B)"

AMENDMENT NO. 4

On page 9, delete lines 14 through 28, and insert in lieu thereof the following:

** * **

AMENDMENT NO. 5

On page 10, delete lines 1 through 13 in their entirety

AMENDMENT NO. 6

On page 10, at the beginning of line 14, change "D." to "B."

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

HOUSE BILL NO. 716—

BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 33:4574.1.1(I), relative to hotel occupancy taxes levied by the Iberia Parish Tourist Commission; to provide for dedication of tax revenues; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

June 2, 2010

HOUSE BILL NO. 844—

BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 49:214.30(A), relative to coastal use permits; to provide for consistency with the state's master plan for coastal protection and restoration activities under such permits; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 844 by Representative Gisclair

AMENDMENT NO. 1

On page 1, delete line 20, and insert: "or replace a pipeline that would impact integrated coastal protection in the state's master or annual plan shall include a requirement that the pipeline owner shall be responsible for the cost to repair or replace such pipeline. The pipeline owner shall be responsible for the performance of any pipeline relocation work to accommodate the construction of any integrated coastal protection. Any incremental costs associated with such relocation work shall be reimbursed to the pipeline owner by the appropriate federal, state, or local governmental agency."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

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

HOUSE BILL NO. 858—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 33:9038.32(C) and 9038.36, relative to economic development districts; to provide relative to districts created by local governmental subdivisions; to provide additional procedures with respect to the creation of such districts; to provide relative to district funding; to authorize the districts to dedicate a portion of tax proceeds to finance economic development projects; and to provide for related matters.

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

HOUSE BILL NO. 873—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 23:1170(A), 1171.1(C)(1), 1172(A), 1172.1(C), and 1172.2(D), relative to workers' compensation coverage; to require an increase in penalties for employers who fail to secure coverage; to provide for all fines collected to be deposited in the Workers' Compensation Administrative Fund; and to provide for related matters.

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

HOUSE BILL NO. 876—

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

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

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

HOUSE BILL NO. 897—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4), relative to motor vehicle inspection and maintenance programs; to require certain motor vehicle inspections in certain ozone nonattainment areas; and to provide for related matters.

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

HOUSE BILL NO. 911—

BY REPRESENTATIVE SIMON
AN ACT

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

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

HOUSE BILL NO. 934—

BY REPRESENTATIVE NOWLIN
AN ACT

To amend and reenact R.S. 17:3367(C), relative to public postsecondary education management boards; to provide relative to the purposes for which public postsecondary education management boards shall use revenues from oil, gas, and mineral leases; to provide relative to certain capital projects; and to provide for related matters.

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

HOUSE BILL NO. 941—

BY REPRESENTATIVE MILLS
AN ACT

To enact R.S. 33:4883, relative to the authority of local governmental subdivisions to install culverts; to provide authority for parishes and municipalities to install culverts in certain circumstances; to provide for adoption of ordinances relative to such installations; to provide for content of such ordinances; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 941 by Representative Mills

AMENDMENT NO. 1

On page 1, after line 17, insert the following: "The governing authority may only provide materials or construction services pursuant to such an ordinance upon full reimbursement of the costs to the governing authority by the private property owner."

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

HOUSE BILL NO. 942—

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

AN ACT

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 942 by Representative Carter

AMENDMENT NO. 1

On page 3, line 22, between "board" and "in" delete ", directly or indirectly,"

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

HOUSE BILL NO. 1023—

BY REPRESENTATIVE FOIL

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 1023 by Representative Foil

AMENDMENT NO. 1

On page line 2, delete "461.2(C),"

AMENDMENT NO. 2

On page 1, line 3, delete lines 3 through 6 and insert the following: "advertising; to provide for definitions; to provide relative to reset of conforming out-of-standard signs subject to expropriation by the department; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 8, delete "461.2(C)"

AMENDMENT NO. 4

On page 2, line 5, change "log mile/mile post" to "log mile or mile post"

AMENDMENT NO. 5

On page 2, delete lines 9 through 29 and on page 3, delete lines 1 through 20 and insert the following:
 "§461.6 Compensation for removal of advertising and priorities for removal of advertising
 * * *

C. Notwithstanding any other provision of law to the contrary, in accordance with state law and department regulations on outdoor advertising, the following procedures shall apply to conforming out-of-standard signs, subject to expropriation by the department as follows:

(1) Owners of conforming out-of-standard signs who voluntarily execute a partial waiver and reset agreement with the department may reset and illuminate a conforming out-of-standard sign. Such reset agreement shall be contingent upon obtaining any required local approval to reset such conforming out-of-standard sign, as well as the approval of the landowner of the same or adjoining property.

(2) The partial waiver and the reset agreement shall specify the width and height of the sign face, the overall height of the sign, the sign type, the type of illumination, the type of construction, the distance to the nearest sign, and the location of the rebuilt sign. In the event the owner of the conforming out-of-standard sign fails to execute a reset agreement within one hundred twenty days of receiving written notice from the department that the conforming out-of-standard sign will be displaced by construction, the department shall initiate normal expropriation procedures, and the owner of the conforming out-of-standard sign shall receive compensation for removal of the conforming out-of-standard sign.

(3) All conforming out-of-standard signs shall be subject to annual permit fees provided in department regulations on outdoor advertising."

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

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.

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

HOUSE BILL NO. 1170—

BY REPRESENTATIVE LANDRY

AN ACT

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

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

HOUSE BILL NO. 1199—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 23:108(B)(1) and (C), 111(C)(10) and (11) and (F), and 113 and to enact R.S. 23:108(F) and 111(C)(12), relative to employment services; to provide penalties for violations; to provide a cause of action and legal recourse; to prohibit certain actions by employment services; to provide for penalties for unlicensed persons; and to provide for related matters.

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

HOUSE BILL NO. 1206—

BY REPRESENTATIVE EDWARDS

AN ACT

To amend and reenact R.S. 32:412.2(A)(2), relative to disabled veterans; to decrease the disability threshold for exemption from driver's license fees; and to provide for related matters.

June 2, 2010

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

HOUSE BILL NO. 1225—
BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 17:7(29), to provide relative to approval by the State Board of Elementary and Secondary Education of certain alternative schools and alternative education programs; to provide for a report to the House Committee on Education and the Senate Committee on Education by not later than September 15, 2010, relative to specific standards and criteria used by the board to approve schools; to provide guidelines for such report; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1225 by Representative Dixon

AMENDMENT NO. 1
On page 1, at the beginning of line 15, after "(29)" delete "(a)"

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

HOUSE BILL NO. 1231—
BY REPRESENTATIVES PERRY, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOERGE, DOWNS, GISCLAIR, GULLORY, HILL, HOFFMANN, SAM JONES, KATZ, LABRUZZO, LEGER, LIGI, LITTLE, MILLS, MONTUCET, POPE, PUGH, RICHARD, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GULLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:414(B)(1), relative to driver's license suspension; to provide for the suspension of driving privileges of persons convicted of certain crimes; and to provide for related matters.

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

HOUSE BILL NO. 1236—
BY REPRESENTATIVES LEGER, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOERGE, DOWNS, GISCLAIR, GULLORY, HILL, HOFFMANN, HOWARD, LABRUZZO, LIGI, LITTLE, MILLS, POPE, PUGH, RICHARD, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GULLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To enact R.S. 32:667(J), relative to driver's licenses; to provide for driver's license suspension for removal of ignition interlock device; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 1236 by Representative Leger

AMENDMENT NO. 1
On page 1, line 15, after "fees," insert "Upon reinstatement, the driver shall receive credit only for the time period when the ignition interlock device was installed and functioning."

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

HOUSE BILL NO. 1239—
BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 17:7(29), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and adopt rules and regulations relative to the physical abuse of public school teachers and other school employees by students; and to provide for related matters.

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

HOUSE BILL NO. 1240—
BY REPRESENTATIVES PERRY, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, GULLORY, HOFFMANN, KATZ, LABRUZZO, LEGER, LIGI, MILLS, POPE, PUGH, RICHARD, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GULLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To enact R.S. 32:667(I)(4), relative to driver's licenses; to provide for ignition interlock code on certain driver's licenses; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1274—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 32:414(B)(2)(b), relative to driver's license suspension; to provide for a restricted driver's license after a certain amount of time following driver's license suspension; to provide for the installment of interlock devices; and to provide for related matters.

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

HOUSE BILL NO. 1304—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 56:1948.5(57) and to enact R.S. 56:1948.5(63), relative to highways; to designate a section of certain highways as the Myths and Legends Byways and the Cane River National Heritage Trail Scenic Byway; and to provide for related matters.

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

HOUSE BILL NO. 1334—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact the heading of Subpart L of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950 and R.S. 56:638.1 through 638.5 and to repeal R.S. 56:57.2, as

enacted by Act No. 283 of the 1987 Regular Session of the Legislature and as enacted by Act No. 891 of the 1987 Regular Session of the Legislature and R.S. 56:57.4, relative to fishery management, conservation, and sustainability; to provide that the Wildlife and Fisheries Commission is responsible for management of all fisheries in the state; to repeal the prohibition on state enforcement of federal laws relative to turtle excluder devices; to repeal the prohibition on state enforcement of federal laws relative to fish excluder devices; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1334 by Representative Lambert

AMENDMENT NO. 1

On page 1, line 3, after "638.5" insert ", to enact R.S. 56:6(32)"

AMENDMENT NO. 2

On page 1, line 10, after "devices;" insert "to provide for rulemaking authority;"

AMENDMENT NO. 3

On page 1, line 15, after "reenacted" insert "and R.S. 56:6(32) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 15 and 16, insert:
 "§6. Special powers and duties; statistics; rules and regulations;
 reports
 The commission, through its secretary:
 * * *

(32) May promulgate rules and regulations, subject to the provisions of the Administrative Procedure Act, to manage and collect harvest information for recreational landings of state and federal cooperatively managed species in coordination with the Gulf of Mexico Fishery Management Council, and to set seasons, times, places, quotas, daily take, possession limits, permitting, reporting procedures, landing requirements, tagging requirements and other rules and regulations pursuant thereto necessary to manage and collect harvest information on recreational landings.
 * * *

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

HOUSE BILL NO. 1410—

BY REPRESENTATIVES MICHAEL JACKSON, ARNOLD, BARROW, BROSSETT, HENRY BURNS, BURRELL, CARMODY, CARTER, DIXON, DOWNS, EDWARDS, FOIL, HARDY, HARRISON, HINES, ROSALIND JONES, LEGER, MONTOUÇET, NORTON, PUGH, RICHARD, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, AND WILLIAMS

AN ACT

To enact Chapter 35 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2171 through 2189, relative to the development of transportation infrastructure; to authorize the creation of the Louisiana Intrastate Rail Compact; to provide for the powers and duties of such compact; to authorize the compact to issue bonds and raise revenues subject to voter approval; to provide the mechanism for entities to become a part of the Louisiana Intrastate Rail Compact under certain circumstances; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1410 by Representative Michael Jackson

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact" to "amend and reenact R.S. 48:394(A)(1) and (C) and to enact R.S. 48:394(D) and"

AMENDMENT NO. 2

On page 1, delete lines 3 through 8 and insert the following: "of R.S. 48:2170 through 2189, relative to the development of transportation infrastructure; to provide relative to the "The Louisiana Intrastate Rail Compact"; to authorize the creation of compacts to develop a system of railways, transitways, and other transportation facilities; to provide for the powers and duties of such compacts; to authorize compacts to issue bonds and raise revenues subject to voter approval; to prohibit the development of transportation infrastructure by prohibiting closure of private railroad crossings; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 10, after "Section 1." insert: " R.S. 48:394(A)(1) and (C) are hereby amended and reenacted and R.S. 48:394(D) and"

AMENDMENT NO. 4

On page 1, line 11, change "48:2171" to "48:2170" and change "is" to "are"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert:

"§394. Private crossing elimination

A. (1) Any railroad company operating in this state which desires to close or remove a private crossing shall, no less than one hundred eighty days prior to the proposed closing or removal, provide a written request by registered or certified mail to the Louisiana Public Service Commission and to the owner or owners of record of the private crossing traversed by the rail line. The written request shall state ~~the reason the railroad company proposes to close such crossing, the manner in which such private railroad crossing unreasonably burdens or substantially interferes with rail transportation.~~
 * * *

C. If, after such public hearing, the commission determines that ~~closure or removal of such private crossing is necessary for safety and in the best interest of the public, the private railroad crossing unreasonably burdens or substantially interferes with rail transportation,~~ the commission shall publish in the official journal of the parish where such crossing is located and in the commission's official bulletin a notice stating the manner in which such closure or removal shall be made and the date of such.

