

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-SECOND DAY'S PROCEEDINGS

Thirty-Seventh Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 2, 2011

The Senate was called to order at 8:45 o'clock A.M. by Hon.
Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Crowe	Morrish
Adley	Donahue	Mount
Alario	Dorsey	Murray
Amedee	Guillory	Perry
Broome	Heitmeier	Riser
Cheek	Martiny	Shaw
Claitor	Mills	Walsworth
Total - 21		

ABSENT

Appel	LaFleur	Nevers
Chabert	Long	Peterson
Erdey	Marionneau	Quinn
Gautreaux	McPherson	Smith
Jackson	Michot	Thompson
Kostelka	Morrell	Willard-Lewis
Total - 18		

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

Prayer

The prayer was offered by Father Jeff Bayhi, 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 Adley, the reading of the Journal was
dispensed with and the Journal of June 1, 2011, was adopted.

**Privilege Report of the
Legislative Bureau**

June 2, 2011

To the President and Members of the Senate:

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

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

HOUSE BILL NO. 5—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 11:2185, relative to sheriff and deputy
sheriffs; to authorize a sheriff or a deputy sheriff to purchase his
firearm upon retirement; to provide for certain criteria; and to
provide for related matters.

Reported without amendments.

HOUSE BILL NO. 27—
BY REPRESENTATIVES BROSSETT AND BISHOP
AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration for
the homestead exemption; to require the assessor in Orleans
Parish to provide a form for the permanent registration of the
homestead exemption for taxpayers in that parish; and to
provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House
Bill No. 27 by Representative Brossett

AMENDMENT NO. 1

On page 1, line 10, following "amended" and before "to read" insert
"and reenacted"

HOUSE BILL NO. 28—
BY REPRESENTATIVES EDWARDS, BOBBY BADON, AND GISCLAIR
AND SENATORS ADLEY, MARIONNEAUX, AND MURRAY
AN ACT

To enact R.S. 36:784(A)(8)(d), (e), and (f), relative to the Veterans'
Honor Medal Program; to provide relative to the application for
Honor Medals; to provide for methods of distribution of Honor
Medals; to require delivery of medals within a specified period
of time in certain circumstances; and to provide for related
matters.

Reported without amendments.

HOUSE BILL NO. 33—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:1448(H)(1) and to enact R.S.
33:1448(H)(3), relative to payment of group insurance
premiums for persons retired from the Assumption Parish
Sheriff's Office; to require service with the Assumption Parish
Sheriff's Office for a specified number of years after a specified
date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVE THIBAUT
AN ACT

To enact R.S. 13:2575.4, relative to ordinance violations in West
Baton Rouge Parish; to provide for administrative adjudications;
to provide for definitions; to provide for violations subject to
administrative adjudication procedures; and to provide for
related matters.

Reported without amendments.

HOUSE BILL NO. 55—
BY REPRESENTATIVES THIERRY, ARNOLD, BILLIOT, HENRY BURNS,
TIM BURNS, CARMODY, CARTER, CHANEY, CONNICK, EDWARDS,
GREENE, GUINN, HAZEL, HENRY, HOFFMANN, HOWARD, HUTTER,
KATZ, LANDRY, LEBAS, MORENO, PONTI, POPE, RICHARD,
RICHARDSON, ROY, SEABAUGH, GARY SMITH, JANE SMITH, ST.
GERMAIN, THIBAUT, AND WILLIAMS
AN ACT

To enact R.S. 14:91.5, relative to sex offenders; to create the crime
of unlawful use or access of social media; to prohibit certain
convicted sex offenders from using or accessing social
networking websites, chat rooms, and peer-to-peer networks; to
provide for definitions; to provide for penalties; and to provide
for related matters.

Reported without amendments.

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HOUSE BILL NO. 64—
BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 56:116.1(C)(2)(c), relative to taking nuisance animals; to add to the list of nuisance animals; to provide for additional methods to take nuisance animals that are destroying crawfish in commercial ponds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 72—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 33:2341 and 2344(A) and (B)(1) and (2) and to enact R.S. 33:2345(G), relative to the Law Enforcement Executive Management Institute; to require the institute to serve as coordinator for the training of all chiefs of police; to provide for training of nonmunicipal chiefs of police; to provide definitions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 72 by Representative Gisclair

AMENDMENT NO. 1

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 1, 2011, on line 12, following "line" and before ", " change "4 and 5" to "5 and 6"

HOUSE BILL NO. 75—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 56:333(B)(1) and (2) and to enact R.S. 56:333.3, relative to taking mullet for commercial purposes; to provide relative to taking of mullet for use as bait for recreational fishing; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 86—
BY REPRESENTATIVES WHITE, ARNOLD, BALDONE, BARROW, BILLIOT, HENRY BURNS, CARMODY, DOVE, EDWARDS, ELLINGTON, GREENE, HAZEL, HILL, HOFFMANN, HUTTER, KATZ, LEBAS, LIGI, LORUSSO, POPE, PUGH, RICHARD, RICHARDSON, SEABAUGH, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, AND WILLIAMS
AN ACT

To amend and reenact R.S. 14:43.1(A) and (C)(3), (4), (5), and (6), 43.2(C)(3), 43.3(A) and (C)(3), 43.6(A) and (B)(1), and 81.2, to enact R.S. 14:43.1(C)(7), 43.2(D), and 43.3(D), and to repeal R.S. 14:43.2(C)(4), (5), and (6) and 43.3(C)(4), (5), and (6), relative to sexual abuse of a person with a physical or mental disability; to provide relative to sexual battery of a person with a physical or mental disability; to provide relative to second degree sexual battery of a person with a physical or mental disability; to provide relative to oral sexual battery of a person with a physical or mental disability; to provide relative to molestation of a person with a physical or mental disability; to provide relative to the elements of such offenses; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 91—
BY REPRESENTATIVE ROY
AN ACT

To repeal R.S. 40:1496.14, relative to fire protection districts; to abolish the Rapides Parish Tri Fire Protection District.

Reported without amendments.

HOUSE BILL NO. 93—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 40:1496(B)(5), relative to fire protection districts; to provide for additional members of the board of commissioners of Caddo Parish Fire District Number One; to provide relative to the appointment and terms of the additional members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 164—
BY REPRESENTATIVE HILL
AN ACT

To designate that section of Louisiana Highway 113, between its intersection with Louisiana Highway 10, in Vernon Parish, to the Occupy II Baptist Church as the "Staff Sergeant Robert 'Pete' Sweat Memorial Highway"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 187—
BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 40:1321(H), relative to sex offenders; to prohibit certain sex offenders from obtaining a special identification card without charge; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 192—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d) and to enact R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f), relative to public contracts; to provide an exception for electronic bidding in certain parishes; to authorize public entities to require electronic bidding; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 208—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 34:321, relative to the Morgan City Harbor and Terminal District; to expand the territorial limits of the Morgan City Harbor and Terminal District; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 216—
BY REPRESENTATIVE ROY AND SENATOR PERRY
AN ACT

To amend and reenact Code of Criminal Procedure Article 230.2(B), relative to probable cause determinations; to provide with respect to release of certain defendants in the absence of a probable cause hearing; to provide for the release of defendants in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 228—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 47:462(B)(3)(a) and (6) and (C), 475, and 508(F), relative to truck registration taxes or fees; to modify registration tax or fee schedule for trucks of certain weights; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 229—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:93.3(C), relative to cruelty to the infirmed; to amend the definition of "aged person"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 241—

BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 13:2590.1(A)(1), relative to justice of the peace courts; to provide for the appointment of a clerk of court in certain parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 253—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:415.1(A)(1)(introductory paragraph), (c), and (f), relative to driver's license suspensions and revocations; to provide for economic and medical hardship license application procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 261—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 32:1254(A)(19) and (E)(9)(d), 1261(6)(a), and 1262(B)(1) and (4) and to enact R.S. 32:1262(B)(5) through (7), relative to the sale and distribution of motor vehicles; to exclude nonresident exhibitors from licensure by the Motor Vehicle Commission; to exempt recreational products dealers from certain licensure, franchise modification, and warranty requirements under certain circumstances; to provide for certain prohibited acts involving franchise agreements; to provide guidelines for audits of dealer records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 262—

BY REPRESENTATIVES RICHARDSON AND TIM BURNS
AN ACT

To amend and reenact Code of Civil Procedure Article 2636(5), relative to authentic evidence for executory proceedings; to provide for certain documentary evidence deemed to be authentic; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 291—

BY REPRESENTATIVE LAMBERT AND SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 14:93.10(2)(introductory paragraph) and 108.1(D)(4) and R.S. 34:851.4 and to repeal R.S. 34:851.5, relative to boating safety; to provide for the possession of alcoholic beverages on waterways; to provide for definitions; to provide for operation of a watercraft; to provide for aggravated flight from an officer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 299—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 47:463.152 and 463.153, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative

to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 331—

BY REPRESENTATIVES LIGI, BILLIOT, CONNICK, HENRY, LABRUZZO, LEGER, LOPINTO, TEMPLET, AND WILLMOTT AND SENATORS APPEL, MARTINY, MORRELL, AND QUINN
AN ACT

To enact R.S. 33:9612.1, relative to certain local governmental subdivisions; to authorize certain local governmental subdivisions to adopt and enforce local codes of conduct or ethics ordinances; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 355—

BY REPRESENTATIVE BROSSETT
AN ACT

To amend and reenact R.S. 33:4071(B) and to enact R.S. 33:4071(A)(3), relative to the city of New Orleans; to provide relative to the sewerage and water board of the city; to provide relative to the authority of the mayor to designate a person to attend meetings of the board in his absence; to provide relative to the qualifications and powers and duties of any such person; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 402—

BY REPRESENTATIVE HUVAL AND SENATOR MILLS
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to provide relative to city court jurisdiction; to increase the jurisdictional amount in dispute for the City Court of Breaux Bridge; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 459—

BY REPRESENTATIVE ABRAMSON
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Orleans Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 466—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 47:2212, relative to Calcasieu Parish; to provide relative to the sale of adjudicated property by the parish; to authorize the governing authority of the parish to sell such property without notification to political subdivisions created by the parish, subject to limitations; to provide relative to the cancellation of tax liens, assessments, penalties, or other charges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 485—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 33:9097.8(D)(1) through (3), (F), (G)(1), and (H)(2) and to enact R.S. 33:9097.8(I), relative to the Broadmoor Crime Prevention and Improvement District; to provide for membership on the board of commissioners of the district; to provide for terms of the commissioners; to provide for the levy of a parcel fee; to provide relative to the taxing

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authority of the district; to provide relative to the district's budget; to provide for indemnity for commissioners; to provide for vacancies and subsequent appointments to the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 505—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:378.2(H), relative to ignition interlock devices; to require ignition interlock device reports to be submitted electronically to certain entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 553—
BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 13:848.1, relative to court costs; to provide for the disbursement of funds collected; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 591—
BY REPRESENTATIVES RITCHIE, ARNOLD, AUBERT, AUSTINBADON, BOBBY BADON, BISHOP, BRÓSSETT, BURRELL, DIXON, DOWNS, EDWARDS, FRANKLIN, HARDY, HENDERSON, HINES, HOFFMANN, HONORE, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, LEGER, MONTOUÇET, MORENO, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WOOTON
AN ACT

To amend and reenact R.S. 47:841(B)(2) and Section 4 of Act No. 32 of the 2000 Regular Session of the Legislature, as amended and reenacted by Act No. 21 of the 2002 Regular Session of the Legislature, and to enact R.S. 47:841(G), relative to the tobacco tax; to remove termination of the applicability of a certain portion of the tax levied on cigarettes; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 599—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 34:851.27(B)(8), relative to the operation of watercraft; to authorize the parish of St. Tammany to regulate or prohibit the operation of watercraft; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 75—
BY SENATOR SMITH
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Eric B. Taylor.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 69—
BY SENATOR MOUNT
A RESOLUTION

To recognize Thursday, June 2, 2011, as March of Dimes Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 70—
BY SENATOR LAFLEUR
A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions made to the state with its history, culture, and people, and to proclaim Monday, June 6, 2011, as Tunica-Biloxi Day at the Senate.

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

SENATE RESOLUTION NO. 71—
BY SENATOR MILLS
A RESOLUTION

To commend Breaux Bridge High School football coaches, Paul Broussard, Brent Angelle, Kevin Bonhomme, John Muder, and Rickey Poulan for their emergency planning, training, preparedness, and actions which saved the life of football player, Tedrick Lewis.

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

SENATE RESOLUTION NO. 72—
BY SENATOR MARIONNEAUX
A RESOLUTION

To commend Courtney Lynn Mumhrey on being selected as a member of the Tiger Twelve Class of 2011.

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

SENATE RESOLUTION NO. 73—
BY SENATOR KOSTELKA
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Doyle Roach Hamilton, Jr.

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

SENATE RESOLUTION NO. 74—
BY SENATOR MCPHERSON
A RESOLUTION

To commend Michael Howard Madison on his retirement from Cleco Corporation.

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

**Senate Resolutions on
Second Reading, Subject to Call**

Called from the Calendar

Senator Dorsey asked that Senate Resolution No. 65 be called from the Calendar.