D. The provisions of this Section shall not apply when a private landowner or landowners and a railroad company enter into a consensual or negotiated written agreement or agreements to close a private railroad crossing.
 * * *

AMENDMENT NO. 6

On page 1, between lines 12 and 13 insert the following:

"§2170. Short title

This Chapter shall be know and may be referred to as "The Louisiana Intrastate Rail Compact Act"."

AMENDMENT NO. 7

On page 2, between lines 13 and 14, insert the following:

"E. Nothing in this Chapter shall be construed to usurp the property rights of privately owned freight railroads or abrogate the rights and responsibilities of privately owned freight railroads under federal law as carriers of interstate commerce."

AMENDMENT NO. 8

On page 2, line 22, after "means" delete the remainder of the line, and insert: "any quasi-governmental entity compact formed by any parish or municipality, or two or more parishes or municipalities, or

any combination of parishes and municipalities pursuant to the provisions of this Chapter or any successor thereto."

AMENDMENT NO. 9

On page 4, line 19, change "the legislature" to "law"

AMENDMENT NO. 10

On page 5, line 2, delete "contiguous parishes." and insert "parishes or"

AMENDMENT NO. 11

On page 5, line 3, delete "contiguous"

AMENDMENT NO. 12

On page 5, line 4, after "form" delete "and incorporate"

AMENDMENT NO. 13

On page 5, line 29, after "in the" delete "articles of incorporation of the compact" and insert "compact agreement"

AMENDMENT NO. 14

On page 6, line 3, after "directors" delete the remainder of the line, and on line 4, delete "organization"

AMENDMENT NO. 15

On page 7, line 17, after "compact" delete "authority"

AMENDMENT NO. 16

On page 7, line 18, after "construct" insert "and operate"

AMENDMENT NO. 17

On page 7, line 20, at the end of the line delete "the authority" and insert "such compact"

AMENDMENT NO. 18

On page 8, line 19, after "all" insert "or a portion of"

AMENDMENT NO. 19

On page 11, between lines 25 and 26 insert the following:
"(22) No freight railroad system or any of its infrastructure or assets shall be taken or included within the operational activities of any compact unless specifically agreed to by the freight railroad company."

AMENDMENT NO. 20

On page 12, delete lines 1 through 6 and insert the following:
"B. Any portion of a compact project which is proposed to connect with or otherwise directly affect the operation of any portion of any state highway or any state-designated project shall be approved by the Department of Transportation and Development."

AMENDMENT NO. 21

On page 14, line 5, at the beginning of the line, delete "operation of"

AMENDMENT NO. 22

On page 14, delete line 16, and insert:
"A. A compact formed under the provisions of this Chapter may levy special"

AMENDMENT NO. 23

On page 14, line 22, delete "the Louisiana Intrastate Rail Compact" and insert "a compact"

AMENDMENT NO. 24

On page 14, between lines 25 and 26, insert:
"C. The compact may exercise the powers granted to an economic development district pursuant to R.S. 33:9038.33 and 33:9038.34 as if the compact is such an economic development district; however, no state tax increments shall be dedicated to pay any revenue bonds of any compact or be otherwise used to obligate the state financially to support a compact or projects of a compact."

AMENDMENT NO. 25

On page 15, delete lines 2 through 17 and insert the following:
"A. Contracts of a compact for the construction, improvement, repair, or maintenance of any municipal street system project, parish-related project, or project of a compact as defined in R.S. 48:2172(8) shall be made and awarded pursuant to Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 26

On page 20, line 27, change "authority" to "compact"

AMENDMENT NO. 27

On page 20, line 28, change "authority" to "compact"

AMENDMENT NO. 28

On page 21, delete lines 27 and 28 and insert:
"D. Any parish or municipality may form or join a compact formed under the provisions of this Chapter by another parish or municipality with the approval of the governing authority of such parish and parish president, or the governing authority of the municipality."

AMENDMENT NO. 29

On page 21, after line 28, insert:
"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

HOUSE BILL NO. 1470— (Substitute for House Bill No. 938 by Representative Michael Jackson)

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To amend and reenact R.S. 32:1305(C) and to enact R.S. 32:1304(H) and 1306.1, relative to motor vehicles; to require certain vehicles to be inspected in certain parishes; to authorize an increased fee for inspection and maintenance programs in parishes in the nonattainment area; to permit local option elections in parishes in the nonattainment area; to provide relative to the conduct of such elections and the costs thereof; to exempt certain parishes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1470 by Representative Michael Jackson

AMENDMENT NO. 1

On page 1, line 13, delete "adopts the" and insert "approves the fee or"

AMENDMENT NO. 2

On page 2, line 12, after "charge" and before "provided" insert "or fee"

AMENDMENT NO. 3

On page 2, line 17, after "systems.", delete "The" and insert "However, fifty percent of the"

AMENDMENT NO. 4

On page 2, line 22, after "48:756(B)(2)." and before "The", insert the following: "The remaining fifty percent of the charge authorized by this Section and collected for motor vehicle inspections in East Baton Rouge Parish shall be transferred to the governing authority of East Baton Rouge Parish to improve and develop mass transit systems. The money so transferred to the governing authority of East Baton Rouge Parish or to the Capital Area Transit System, R.S. 48:1451, et. seq., shall not displace, replace, or supplant funding currently expended for the Capital Area Transit System, R.S. 48:1451, et. seq."

AMENDMENT NO. 5

On page 3, line 4, change "eight" to "seven"

AMENDMENT NO. 6

On page 3, line 8, after "charge" delete "assessment"

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

Rules Suspended

Senator Amedee asked for and obtained a suspension of the rules to revert to the order of:

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

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

June 2, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 896—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 30:2023(A), relative to permits, registrations, variances, and licenses; to provide for the term of a solid waste permit for certain solid waste activities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1322—
BY REPRESENTATIVES BARROW, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, LAMBERT, AND WILLIAMS
AN ACT

To enact R.S. 30:2415(H), relative to recycling; to require certain state agencies to adopt solid waste reduction and recycling programs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1476— (Substitute for House Bill No. 1258 by Representative Harrison)
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 30:2154(B)(9) and to repeal R.S. 30:2157 and 2157.1, relative to providing for permits, licenses, registrations, variances, or compliant schedules issued by the Department of

Environmental Quality; to provide for emergency response standards; to provide for certification of certain abilities of local fire departments; to provide for the emergency response standards of certain solid waste facilities; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to recommit a resolution.

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To request the Senate Committee on Revenue and Fiscal Affairs, the House Committee on Ways and Means, and the secretaries of the Department of Revenue and Natural Resources to meet as a special committee to study a reform of the income-reporting laws and the various exclusions, exemptions, credits, deductions, and other economic incentives granted by state law to large, multinational conglomerates which engage in offshore oil and gas exploration and production and to recommend which of those benefits should be modified, reduced, or eliminated.

Senator N. Gautreaux moved to recommit the resolution from the Committee on Natural Resources to the Committee on Revenue and Fiscal Affairs.

Without objection, so ordered.

Rules Suspended

Senator B. Gautreaux asked for and obtained a suspension of the rules to revert to the order of:

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 107—
BY SENATOR LAFLEUR

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 4, 2010, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

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

SENATE RESOLUTION NO. 108—
BY SENATOR SMITH

A RESOLUTION

To commend and congratulate McKenna Goodwin, sophomore pitcher of Leesville High School, on being named District 4-4A Most Valuable Player.

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

SENATE RESOLUTION NO. 109—
BY SENATOR SMITH

A RESOLUTION

To commend DeLain Prewitt upon her retirement as administrator of the City of Leesville.

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

June 2, 2010

SENATE RESOLUTION NO. 110—
BY SENATOR DUPLESSIS

A RESOLUTION

To commend and honor Alden J. McDonald, Jr., as a "Beat the Odds Champion" in New Orleans, and for being a trail blazer in the business and financial arena for many Louisiana citizens and providing opportunities to the underserved.

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

SENATE RESOLUTION NO. 111—

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

A RESOLUTION

To commend the LSU Tiger Baseball Team on winning its third consecutive Southeastern Conference Tournament Championship and to wish the Tigers continued success in the NCAA Tournament.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 100—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Examiners of Psychologists and the Louisiana Licensed Professional Counselors Board of Examiners to work in collaboration through the Behavioral Health Professional Working Group to meet certain goals and to report to the Senate and House committees on health and welfare by February 1, 2011.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	McPherson
Crowe	Quinn
Total - 4	

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

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to establish a task force to review statutory provisions relative to student discipline and make recommendations for revisions that will result in student discipline laws that are comprehensive, fair, consistent, and designed to promote a conducive learning environment.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Erdey	Quinn
Crowe	McPherson	
Total - 5		

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

Special Order of the Day No. 1

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.

Floor Amendments

Senator Chaisson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 8, after "next fiscal year" and before the semicolon ";" insert "in certain circumstances"

AMENDMENT NO. 2

On page 5, line 15, after "circumstances;" and before "and to" insert "to modify the cap on the Budget Stabilization Fund from four percent of total state revenue receipts for the previous fiscal year to one billion dollars;"

AMENDMENT NO. 3

On page 5, line 19, change "Section 10.3(C)" to "Section 10.3(A)(2) and (C)"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Michot
Adley	Guillory	Morrish
Broome	Hebert	Mount
Chabert	Heitmeier	Murray
Cheek	Jackson	Nevers
Crowe	Kostelka	Peterson
Donahue	LaFleur	Quinn
Dorsey	Long	Shaw
Duplessis	Marionneaux	Smith
Erdey	Martiny	Thompson
Total - 30		

NAYS

Alario	Claitor	Walsworth
Amedee	Gautreaux N	
Appel	Riser	
Total - 7		

ABSENT

McPherson	Morrell
Total - 2	

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

Special Order of the Day No. 2

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.