SENATE RESOLUTION NO. 65—
BY SENATOR DORSEY

A RESOLUTION

To commend and congratulate Reverend Thomas N. Bessix on being named the President of the Fourth District's Congress of Christian Education.

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

Motion to Make Special Order

Senator Marionneaux asked for and obtained a suspension of the rules to make Senate Bill No. 259, which is to be reported by the Committee on Finance, Special Order of the Day No. 1 on Tuesday, June 7, 2011.

SENATE BILL NO. 259—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:32(A) and (C) and to enact R.S. 47:32(D), relative to income taxes; to phase out the taxes on personal and corporate income; and to provide for related matters.

Without objection, so ordered.

Senate Concurrent Resolutions on
Second Reading

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATORS PERRY AND WALSWORTH

A CONCURRENT RESOLUTION

To commend the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 3, 2011, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Mount
Alario	Guillory	Murray
Amedee	Kostelka	Nevers
Appel	LaFleur	Perry
Broome	Long	Peterson
Cheek	Marionneaux	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Mills	Walsworth
Dorsey	Morrish	Willard-Lewis

Total - 30

NAYS

Total - 0

ABSENT

Mr. President	Heitmeier	Morrell
Chabert	Jackson	Quinn
Erdey	Michot	Thompson

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Harry Briggs on the momentous occasion of his ninetieth birthday and celebrating his third year in a row, swimming two miles in Kincaid Lake and on his lifetime of commitment and devotion to his family, friends and to education in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux	Murray
Alario	Guillory	Nevers
Amedee	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Long	Riser
Cheek	Marionneaux	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrish	Willard-Lewis

Total - 33

NAYS

Total - 0

ABSENT

Chabert	Jackson	Morrell
Heitmeier	Michot	Quinn

Total - 6

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR DORSEY

A CONCURRENT RESOLUTION

To commend and congratulate Baton Rouge Magnet High School graduate, David Michael Holmes, upon being selected as the 2011 Louisiana Student of the Year and to recognize his extraordinary accomplishments.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux	Murray
Alario	Guillory	Nevers
Amedee	Heitmeier	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Riser
Chabert	Long	Shaw
Cheek	Marionneaux	Smith
Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	

Total - 35

NAYS

Total - 0

ABSENT

Jackson	Morrell
Michot	Quinn

Total - 4

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

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Senate Concurrent Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator Mount asked that Senate Concurrent Resolution No. 48 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 48— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the St. Louis High School baseball team on winning the 2011 Class 4A state championship.

The concurrent 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, Erdy, Mount, Adley, Gautreaux, Murray, Alario, Guillory, Nevers, Amedee, Heitmeier, Perry, Appel, Kostelka, Peterson, Broome, LaFleur, Riser, Chabert, Long, Shaw, Cheek, Marionneaux, Smith, Claitor, Martiny, Thompson, Crowe, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrish, Total - 35

NAYS

Total - 0

ABSENT

Jackson, Morrell, Michot, Quinn, Total - 4

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

Called from the Calendar

Senator Mount asked that Senate Concurrent Resolution No. 50 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 50— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the Children's Miracle Network of Southwest Louisiana and to congratulate Taylor Oliver on her selection as a Champion by the Children's Miracle Network Hospitals.

The concurrent 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, Erdy, Mount, Adley, Gautreaux, Murray, Alario, Guillory, Nevers, Amedee, Heitmeier, Perry

Appel, Kostelka, Peterson, Broome, LaFleur, Riser, Chabert, Long, Shaw, Cheek, Marionneaux, Smith, Claitor, Martiny, Thompson, Crowe, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrish, Total - 35

NAYS

Total - 0

ABSENT

Jackson, Morrell, Michot, Quinn, Total - 4

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 1, 2011

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. 161, HB No. 196, HB No. 329, HB No. 343, HB No. 225, HB No. 315, HB No. 418, HB No. 469, HB No. 474, HB No. 628

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 161— BY REPRESENTATIVE LORUSSO AN ACT

To enact R.S. 33:9038.65, relative to the city of New Orleans; to create and provide for the Lake Area Taxing District in Orleans 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's existence; and to provide for related matters.

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

HOUSE BILL NO. 196— BY REPRESENTATIVE ROSALIND JONES AN ACT

To amend and reenact R.S. 26:71(A)(introductory paragraph), 76(A)(1), (6), and (7), 79, 88(A) and (B), 89, 271(A)(introductory paragraph), 276(A)(1), (6), and (7), 279, 285(A) and (B), 904, and 905(A) and (C), relative to alcohol permits for high and low alcoholic content and registration certificates and permits for tobacco products; to authorize the

commissioner to issue a permit and a registration certificate for two years; to provide for rulemaking; to authorize certain persons to issue permits on a probationary basis; and to provide for related matters.

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

HOUSE BILL NO. 325—
BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 22:1091(B)(introductory paragraph) and (13), relative to health insurance; to define a small employer for the purposes of certain provisions relative to rates for health benefit plans providing coverage for employees of small employers; and to provide for related matters.

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

HOUSE BILL NO. 315—
BY REPRESENTATIVES ROY AND HAZEL
AN ACT

To enact R.S. 33:4574.5(E), relative to the Alexandria/Pineville Area Convention and Visitors Bureau; to authorize the bureau to use certain revenues for certain purposes; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 329—
BY REPRESENTATIVES STIAES, ARNOLD, AUSTIN BADON, BISHOP, BROSSETT, HENDERSON, HINES, LEGER, AND MORENO AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide relative to investigations by the New Orleans Police Department; to provide for the time period in which investigations shall be conducted; and to provide for related matters.

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

HOUSE BILL NO. 343—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 47:463.152, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 418—
BY REPRESENTATIVE THIERRY
AN ACT

To amend and reenact R.S. 37:1374, relative to the Louisiana State Plumbing Board; to authorize the board to fine any person performing plumbing work without a license; to provide for dispensation of the monies collected; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 469—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 22:439, relative to surplus lines insurance; to provide with respect to the tax on premiums paid for such insurance, including provisions relative to its receipt, collection, and distribution; to conform state law with federal law; to require the commissioner of insurance to enter into a multistate agreement authorizing a clearinghouse for such taxes and assessment of a clearinghouse fee payable by brokers or independently procuring insureds; and to provide for related matters.

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

HOUSE BILL NO. 474—
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 38:3086.27, relative to fresh water districts; to provide relative to the board of commissioners of certain fresh water districts; to provide relative to the appointment and terms of board members; and to provide for related matters.

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

HOUSE BILL NO. 628—
BY REPRESENTATIVES LEGER, ELLINGTON, AND KATZ
AN ACT

To enact R.S. 17:3351.11(D), relative to tuition and fees at the Louisiana State University Health Sciences Centers; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and fee amounts for specified schools of the Louisiana State University Health Sciences Centers; to provide limitations; and to provide for related matters.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 1, 2011

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. 141 HCR No. 142
Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To recognize August 11, 2011, as Fibromyalgia Awareness Day in Louisiana.

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

June 2, 2011

HOUSE CONCURRENT RESOLUTION NO. 142—
 BY REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to dedicate a portion of marine and fishery product import tariffs to a national seafood marketing fund for the promotion of Louisiana seafood.

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

Senator Broome in the Chair

**House Concurrent Resolutions on
 Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 138—
 BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To commend the black pioneers of nursing at Baton Rouge General Hospital and to recognize the special place they hold in the history of the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Amedee	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Long	Riser
Chabert	Marionneau	Shaw
Cheek	Martiny	Smith
Dorsey	McPherson	Thompson
Erdey	Mills	Walsworth
Gautreaux	Morrish	Willard-Lewis
Total - 33		

NAYS

Total - 0

ABSENT

Claitor	Donahue	Morrell
Crowe	Michot	Quinn
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 139—
 BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To recognize Thursday, June 2, 2011, as Red and White Day at the Louisiana Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Jackson	Nevers
Amedee	Kostelka	Perry

Appel	LaFleur	Peterson
Broome	Long	Riser
Chabert	Marionneau	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrish	Willard-Lewis
Total - 33		

NAYS

Total - 0

ABSENT

Crowe	Heitmeier	Morrell
Donahue	Michot	Quinn
Total - 6		

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

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

HOUSE BILL NO. 284—
 BY REPRESENTATIVES WILLMOTT, BILLIOT, CONNICK, HENRY, LABRUZZO, LIGI, AND LOPINTO AND SENATORS APPEL, MARTINY, AND QUINN

AN ACT

To enact R.S. 44:21.1, relative to public records; to provide a public records exemption for certain records in the custody of the Jefferson Parish Personnel Department; and to provide for related matters.

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

**HOUSE BILL NO. 636— (Substitute for House Bill No. 586
 by Representative Hoffmann)**

BY REPRESENTATIVES HOFFMANN, ANDERS, ARNOLD, AUSTIN, BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DANAHAY, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HINES, HONORE, HOWARD, HUTTER, JOHNSON, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SEABAUGH, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, THIBAUT, THIERRY, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 40:1299.35.6, 1299.35.9(A)(1) and (B)(2), and 1299.35.19 and to enact R.S. 40:1299.35.1(1) and 1299.35.5.1, relative to abortion; to require certain signage in abortion facilities; to provide for certain requirements of the Department of Health and Hospitals relative to abortion; to provide for voluntary and informed consent criteria; to provide for delivery of certain information under the Woman's Right to Know law; to provide relative to conscience in health care protection, including provisions relative to living human embryos; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 636 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 2 after "reenact" and before "1299.35.9(A)(1)" delete "R.S. 40:1299.35.6" and insert "R.S. 40:1299.35.1(1)(b), 1299.35.6"

AMENDMENT NO. 2

On page 1, line 11 after "R.S." and before "1299.35.9(A)(1)" delete "40:1299.35.6" and insert "40:1299.35.1(1)(b), 1299.35.6"

AMENDMENT NO. 3

On page 2, between lines 3 and 4 insert the following:

"(1) "Abortion" or "induced abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child. Such use, prescription, or means is not an abortion if done with the intent to:

* * *

(b) Remove ~~a dead unborn child caused by the uterine contents in case of a positive diagnosis of spontaneous abortion, missed abortion, or inevitable abortion, incomplete abortion, or septic abortion.~~"

AMENDMENT NO. 4

On page 2, delete line 10 and insert "B. Any licensed Outpatient Abortion Facility as defined by R.S. 40:2175.3 shall"

AMENDMENT NO. 5

On page 2, delete lines 17 and 18 in their entirety and insert the following: "* It is unlawful for anyone to make you have an abortion against your will, even if you are a minor."

AMENDMENT NO. 6

On page 2, line 20 after "child" and before "support" delete "is liable to assist in the" and insert "must provide"

AMENDMENT NO. 7

On page 2, line 23 after "law" and before "adoptive" delete "permits" and insert "allows"

AMENDMENT NO. 8

On page 2, line 26 after "Many" and before "agencies" delete "public and private"

AMENDMENT NO. 9

On page 3, between lines 12 and 13 insert the following:

* * *

AMENDMENT NO. 10

On page 14, line 12 after "function." delete the remainder of the line

AMENDMENT NO. 11

On page 14, delete lines 13 through 18 in their entirety

AMENDMENT NO. 12

On page 17, delete lines 6 through 8 in their entirety and insert the following:

"Whoever violates the provisions of this Part shall be fined not less than two thousand five hundred dollars and not more than ~~one~~ twenty thousand dollars, or imprisoned for not more than two years, or both."

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

Reconsideration

The vote by which Senate Bill No. 133 failed to pass on Wednesday, June 1, 2011, was reconsidered.

SENATE BILL NO. 133—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 40:1300.256(B)(13), to enact R.S. 40:1300.256(A)(5), and to repeal R.S. 40:1300.256(B)(5), relative to prohibiting smoking in certain places; to provide for

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

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

Reconsideration

The vote by which Senate Bill No. 155 failed to pass on Wednesday, June 1, 2011, was reconsidered.

SENATE BILL NO. 155—

BY SENATOR MARTINY

AN ACT

To amend and reenact Children's Code Articles 1187 and 1188(C) and to enact R.S. 40:73(E), relative to adoptions; to provide for accessing original birth certificates under certain circumstances; 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.

Reconsideration

The vote by which Senate Bill No. 220 failed to pass on Wednesday, June 1, 2011, was reconsidered.

SENATE BILL NO. 220—

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; 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.

Rules Suspended

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

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

Called from the Calendar

Senator Mount asked that Senate Bill No. 207 be called from the Calendar.

SENATE BILL NO. 207—

BY SENATOR MOUNT

AN ACT

To enact Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.21 through 1300.23, relative to Medicaid; to require the Department of Health and Hospitals to submit an annual report to the legislature on the Coordinated Care Network Medicaid initiative; to provide for a sunset date; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 207 by Senator Mount

AMENDMENT NO. 1

On page 2, line 17, following "not" and before "limited" insert "be"

AMENDMENT NO. 2

On page 3, line 25, following "of" delete the remainder of the line

AMENDMENT NO. 3

On page 3, line 26, delete "health" and insert "health outcomes, which includes but is not limited to the following"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Mount proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 207 by Senator Mount

AMENDMENT NO. 1

On page 1, line 5 after "initiative;" delete the remainder of the line and insert "to provide for termination of legislative authority; and"

AMENDMENT NO. 2

On page 5, delete lines 14 through 17 in their entirety and insert the following:

"§1300.23. Termination of legislative authority
Within ninety days of the receipt of the January 1, 2014, report, pursuant to R.S. 40:1300.22, either the Joint Legislative Committee on the Budget or the House and Senate committees on health and welfare meeting jointly, may hold a meeting to determine whether the authority for the Coordinated Care Network Program within the Louisiana Medical Assistance Program shall be terminated. Any motion for termination of the Coordinated Care Network Program shall be adopted by either a majority vote of the Joint Legislative Committee on the Budget or a majority vote of both the House and Senate committees on health and welfare. If a motion of termination is adopted, the termination of authority shall be effective upon December 31, 2014, and no existing contracts shall be renewed and no new contracts shall be executed in furtherance of the Coordinated Care Network Program."