Floor Amendments

Senator Chaisson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1

On page 5, line 17, after "No." and before "of this" delete the underline "___" and insert "1"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Michot
Adley	Guillory	Morrish
Broome	Hebert	Mount
Chabert	Heitmeier	Murray
Cheek	Jackson	Nevers
Crowe	Kostelka	Peterson
Donahue	LaFleur	Shaw
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Erdey	Martiny	
Total - 29		

NAYS

Alario	Claitor	Walsworth
Amedee	Gautreaux N	
Appel	Riser	
Total - 7		

ABSENT

McPherson	Morrell	Quinn
Total - 3		

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

Special Order of the Day No. 3

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.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 391 by Senator Chaisson

AMENDMENT NO. 1

On page 3, line 29, following "shall" and before "if" change "only be effective" to "be effective only"

AMENDMENT NO. 2

On page 4, line 8, following "shall" and before "if" change "only be effective" to "be effective only"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 391 by Senator Chaisson

AMENDMENT NO. 1

On page 1, at the end of line 6 insert the following "to exclude certain funds in certain circumstances;"

AMENDMENT NO. 2

On page 3, between lines 16 and 17, insert the following:

"(c) Any adjustments pursuant to this Subparagraph which are in excess of five percent shall not be applicable to the portion of any fund established by law or the Constitution of Louisiana that is derived from the imposition, assessment, or collection of a fee or from self-generated revenue. The provisions of Subparagraphs (1) and (2) of this Paragraph shall not be applicable to nor affect:

(i) The Transportation Trust Fund as provided in Article VII, Section 27 of the Constitution of Louisiana.

(ii) The Conservation Fund as provided for in Article VII, Section 10-A of the Constitution of Louisiana."

AMENDMENT NO. 3

On page 4, line 7 after "constitution;" and before "to require" insert "to exclude certain funds in certain circumstances;"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrell, Alario, Gautreaux N, Morrish, Amedee, Guillory, Mount, Appel, Hebert, Murray, Broome, Heitmeier, Nevers, Chabert, Jackson, Peterson, Cheek, Kostelka, Quinn, Crowe, LaFleur, Shaw, Donahue, Long, Smith

Dorsey Duplessis Total - 36

Martiny McPherson

Thompson Walsworth

NAYS

Claitor Total - 2

Riser

ABSENT

Marionneaux Total - 1

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

Special Order of the Day No. 4

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.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 392 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, change "(E)(1) and (2)," to "(E)(1) and (2) and to enact R.S. 39:75(F),"

AMENDMENT NO. 2

On page 1, line 6, after "circumstances;" and before "to provide" insert "to exclude certain funds in certain circumstances;"

AMENDMENT NO. 3

On page 1, at the end of line 9, insert "and R.S. 39:75(F) is hereby enacted"

AMENDMENT NO. 4

On page 3, between lines 10 and 11, insert the following:

"(F) Any adjustments pursuant to this Subsection which are in excess of five percent shall not be applicable to the portion of any fund established by law or the Constitution of Louisiana that is derived from the imposition, assessment, or collection of a fee or from self-generated revenue. The provisions of this Subsection shall not be applicable to nor affect:

(1) The Transportation Trust Fund as provided in Article VII, Section 27 of the Constitution of Louisiana.

(2) The Conservation Fund as provided for in Article VII, Section 10-A of the Constitution of Louisiana."

AMENDMENT NO. 5

On page 3, line 13, after "No." and before "of this" delete the underline " _ " and insert "391"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor	Hebert	Riser
Total - 3		

ABSENT

Gautreaux N
Total - 1

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

Special Order of the Day No. 5

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.

Floor Amendments

Senator Chaisson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 410 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 12, after "No." and before "of this" delete the underline "___" and insert "434"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Appel	Guillory	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn

Claitor
Crowe
Dorsey
Duplessis
Erdey
Total - 29

LaFleur
Long
Marionneaux
Martiny
Michot

Riser
Shaw
Thompson
Walsworth

NAYS

Adley
Alario
Amedee
Total - 8

Gautreaux N	Mount
Hebert	Smith
Morrish	

ABSENT

Donahue
Total - 2

McPherson

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

Explanation of Vote

Senator Donahue stated he appeared as absent on the vote on Senate Bill No. 410. He intended to vote yea and asked that the Official Journal so state.

Special Order of the Day No. 6

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.

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
Appel
Broome
Chabert
Cheek
Claitor
Crowe
Donahue
Dorsey
Duplessis
Total - 29

Erdey	Morrell
Gautreaux B	Murray
Guillory	Nevers
Heitmeier	Peterson
Jackson	Quinn
LaFleur	Riser
Long	Shaw
Marionneaux	Thompson
Martiny	Walsworth
Michot	

NAYS

Adley
Alario
Amedee
Total - 9

Gautreaux N	Morrish
Hebert	Mount
Kostelka	Smith

ABSENT

McPherson
Total - 1

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

June 2, 2010

Mr. President in the Chair

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

SENATE BILL NO. 45— BY SENATOR APPEL

AN ACT

To enact Code of Criminal Procedure Art. 883.2(C), relative to restitution to victims; to provide for certain procedures; 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 Administration of Criminal Justice to Engrossed Senate Bill No. 45 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, after "Procedure" and before "883.2(C)" change "Art." to "Article"

AMENDMENT NO. 2

On page 1, line 5, after "Procedure" and before "enacted" change "Art. 883.2(C) is here" to "Article 883.2(C) is hereby"

AMENDMENT NO. 3

On page 1, line 11, after "send" and before "a restitution" delete "directly"

AMENDMENT NO. 4

On page 1, line 12, after "payment" delete the remainder of the line and insert "directly to a victim, unless the victim consents."

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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. 83— BY SENATOR APPEL

AN ACT

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

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 83 by Senator Appel

AMENDMENT NO. 1

On page 1, between lines 11 and 12, insert "* * *

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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. 120— BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 22:1443, relative to surety insurance; to provide for an increase in the minimum premium rate for commercial surety underwriters writing criminal bail bonds; 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 Lopinto to Engrossed Senate Bill No. 120 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 22:1443" and the comma ",," insert "and to repeal R.S. 22:1442"

AMENDMENT NO. 2

On page 1, line 4, after "bonds;" insert "to repeal a requirement that a premium be shown on a power of attorney attached to a bail bond;"

AMENDMENT NO. 3

On page 1, after line 17, insert the following:
"Section 2. R.S. 22:1442 is hereby repealed in its entirety."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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. 135—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 22:978(A)(3) and (4), relative to health and accident insurance; to provide for notification to the insured of the policy renewal premium; to provide with respect to responses to written requests for quotes and utilization data; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 153—
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 22:1061(3)(d)(i), 1073(B)(4), 1210(D), (E), and (F), 1213, and to enact R.S. 22:1061(4)(k), 1205(C)(6) and (D), relative to the Louisiana Health Plan; to provide for compliance with federal law for expanded coverage by the plan; to redefine certain terms relative to portability, availability, and renewability of health insurance coverage; to provide with respect to coverage of mental and nervous conditions, including alcohol and substance abuse, by the plan; to provide with respect to initial rates for federally and non-federally defined eligible individuals; to delete the six-month preexisting condition provision for federally defined eligible individuals; 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 Insurance to Engrossed Senate Bill No. 153 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 22:1061(4)(K)" delete the comma "," and insert in lieu thereof "and" and delete "and (D)"

AMENDMENT NO. 2

On page 1, line 7, change "provider" to "provide"

AMENDMENT NO. 3

On page 1, line 13, after "1205(C)(6)" delete "and (D)"

AMENDMENT NO. 4

On page 3, delete lines 1 through 5 in their entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 153 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 2, following "1210(D)," and before the end of the line change ",(E) and (F), 1213, and" to "and (E), and 1213,"

AMENDMENT NO. 2

On page 1, line 3, following ", " and before "relative" insert "and to repeal R.S. 22:1210(F)"

AMENDMENT NO. 3

On page 1, line 12, following "1210(D)," and before "1213" change "(E), and (F)" to "and (E)"

AMENDMENT NO. 4

On page 9, between lines 9 and 10, insert "Section 2. R.S. 22:1210(F) is hereby repealed."

AMENDMENT NO. 5

On page 9, line 10, change "Section 2" to "Section 3"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Peterson
Total - 1

ABSENT

Broome
Total - 1

June 2, 2010

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

SENATE BILL NO. 193— BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Art. 335.1, relative to bail; to provide for the wearing or carrying of a GPS tracking device; to provide for certain conditions; to provide for definitions; 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 Administration of Criminal Justice to Reengrossed Senate Bill No. 193 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 3, change "the wearing or carrying of a GPS tracking device;" to "the monitoring of certain persons through the use of a global positioning system;"

AMENDMENT NO. 2

On page 1, line 2, after "Procedure" and before "335.1" change "Art." to "Article"

AMENDMENT NO. 3

On page 1, line 6, after "Procedure" and before "335.1" change "Art." to "Article"

AMENDMENT NO. 4

On page 1, at the beginning of line 10, change "A." to "A.(1)"

AMENDMENT NO. 5

On page 2, line 4, after "victim." delete the remainder of the line, delete lines 5 through 29 in their entirety, on page 3, delete lines 1 and 2 in their entirety, and insert the following:

"(2)(a) In addition, the court may order the defendant to be equipped with a global positioning monitoring system as a condition of release on bail pursuant to Paragraph B of this Article.

(b) In determining whether to order a defendant, as a condition of release on bail, to participate in global positioning system monitoring, the court shall consider the likelihood that the defendant's participation in global positioning system monitoring will deter the defendant from seeking to harm, injure, or otherwise threaten the victim prior to trial.

(c) The defendant shall only be released on bail pursuant to the provisions of this Article if he agrees to pay the cost of the global positioning monitoring system and monitoring fees associated with the device, or agrees to perform community service in lieu of paying such costs.

B.(1)(a) If the court orders the defendant to be equipped with a global positioning monitoring system as a condition of release on bail, the court may order the defendant, with the informed consent of the victim, to provide the victim of the charged crime with an electronic receptor device which is capable of receiving the global positioning system information and which notifies the victim if the defendant is located within an established proximity to the victim.

(b) The court, in consultation with the victim, shall determine which areas the defendant shall be prohibited from accessing and shall establish the proximity to the victim within which a defendant shall be excluded. In making this determination, the court shall consider a list, provided by the victim, which includes those areas from which the victim desires the defendant to be excluded.

(2) The victim shall be furnished with telephone contact information for the local law enforcement agency in order to request immediate assistance if the defendant is located within that proximity to the victim.

(3) The court shall order the global positioning monitoring system provider to program the system to notify local law enforcement if the defendant violates the order.

(4) The victim, at any time, may request that the court terminate the victim's participation in the global positioning monitoring system of the defendant.

(5) The court shall not impose sanctions on the victim for refusing to participate in global positioning system monitoring provided for in this Paragraph."

AMENDMENT NO. 6

On page 3, line 18, change "system monitoring" to "monitoring system"

AMENDMENT NO. 7

On page 3, line 27, change "global positioning system" to "global positioning monitoring system"

AMENDMENT NO. 8

On page 4, line 1, change "global positioning system" to "the global positioning monitoring system"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 193 by Senator Claitor

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice on line 3, after "positioning" and before "system" insert "monitoring"

AMENDMENT NO. 2

In House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice on line 21, following "shall" and before "be" delete "only"

AMENDMENT NO. 3

In House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice on line 22, following "Article" and before "if" insert "only"

Senator Claitor 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, YEAS, NAYS. Lists names of senators and their counts for YEAS and NAYS.