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount 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, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Donahue, Dorsey, Erdey, Total - 34; Gautreaux, Guillory, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Mills, Morrish, Mount; Murray, Nevers, Perry, Quinn, Riser, Shaw, Smith, Thompson, Walsworth, Willard-Lewis

NAYS

Total - 0

ABSENT

Table with 3 columns: Crowe, Heitmeier, Total - 5; Michot, Morrell; Peterson

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

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 264 be called from the Calendar.

SENATE BILL NO. 264— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 47:6007(B)(7) and (C)(2) and (4), relative to tax credits; to provide for granting motion picture investor tax credits; to provide for definitions, allowing the credits, and transferability; 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. 264 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 7, delete "and R.S. 47:6007(B)(15) is hereby enacted"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Chaisson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 264 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "(C)(2) and (4)" insert "and to enact R.S. 47:6007(C)(1)(c)(iii) and (B)(15)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 47:6007(B)(15) is" to "R.S. 47:6007(C)(1)(c)(iii) and (B)(15) are"

AMENDMENT NO. 3

On page 1, between lines 16 and 17, insert "(15) 'Film production servicing and support facilities' shall mean a film, video, television, and/or digital production and/or postproduction facilities, and movable and immovable property and equipment directly related thereto, or any other assets which support and are a necessary component of such film production servicing and support facilities, all as determined and approved by the office. The term 'film production servicing and support facilities' shall not include movie theaters or other commercial exhibition facilities."

AMENDMENT NO. 4

On page 2, delete line 1, and insert: "(1) There is hereby authorized a tax credit against state income tax for Louisiana taxpayers for investment in state-certified productions. The tax credit shall be earned by investors at the time

expenditures are made by a motion picture production company in a state-certified production. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the office and the secretary. For state-certified productions, expenditures shall be certified no more than twice during the duration of a state-certified production unless the motion picture production company agrees to reimburse the office for the costs of any additional certifications. The tax credit shall be calculated as a percentage of the total base investment dollars certified per project.

(c) For state-certified productions approved by the office and the secretary on or after July 1, 2009:

(iii)(AA) In lieu of the additional five percent credit for payroll allowed in Item (ii) of this Subparagraph, an approved investor shall be allowed an additional tax credit of five percent of the total base investment made in the state by the approved investor in state-certified productions if the following conditions are met:

(I) The aggregate total base investment expended in the state within any fiscal year commencing on or after July 1, 2011, on state-certified productions is equal to or greater than fifty million dollars.

(II) The total base investment expended on each such state-certified production is fifty percent or more of the total production expenditures, both in state and out of state, for each such production as determined by the office.

(BB) As used in this Item, the term "approved investor" means an investor which, together with any other persons or entities which, directly or indirectly, wholly own such investor or are wholly owned by such investor as determined by the office, has demonstrated a long term commitment to the film industry in the state of Louisiana by expending, on or after July 1, 2011, five million dollars or more in the construction of film production servicing and support facilities in Louisiana approved by the office.

* * *

Senator Chaisson moved the adoption of the amendments.

Senator Appel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Jackson	Perry
Alario	LaFleur	Quinn
Broome	Marionneaux	Smith
Chabert	Mills	Thompson
Dorsey	Nevers	
Total - 14		

NAYS

Adeley	Erdey	Murray
Amedee	Guillory	Peterson
Appel	Kostelka	Riser
Cheek	Long	Shaw
Claitor	McPherson	Walsworth
Crowe	Morrish	Willard-Lewis
Donahue	Mount	
Total - 20		

ABSENT

Gautreaux	Martiny	Morrell
Heitmeier	Michot	
Total - 5		

The Chair declared the amendments were rejected.

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

Mr. President in the Chair

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 67—

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii) and (v), (2)(a) and (b), (3)(a)(i), (vii) and (xvi), and (C)(1), and to enact R.S. 17:416(A)(1)(c)(viii), relative to the discipline of students; to provide for certain disciplinary actions; to provide for the discipline of public school students upon removal from a classroom; to provide for implementation of certain disciplinary measures; to provide for the adoption of certain guidelines for the use of in-school and out-of-school suspensions; to require city, parish and other local public school boards to adopt certain rules relative to suspensions; to provide relative to in-school and out-of-school suspensions for certain violations; to provide relative to expulsion hearings; to provide for definitions; 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. 67 by Senator Broome

AMENDMENT NO. 1

On page 5, line 3, following "**school**" change "**uniform**" to "**uniform-related**"

AMENDMENT NO. 2

On page 5, line 4, delete "**related**"

AMENDMENT NO. 3

On page 5, line 15, following "whether" delete "or"

AMENDMENT NO. 4

On page 5, line 16, delete "not"

AMENDMENT NO. 5

On page 5, line 19, before "student" change "such" to "the"

AMENDMENT NO. 6

On page 5, line 20, following "At" and before "hearing" change "said" to "the"

AMENDMENT NO. 7

On page 5, line 22, following "attend" and before "hearing" change "such" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

Bagneris Rule

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

Without objection, so ordered.

June 2, 2011

SENATE BILL NO. 111—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:22(7), relative to elementary and secondary education; to provide with respect to the condition, progress, and needs of public elementary and secondary schools; to provide with respect to the annual report the superintendent is required to submit to specified entities; to provide for a submission date for such report; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 181—
BY SENATOR THOMPSON

AN ACT

To enact R.S. 32:402(C)(4), relative to motor vehicles; to provide licensing exception to certain operators of a mobile command post vehicle; 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	Gautreaux	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Amedee	Jackson	Nevers
Appel	Kostelka	Perry
Broome	LaFleur	Peterson
Chabert	Long	Quinn
Cheek	Marionneaux	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson

Dorsey
Erdey
Total - 39

Mills
Morrell

Walsworth
Willard-Lewis

NAYS

Total - 0

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.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to pass over House Concurrent Resolutions Reported by Committee to be adopted.

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

Senator Broome in the Chair

HOUSE BILL NO. 193—

BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 3:1407, 1421(1)(b), (2)(a) and (b), and (3), 1430.13(A) and (D), 1655(C)(3) and (5)(a), 2311(B) and (D)(1), 3210(C)(1), and 3806(G)(2) and (4)(a), relative to certain funds within the Department of Agriculture and Forestry; to provide for the merger of the Feed Fund and the Fertilizer Fund; to provide for the merger of the Crop Pests and Diseases Fund, the Apiary Fund, and the Horticulture Fund; to provide for the Pesticide Fund; to provide for the disposition of monies; 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

Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Amedee	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	

Total - 37

NAYS

Total - 0

ABSENT

Mr. President

Guillory

Total - 2

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.

HOUSE BILL NO. 217—
BY REPRESENTATIVE BARRAS
AN ACT

To enact Code of Criminal Procedure Article 900(A)(6)(c)(vi), relative to probation; to provide relative to violations of probation; to amend definition of "technical violation"; to include failure to report to probation officer as a technical violation of probation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Guillory	Mount
Alario	Heitmeier	Murray
Amedee	Jackson	Perry
Appel	LaFleur	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Gautreaux	Morrish	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President	Kostelka
Donahue	Nevers
Total - 4	

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

HOUSE BILL NO. 144—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:121.8, relative to the Office of Financial Institutions; to provide for the use of electronic systems for data subject to regulation by the Office of Financial Institutions; to provide for definitions; to authorize the use of such systems; to provide for a limitation on the use of such systems; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Amedee	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth

Erdey	Morrell	Willard-Lewis
Gautreaux	Morrish	
Total - 38		

NAYS

Total - 0

ABSENT

Claitor
Total - 1

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

HOUSE BILL NO. 221—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:412.1, relative to financial institutions; to provide for definitions; to prohibit solicitations using a lender's name; to provide for required disclosures; to prohibit solicitations using a lender's customer information; to provide an exception for communications with current or former customers; to prohibit references on envelopes and postcards; to provide an exception for solicitations comparing services and products; to provide for injunctions; to provide for damages; to provide for recovery of costs and attorney fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Amedee	Jackson	Nevers
Appel	LaFleur	Perry
Broome	Long	Peterson
Chabert	Marionneaux	Quinn
Cheek	Martiny	Riser
Claitor	McPherson	Shaw
Donahue	Michot	Smith
Dorsey	Mills	Thompson
Erdey	Morrell	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Crowe	Kostelka	Walsworth
Total - 3		

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

HOUSE BILL NO. 256—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 37:877(B)(1)(b)(ii) and 883(C), (D), (E), (F), and (G) and to enact R.S. 37:877(B)(1)(b)(iii) and 883(H) and (I), relative to cremation; to provide for representation of identity of deceased on cremation authorization forms; to require the coroner to identify human remains when releasing them to a funeral establishment; to exempt funeral or crematory establishments from liability when relying upon information provided by health care providers and coroners; to exempt funeral establishments and coroners from liability when

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permitting the viewing of human remains for the purposes of identification; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Heitmeier Mount
Alario Jackson Murray
Amedee Kostelka Nevers
Appel LaFleur Perry
Broome Long Peterson
Chabert Marionneaux Quinn
Cheek Martiny Riser
Donahue McPherson Shaw
Dorsey Michot Smith
Erdey Mills Thompson
Gautreaux Morrell Walsworth
Guillory Morrish Willard-Lewis
Total - 36

NAYS

Total - 0

ABSENT

Adley Claitor Crowe
Total - 3

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

HOUSE BILL NO. 362— BY REPRESENTATIVE SIMON AN ACT

To amend and reenact R.S. 37:155(A)(4)(f) and (5), relative to architects; to provide for exemptions to the licensing and registration requirement for architects; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Mount
Adley Heitmeier Murray
Alario Jackson Nevers
Amedee Kostelka Perry
Appel LaFleur Peterson
Broome Long Quinn
Chabert Marionneaux Riser
Cheek Martiny Shaw
Crowe McPherson Smith
Donahue Michot Thompson
Dorsey Mills Walsworth
Erdey Morrell Willard-Lewis
Gautreaux Morrish
Total - 38

NAYS

Claitor
Total - 1

ABSENT

Total - 0

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

HOUSE BILL NO. 383— BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 40:1749.12(4), 1749.13(B)(2) and (5), 1749.14(B) and (C)(1)(b)(iii) and (v), 1749.15, and 1749.20(C) and to enact R.S. 40:1749.12(15) and 1749.20(D), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "emergency"; to define "agricultural excavator"; to provide for a delay period following notification before the commencement of any excavation or demolition activity; to specify who shall receive a notice of intent to excavate; to define the period of time that markings shall be deemed good; to require certification of immediate action in a notice of emergency excavation; to provide for violations; to provide for penalties; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Murray
Adley Heitmeier Nevers
Alario Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Quinn
Chabert Long Riser
Cheek Martiny Shaw
Claitor McPherson Smith
Crowe Michot Thompson
Donahue Mills Walsworth
Dorsey Morrell Willard-Lewis
Erdey Morrish
Gautreaux Mount
Total - 37

NAYS

Total - 0

ABSENT

Amedee Marionneaux
Total - 2

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

HOUSE BILL NO. 492— BY REPRESENTATIVES HENDERSON AND ARNOLD AN ACT

To amend and reenact R.S. 6:1083(16) and 1087(E)(9) and to enact R.S. 6:1087(E)(10), relative to residential mortgage lenders; to establish an exemption from licensure as a residential mortgage loan originator; to delete provisions defining an employee of a registered mortgage loan originator; to provide for severability; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	Kostelka	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser
Cheek	Marionneaux	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Mills	Willard-Lewis
Erdey	Morrell	
Gautreaux	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	Perry
Total - 2	

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

Rules Suspended

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 253—
BY SENATORS JACKSON AND MURRAY
AN ACT

To amend and reenact R.S. 9:2347(A)(1), (H), and (M), relative to the issuance of bonds by public trusts; to provide for the publication of the notice of intention to issue bonds, notes, or other evidences of indebtedness by a public trust; to provide for the sale of bonds, notes and other evidences of indebtedness by a public trust; to provide that property owned by certain public trusts authorized to issue bonds to finance projects, is public and used for a public purpose; 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. 253 by Senator Jackson

AMENDMENT NO. 1
On page 3, line 8, following "1950," and before "any" change "and/or" to "and"

AMENDMENT NO. 2
On page 3, line 29, following "bonds," and before "resolution" change "said" to "**the**"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Jackson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 253 by Senator Jackson

AMENDMENT NO. 1
On page 1, line 2, change "and (M)," to "and (M), and R.S. 39:1403(A),"