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 216—
BY SENATOR MOUNT AND REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2010.8(A)(2)(a) and (b), (6), (8), (10), (12), (13) and (21), and to enact R.S. 40:2010.8(A)(2)(c) and (d), relative to the nursing home resident's bill of rights; to provide for certain rights; 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 Health and Welfare to Reengrossed Senate Bill No. 216 by Senator Mount

AMENDMENT NO. 1
On page 1, line 3, after "home" change "resident's" to "residents"

AMENDMENT NO. 2
On page 2, line 14, after "to" change "their" to "his"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 253—
BY SENATOR DORSEY
AN ACT

To enact R.S. 40:2021, relative to health care information; to provide for the dissemination of health care information by the Department of Health and Hospitals; 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 Health and Welfare to Reengrossed Senate Bill No. 253 by Senator Dorsey

AMENDMENT NO. 1
On page 1, after "as" change "out patient" to "outpatient"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 253 by Senator Dorsey

AMENDMENT NO. 1
On page 1, line 8, following "the" and before "utilization" change "non-emergent" to "nonemergent"

AMENDMENT NO. 2
On page 1, line 11, following "information" and before "the citizens" change "by" to "available to"

AMENDMENT NO. 3
On page 1, line 17, following "provide" and before "care" "non-emergent" to "nonemergent"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

**Senate Resolutions on Second Reading
Reported by Committees,
Subject to Call**

Called from the Calendar

Senator Guillory asked that Senate Resolution No. 11 be called from the Calendar.

June 2, 2010

SENATE RESOLUTION NO. 11—
BY SENATOR GUILLORY

A RESOLUTION

To amend and re-adopt Senate Rule No. 9.1(A) of the Rules of Order of the Senate, relative to the prefiling of instruments; to require that legislation relative to retirement be prefiled not later than five o'clock p.m. of the sixtieth calendar day prior to the start of the regular session.

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

Senate Bills and Joint Resolutions on
Third Reading and Final Passage

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.

The bill was read by title. Senator Thompson 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	Kostelka	Quinn
Check	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 38		

NAYS

Heitmeier
Total - 1

ABSENT

Total - 0

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

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)(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.

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

SENATE BILL NO. 500—
BY SENATOR MARIONNEAUX

AN ACT

To enact Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3121 through 3124, relative to the Angel Investor Rebate Program; to provide for the purposes; to provide for the amount of the rebate; to provide for the qualifications of the rebate; to provide for reductions in a certain fund equal to the amount of such rebates; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to provide for rules; to authorize penalties for providing false or fraudulent information; to require an annual report to the Department of Economic Development by a Louisiana Entrepreneurial Business; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 500 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 4, following "**in**" and before "**wealth-creating**" change "**early stage**" to "**early-stage**."

AMENDMENT NO. 2

On page 2, line 13, following "**a rebate**" and before "**rebate shall**" change "**, such**" to "**. Such**"

AMENDMENT NO. 3

On page 2, line 14, following "**this**" and before ":" change "**Part**" to "**Chapter**"

AMENDMENT NO. 4

On page 2, line 20, following "**this**" and before ":" change "**Part**" to "**Chapter**"

AMENDMENT NO. 5

On page 2, line 29, following "**this**" and before ":" change "**Part**" to "**Chapter**"

AMENDMENT NO. 6

On page 3, line 3, following "**(c)**" and before "**an annual**" change "**Provide for an**" to "**An**"

AMENDMENT NO. 7

On page 3, line 7, following "**tax years**" and before "**all of**" insert ":"

AMENDMENT NO. 8

On page 4, line 8, following "**receive**" and before "**investor**" change "**angle**" to "**angel**"

AMENDMENT NO. 9

On page 5, line 7, following "**limited to**" and before "**a first-come**" delete ":"

AMENDMENT NO. 10

On page 5, line 15, following "**investment**" and before "**and the**" insert ":"

AMENDMENT NO. 11

On page 6, line 2, following "**an**" and before "**is**" change "**Angel Investor Rebate**" to "**angel investor rebate**"

AMENDMENT NO. 12

On page 6, line 8, following "an" and before "is" change "Angel Investor Rebate" to "angel investor rebate"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Peterson
Total - 1

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

SENATE BILL NO. 621—
BY SENATOR MARTINY

AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide for eligibility for parole consideration for certain offenders sentenced as a habitual offender; and to provide for related matters.

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

SENATE BILL NO. 507—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 42:1132(D), 1134(N), and 1157(A)(1) and (3) and to enact Chapter 46 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9661 through 9669, relative to the regulation of lobbying; to provide for the regulation of lobbying of local government; to provide for the reporting of certain expenditures by principals and employers of lobbyists; to provide definitions; to provide for registration, reporting, and disclosure; to provide for administration and enforcement; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Gautreaux B	Morrish
Total - 3		

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

SENATE BILL NO. 805— (Substitute of Senate Bill No. 272 by Senator Dorsey)

BY SENATOR DORSEY

AN ACT

To enact Chapter 2-B of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3579.1 through 3579.4, relative to the Louisiana Tax Refund Anticipation Loan Act; to provide for restrictions; to provide for registration; to provide for disclosure; to provide for powers of the commissioner of financial institutions; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 805 by Senator Dorsey

AMENDMENT NO. 1

On page 2, line 11, following "loan" and before "by" change "borrowed" to "obtained"

AMENDMENT NO. 2

On page 4, line 24, following "loans" delete " ; "

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 806— (Substitute of Senate Bill No. 766 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 and 2746, relative to reimbursement methodology for mental health services; to direct the Department of Health and Hospitals to establish a common reimbursement methodology for community mental health centers and community mental health clinics; to direct the department to promulgate rules and regulations relative to the uniform reimbursement methodology; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

Called from the Calendar

Senator Martiny asked that Senate Bill No. 625 be called from the Calendar.

SENATE BILL NO. 625—

BY SENATOR MARTINY AND REPRESENTATIVE LIGI

AN ACT

To enact R.S. 9:2780.1, relative to contracts; to provide relative to motor carrier transportation contracts; to provide relative to construction contracts; to provide relative to liability provisions; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 625 by Senator Martiny

AMENDMENT NO. 1

On page 2, delete lines 21 through 29 and insert the following:

"(3) "Indemnitee" means any named party in the contract to whom indemnification is owed pursuant to the terms of the contract.

(4) "Indemnitor" means any party to the contract who obligates himself to provide indemnification under the terms of the contract.

(5) "Third party" means any party not subject to the contractual obligations between the indemnitee and indemnitor.

B. Notwithstanding any provision of law to the contrary, any provision, clause, covenant, or agreement contained in, collateral to, or affecting a motor carrier transportation contract or construction contract which purports to indemnify, defend, or hold harmless, or has the effect of indemnifying, defending, or holding harmless, the indemnitee from or against any liability for loss or damage resulting from the negligence or intentional acts or omissions of the indemnitee, an agent or employee of the indemnitee, or a third party over which the indemnitor has no control is contrary to the public policy of this state and is null, void, and unenforceable."

AMENDMENT NO. 2

On page 3, delete lines 1 through 3 in their entirety

AMENDMENT NO. 3

On page 3, delete lines 7 and 8 and insert the following: "require an indemnitor to procure liability insurance covering the acts or omissions or both of the indemnitee, its employees or agents, or the acts or omissions of a third party over whom the indemnitor has no control is null, void, and unenforceable. However, nothing in this Section shall be construed to prevent the indemnitee from requiring the indemnitor to provide proof of insurance for obligations covered by the contract."

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Hebert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 625 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 13, after "property" insert ", other than agricultural products as defined in R.S. 9:3306 and timber."

AMENDMENT NO. 2

On page 1, line 15, after "property" insert ", other than agricultural products as defined in R.S. 9:3306 and timber."

AMENDMENT NO. 3

On page 1, line 17, after "property" insert ", other than agricultural products as defined in R.S. 9:3306 and timber."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Marionneaux
Amedee	Gautreaux N	Martiny
Appel	Guillory	Michot
Chabert	Hebert	Morrish
Cheek	Heitmeier	Murray
Crowe	Jackson	Quinn
Donahue	Kostelka	Shaw
Dorsey	LaFleur	Thompson
Duplessis	Long	Walsworth
Total - 27		

NAYS

Mr. President	Claitor	Mount
Alario	Gautreaux B	Nevers
Broome	Morrell	Smith
Total - 9		

ABSENT

McPherson	Peterson	Riser
Total - 3		

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

Called from the Calendar

Senator Walsworth asked that Senate Bill No. 622 be called from the Calendar for reconsideration.

SENATE BILL NO. 622—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to provide that any person who has a contract for advertising services with an agency is allowed to enter into contracts with any other person who engages in a transaction with that agency; and to provide for related matters.

Floor Amendments

Senator Walsworth proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 622 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 3, change "person" to "advertising agency"

AMENDMENT NO. 2

On page 1, line 11, after "(32)" insert "(a)" and after "Any" delete "person who" and insert "advertising agency that"

AMENDMENT NO. 3

On page 1, line 13, after "**Economic Development,**" insert "**the Department of Transportation and Development.**"

AMENDMENT NO. 4

On page 1, line 17, at the beginning of the line after "**Development,**" insert "**the Department of Transportation and Development.**"

AMENDMENT NO. 5

On page 1, after line 17, insert the following:

"(b) As used in this Paragraph, "advertising services" means the development, production and dissemination of

advertisements, public relations communications, or other forms of publicity.

(c) As used in this Paragraph, the term "advertising agency" means a corporation, limited liability company, or other juridical person that, as its primary business, acts on behalf of clients in connection with some or all of the following activities:

- (i) Development and production of advertisements.**
- (ii) Placement of advertisements in the media.**
- (iii) Planning and conducting advertising and public relations campaigns.**
- (iv) Website design and other internet marketing functions.**
- (v) Branding and brand management.**
- (vi) Market research."**

On motion of Senator Walsworth, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Duplessis	Nevers
Appel	Kostelka	Peterson
Broome	Long	Quinn
Chabert	Michot	Shaw
Cheek	Morrish	Thompson
Donahue	Mount	Walsworth
Dorsey	Murray	
Total - 20		

NAYS

Alario	Gautreaux N	Morrell
Amedee	Heitmeier	Riser
Claitor	Jackson	Smith
Gautreaux B	Marionneaux	
Total - 11		

ABSENT

Mr. President	Guillory	Martiny
Crowe	Hebert	McPherson
Erdey	LaFleur	
Total - 8		

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

Called from the Calendar

Senator Broome asked that Senate Bill No. 795 be called from the Calendar.

SENATE BILL NO. 795— (Substitute Bill for Senate Bill No. 359 by Senator Broome)

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 22:972 (A) and (B) and to enact R.S. 22:1016, relative to network adequacy in health insurance; provides for the filing of the network of participating health care providers; provides for definitions; requires all health insurance issuers to have an adequate network of providers; provides for penalties for violation of network adequacy rules; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 795 by Senator Broome

AMENDMENT NO. 1

On page 4, line 6, following "commissioner" and before "the" insert "a description of"

AMENDMENT NO. 2

On page 4, line 7, following "Any" and before "filed" change "network" to "description"

AMENDMENT NO. 3

On page 5, line 10, following "Whenever" and before "health insurance" change "an" to "a"

AMENDMENT NO. 4

On page 5, line 14, following "days" change "; or" to ":

AMENDMENT NO. 5

On page 5, line 17, following "Providers" change "; or" to ":

AMENDMENT NO. 6

On page 6, line 2, change "Subparagraph" to "Paragraph"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Broome proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 795 by Senator Broome

AMENDMENT NO. 1:

On page 1, delete line 2 in its entirety and in lieu thereof insert the following: "To enact R.S. 22: 972(D) and 22:1016, relative to"

AMENDMENT NO. 2:

On page 1, delete lines 8 and 9 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 22:972(D) and 22:1016 are hereby enacted to read as follows:"

AMENDMENT NO. 3:

On page 1, delete lines 11 through 17 in their entirety and insert in lieu thereof the following:

* * *

D. An initial filing of policy forms by a health insurance issuer as described in Subsection A of this Section shall include the network or providers, if any, to be used in connection with the policy forms in accordance with the provisions of R.S. 22:1016C(1) and (2). If benefits under a health insurance policy do not rely on a network of providers, the issuer shall state such fact in the forms filing.

* * *

AMENDMENT NO. 4:

On page 2, delete lines 1 through 17 in their entirety.

AMENDMENT NO. 5:

On page 2, after line 29, insert the following:

"(4) Critical access or acute care hospital" means any institution, place, building, or agency, public or private, whether for profit or not, maintaining and operating facilities, 24 hours a day, seven days a week, having 10 licensed beds or more, properly staffed and equipped for the diagnosis, treatment and care of persons admitted for overnight stay or longer who are suffering from illness, injury, infirmity or deformity or other

physical or mental condition for which medical, surgical or obstetrical services would be available and appropriate."

AMENDMENT NO. 6:

On page 3, line 1, change "(4)" to "(5)".

AMENDMENT NO. 7:

On page 3, line 5, change "(5)" to "(6)".

AMENDMENT NO. 8:

On page 3, line 7, change "(6)" to "(7)".

AMENDMENT NO. 9:

On page 3, line 9, change "(7)" to "(8)".

AMENDMENT NO. 10:

On page 3, lines 14 and 15, delete "a nonprofit hospital and health services corporation,"

AMENDMENT NO. 11:

On page 3, line 17, change "(8)" to "(9)".

AMENDMENT NO. 12:

On page 3, line 21, change "(9)" to "(10)".

AMENDMENT NO. 13:

On page 3, line 27, after "issuer" insert "that uses a network of providers"

AMENDMENT NO. 14:

On page 3, line 29, after "providers," delete the remainder of the line.

AMENDMENT NO. 15:

On page 4, delete lines 1 through 11 in their entirety and insert in lieu thereof the following:

"(2) For any policy that utilizes a network of providers, a health insurance issuer shall maintain a network that is adequate in numbers and types of health care providers to assure that all covered health care services will be accessible to covered persons without unreasonable delay. Adequacy shall be determined in accordance with this Section and may be established by reference to any reasonable criteria used by the health insurance issuer, including but not limited to:

(a) the geographic accessibility of participating health care providers within a thirty-mile radius, except in geographic areas in which there is limited availability or providers of certain specialty types;

(b) waiting times for appointments with participating health care providers;

(c) hours of operation;

(d) adequate availability of technological and specialty services available to serve the needs of covered persons requiring technologically advanced or specialty care; and

(e) access to emergency services twenty-four hours per day, seven days per week.

(3) A health insurance issuer's network of providers shall not be considered inadequate on the basis of the lack in a health insurance issuer's network of providers of a particular type of health care provider, when the health insurance issuer demonstrates that it has made all reasonable efforts to contract with available providers of that type.

(4) No later than January 31, 2011, a health insurance issuer shall file for approval with the commissioner the network of participating providers, if any, that supports each of the health insurance issuer's health benefit plans. Any network filed for approval by the commissioner shall contain:

(a) A copy of the contract or the standard participating provider agreement used by the health insurance issuer to contract with each provider type for the provision of covered services."

AMENDMENT NO. 16:

On page 4, line 14, between "**rendered**" and the period (".") insert "**by numbers and types of participating physicians and hospitals**"

AMENDMENT NO. 17:

On page 4, line 15, after "**including the**" delete the remainder of the line and delete lines 16 through 19 in their entirety and insert in lieu thereof "**numbers and types of participating physicians and hospitals.**"

AMENDMENT NO. 18:

On page 4, line 24, change "**(3)**" to "**(5)**"

AMENDMENT NO. 19:

On page 4, line 28, after "**insurance issuer.**" delete the remainder of the line, and delete line 29 in its entirety.

AMENDMENT NO. 20:

On page 5, delete line 1 in its entirety.

AMENDMENT NO. 21:

On page 5, line 4, delete "**general or acute**" and insert "**critical access or acute care**"

AMENDMENT NO. 22:

On page 5, line 6, after "**providers**" insert "**, according to the provisions of Subsection C of this Section,**"

AMENDMENT NO. 23:

On page 5, between lines 9 and 10 insert the following:
 "(iv) **Any other changes to a network of providers that, cumulatively, jeopardize adequacy of the network as described in Subsection C.**

(6)Whenever the commissioner believes, based on a filing required by R.S. 22:972(D) or the filing required by Subsection C of this Section, that a health insurance issuer's network of providers is inadequate to provide covered health care services to covered persons, the commissioner may require the health insurance issuer to provide all or part of the information about its network described in Paragraph (3)of this Subsection. A health insurance issuer shall provide such requested information no later than thirty days of receipt of such request from the commissioner."

AMENDMENT NO. 24:

On page 5, line 12, after "**violation**" delete the remainder of the line and delete lines 13 and 14 in their entirety, and insert in lieu thereof the following: "**directing the health insurance issuer to submit a corrective action plan or other response within thirty days.**

(2) If a health insurance issuer does not submit a satisfactory response within thirty days, the commissioner may either:"

AMENDMENT NO. 25:

On page 5, line 15, change "**(b)**" to "**(a)**"

AMENDMENT NO. 26:

On page 5, line 18, change "**(c)**" to "**(b)**" and after "**to cease**" insert "**and desist**"

AMENDMENT NO. 27:

On page 5, line 20, change "**(2)**" to "**(3)(a)**"

AMENDMENT NO. 28:

On page 5, line 21, after "**demonstrates**" delete "**to the commissioner's satisfaction**"

AMENDMENT NO. 29:

On page 5, line 23, after "**commissioner or**" insert "**that**"

AMENDMENT NO. 30:

On page 5, line 26, after "**care services**" delete the remainder of the line and insert "**at an in-network benefit level.**"

AMENDMENT NO. 31:

On page 5, delete lines 27 in its entirety and insert in lieu thereof the following:

"(b) If the commissioner determines that a health insurance issuer's network of providers is inadequate in a certain geographic area, any cease and desist order related to such inadequacy shall be limited to only that geographic area and shall not prohibit use of the health insurance issuer's network in other geographic areas of the state."

AMENDMENT NO. 32:

On page 5 at the beginning of line 28, delete "**(3) The**" and insert "**(4) Following completion of the actions described in Subparagraphs (1) through (3) of this Subsection, the**"

AMENDMENT NO. 33:

On page 6, delete lines 1 and 2 in their entirety.

AMENDMENT NO. 34:

On page 6, line 3, change "**(b)**" to "**(a)**"

AMENDMENT NO. 35:

On page 6, line 6, change "**(c)**" to "**(b)**"

AMENDMENT NO. 36:

On page 6, between lines 9 and 10, insert the following:
"E. The provisions of this Section shall not apply to the Office of Group Benefits, any self-funded governmental or parish plan, or any other plan preempted under the provisions of the Employee Retirement Income Security Act of 1974."

AMENDMENT NO. 37:

On page 6, line 10, change "**E.**" to "**F.**"

AMENDMENT NO. 38:

On page 6, after line 14, insert the following:
 "Section 2. The provisions of this Act shall be effective January 1, 2011."

On motion of Senator Broome, the amendments were adopted.

The bill was read by title. Senator Broome 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	Peterson
Broome	Hebert	Quinn
Chabert	Heitmeier	Riser
Cheek	Jackson	Shaw
Claitor	LaFleur	Smith
Crowe	Long	Thompson
Donahue	Marionneaux	Walsworth
Dorsey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Kostelka	McPherson
Martiny	Nevers
Total - 4	

June 2, 2010

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

Called from the Calendar

Senator Hebert asked that Senate Bill No. 793 be called from the Calendar for reconsideration.

SENATE BILL NO. 793— (Substitute of Senate Bill No. 331 by Senator Hebert)

BY SENATOR HEBERT

AN ACT

To enact R.S. 37:223, relative to district attorneys; to prohibit certain legal representation by a district attorney or his staff; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 793 by Senator Hebert

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 and 2 proposed by Senator Hebert and adopted by the Senate on May 25, 2010, designated as SFASB793 WATSOND 3720.

On motion of Senator Claitor, the amendments were adopted.

Floor Amendments

Senator Shaw proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shaw to Engrossed Senate Bill No. 793 by Senator Hebert

AMENDMENT NO. 1

Delete the set of Senate Floor Amendments proposed by Senator Adley and adopted by the Senate on May 25, 2010, designated as SFASB793 ELLISC 3849.

On motion of Senator Shaw, the amendments were adopted.

Senator Broome in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Morrell, Adley, Erdey, Murray, Alario, Gautreaux B, Nevers, Amedee, Gautreaux N, Peterson, Appel, Hebert, Quinn, Broome, Jackson, Riser, Chabert, Kostelka, Shaw, Cheek, LaFleur, Smith, Claitor, Marionneaux, Walsworth, Donahue, McPherson, Dorsey, Michot, Total - 31

NAYS

Martiny Mount
Total - 2

ABSENT

Crowe Heitmeier Morrish
Guillory Long Thompson
Total - 6

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 806 be called from the Calendar.

SENATE BILL NO. 806— (Substitute of Senate Bill No. 766 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 and 2746, relative to reimbursement methodology for mental health services; to direct the Department of Health and Hospitals to establish a common reimbursement methodology for community mental health centers and community mental health clinics; to direct the department to promulgate rules and regulations relative to the uniform reimbursement methodology; and to provide for related matters.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 806 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 5, after "a" and before "reimbursement" delete "common" and after "centers" delete "and"

AMENDMENT NO. 2

On page 1, line 6, before "; to" delete "community mental health clinics"

AMENDMENT NO. 3

On page 1, line 7, after "the" and before "reimbursement" delete "uniform"

AMENDMENT NO. 4

On page 1, line 13, after "CENTERS" delete the remainder of the line

AMENDMENT NO. 5

On page 1, delete lines 15 through 17 in their entirety and insert the following:

"A.(1) It is in the best interest of the state that behavioral health services for all Louisiana residents should be based on the following guiding principles:

(a) Recipients shall have freedom of choice of provider for services.

(b) Timely and easy access to covered services.

(c) Behavioral health recipient and family driven services.