AMENDMENT NO. 2
On page 5, after line 10, insert the following:
"Section 2. R.S. 39:1403(A) is hereby amended and reenacted to read as follows:

§1403. All other state bonds
A. All other bonds, of whatever type, of the state of Louisiana and its boards, departments, commissions, authorities, and agencies (except the following which are excluded from the operation of this Chapter: municipalities, parishes, parish and municipal school boards and districts, levee boards and districts, housing authorities, community improvement agencies, redevelopment agencies, **public trusts**, political subdivisions and units of local government created by or governed by the governing authorities of parishes or municipalities, and any drainage or special service districts, such as water, sewerage, garbage and lighting districts created by or pursuant to legislative acts) shall be sold by the State Bond Commission.
* * *

On motion of Senator Jackson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Morrish
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Amedee	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser
Cheek	Marionneaux	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Mills	Willard-Lewis
Erdey	Morrell	
Total - 38		

NAYS

Total - 0

ABSENT

Mount
Total - 1

The Chair declared the amended bill 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.

Bagneris Rule

Senator Broome moved to suspend the Bagneris Rule.

Without objection, so ordered.

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Mr. President in the Chair

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

Called from the Calendar

Senator Broome asked that Senate Bill No. 67 be called from the Calendar.

SENATE BILL NO. 67— BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii) and (v), (2)(a) and (b), (3)(a)(i), (vii) and (xvi), and (C)(1), and to enact R.S. 17:416(A)(1)(c)(viii), relative to the discipline of students; to provide for certain disciplinary actions; to provide for the discipline of public school students upon removal from a classroom; to provide for implementation of certain disciplinary measures; to provide for the adoption of certain guidelines for the use of in-school and out-of-school suspensions; to require city, parish and other local public school boards to adopt certain rules relative to suspensions; to provide relative to in-school and out-of-school suspensions for certain violations; to provide relative to expulsion hearings; to provide for definitions; and to provide for related matters.

Floor Amendments

Senator Broome proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 67 by Senator Broome

AMENDMENT NO. 1

On page 2, at the end of line 6, delete "A" and delete lines 7 through 9, and insert "Additionally,"

AMENDMENT NO. 2

On page 3, delete lines 12 through 22 and insert the following:

"(viii) A pupil in grades six through twelve removed from a class pursuant to this Subparagraph shall not be permitted to return to the class during the same class period unless agreed to by the teacher initiating the disciplinary action. Additionally, the pupil shall not be readmitted to the class until the principal has implemented one of the following disciplinary measures:

- (aa) In-school suspension.
(bb) Detention.
(cc) Suspension.
(dd) Initiation of expulsion hearings.
(ee) Assignment to an alternative school.
(ff) Requiring the completion of all assigned school and homework which would have been assigned and completed by the student during the period of suspension.
(gg) Any other disciplinary measure authorized by the principal with the concurrence of the teacher or the building level committee pursuant to law and board policy."

On motion of Senator Broome, the amendments were adopted.

Floor Amendments

Senator Nevers proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 67 by Senator Broome

AMENDMENT NO. 1

On page 4, line 25, after "groups" insert a period "." and delete the remainder of the line and delete lines 26 and 27 in their entirety

On motion of Senator Nevers, 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

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Yeas and Nays.

NAYS

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Nays.

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Absent.

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.

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE THIBAUT A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study all laws relative to conventional, legal, and judicial mortgages and liens in order to create a purchase money special mortgage and to make recommendations on or before January 1, 2013, as to the advisability of revising state laws in order to create a purchase money special mortgage and to resolve any resulting conflicts between the laws relative to conventional, legal, and judicial mortgages and liens.

Reported favorably by the Committee on Judiciary A.

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

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE ABRAMSON A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study agreements to voluntarily extend liberative prescriptive periods and to make specific recommendations for authorizing agreements to extend liberative prescriptive periods.

Reported favorably by the Committee on Judiciary A.

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

Mr. President	Guillory	Nevers
Adley	Heitmeier	Perry
Alario	Jackson	Peterson
Amedee	Kostelka	Quinn
Appel	LaFleur	Riser
Broome	Marionneaux	Shaw
Chabert	McPherson	Smith
Cheek	Michot	Thompson
Claitor	Mills	Walsworth
Dorsey	Morrish	Willard-Lewis
Erdey	Mount	
Gautreaux	Murray	
Total - 34		

NAYS

Total - 0

ABSENT

Crowe	Long	Morrell
Donahue	Martiny	
Total - 5		

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

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to study adding revolvers with a cylinder capacity of no more than six cartridges, either single or double action, .44 caliber minimum of a type manufactured prior to 1900 to the list of firearms authorized to use during the special deer hunting season for primitive firearms.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux	Murray
Alario	Heitmeier	Nevers
Amedee	Jackson	Perry
Appel	LaFleur	Peterson
Broome	Long	Riser
Chabert	Martiny	Shaw
Cheek	McPherson	Smith
Claitor	Michot	Thompson
Crowe	Mills	Walsworth
Dorsey	Morrish	Willard-Lewis
Total - 33		

NAYS

Total - 0

ABSENT

Donahue	Kostelka	Morrell
Guillory	Marionneaux	Quinn
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE MORRIS

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to begin the process to designate Caddo Lake as a National Heritage Area.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor	Long
Kostelka	Mills
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to study the deer bag limits established in its hunting rules and regulations.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Murray
Adley	Guillory	Nevers
Alario	Heitmeier	Perry
Amedee	Jackson	Peterson

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Appel	Kostelka	Quinn
Broome	LaFleur	Riser
Chabert	Marionneaux	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Crowe	Michot	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Erdey	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Long	Morrell
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to study the creel limits on freshwater fish established in its fishing rules and regulations.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Murray
Adley	Guillory	Nevers
Alario	Heitmeier	Perry
Amedee	Jackson	Peterson
Appel	LaFleur	Quinn
Broome	Long	Riser
Chabert	Marionneaux	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Crowe	Michot	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Erdey	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Kostelka	Morrell
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To authorize and request the secretaries of the Department of Health and Hospitals and the Department of Children and Family Services to study the consolidation of the two departments into one department and to present a plan for such consolidation and related information to the legislature.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original House Concurrent Resolution No. 50 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 2 delete "authorize and request" and insert "direct"

AMENDMENT NO. 2

On page 1, line 4 after "present a" delete the remainder of the line and insert "report on the findings and conclusions of such study"

AMENDMENT NO. 3

On page 1, line 5 before "to" delete "related information"

AMENDMENT NO. 4

On page 2, delete lines 23 through 25 in their entirety and insert the following: "Department of Children and Family Services jointly to study the consolidation of the two departments into one department and to present a report on the findings and conclusions of such study to the legislature."

AMENDMENT NO. 5

On page 3, line 4 after "departments" delete the remainder of the line

AMENDMENT NO. 6

On page 3, line 5 before "and such" delete "to develop such plan,"

AMENDMENT NO. 7

On page 3, line 10 after "such" and before "shall" delete "plan" and insert "study"

AMENDMENT NO. 8

On page 3, delete lines 11 through 30 in their entirety and insert the following:

"(1) A study of the organizational structures and the assignment of powers, duties, functions, responsibilities, and programs of the two departments and a review of those areas where there is an opportunity to achieve improved and efficient operation and management of the state's health and social services programs and functions.

(2) A report of the findings of the secretaries' comprehensive study and examination of the organization and operations of the two departments and any other explanatory material the secretaries determine to be necessary to explain the study."

AMENDMENT NO. 9

On page 4, delete lines 1 through 6 in their entirety

AMENDMENT NO. 10

On page 4, line 7 after "such" and before "and" delete "plan" and insert "study"

AMENDMENT NO. 11

On page 4, line 10 after "Affairs," and before "the" delete "and" and after "Affairs" and before "not" insert ", the Senate Committee on Health and Welfare, and the House Committee on Health and Welfare"

AMENDMENT NO. 12

On page 4, line 14 after "Affairs," and before "the" delete "and"

AMENDMENT NO. 13

On page 4, line 15 after "Affairs," and before "individually" insert "the Senate Committee on Health and Welfare, and the House Committee on Health and Welfare,"

AMENDMENT NO. 14

On page 4, line 16 after "the" and before "and" delete "plan" and insert "study"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Perry
Adley	Heitmeier	Peterson
Alario	Jackson	Quinn
Amedee	LaFleur	Riser
Broome	Long	Shaw
Chabert	Martiny	Smith
Cheek	McPherson	Thompson
Crowe	Mills	Walsworth
Donahue	Morrish	Willard-Lewis
Dorsey	Murray	
Erdey	Nevers	
Total - 31		

NAYS

Morrell	Mount
Total - 2	

ABSENT

Appel	Guillory	Marionneaux
Claitor	Kostelka	Michot
Total - 6		

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

Senator Broome in the Chair

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules to take up at this time House Bills just advanced to Third Reading and Final Passage:

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 591—

BY REPRESENTATIVES RITCHIE, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BISHOP, BROSSETT, BURRELL, DIXON, DOWNS, EDWARDS, FRANKLIN, HARDY, HENDERSON, HINES, HOFFMANN, HONORE, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, LEGER, MONTOU CET, MORENO, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WOOTON AND SENATORS DORSEY AND HEITMEIER

AN ACT

To amend and reenact R.S. 47:841(B)(2) and Section 4 of Act No. 32 of the 2000 Regular Session of the Legislature, as amended and reenacted by Act No. 21 of the 2002 Regular Session of the Legislature, and to enact R.S. 47:841(G), relative to the tobacco tax; to remove termination of the applicability of a certain portion of the tax levied on cigarettes; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Morrish
Amedee	Jackson	Mount
Appel	Kostelka	Murray

Broome	LaFleur	Nevers
Chabert	Long	Peterson
Claitor	Marionneaux	Quinn
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Erdey	Mills	Willard-Lewis
Gautreaux	Morrell	
Total - 29		

NAYS

Adley	Guillory	Shaw
Alario	Perry	Smith
Crowe	Riser	
Total - 8		

ABSENT

Cheek	Michot
Total - 2	

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.

Mr. President in the Chair

Rules Suspended

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 2, 2011

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. 48—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the St. Louis High School baseball team on winning the 2011 Class 4A state championship.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the Children's Miracle Network of Southwest Louisiana and to congratulate Taylor Oliver on her selection as a Champion by the Children's Miracle Network Hospitals.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATORS PERRY AND WALSWORTH

A CONCURRENT RESOLUTION

To commend the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 3, 2011, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Harry Briggs on the momentous occasion of his ninetieth birthday and celebrating his third year in a row, swimming two miles in Kincaid Lake and on his

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lifetime of commitment and devotion to his family, friends and to education in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR DORSEY

A CONCURRENT RESOLUTION

To commend and congratulate Baton Rouge Magnet High School graduate, David Michael Holmes, upon being selected as the 2011 Louisiana Student of the Year and to recognize his extraordinary accomplishments.

Reported without amendments.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend the black pioneers of nursing at Baton Rouge General Hospital and to recognize the special place they hold in the history of the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR CHEEK

A CONCURRENT RESOLUTION

To commend Seth Irby upon selection as a member of the Louisiana State University Tiger Twelve Class of 2011 and for his many academic accomplishments and community service efforts.

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

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR GAUTREAU

A CONCURRENT RESOLUTION

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

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
FINANCE**

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

June 1, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 259—
BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 47:32(A) and (C) and to enact R.S. 47:32(D), relative to income taxes; to phase out the taxes on personal and corporate income; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MICHAEL J. "MIKE" MICHOT
Chairman

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

June 2, 2011

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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR LAFLEUR AND REPRESENTATIVE LEBAS
A CONCURRENT RESOLUTION

To commend the people of Evangeline Parish and the Evangeline Centennial Project, to recognize the One Hundredth Anniversary of Evangeline Parish, and to celebrate those efforts made to encourage historic preservation of the rich cultural heritage of Acadiana.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 2, 2011

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 591—
BY REPRESENTATIVES RITCHIE, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BISHOP, BROSSETT, BURRELL, DIXON, DOWNS, EDWARDS, FRANKLIN, HARDY, HENDERSON, HINES, HOFFMANN, HONORE, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, LEGER, MONTUCET, MORENO, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WOOTON AND SENATORS DORSEY AND HEITMEIER
AN ACT

To amend and reenact R.S. 47:841(B)(2) and Section 4 of Act No. 32 of the 2000 Regular Session of the Legislature, as amended and reenacted by Act No. 21 of the 2002 Regular Session of the Legislature, and to enact R.S. 47:841(G), relative to the tobacco tax; to remove termination of the applicability of a certain portion of the tax levied on cigarettes; to provide for the use of

the avails of the tax; to provide for an effective date; and to provide for related matters.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Total - 0

Announcements

The following committee meetings for June 3, 2011, were announced:

Finance 9:30 A.M. Room A

The following committee meetings for June 6, 2011, were announced:

Retirement 2:00 P.M. Room E
Rev. and Fiscal Affairs 2:00 P.M. Room E

Adjournment

On motion of Senator Thompson, at 11:00 o'clock A.M. the Senate adjourned until Monday, June 6, 2011, at 4:00 o'clock P.M.

The President Pro Tempore of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, June 6, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