(d) Locally-delivered care and services, which minimize the need for out of home placement and residential placement.

(e) Effective innovation and use of clinical outcomes, evidence-based and best practices

(f) Collaboration with the greater community.

(g) Cultural competency.

(h) Recruitment of providers trained and evaluated based on established credentialing criteria that include qualifications and related clinical, administrative, and cultural competencies.

(2) In order for the department to meet the goals set forth above, the Department of Health and Hospitals is currently implementing the process by which all publically funded behavioral health services be organized in such a way that screening, assessment, treatment planning and treatment are provided in a recovery-oriented fashion that utilizes evidence-based and/or best practice methodologies in order to improve outcomes and quality of life for individuals served, while reducing the need for more restrictive services and out of home placements. All services and programs should be evaluated using standardized procedures and instruments to provide reliable and valid data about service outcome. Further, the department should provide administrative service oversight to establish a comprehensive, well-coordinated, measured approach to the management of publically-funded behavioral health services within the state."

AMENDMENT NO. 6

On page 2, delete lines 1 through 5 in their entirety

AMENDMENT NO. 7

On page 2, delete lines 24 through 29 in their entirety and insert the following:

"(5) Louisiana currently has fifty-seven certified Community Mental Health Centers. Due to the number of Community Mental Health Centers, the state seeks to continue offering these mental health services at the highest standards, but in a prudent manner."

AMENDMENT NO. 8

On page 3, delete lines 1 through 12 in their entirety and insert the following:

"(6) The Department of Health and Hospitals has a mental health rehabilitation program which Community Mental Health Centers currently may enroll and participate in to meet the mental health services needs in the state.

B. The purpose of this part is to develop criteria and a reimbursement methodology for Community Mental Health Centers."

AMENDMENT NO. 9

On page 3, delete lines 14 through 20 in their entirety and insert the following:

"A. The Department of Health and Hospitals shall obtain input from mental health providers and mental health advocates to develop a reimbursement methodology, which methodology shall be subject to approval by the Centers for Medicare and Medicaid Services, which would allow freestanding Community Mental Health Centers to obtain reimbursement for treatment of persons who are Medicaid eligible. Such methodology shall require that Community Mental Health Centers meet certification standards required by the Department and be nationally accredited as required by the Department."

AMENDMENT NO. 10

On page 3, line 21, after "January" and before ", the" delete "1, 2010" and insert "20, 2011"

AMENDMENT NO. 11

On page 3, line 23, after "provide for" delete the remainder of the line and insert the following: "a reimbursement methodology for freestanding Community Mental Health Centers and to provide for certification standards as required by the Department.

C. Subject to appropriation by the legislature, the Department of Health and Hospitals shall provide for the inclusion of qualified Community Mental Health Centers as providers for the purposes of Medicaid reimbursement."

On motion of Senator McPherson, the amendments were adopted.

Mr. President in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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. 215—

BY SENATORS MOUNT, CROWE, DORSEY, DUPLESSIS AND GUILLORY

AN ACT

To amend and reenact R.S. 14:98(D)(1)(a) and (E)(1)(a) and (4)(b), and Code of Criminal Procedure Art. 893 (B), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; to provide for certain circumstances to apply probation in felony cases; to provide for substance abuse treatment; to provide for a specified probationary period; and to provide for related matters.

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

Rules Suspended

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

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

June 2, 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. 217— BY SENATOR CLAITOR

AN ACT

To amend and reenact Part V of Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2337.1 through 2337.10, relative to the Uniform Prudent Management of Institutional Funds; to provide for a new title for Part V; to provide for definitions for Part V; to provide for the standard of conduct in managing and investing an institutional fund; to provide for the appropriation for expenditure or the accumulation of an endowment fund; to provide for the rules of construction; to provide for the delegation of management and investment functions; to provide for the release or modification of restrictions on management, investment, or purpose of an institutional fund; to provide for reviewing compliance; to provide for the application of this Part upon existing institutional funds; to provide for the relationship of this Part to the Electronic Signatures in Global and National Commerce Act; to provide for the uniformity of application and construction of this Part; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 281— BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 9:951(A), 952(B)(1) and (3) and 954, and to enact R.S. 9:951(C), relative to provisional custody by mandate; to extend to grandparents with custody the right to confer the power of provisional custody by mandate for the care, custody, and control of a minor child; to provide for exceptions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 322— BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph), (7)(a) and (b), and (B) and 399.1, relative to paternity; to provide for acknowledgments of paternity; to provide terminology to include both parents; to provide for the inclusion of certain information; to provide for the dismissal of a paternity judgment; to provide for the burden of proof; to provide exceptions; to provide for genetic testings; to provide for the filing of tests results; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 402— BY SENATOR RISER

AN ACT

To enact R.S. 48:35.1, relative to roads and highways in this state; to provide relative to reflective glass markings on streets, roads, or highways; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 10— BY SENATOR N. GAUTREAUX AN ACT

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

Reported without amendments.

SENATE BILL NO. 564— BY SENATOR JACKSON AN ACT

To repeal Paragraphs 32(b), (c), (d), (e), and (f) of Article 14, Section 32 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Caddo Parish Jail Site Fund; to abolish the fund; 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

June 2, 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. 3— BY SENATOR ALARIO AND REPRESENTATIVE TUCKER A CONCURRENT RESOLUTION

To urge and request the Commission on Intergovernmental Relations to study tax sales law and procedure in Louisiana and throughout the United States.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15— BY SENATORS THOMPSON, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GULLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH AND WALSWORTH

A CONCURRENT RESOLUTION To express the support of the Legislature of Louisiana to the Department of Culture, Recreation and Tourism, through the Office of State Parks and Office of Cultural Development, in its efforts to achieve a World Heritage designation for Poverty Point State Historic Site.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 83— BY SENATOR DONAHUE A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study and make recommendations relative to the feasibility, desirability, and practicality of state agencies adopting "lean" principles to improve efficiencies, increase overall productivity, eliminate waste, and conserve public funds.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATORS JACKSON AND SHAW
A CONCURRENT RESOLUTION

To commend Forrest Dunn, former member of the House of Representatives on the occasion of his retirement as director of the Louisiana State Exhibit Museum in Shreveport.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 97—

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

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the untimely death of Brace Bennett Godfrey, Jr., Baton Rouge attorney, entrepreneur, and activist, and to celebrate a life of service devoted to his community and state.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 99—

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

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renown businessman and former Louisiana State Senator, Kenneth Dale "K. D." Kilpatrick.

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. 112—

BY SENATOR CHAISSON
A RESOLUTION

To recognize May 16 through May 22, 2010, as Emergency Medical Services (EMS) Week in the state of Louisiana.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 2, 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. 957 HB No. 1195 HB No. 1220

HB No. 1337 HB No. 419

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 419—

BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 40:2405.6, relative to law enforcement officers; to provide for training on the use of electronic control devices; to require manufacturers to provide training; and to provide for related matters.

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

HOUSE BILL NO. 957—

BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 33:9038.64, relative to Orleans Parish; to create and provide for the Lake Area Taxing District within the parish; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to the powers and duties of the district including the power to provide for tax increment financing; to provide for the term of the district; and to provide for related matters.

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

HOUSE BILL NO. 1195—

BY REPRESENTATIVE LITTLE AND SENATOR WALSWORTH
AN ACT

To amend and reenact Paragraph (6) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 540 of the 1954 Regular Session of the Legislature, and Act No. 16 of the 1968 1st Extraordinary Session of the Legislature; Paragraph (15) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature; and Section 6 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 127 of the 1987 Regular Session of the Legislature, relative to the city of Bastrop; to provide relative to the powers and duties of the city; to remove certain restrictions; to provide relative to penalties for the violation of city ordinances; and to provide for related matters.

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

HOUSE BILL NO. 1220—

BY REPRESENTATIVE HUTTER
AN ACT

To authorize the transfer of operational control of the St. Claude Avenue Bridge across the Inner-Harbor Navigation Canal in the city of New Orleans from the Board of Commissioners of the Port of New Orleans to the Department of Transportation and Development.

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

HOUSE BILL NO. 1337—

BY REPRESENTATIVES ROBIDEAUX, TIM BURNS, CARMODY, CARTER, CORTEZ, GREENE, HARDY, HENDERSON, KATZ, LANDRY, LIGI, PEARSON, AND TUCKER
AN ACT

To amend and reenact R.S. 11:62(4), (5)(a) and (c) and (10), 203, 211, 212, 214, 231, 403(5), 441(A) and (F), 444(A), 461(B), 471(A), 478(A), 551, 553 (introductory paragraph), 581, 601(B),

June 2, 2010

602, 701(5)(a), (b), and (c)(i), 761(A)(3), 768(B)(2) and 778(C) and (D), 779, 1002(6)(b), 1141(A), 1144(B)(2)(a) and (3), 1147(C)(2)(b), 1151(A), 1307(A), 1310(A), 1313(B)(introductory paragraph), 1316(A), 1317(A)(1)(introductory paragraph), 1318(A), 1319, 1320(A), 1321(A)(1), 1322(A)(introductory paragraph) and to enact R.S. 11:62(5)(g), 471.1, Subpart D of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:611 through 619, 761(A)(4), 779.1, 1002(6)(c), 1144(B)(4), 1147(C)(2)(a)(iii), 1151.1, 1313(C), 1323, 1323.1, Part III of Chapter 4 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1345.1 through 1345.9, and R.S. 24:36(M), relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the State Police Pension and Retirement System, and the Louisiana School Employees' Retirement System; to provide relative to membership, employee contributions, benefit calculation, survivor benefits, disability benefits, and retirement eligibility for members of such systems newly hired after a certain date; 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.

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

June 2, 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. 209 HCR No. 210 HCR No. 148
HCR No. 211 HCR No. 213 HCR No. 212

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 148— BY REPRESENTATIVE AUSTIN BADON A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consolidate the administration and evaluation of the LA4 and 8(g) prekindergarten programs under the state Department of Education beginning with the 2010-2011 school year and to adopt identical standards for these programs.

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

HOUSE CONCURRENT RESOLUTION NO. 209— BY REPRESENTATIVE NOWLIN A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of increasing physical education units required for high school graduation and to

submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2011 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 210— BY REPRESENTATIVE HINES A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Airline and Eagle Street and to establish a school zone near Bethune Elementary School in Orleans Parish.

The resolution was read by title. Senator Murray 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, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Crowe, Donahue, Dorsey, Duplessis, Erdey, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth.

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Claitor, McPherson.

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

HOUSE CONCURRENT RESOLUTION NO. 211— BY REPRESENTATIVE TUCKER A CONCURRENT RESOLUTION

To commend Tom Tate upon his retirement as director of governmental relations for the Louisiana Association of Educators, to recognize and record his myriad accomplishments and contributions to education in Louisiana, and to extend to him the best wishes of the legislature as he embarks on new challenges and endeavors.

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: Name, Yeas, Nays. Lists names like Adley, Alario, Amedee, Appel, Gautreaux B, Gautreaux N, Hebert, Heitmeier, Mount, Murray, Nevers, Peterson.

Broome	Kostelka	Quinn
Chabert	LaFleur	Riser
Cheek	Long	Shaw
Crowe	Marionneau	Smith
Donahue	Martiny	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrell	
Erdey	Morrish	

Total - 34

NAYS

Total - 0

ABSENT

Mr. President	Guillory	McPherson
Claitor	Jackson	

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 212—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, the Department of Revenue, and the Louisiana Workforce Commission to work cooperatively relative to the reporting and sharing of certain information and data, including but not limited to information and data related to the success of Louisiana's postsecondary graduates in the workforce, and to submit jointly a written report of progress relative to such cooperation and any recommendations for related legislation to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2011 Regular Session of the Legislature of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Mr. President	McPherson
Claitor	Quinn

Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 213—

BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To commend David and Marilyn Ferguson upon the celebration of their thirty-seventh wedding anniversary and their retirement after long and productive careers in education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Claitor	McPherson	Michot
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Total - 3

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

June 2, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 547—
BY SENATOR MARIONNEAUX
AN ACT

To enact Civil Code Article 2315.8, relative to offenses and quasi offenses; to provide for exemplary damages; and to provide for related matters.

Reported with amendments.

June 2, 2010

HOUSE BILL NO. 58—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:2087(B), relative to trusts; to provide for the delegation of certain duties by the trustee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 66—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:2371, relative to donations inter vivos; to provide for acceptance of donations of immovable property; to provide for recordation; to provide form requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact Code of Civil Procedure Article 3061, relative to judgments of possession; to provide for the automatic inclusion of the terms of a testamentary usufruct; to provide for the automatic inclusion of the terms of a testamentary trust; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 108—

BY REPRESENTATIVE BARRAS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 212—

BY REPRESENTATIVE WADDELL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 264—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(ii)(introductory paragraph) and 1299.41(A)(10), relative to medical malpractice; to provide for certain persons to be included in the definition of health care provider under the private and state medical malpractice acts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 276—

BY REPRESENTATIVES LEGER, HINES, AND BROSETT
A JOINT RESOLUTION

Proposing to amend Article I, Section 4(H)(1) of the Constitution of Louisiana, to provide relative to the sale of certain expropriated property; to provide an exception for the sale of property expropriated for the removal of a threat to public health or safety; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 357—

BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 35:412, relative to notaries public; to provide for the appointment of certain persons licensed to practice law in Louisiana as notaries public ex officio; to provide for statewide authority; to require bond or insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 429—

BY REPRESENTATIVE CHANDLER AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 37:2554(B) and (D), 2555(B), and 2556(A), relative to court reporters; to provide for qualifications; to provide for definitions; to provide for the appointment of court reporters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 445—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and (G), relative to city courts; to increase the jurisdictional amount in dispute for the City Court of Monroe; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 497—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 13:4688 and to repeal R.S. 9:2800.7, relative to reporting information concerning actions for offenses and quasi offenses; to provide for the reporting of actions to the judicial administrator of the supreme court; to provide for fees; to repeal provisions requiring reporting of specified information to the commissioner of insurance; to repeal the required categories for reporting monetary damages awarded; to repeal provisions requiring the commissioner of insurance to create an advisory committee; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 773—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 3:17(E), relative to limitations of liability; to provide a rebuttable presumption of nonnegligence for prescribed burnings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 802—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact Civil Code Article 3298(E), relative to mortgages; to provide relative to mortgages securing future obligations; to provide relative to the effects of recordation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 803—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:2941.1(A), relative to bond for deed contracts; to provide relative to recordation and priority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 805—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:4822(E)(2) and (4), relative to privileges under the Private Works Act; to authorize certain persons to sign a notice of termination of work; to provide for successors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 808—

BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 9:5504, relative to liens and privileges; to provide relative to the recordation of liens and privileges; to require the recordation of liens and privileges in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 830—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Articles 2374(C) and 2375(C), relative to community property; to provide for the separation of community property; to provide for the procedure; to provide for the effectiveness of a judgment decreeing separation of property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 834—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Article 103.1(1)(c) and (2), relative to judgments of divorce; to provide relative to a protective order; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1007—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 13:5101(B) and to enact R.S. 13:5106(F), relative to suits against the state; to provide for applicability; to provide for limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1018—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 40:1299.39(E)(1) and 1299.39.1(A)(1)(a), relative to the Malpractice Liability for State Services Act (MLSSA); to provide for malpractice claims of prisoners; to provide for services rendered in a correctional facility; to provide for wrongful death and survival claims; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1156—

BY REPRESENTATIVES HENRY BURNS, ABRAMSON, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BILLIOT, BURFORD, TIM BURNS, CARMODY, CHANDLER, CHANEY, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LIGI, LORUSSO, MILLS, MORRIS, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, TEMPLET, TUCKER, WADDELL, WHITE, AND WILLIAMS
AN ACT

To enact Subpart H of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:359 through 359.13, relative to child custody; to provide for the Military Parent and Child Custody Protection Act; to provide for definitions; to provide for temporary modifications of custody orders; to provide for evidence; to provide duties to disclose certain information; to

provide for the appointment of counsel; to provide for attorney fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1261— (Substitute for House Bill No. 17 by Representative Ligi)

BY REPRESENTATIVE LIGI
AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2) and 1672(C) and to enact Code of Civil Procedure Article 3955, relative to procedures for divorce; to provide for the filing of a declinatory exception; to provide for the dismissal of an action; to provide for service of an Article 102 divorce petition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1286—

BY REPRESENTATIVE LIGI
AN ACT

To amend and reenact R.S. 36:4(B)(1)(dd), 801.1(A), and 802.3 and R.S. 40:1299.44(A)(1) and (5)(d), (e), and (f) and (D)(1)(a), relative to the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board; to provide for the organization of the executive branch of government; to provide for the deposit and investment of the Patient's Compensation Fund; to provide that the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board shall not be budget units of the state; to provide for the submission of an annual budget to certain legislative committees; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1324—

BY REPRESENTATIVE RICHMOND
AN ACT

To repeal R.S. 38:301(C)(2)(e), relative to compensation in expropriation proceedings; and to repeal certain procedures for obtaining compensation in expropriation proceedings.

Reported favorably.

HOUSE BILL NO. 1435—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Children's Code Article 311(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph), R.S. 13:1401(A)(1) and 1621(A)(3), and R.S. 46:236.2(A)(2) and (B)(2), and to repeal R.S. 13:1621(B) and (C), relative to jurisdiction; to provide for the exclusive jurisdiction of the East Baton Rouge Parish Family Court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1449—

BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 9:1103, relative to the right of riparian owners; to provide for the assignment of rights to access the running waters of the state; to provide for the transfer for agricultural and aquacultural use by public entities; to prohibit fees charged by the state; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JULIE QUINN
Chairman

REPORT OF COMMITTEE ON JUDICIARY B

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

June 2, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 642— BY SENATOR MORRELL

AN ACT

To enact Code of Criminal Procedure Art. 334.3(A)(4), relative to bail; to provide for release on bail; to provide for forfeiture or revocation of bail; to provide for procedure; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 30—

BY REPRESENTATIVE WOOTON AN ACT

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

Reported favorably.

HOUSE BILL NO. 47—

BY REPRESENTATIVE WOOTON AN ACT

To amend and reenact R.S. 27:308.1(E), relative to civil penalties for violations of the Video Draw Poker Devices Control Law; to provide for the remote shutdown of devices for failure to remit civil penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 102—

BY REPRESENTATIVE EDWARDS AN ACT

To amend and reenact R.S. 44:9(K)(2) and to enact R.S. 44:9(K)(3), relative to expungement of arrest records in misdemeanor and felony cases; to provide that no fee shall be charged in certain expungement cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 120—

BY REPRESENTATIVE ROY AN ACT

To amend and reenact Code of Criminal Procedure Article 894.1(D) and (E)(introductory paragraph), relative to sentencing; to provide for certain obligations of the sentencing court and the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 180—

BY REPRESENTATIVES ROY, POPE, AND JANE SMITH AN ACT

To amend and reenact R.S. 15:587.1(B) and R.S. 44:9(F), (G), and (I) and to enact R.S. 15:587(A)(1)(f), relative to criminal records; to amend provisions regarding criminal background checks; to

provide entities with access to criminal history information; to provide for the type of information available to those entities; to provide for confidentiality; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 243—

BY REPRESENTATIVE WOOTON AN ACT

To amend and reenact R.S. 15:254.9(B)(1), relative to Plaquemines Parish; to provide with respect to the witness fee fund; to provide for the payment of benefits for employees of the Plaquemines Parish Sheriff's Office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 271—

BY REPRESENTATIVE MILLS AN ACT

To enact R.S. 14:102.24, relative to offenses affecting the public generally; to create the crime of unlawfully supplying any product for the purpose of falsifying a screening test; to provide for penalties; to create certain presumptions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 294—

BY REPRESENTATIVE LEGER AN ACT

To amend and reenact R.S. 46:2751(B)(1) and to enact R.S. 46:2751(B)(3), relative to the Juvenile Justice Reform Act Implementation Commission; to provide with respect to the composition of the commission; to provide for the chairmanship of the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 320—

BY REPRESENTATIVE RICHARDSON AN ACT

To enact R.S. 15:33, relative to forfeiture; to provide for the confiscation and destruction of items used in the commission of an offense; to provide for exceptions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 462—

BY REPRESENTATIVE MILLS AN ACT

To amend and reenact Code of Criminal Procedure Article 648(A)(2), relative to procedures after a determination of mental capacity or incapacity; to provide for treatment after a determination of mental capacity or incapacity; to provide with respect to inpatient and outpatient treatment for persons charged with certain crimes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 473—

BY REPRESENTATIVE HENRY BURNS AN ACT

To enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and employees of the Bossier Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 795—BY REPRESENTATIVE WOOTON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1237—BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 580 and 709, relative to criminal procedure; to provide relative to time limitations for commencement of a criminal trial; to provide for the suspension of time limitations; to provide for continuances; and to provide for related matters.

Reported favorably.

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 tobacco products; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1361—BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:321(D) and 323(A) and (B) and to enact R.S. 15:323(G), relative to the Louisiana Sentencing Commission; to provide for evaluation of sentencing structure; to provide for membership of the commission; to provide for the appointment of a proxy; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1412—BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 15:571.36, relative to electronic monitoring equipment; to require the Department of Public Safety and Corrections to develop policies and procedures for the availability, storage, and use of the equipment; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

REPORT OF COMMITTEE ON**JUDICIARY C**

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

June 2, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 20—

BY REPRESENTATIVES SIMON, BALDONE, BARROW, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHANDLER, CHANEY, CONNICK, CROMER, DOVE, GISCLAIR, GUILLORY, GUINN, HINES, HOWARD, KATZ, LAMBERT, LIGI, LITTLE, MILLS, NOWLIN, POPE, SMILEY, GARY SMITH, JANE SMITH, STIAES, TEMPLET, TUCKER, WADDELL, AND WOOTON

AN ACT

To amend and reenact R.S. 15:1503(2) and to enact R.S. 15:1503(13), relative to mandatory reporting of abuse of adults; to amend the definition of "abuse"; to provide for a definition of "sexual abuse"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 52—

BY REPRESENTATIVE PERRY

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.4, relative to probation and parole; to remove provisions authorizing the extension of a period of parole from completion of a monetary obligation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 112—

BY REPRESENTATIVE LITTLE

AN ACT

To enact R.S. 14:329, relative to offenses affecting the public generally; to create the crime of interfering with a law enforcement investigation; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 121—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(E)(9) and R.S. 40:966(B)(3), (E), and (F), to enact R.S. 40:964(Schedule I)(C)(13.1), (16.1), (32), (Schedule II)(A)(1)(s), (B)(28), and (C)(7), (Schedule III)(E)(12.1), (15.1), and (44.1), (Schedule IV)(B)(4.1) and (22.1), and (Schedule V)(D)(2), and to repeal R.S. 40:964(Schedule IV)(B)(52), relative to the Uniform Controlled Dangerous Substances Law; to add certain drugs to Schedules I, II, III, IV, and V; to provide for technical changes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 191—

BY REPRESENTATIVES PERRY, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSETT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, NOWLIN, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, THIERRY, WHITE, AND WILLIAMS AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CROWE, DUPLESSIS, HEITMEIER, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, SHAW, AND THOMPSON

AN ACT

To amend and reenact R.S. 15:529.1(A), (C), (D), and (E), relative to the habitual offender law; to provide for increased penalties for multiple sex offenses; to repeal statutory language authorizing the use of juvenile adjudications of delinquency to enhance penalty provisions for felony offenses; to provide for technical changes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 194—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To amend and reenact R.S. 15:571.3(A)(1) and (B)(2)(a) and 574.4(B), relative to criminal sentences of certain offenders; to provide for the earning rate of diminution of sentence for an inmate convicted of a crime of violence; to reduce the percentage of the length of sentence a person convicted of a

crime of violence must serve before being eligible for parole; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 232—
BY REPRESENTATIVE GEYMAN
AN ACT

To amend and reenact R.S. 14:43(A)(2), relative to simple rape; to clarify provisions regarding simple rape; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 233—
BY REPRESENTATIVE GEYMAN
AN ACT

To repeal R.S. 40:1238.1(B), relative to the sale, distribution, or possession of legend drugs without a prescription; to repeal provisions regarding Carisoprodol as a legend drug.

Reported favorably.

HOUSE BILL NO. 408—
BY REPRESENTATIVE LEGER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 428—
BY REPRESENTATIVE LEGER
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 524—
BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 14:35.3(G)(1), relative to domestic abuse battery; to delete the provision of law authorizing the court to determine prior convictions of domestic abuse battery; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 525—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 47:299.21, relative to offset claims against individual income tax refunds; to require the Department of Public Safety and Corrections and the Board of Parole to file such a claim under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 531—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 14:46.2(A), relative to the crime of human trafficking; to amend the elements of the crime of human trafficking; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 570—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact Code of Criminal Procedure Article 334.2, relative to bail; to provide with respect to the prohibition of releasing a defendant arrested for a crime of violence on his own recognizance or upon the signature of another person; to provide for technical changes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 617—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 46:460.10(A), (B), (C), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of cash assistance; to require participants to consent to possible drug testing prior to receipt of cash benefits; to require drug testing for twenty percent of recipients of cash assistance; to establish a cost savings program for drug testing; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 624—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact Code of Criminal Procedure Article 322(A) and (B) and R.S. 15:85(1), (2), (4), and (7), relative to bail; to require the inclusion of additional information on bail bonds and judgments of bond forfeiture; to provide that a bail bond or judgment of bond forfeiture shall not be set aside for the invalidity or failure to include such information; to provide for the liability of a bail agent representing a surety as an insurance agent; to provide for the reliance on this additional information with respect to judgments of bond forfeiture; to provide that a judgment of bond forfeiture containing inaccurate information shall be deemed ineffective as a judicial mortgage to third parties who rely upon the information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 702—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact Children's Code Articles 305(A)(1)(b) and (B)(1)(b), 804(3), 841(A) and (C), 855(B)(7), 858(B), 860(A), (B), and (D), and 867(A) and (C) and to enact Children's Code Articles 841(D), 867(E), 869.3(E), and 884.1, relative to the continuous revision of the Children's Code; to provide for divestiture of juvenile court jurisdiction; to provide for criminal court jurisdiction; to provide for definitions; to provide for advice of rights; to provide for notice of a motion to transfer; to provide for sex offender registration and notification requirements; to provide for confidentiality; to provide for informal adjustment agreements; to provide for certain types of medical examinations in motions to transfer and in adjudication hearings; to provide for the report of the sanity commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 825—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 15:541(12)(a), (24), and (25)(c) and to enact R.S. 14:2(B)(42) and (43) and R.S. 15:541(2)(n), relative to crimes involving trafficking; to provide for definitions; to provide with respect to sex offender registration and notification requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 945—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 14:68(B) and Code of Criminal Procedure Article 814(A)(26) and (27), relative to the unauthorized use of a movable; to change elements of the crime regarding the value of the movable; to provide changes in responsive verdicts regarding unauthorized use of a movable; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 986—

BY REPRESENTATIVE ABRAMSON

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE CONNICK

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1272—

BY REPRESENTATIVE HENRY BURNS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1459— (Substitute for House Bill No. 533 by Representative Mills)

BY REPRESENTATIVE MILLS

AN ACT

To enact Code of Criminal Procedure Article 573.1, relative to time limitations for initiating prosecutions; to provide relative to time limitations in which to institute prosecution for the crime of exploitation of the infirmed; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

Called from the Calendar

Senator Duplessis asked that Senate Bill No. 135 be called from the Calendar.

SENATE BILL NO. 135—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 22:978(A)(3) and (4), relative to health and accident insurance; to provide for notification to the insured of the policy renewal premium; to provide with respect to responses to written requests for quotes and utilization data; to provide for penalties; 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 Insurance to Engrossed Senate Bill No. 135 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 22:978(A)(3) and (4)" to "R.S. 22:978(D)"

AMENDMENT NO. 2

On page 1, at the end of line 2, delete "for" and insert "with respect to"

AMENDMENT NO. 3

On page 1, delete line 3 in its entirety

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 22:978 (A)(3) and (4) are hereby enacted" to "R.S. 22:978 (D) is hereby enacted"

AMENDMENT NO. 5

On page 1, delete lines 12 through 17 in their entirety and insert the following:

"* * *

D. For any group policy covering an employer group comprised of more than one hundred enrolled employees, no more than once annually the employer group may submit a written request to a health insurance issuer providing coverage to the group's employees for currently available aggregate paid claims and premium data accumulated for the period of the current policy year. The employer group may request such data sixty to ninety days prior to the date on which the group policy will terminate or be renewed. The health insurance issuer shall provide this aggregate data within no more than fourteen business days of receipt of the request."

AMENDMENT NO. 6

On page 2, delete lines 1 through 4 in their entirety

June 2, 2010

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 135 by Senator Duplessis

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Insurance on line 11, change "12" to "11"

AMENDMENT NO. 2

In House Committee Amendment No. 6 proposed by the House Committee on Insurance on line 22, change "4" to "5"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Martiny, Adley, Erdey, Morrell, Alario, Gautreaux B, Morrish, Amedee, Gautreaux N, Murray, Appel, Guillory, Nevers, Broome, Hebert, Peterson, Chabert, Heitmeier, Quinn, Cheek, Jackson, Riser, Claitor, Kostelka, Smith, Crowe, LaFleur, Thompson, Donahue, Long, Walsworth, Dorsey, Marionneaux. Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: McPherson, Mount, Michot, Shaw. Total - 4

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

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:

June 2, 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. 376—

BY SENATORS MORRELL, CROWE AND DORSEY AND REPRESENTATIVES ABRAMSON, BALDONE, HENRY BURNS, GISCLAIR, HINES, GIROD JACKSON, MICHAEL JACKSON, LAMBERT, LEGER, LORUSSO, GARY SMITH, JANE SMITH, PATRICIA SMITH, WHITE AND WILLIAMS

AN ACT

To amend and reenact R.S. 46:1844(W)(1)(b) and to enact R.S. 46:1844(W)(1)(c), relative to criminal procedure; to provide for confidentiality of minors who are crime victims; and to provide for related matters.

SENATE BILL NO. 105—

BY SENATOR RISER

AN ACT

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

SENATE BILL NO. 40—

BY SENATOR LONG

AN ACT

To repeal R.S. 13:997 and Act No. 492 of the 1962 Regular Session of the Legislature, relative to the Natchitoches Parish Law Library Commission; to abolish such commission; to transfer the property, assets, and revenues of the commission to the Tenth Judicial District Court; and to provide for related matters.

SENATE BILL NO. 503—

BY SENATOR CLAITOR

AN ACT

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

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.

SENATE BILL NO. 36—

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH

AN ACT

To enact R.S. 3:2093(10) and 2095.1, relative to the Louisiana Board of Animal Health; to require the board to adopt rules and regulations establishing standards governing the care and well-being of bovine, equine, ovine, caprine, porcine, and poultry; to prohibit local ordinances, laws, subdivision restrictions or regulations establishing standards applicable to the care and well-being of bovine, equine, ovine, caprine, porcine, and poultry; and to provide for related matters.

SENATE BILL NO. 118—

BY SENATOR LONG

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and (F), relative to city courts; to increase the civil jurisdictional amount in dispute in the city court of Winnfield and the city court of Monroe; and to provide for related matters.

SENATE BILL NO. 590—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2418(F)(2) and to enact R.S. 37:2418(F)(4), relative to physical therapist assistants; to provide for supervision requirements; and to provide for related matters.

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.

SENATE BILL NO. 103—

BY SENATORS N. GAUTREAU, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVES BOBBY BADON, BALDONE, BARRAS, HENRY BURNS, CARMODY, CHAMPAGNE, CORTEZ, DOVE, DOWNS, FOIL, GISCLAIR, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HOFFMANN, SAM JONES, KATZ, LITTLE, MONTUCET, MORRIS, NOWLIN, RICHMOND, RITCHIE, ROBIDEAUX, ROY, JANE SMITH, ST. GERMAIN, THIBAUT, WADDELL 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; 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.

SENATE BILL NO. 342—
BY SENATORS MARIONNEAUX AND THOMPSON

AN ACT

To enact R.S. 51:1423(F) and to repeal R.S. 51:1423(D)(3), relative to gift certificates; to repeal a certain exemption; 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:

June 2, 2010

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To recognize the distinct group of legislators representing in whole or in part the parishes of Allen, Beauregard, Cameron, Calcasieu, Jefferson Davis and Vernon as the Southwest Legislative Delegation.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To direct the Louisiana Sentencing Commission to develop the necessary data base to be used in the analysis of the present sentencing laws and practices, and the subsequent development, testing, and justification of data driven recommendations that are in the best interest of the citizens of the state, and make its initial recommendations to the legislature by March 1, 2012, that will improve public safety and be cost effective to taxpayers.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

ABSENT

Total - 0

Announcements

The following committee meetings for June 3, 2010, were announced:

Commerce	12:00 Noon	Room E
Finance	9:00 A.M.	Room A
Health & Welfare	12:00 Noon	Hainkel Rm
Insurance	1:00 P.M.	Room C
Senate & Gov't Affairs	1:00 P.M.	Room F
Transportation	9:00 A.M.	Room E

Adjournment

On motion of Senator Thompson, at 6:40 o'clock P.M. the Senate adjourned until Thursday, June 3, 2010, at 3:00 o'clock P.M.

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

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk