

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

FIFTEENTH DAY'S PROCEEDINGS

**Thirty-Eighth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 10, 2012

The Senate was called to order at 2:10 o'clock P.M. by Hon. John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Crowe	Nevers
Adley	Donahue	Peacock
Allain	Dorsey-Colomb	Perry
Amedee	Erdey	Peterson
Appel	Gallot	Riser
Broome	Kostelka	Smith, G.
Brown	LaFleur	Thompson
Buffington	Long	Walsworth
Chabert	Mills	Ward
Claitor	Morrish	White
Cortez	Murray	
Total - 32		

ABSENT

Guillory	Martiny	Tarver
Heitmeier	Morrell	
Johns	Smith, J.	
Total - 7		

The President of the Senate announced there were 32 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Robert L. Adams, 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 LaFleur, the reading of the Journal was dispensed with and the Journal of April 9, 2012, was adopted.

**Privilege Report of the
Legislative Bureau**

April 10, 2012

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 113—
BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To amend and reenact R.S. 51:656(C)(1)(f) and 658(B) and to enact R.S. 51:650(13), relative to fireworks; to define resident; to establish a resident and nonresident subclassification of fireworks retailer; to establish fees for the resident and nonresident subclassification of fireworks retailer; to increase the maximum criminal fine for operating without a permit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 491—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 42:162, relative to oaths of office; to provide relative to manner in which the oath of certain officials is subscribed to and recorded; to provide for the duties of certain officials relative thereto; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 44—
BY SENATOR MORRELL
A RESOLUTION

To commend and congratulate the Brother Martin High School wrestling team upon its win of the 2011-2012 Louisiana High School Athletic Association State Wrestling Championship Tournament for Division I.

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

SENATE RESOLUTION NO. 45—
BY SENATOR PETERSON
A RESOLUTION

To recognize Thursday, April 19, 2012, as the twenty-eighth annual "Red and White Day" at the Louisiana Senate.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR CLAITOR
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study legal issues surrounding groundwater and surface water law and report its recommendation to the legislature on or before March 1, 2013.

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR BROOME
A CONCURRENT RESOLUTION

To declare October 1, 2012, as World Peace Day in the state of Louisiana.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 37— BY SENATOR DORSEY-COLOMB

A RESOLUTION

To commend and congratulate Louisiana State University Professor Emeritus Dr. Milton C. "Chuck" Rush on his distinguished career and accomplishments in the field of plant pathology.

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

SENATE RESOLUTION NO. 38— BY SENATOR LONG

A RESOLUTION

To commend Lisa Tarpley Price upon her induction as Louisiana district governor for Pilot International.

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

SENATE RESOLUTION NO. 39— BY SENATOR BROOME

A RESOLUTION

To commend the service and contributions of The Links, Incorporated and to recognize Tuesday, April 10, 2012, as Louisiana Links Day at the State Capitol.

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

SENATE RESOLUTION NO. 40— BY SENATOR BROOME

A RESOLUTION

To express sincere condolences of the Senate of the Legislature of Louisiana upon the death of Lynn Valeria Spearman Dickerson.

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

SENATE RESOLUTION NO. 41— BY SENATOR BROOME

A RESOLUTION

To commend Dr. Velma Hunter Jackson, DDS, for her many contributions made to the greater Baton Rouge area.

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

SENATE RESOLUTION NO. 42— BY SENATOR NEVERS

A RESOLUTION

To commend and congratulate Lou Major Sr. of Bogalusa, Louisiana, upon induction into the LSU Manship School Hall of Fame at the 38th Annual Hall of Fame Gala on Thursday evening, April 19th, 2012.

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

SENATE RESOLUTION NO. 43— BY SENATOR ALARIO

A RESOLUTION

To amend and readopt Senate Rule No. 13.22(C) of the Rules of Order of the Senate; to provide relative to the procedure for establishing the annual vouchered allotment for members of the Senate; to provide that the vouchered allotment be established at the beginning of each term for members of the Senate.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 49— BY SENATOR BROOME

A CONCURRENT RESOLUTION

To recognize the need to devise strategies, with a strong emphasis on recognizing the warning signs of a cardiovascular event, that encompasses socioeconomic factors, cultural barriers, and lifestyle choices, for women at highest risk, to decrease the incidence of women dying of heart disease and stroke.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Peacock. Lists names of senators and their counts for 'YEAS'.

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Morrell. Lists names of senators and their counts for 'ABSENT'.

Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 50— BY SENATOR BROOME

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Victor V. Bussie, former president of the Louisiana AFL-CIO and a pivotal force in labor relations for over five decades.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Nevers. Lists names of senators and their counts for 'YEAS'.

Crowe Donahue Total - 36	Morrish Murray	Ward White
NAYS		
Total - 0		
ABSENT		
Claitor Total - 3	Guillory	Morrell

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

SENATE CONCURRENT RESOLUTION NO. 51—
 BY SENATOR THOMPSON
 A CONCURRENT RESOLUTION
 To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of a beloved statesman, The Honorable Donald Ray Kennard, former member of the Louisiana House of Representatives.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President Adley Allain Amedee Appel Broome Brown Buffington Chabert Cortez Crowe Donahue Total - 36	Dorsey-Colomb Erdey Gallot Heitmeier Johns Kostelka LaFleur Long Martiny Mills Morrish Murray	Nevers Peacock Perry Peterson Riser Smith, G. Smith, J. Tarver Thompson Walsworth Ward White
NAYS		
Total - 0		
ABSENT		
Claitor Total - 3	Guillory	Morrell

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

SENATE CONCURRENT RESOLUTION NO. 52—
 BY SENATOR ALARIO
 A CONCURRENT RESOLUTION
 To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of New Orleans public relations executive, Ray A. Liuzzo, to commend his life of service to the community, and to note the proud legacy of good works that he leaves to the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President Adley Allain Amedee Appel Broome Brown Buffington Chabert Cortez Crowe Donahue Dorsey-Colomb Total - 37	Erdey Gallot Guillory Heitmeier Johns Kostelka LaFleur Long Martiny Mills Morrish Murray Nevers	Peacock Perry Peterson Riser Smith, G. Smith, J. Tarver Thompson Walsworth Ward White
NAYS		
Total - 0		
ABSENT		
Claitor Total - 2	Morrell	

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

April 9, 2012

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. 19 | HB NO. 20 | HB NO. 41 |
| HB NO. 252 | HB NO. 256 | HB NO. 998 |

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 19—
 BY REPRESENTATIVES HOFFMANN, BARROW, WESLEY BISHOP, BROWN, BURFORD, HENRY BURNS, CARMODY, CHANEY, COX, DIXON, GAINES, HARRIS, HILL, HOLLIS, HOWARD, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LEGER, LIGI, MONTOUCET, JAY MORRIS, NORTON, PEARSON, POPE, PRICE, PYLANT, REYNOLDS, SMITH, THOMPSON, ALFRED WILLIAMS, AND WILLMOTT
 AN ACT
 To amend and reenact R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D), to enact R.S. 11:710(A)(5), and to repeal R.S. 11:710(H), relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as substitute teachers to receive benefits during reemployment; to provide limitations; to provide for reporting to the system; and to provide for related matters.

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

HOUSE BILL NO. 20—

BY REPRESENTATIVES HOFFMANN, BARROW, BROWN, HENRY BURNS, CHANEY, COX, HOLLIS, HOWARD, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LEGER, LIGI, MONTOUCKET, PEARSON, POPE, PRICE, REYNOLDS, RICHARD, RICHARDSON, SMITH, ST. GERMAIN, THOMPSON, AND WILLMOTT

AN ACT

To enact R.S. 11:710(A)(5), relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as adjunct professors to receive benefits during reemployment; to provide definitions; to provide limitations; and to provide for related matters.

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

HOUSE BILL NO. 41—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:1532 and to enact R.S. 11:1518, 1521.2, 1524(C), and 1533(F), relative to the Clerks' of Court Retirement and Relief Fund; to provide relative to federal tax qualification status; to authorize changes to be made using the Administrative Procedure Act; and to provide for related matters.

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

HOUSE BILL NO. 252—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 33:9097.8(B), (E)(8), and (F)(1)(b), relative to the Broadmoor Crime Prevention and Improvement District in East Baton Rouge Parish; to modify the boundaries of the district; to provide with respect to the parcel fee that the parish is authorized to impose on behalf 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. 256—

BY REPRESENTATIVE ANDERS

AN ACT

To enact R.S. 46:1053(Q)(3), relative to the parish of Concordia; to provide relative to the governing board of Concordia Parish Hospital Service District Number One; to increase the maximum per diem authorized to be paid to members of such board for attending board meetings; to provide relative to the number of meetings for which board members may be paid; and to provide for related matters.

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

HOUSE BILL NO. 998—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

To amend and reenact R.S. 33:2955(A)(1)(j) and (k), relative to investments by political subdivisions; to provide relative to the power of municipalities, parishes, school boards, and other political subdivisions to invest their monies; to provide requirements relative to the investment of such monies; and to provide for related matters.

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

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE PEARSON

AN ACT

To enact R.S. 11:186, relative to meetings of state and statewide retirement system boards and committees; to provide for attendance on behalf of certain ex officio members during executive sessions of such boards and committees; to provide requirements; to provide restrictions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 16—

BY REPRESENTATIVE JAY MORRIS

AN ACT

To enact R.S. 33:447.9, relative to the mayor's court in the town of Sterlington; to authorize an increase in court costs for violations of municipal ordinances; to provide for the allocation of additional funds; and to provide for related matters.

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 13:5554(Z)(introductory paragraph) and (3) and 5555(C)(2) and (D), relative to the payment of insurance premium costs; to provide for the payment of such costs for retired sheriffs and employees of the Bossier Parish Sheriff's Office; to provide relative to the Bossier Parish Retired Employees Insurance Fund; to provide for the administration of the fund; to provide for the use and investment of fund monies; 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. 27—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:2220(H), relative to the Municipal Police Employees' Retirement System; to provide with respect to the effective date of applications for benefits; to provide with respect to payment of benefits; and to provide for related matters.

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

HOUSE BILL NO. 37—

BY REPRESENTATIVE GISCLAIR

AN ACT

To enact R.S. 33:447.9, relative to the Mayor's Court of the town of Lockport; to provide for additional court costs for violations of municipal ordinances; to provide for the use of additional funds; and to provide for related matters.

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

HOUSE BILL NO. 39—

BY REPRESENTATIVE MONTOUCKET

AN ACT

To enact R.S. 11:2254(E), 2256(B)(5), and 2271(7), relative to the Firefighters' Retirement System; to provide for compliance with federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

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

HOUSE BILL NO. 48—
BY REPRESENTATIVE HARRIS
AN ACT

To enact R.S. 14:67.28, relative to misappropriation without violence; to create the crime of theft of copper or other metals; to provide for a determination of the value of the copper or other metals taken; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 50—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:1404(F), 1411(E), and 1446, relative to the Assessors' Retirement Fund; to provide for compliance with federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

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

HOUSE BILL NO. 89—
BY REPRESENTATIVE LIGI
AN ACT

To enact Part IV of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:67.1 and 67.2, relative to collective bargaining involving public entities; to provide relative to acceptance or offering for acceptance of certain collective bargaining agreements; to provide for public availability of certain documents; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 91—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 51:1783(10) and (12), relative to the Louisiana Enterprise Zone Act; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 96—
BY REPRESENTATIVE MORENO
AN ACT

To enact R.S. 14:73.10, relative to computer-related crime; to create the crime of online impersonation; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To repeal Part I of Chapter 15 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1961 through 1971, relative to the production and marketing of livestock; to repeal the regulation of use of stallions and jacks.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 110—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact the heading of Part IV of Chapter 16 of Title 3 of the Louisiana Revised Statutes of 1950 and R.S. 3:2226, relative to diseases of animals; to provide for a technical correction; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 145—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT

To enact R.S. 33:9091.19, relative to Orleans Parish; to create the North Kenilworth 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.

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

HOUSE BILL NO. 152—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 3:3411.1(A), relative to the agricultural commodity dealer and warehouse law; to provide for a cotton merchant license; to provide for license renewal; to provide for fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 154—
BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 22:1268(A)(2) and 1287, relative to policy refunds and interest; to provide for the crediting of refund amounts against future premiums; to provide for the accrual of interest on refunds; 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. 161—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 37:846(A)(11) and to enact R.S. 37:831(80) through (87), 846(A)(20), and 854, relative to embalmers and funeral directors; to create a continuing education program; to provide for definitions; to provide for powers and duties of the board; to provide for renewal of licenses; to provide for requirements and enforcement; 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. 171—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 3:1413(C)(2)(a) and 1415(A)(6) and to enact R.S. 3:1415(A)(7), relative to fertilizers; to provide for the regulations on the sale of fertilizers; to provide for an inspection fee; to provide for due dates; to provide for a deficiency assessment; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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HOUSE BILL NO. 176—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 3:1400(A)(introductory paragraph) and 1401(C)(1), relative to commercial feeds; to clarify the minimum deficiency assessment; to clarify minimum inspection fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 177—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 3:1430.12(C), relative to agricultural liming materials, to provide for tonnage fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 181—
BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 40:1496.5, relative to Beauregard Parish; to provide relative to the governing board of the Beauregard Parish Fire Protection District Number 2; to increase the membership of the governing board; 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. 209—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 18:134(E) and 541, relative to voting; to provide for the hours of voting; to provide for the time for opening of the polls; to provide for the hours of the principal office of the registrar on election day; and to provide for related matters.

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

HOUSE BILL NO. 217—
BY REPRESENTATIVE PUGH
AN ACT

To enact R.S. 33:3887.6, relative to Tangipahoa Parish; to provide relative to the governing board of the Tangipahoa Parish Sewerage District No. 1; to increase the maximum per diem authorized to be paid to members of such board for attending board meetings; to provide relative to the number of meetings for which board members may be paid; 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. 224—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 46:236.3(E)(1)(a), (G), and (O), relative to child support enforcement; to provide for withholdings for support; to provide with respect to civil liability of persons who honor an income assignment order; and to provide for related matters.

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

HOUSE BILL NO. 227—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 46:236.1.8(D), relative to support enforcement services; to provide for designation of field officers; and to provide for related matters.

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

HOUSE BILL NO. 229—
BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 22:584(D)(3), relative to investments by insurers; to authorize domestic insurers to invest in certain master limited partnerships; 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. 234—
BY REPRESENTATIVE HODGES
AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige 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. 250—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 33:130.472(I)(1), relative to the Concordia Economic and Industrial Development District; to provide relative to meetings of the board of commissioners of the district; and to provide for related matters.

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

HOUSE BILL NO. 254—
BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 33:9091.19, relative to Orleans Parish; to create the Gentilly Terrace and Gardens 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.

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

HOUSE BILL NO. 292—
BY REPRESENTATIVES PUGH, CHAMPAGNE, HENRY, LORUSSO, AND TALBOT
AN ACT

To enact R.S. 17:60.4, relative to term limits for school board members; to require local option elections in certain school districts to determine if a district's school board members shall have term limits; to specify the term limitations for school board members if approved by the electors voting in a school district; to provide for applicability; to provide relative to the conduct of such elections and the costs thereof; and to provide for related matters.

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

HOUSE BILL NO. 308—

BY REPRESENTATIVE THIERRY
AN ACT

To repeal R.S. 22:1965 and 1966, relative to unfair trade practices in automobile insurance; to repeal laws relative to unfair trade practices.

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

HOUSE BILL NO. 311—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 9:1123.113, relative to condominiums; to authorize an equivalent form of insurance to satisfy the requirement that condominium associations maintain a fidelity bond; to require proof of the insurance to be kept on the condominium premises; to provide for the right to inspect the proof of insurance; to require notice of the insurance and the right to inspect the proof of insurance; 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. 320—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 25:151(B)(4) and (C)(3), relative to the Calcasieu Parish Library; to provide relative to the disposition of surplus library books; to authorize the library, subject to the approval of its governing board, to sell such books; to provide relative to the disposition of proceeds collected from such sales; to provide relative to the location of such sales; 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. 326—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact Children's Code Articles 1421, 1422(A)(1) and (2), and 1423(A)(2) and to enact Children's Code Article 1404(23) and (24), relative to the emergency certificate admission procedure; to provide for definitions; to authorize a family psychiatric mental health nurse practitioner or psychologist to execute an emergency certificate under certain circumstances; to require the inclusion of the date that an examination was conducted by a family psychiatric mental health nurse practitioner or psychologist on the emergency certificate; to require the director of a treatment facility to provide the parish coroner with the name of the family psychiatric mental health nurse practitioner or psychologist that executed an emergency certificate for a minor's admission to treatment; and to provide for related matters.

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

HOUSE BILL NO. 346—

BY REPRESENTATIVE CHANEY
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Ouachita 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.

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

HOUSE BILL NO. 384—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 9:1102.2(A)(1)(a) and (2)(a), relative to port commissions; authorizes shallow-draft port commissions to lease or sublease property without the necessity of public bid; 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. 430—

BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 33:4720.58.1, relative to Orleans Parish; to provide relative to the New Orleans Redevelopment Authority; to provide relative to the powers and duties of the authority; to authorize the authority to purchase adjudicated properties located within its territorial jurisdiction from political subdivisions of the state; to provide procedures for such purchases; to provide relative to the powers and duties of the state and its political subdivisions with regard to such purchases; to require the authority to submit reports regarding its purchases to certain legislative committees; 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. 435—

BY REPRESENTATIVES LORUSSO, BROADWATER, BROWN, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, MACK, MILLER, MONTOU CET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHE, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADON, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT
AN ACT

To enact R.S. 17:2137(E), relative to resident classification for tuition purposes at public colleges and universities; to provide that certain veterans shall be entitled to resident classification for such purposes without regard to length of time of residency in the state; to provide conditions and limitations; to provide relative to implementation; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 456—

BY REPRESENTATIVES BURRELL AND RICHARD
AN ACT

To repeal R.S. 33:4874 and R.S. 48:492 through 495, relative to revision of local government laws pursuant to House Concurrent Resolution No. 218 of the 2009 Regular Session of the Legislature; to repeal certain obsolete or ineffective provisions, specifically provisions relative to the power of local governments to punish vagrancy and provisions for laying out of public roads by a jury of freeholders, including provisions for an oath, for compensation of owners, for an appeal, and for the width of the roads and causeways; 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.

April 10, 2012

HOUSE BILL NO. 481—
BY REPRESENTATIVE PATRICK WILLIAMS
AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a), relative to the Department of Children and Family Services' limited administrative authority for certain paternity and child support actions; to clarify state law regarding unemployment insurance collections with respect to child support overpayments to comply with federal law; and to provide for related matters.

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

HOUSE BILL NO. 492—
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:887(I), relative to property insurance policies; to provide relative to notices of reinstatement of certain such policies; 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. 511—
BY REPRESENTATIVE LEGER
AN ACT

To enact R.S. 44:4.1(B)(37), relative to public records; to provide for the application of the Public Records Law to certain information regarding archaeological sites; and to provide for related matters.

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

HOUSE BILL NO. 539—
BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 23:2045, 2049(B), and 2063(A)(1), relative to the Louisiana Workforce Investment Council; to provide with respect to the chairman and vice chairman; to provide for the frequency of meetings; to provide for a strategic plan; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 564—
BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 22:1188.1, relative to long-term care insurance; to provide for prompt payment of long-term care insurance claims; to provide for definitions; to provide for applicability; to provide with respect to violations; 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. 579—
BY REPRESENTATIVE ORTEGO
AN ACT

To amend and reenact R.S. 25:651(A) and to enact R.S. 25:651(D), relative to the Council for the Development of French in Louisiana; to provide for the official working language of the council and its employees; to authorize the council to use certain other designations or names; and to provide for related matters.

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

HOUSE BILL NO. 595—
BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact R.S. 22:23(D)(3)(b), 242(10), 653(A)(introductory paragraph), 851(A), 912(C), (D), and (E), 931(A)(10)(a), 1821(A), (C), (D)(1), (2)(e) and (g)(i)(aa), and (3)(c)(introductory paragraph) and (i), (d)(introductory

paragraph) and (i) through (iv), and (e), and (F)(1), 1825(B)(introductory paragraph) and (C)(introductory paragraph) and (4), 1859(F), 1875, 1879(A), (B)(1)(introductory paragraph), and (C), 1880(B)(1)(introductory paragraph), (C)(introductory paragraph), and (D)(introductory paragraph), 1892(B)(1), (C)(1), and (D)(2), 1901(4), 1902(A)(2) and (9), 1903(C)(2)(introductory paragraph), 1904, 1905(C)(introductory paragraph) and (1), 1907, 1909(B) and (C), 1921(B) and (C), 1923(1)(a)(introductory paragraph) and (g), 1926(A), 1927(B), 1928(B), 1941, 1942, 1944, 1945, 1946, 1962(C) and (F), 1964(1)(g), (7)(a), (b), and (h), (9), (10)(c), (11), (13), (15)(c)(i), (iii), and (vii), (19)(b)(i)(introductory paragraph) and (c)(i), (20), (24), and (25), 1967, 1968, 1971(C), 1973(B)(introductory paragraph), 1981(A)(2) and (3) and (C)(introductory paragraph), 1983(D) through (H) and (I)(1) and (2), 1984(A) and (G), 1988, 1989, 1992, 1994(A), 2001, 2002(2) and (4), 2003(1)(e) and (f), 2005, 2006, 2008(A), 2009(E)(2) and (4), 2010(D), 2012(A)(introductory paragraph) and (3) and (B), 2013(B), 2018(A) and (B), 2019, 2020(C), 2021(A), 2023(C)(2), 2025(4), 2026, 2027(B), 2028(B), (C), and (D)(6), 2029, 2032, 2033(B), 2034(G) and (H), 2035(A) and (D), 2036(C), 2038(3), 2044, 2055(6)(a)(ii), (7)(introductory paragraph) and (a), (9)(a)(introductory paragraph) and (i) and (b), (12), and (15), 2056(C)(2)(f), 2058(A)(1)(a)(i) and (ii), (b)(i) and (ii), and (3)(a)(iv), 2059(A)(1), (C)(6), and (D), 2060(A)(1), 2061.1(A), 2062(A)(2)(a)(introductory paragraph) and (i) and (ii), (5)(a), and (6), 2083(A)(2)(introductory paragraph) and (a) and (C)(introductory paragraph) and (1), 2084(6), 2085(C)(1) and (3)(g), 2086(B) and (D), 2087(A)(2), (B)(1)(introductory paragraph) and (a) and (2)(introductory paragraph), (C)(2), (D)(introductory paragraph) and (3) and (4)(a), (E), (I)(introductory paragraph), (J), and (M)(3), 2088(D), 2089(A)(2) and (C)(8), 2091(A)(2) and (E)(1), 2092(D), 2093(E)(1), 2098(B) and (C)(introductory paragraph), 2112, 2113, 2114, 2118, 2119, 2132(C) and (D), 2133(2), 2135(A), 2147(A)(2), 2161(A)(introductory paragraph) and (6), 2171(A), (B), (C)(7), (13), and (21), (E)(6) and (14), (F)(5) and (12), and (G)(5), (11), and (12), 2181(B), 2191(A)(introductory paragraph) and (1), 2205, 2206, 2208, 2221(introductory paragraph), 2222(D)(introductory paragraph), 2223(F), 2243(2), 2244(A)(2), 2261(B), 2291, 2292(introductory paragraph), 2293(D)(2)(a) and (f) and (3), 2294(A)(5), 2296(B)(1), 2297(D)(8), 2302(E), 2307(G), 2308, 2313, 2314(F), 2315(A), 2316, 2326(A), 2363(B), 2364(A) and (F), and 2369(E)(1) and to repeal R.S. 22:1824(C), 2028(D)(3), 2161(A)(7), (12), (34), and (37), 2171(C)(20), (E)(17), and (G)(13), and 2303(D)(1), all relative to technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; 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. 616—
BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 14:133.6, relative to offenses affecting organized government; to create the crime of filing a false lien against a law enforcement or court officer; to provide for criminal penalties; to authorize restitution; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 640—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(c), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism and the statutory entities made

a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

HOUSE BILL NO. 663—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 8:501, 502, 502.1(3), 505.1, and 506(A)(3), relative to cemetery authorities; to provide for contracts for the sale of personal property or services; to provide for deposits into a merchandise trust fund; to provide relative to personal property delivery; to provide for annual reports and report filing fees; to provide for examination by the board; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 744—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 14:67.16(C)(5), relative to identity theft; to provide for an additional fine for certain persons who commit the crime of identity theft; and to provide for related matters.

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

HOUSE BILL NO. 832—
BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to provide for creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize 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. 872—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 9:315(C)(7), relative to net child care costs for purposes of child support calculations; to provide for inclusion of reasonable costs of child care incurred due to job training or education; and to provide for related matters.

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

HOUSE BILL NO. 926—
BY REPRESENTATIVE SIMON
AN ACT

To enact R.S. 17:3048.1(C)(2)(h)(i)(cc); to provide for guidelines and procedures permitting the Louisiana Student Financial Assistance Commission to receive and consider certain test scores submitted by an applicant for a Taylor Opportunity Program for Students award after statutorily established deadlines; to provide applicability; to provide limitations; to provide for the adoption of certain program rules by the administering agency; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1028— (Substitute for House Bill No. 323 by Representative Hoffman)
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 47:463.2(E), relative to the advertisement of special prestige license plates; to provide for advertisements for special prestige license plates; to provide rule making authority; to provide for deadlines; 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. 1029— (Substitute for House Bill No. 798 by Representative Ponti)
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 51:911.23, to enact Part XIV-A of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:912.1 through 912.10, and to repeal R.S. 51:911.25, relative to manufactured housing; to enact the New Manufactured and Modular Home Warranty Act; to provide for the purpose of the act; to provide for definitions; to provide for warranties for new manufactured and modular housing; to provide for exclusions to the warranties; to require an owner to provide notice of defects; to require notice of the warranties to be given to the owner; to provide for a preemption period for warranties; to allow the use of insurance to meet the warranty requirements; to provide for transfer of warranties and insurance; to establish a cause of action for actual damages due to violations; to authorize attorney fees and court costs; to provide for arbitration; to provide for exclusiveness; to repeal existing warranty provisions; 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 Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE KATRINA JACKSON
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to install a traffic light at the junction of LA 594 and Millhaven Road and the entrance to Millhaven Estates Subdivision in Ouachita Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION

To commend Georgia Lynn Hilburn upon being named the Caddo Public Schools 2012 Elementary School Student of the Year and to recognize her extraordinary accomplishments.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Tarver

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Chabert	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	Ward
Donahue	Morrish	White
Total - 36		

NAYS

Total - 0

ABSENT

Claitor	Morrell	Smith, J.
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 72—
BY REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To commend Ruth Bishop of Caddo Magnet High School upon being named the Caddo Public Schools 2012 High School Student of the Year and to recognize her extraordinary accomplishments.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Brown	Johns	Riser
Buffington	Kostelka	Smith, G.
Chabert	LaFleur	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	Ward
Donahue	Morrish	White
Total - 36		

NAYS

Total - 0

ABSENT

Broome	Morrell	Smith, J.
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 73—
BY REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To commend Samantha Hilburn upon being named the Caddo Public Schools 2012 Middle School Student of the Year and to recognize her extraordinary accomplishments.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers

Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Buffington	Kostelka	Smith, G.
Chabert	LaFleur	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	Ward
Donahue	Morrish	White
Total - 36		

NAYS

Total - 0

ABSENT

Brown	Morrell	Smith, J.
Total - 3		

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

HOUSE CONCURRENT RESOLUTION NO. 74—
BY REPRESENTATIVE JOHNSON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of J. Ray Teddie.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Tarver
Buffington	LaFleur	Thompson
Chabert	Long	Walsworth
Claitor	Martiny	Ward
Cortez	Mills	White
Crowe	Morrish	
Donahue	Murray	
Total - 37		

NAYS

Total - 0

ABSENT

Morrell	Smith, J.
Total - 2	

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

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE DANAHAY

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences upon the death of William "Bill" Lovejoy Henning, Sr., of Sulphur.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Donahue	Murray	
Total - 38		

NAYS

Total - 0

ABSENT

Morrell
Total - 1

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 HUNTER

A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to consider assigning a new zip code to the town of Richwood in Ouachita Parish.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**AGRICULTURE, FORESTRY, AQUACULTURE,
AND RURAL DEVELOPMENT**

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

April 10, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 646—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:1615(A)(1) and (4), relative to Boll Weevil Eradication assessments; to provide for the transfer of assessments to the Louisiana Agricultural Finance Authority; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. THOMPSON
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

Senator Michael A. Walsworth, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 10, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 200—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 30:2351.28(B) and enact R.S. 30:2351.28(C), relative to environmental quality; to require DEQ to test school buildings and surrounding grounds constructed prior to 1978 for the presence of lead materials and report its findings annually to the legislature; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 201—
BY SENATOR MORRELL

AN ACT

To enact R.S. 30:2351.51(E), relative to environmental quality; to require all state and local agencies engaged in lead hazard reduction activities to publish on-line, minimum lead standards allowable; to require minimum lead standards to conform with standards established by the federal government; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 211—
BY SENATOR MORRELL

AN ACT

To enact R.S. 30:2351.53, relative to environmental quality; to require certain public and non-public schools to publicly disclose any lead issues, abatement activities or testing; to provide for notice to parents or legal guardians of students attending such schools; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 228—
BY SENATOR MORRISH

AN ACT

To enact R.S. 30:2054(B)(2)(b)(x), relative to air quality control; to provide for exceptions to the powers of the secretary of the Department of Environmental Quality; to allow sweet potato farmers to burn their crates used to store or transport sweet potatoes; to provide terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 344—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 30:2363(15), relative to environmental quality; to provide definitions of a reportable release; to provide for the reportable quantity of a release from natural gas pipelines; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
MICHAEL A. WALSWORTH
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

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

April 10, 2012

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study inclusion of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA) in Louisiana law.

Reported favorably.

SENATE BILL NO. 390—
BY SENATOR WHITE

AN ACT

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

Reported favorably.

SENATE BILL NO. 621—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:2497 and 2500.2(A)(1), and to repeal R.S. 13:2500.3, to provide relative to courts and judicial procedures; to provide relative to the Municipal Court and Traffic Court of New Orleans; to provide relative to certain court fees and salaries; to remove reference to specific dollar amounts of salaries for certain deputy clerks of the Municipal Court of New Orleans; to provide for an increase in certain fees collected by the Municipal Court of New Orleans; to repeal authority of the Municipal Court and Traffic Court of New Orleans to collect bail bond fees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BEN W. NEVERS
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

Senator Jean-Paul "JP" Morrell, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 10, 2012

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. 72—
BY SENATOR MILLS AND REPRESENTATIVE BARRAS
AN ACT

To enact R.S. 15:255(P), relative to witness fees payable to off-duty law enforcement officers; to authorize the transfer of surplus monies in the off-duty law enforcement officer witness fee fund of the Sixteenth Judicial District to the criminal court fund of the Sixteenth Judicial District Court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 108—
BY SENATOR MORRELL
AN ACT

To amend and reenact R.S. 27:310(D), relative to video draw poker license qualifications; to require a lessor of immovable property being utilized as a qualified licensed truck stop facility to meet all suitability requirements and qualifications for licensees; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 152—
BY SENATOR BROOME
AN ACT

To amend and reenact Children's Code Articles 623(B) and (C), 661(B),(C) and (D), 675(B)(3),(4), and (5), 679(C) and (D), 695(Heading) and (A), (B), and (C), 696(B), 702(J), 705, 706(B), 776(B), 853, 908(Heading) and (C), 1015(3)(k), 1030(2), 1211(Introductory Paragraph) and to enact Children's Code Articles 623(D) and (E), 661(E), 675(B)(6), 679(E) and (F), 695(D), 696(C), 706(C), and 908(D), and to repeal Children's Code Article 730(10), relative to continuous revision of the Children's Code; to provide relative to notice and who has the right to be heard at a continued custody Child in Need of Care ("CINC") hearing; to provide for who shall be present at an adjudication hearing; to provide for the purpose and contents of the case plan; to provide for who receives notice of and who may be present at the disposition hearing; to provide for who shall receive notice of the right to appear and be heard at a case review hearing; to provide for the rights of the parties at a case review hearing; to provide for permanency hearings; to provide for notice of, the right to be heard, and the rights of the parties at permanency hearings; to provide for permanency planning reports; to provide for the effect of a parent's non-appearance at a delinquency hearing; to provide for the juvenile's care and treatment by the department; to provide for the grounds for termination of parental rights; to provide for suspension of the right of voluntary surrender of parental rights by initiation of a termination proceeding; to provide for the final decree at an adoption hearing; to provide for the grounds upon which an allegation that a family is a Family in Need of Services (or "FINS") must be based; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 173—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 13:2519(B) and to repeal R.S. 13:2501.1(J), 2502, 2503, 2504, 2504.1, 2505(A), 2508, 2510, 2511, 2517, and 2518, relative to the Traffic Court of New Orleans; to repeal provisions relative to certain multiple misdemeanors or ordinance violations; to repeal provisions relative to certain judicial employees and their compensation; to repeal provisions relative to certain fidelity bonds; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 198—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 27:302(A)(5), relative to video draw poker; to provide with respect to legislative oversight of games of video draw poker and other such card games; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 317—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:574.4(B) and to enact R.S. 15:574.4(D), relative to juvenile parole eligibility; to provide relative to juvenile parole eligibility; to provide for parole eligibility for juveniles sentenced to life imprisonment for certain offenses; to provide for exceptions; to provide for conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 403—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 44:9(E)(3), relative to expungement of criminal records; to authorize the expungement of criminal records of persons who have successfully completed the Department of Public Safety and Corrections intensive incarceration program; to provide relative to other conditions necessary for the expungement of criminal records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 642—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 33:2337(A)(1) and (2), relative to mutual assistance between law enforcement agencies; to authorize city marshals and city constables to provide police manpower and equipment to a requesting police department or sheriff's office during an emergency or special event; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JEAN-PAUL "JP" MORRELL
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 10, 2012

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to a potential conflict between provisions of law regarding the notice that must be provided to a criminal defendant as to his right to waive trial by jury, and the defendant's right to waive formal arraignment.

Reported favorably.

SENATE BILL NO. 121—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 14:35.3(G)(2), to enact R.S. 14:37.7, 37.8, and 40.8, and to repeal R.S. 14:35.3(J), relative to assault and battery affecting domestic household members; to create the crimes of domestic abuse assault and domestic abuse aggravated assault; to create the crime of domestic violence as an enhancement to any crime of violence involving household members; to provide for enhancement of penalties when a minor under the age of thirteen is present during the commission of the crime; to provide relative to the cleansing period for prior domestic abuse battery convictions; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 633—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 14:68.2 and to enact R.S. 14:68.2.1, relative to crimes involving the supplemental nutrition assistance program; to create the crime of unauthorized use of supplemental nutrition assistance program benefits or supplemental nutrition assistance program benefit access devices and the crime of failure to report unauthorized use of supplemental nutrition assistance program benefits; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

SENATE BILL NO. 39—
BY SENATOR ALARIO

AN ACT

To enact R.S. 11:411(11), relative to the Louisiana State Employees' Retirement System; to provide for system membership; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 65—
BY SENATOR MORRISH

AN ACT

To enact R.S. 13:985.2, relative to the Thirty-Eighth Judicial District; to provide for the assessment of court costs to fund court reporter fees prepared for indigents; to authorize additional costs in criminal cases; to authorize an additional filing fee in civil cases; to create an indigent transcript fund for the payment of court reporter fees; to provide terms and conditions for such funds; to authorize the clerk of court to retain certain fees; to provide for rates of payment to court reporters; to provide for an annual audit; and to provide for related matters.

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

SENATE BILL NO. 68—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.5(D), relative to restitution recovery divisions established by district attorneys; to authorize a district attorney to assess a collection fee on funds due when the amount payable to the state or to a crime victim has not been satisfied; and to provide for related matters.

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

SENATE BILL NO. 82—

BY SENATOR BUFFINGTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(F)(4)(g) of the Constitution of Louisiana, relative to the expenditure of state funds; to prohibit the limited redirection and transfer of funds from the Medicaid Trust Fund for the Elderly in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 82 by Senator Buffington

AMENDMENT NO. 1

On page 1, line 5, change "electors and" to "electors; and"

AMENDMENT NO. 2

On page 2, line 11, change "FOR or AGAINST" to "YES or NO"

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

SENATE BILL NO. 285—

BY SENATOR ADLEY

AN ACT

To enact R.S. 22:835(F) and 835.1, relative to the dedication of a portion of the fire marshal tax receipts; to provide for the dedication of a portion of such receipts for fire protection at Camp Minden; to create the Camp Minden Fire Protection Fund as a special fund in the state treasury; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 624—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 11:1513, relative to the Clerks' of Court Retirement and Relief Fund; to provide for reemployment of retirees; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 640—

BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 39:22(1) and 25, relative to the attendance of an economist principal at a session or meeting of the Revenue Estimating Conference; to authorize the economist principal to appoint an ad hoc member or to attend a session or meeting by telephone, video-conference, or other communications technology under certain circumstances; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 657—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 11:1651(B)(introductory paragraph) and (2)(a), relative to the board of trustees of the District Attorneys' Retirement System; to provide for board membership; to increase the number of active members on the board; to specify

that one active member shall be an assistant district attorney; to provide for an effective date; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 84—

BY SENATOR MARTINY

AN ACT

To enact R.S. 42:1123(18)(e), relative to the Code of Governmental Ethics; to provide for an exception to certain prohibitions of physicians as public servants; 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. 84 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 14, after "Revised Statutes of 1950," insert "or by local, special or general law,"

AMENDMENT NO. 2

On page 1, line 16, after "health care services" insert "directly related to their expertise as a licensed physician, for purchase or lease of property related to the licensed physician's practice"

On motion of Senator Martiny, 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

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Appel	Guillory	Perry
Broome	Heitmeier	Riser
Brown	Johns	Smith, G.
Buffington	Kostelka	Smith, J.
Chabert	LaFleur	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Ward
Crowe	Mills	White
Donahue	Morrish	

Total - 35

NAYS

Total - 0

ABSENT

Amedee	Peterson
Morrell	Walsworth
Total - 4	

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.

SENATE BILL NO. 167—
BY SENATOR GARY SMITH

AN ACT

To enact R.S. 22:821(B)(34) and 1431, and Part VIII-A of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1781.1 through 1781.6, relative to portable electronics insurance; to provide definitions; to provide with respect to the vendors of portable electronic devices; to provide for the requirements for the sale of portable electronics insurance; to provide with respect to termination of portable electronics insurance; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 167 by Senator Gary Smith

AMENDMENT NO. 1

On page 2, line 5, following "**defined in**" and before "**may be**" change "**R.S. 22:1780.1(7)**" to "**R.S. 22:1781.1(7)**"

AMENDMENT NO. 2

On page 2, line 7, following "**vendor**" and before "**defined**" change "**and**" to "**, as**"

AMENDMENT NO. 3

On page 2, line 7, following "**defined in**" change "**R.S. 22:1780.1(9)**" to "**R.S. 22:1781.1(9)**,"

AMENDMENT NO. 4

On page 2, line 18, following "**Notwithstanding**" change "**Paragraph**" to "**Subsection**"

AMENDMENT NO. 5

On page 2, line 23, following "**Notwithstanding**" change "**Paragraph**" to "**Subsection**"

AMENDMENT NO. 6

On page 3, line 6, following "**shall**" delete "1"

AMENDMENT NO. 7

On page 3, line 7, following "**liability**" insert "1"

AMENDMENT NO. 8

On page 5, line 11, change "**vender**" to "**vendor**"

AMENDMENT NO. 9

On page 5, line 25, following "**portable**" change "**electronic**" to "**electronics**"

AMENDMENT NO. 10

On page 6, line 25, following "**a refund or**" change "**credit of**" to "**credit for**"

AMENDMENT NO. 11

On page 9, line 3, following "**require**" and before "**any**" change "1" to "**provided however that**" to "**, However,**"

AMENDMENT NO. 12

On page 9, lines 12 and 19, change "**22:821(34)**" to "**22:821(B)(34)**"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Donahue	Murray	
Total - 38		

NAYS

Total - 0

ABSENT

Morrell
Total - 1

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

SENATE BILL NO. 171—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 44:22(F), relative to economic development negotiations; to provide relative to confidentiality of certain information; to extend certain sunset provisions from 2012 to 2016; 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. 186—
BY SENATOR CLAITOR

A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16(A), Article VIII, Section 3(C), and Article X, Section 27(A) of the Constitution of Louisiana, relative to state elected officials; to provide relative to the eligibility; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 186 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 2, after "16(A)," add "Article V, Section 30, Article VI, Section 13(A), Article VII, Section 24(C),"

AMENDMENT NO. 2

On page 1, line 3, delete "state"

AMENDMENT NO. 3

On page 1, line 5, between "electors" and "and" insert a semi-colon ";

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AMENDMENT NO. 4

On page 1, line 9, after "16(A)," add "Article V, Section 30, Article VI, Section 13(A), Article VII, Section 24(C),"

AMENDMENT NO. 5

On page 2, line 1, change "The nominee who fills" to "Except when the vacancy is due to the death of the lieutenant governor, whoever takes the oath of office to fill"

AMENDMENT NO. 6

On page 2, line 2, before the period "." add "and for the succeeding term"

AMENDMENT NO. 7

On page 2, line 5, change "assistant, who" to "assistant. Except when the vacancy is due to the death of the incumbent, whoever takes the oath of office to fill the vacancy"

AMENDMENT NO. 8

On page 2, line 6, change "vacancy." to "and for the succeeding term of that office."

AMENDMENT NO. 9

On page 2, between lines 9 and 10, insert the following: "ARTICLE V. JUDICIAL BRANCH

§30. Vacancies

Section 30. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief deputy; (4) coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election. Except when the vacancy is due to the death of the incumbent or when there are less than ten employees in the office of the elected official at the time of the vacancy, whoever takes the oath of office to fill the vacancy shall be ineligible as a candidate at the election to fill the vacancy and for the succeeding term of that office.

ARTICLE VI. LOCAL GOVERNMENT

§13. Vacancies

Section 13.(A) Vacancy; Appointment. Except as otherwise provided by this constitution, a vacancy in any local office filled by election wholly within the boundaries of a local governmental subdivision or a school district shall be filled by appointment by the particular governing authority of the local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law. Except when the vacancy is due to the death of the incumbent or when there are less than ten employees in the office of the elected official at the time of the vacancy, an appointee who takes the oath of office to fill the vacancy shall be ineligible as a candidate at the election to fill the vacancy and for the succeeding term of that office.

ARTICLE VII. REVENUE AND FINANCE

§24. Tax Assessors

Section 24.

(C) Vacancy. When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be assumed by the chief deputy assessor. Except when the vacancy is due to the death of the tax assessor or when there are less than ten employees in the office of the tax assessor at the time of the vacancy, whoever takes the oath of office to fill the vacancy shall be ineligible as a candidate at the election to fill the vacancy and for the succeeding term."

AMENDMENT NO. 10

On page 2, line 17, change "The appointee" to "Except when the vacancy is due to the death of the incumbent, the appointee who takes the oath of office to fill the vacancy"

AMENDMENT NO. 11

On page 2, line 18, before the period "." insert "and for the succeeding term of that office"

AMENDMENT NO. 12

On page 2, line 27, change ", and the appointee" to ". Except when the vacancy is due to the death of the incumbent or when there are less than ten employees in the office of the elected official at the time of the vacancy, an appointee who takes the oath of office to fill the vacancy"

AMENDMENT NO. 13

On page 2, line 28, change "vacancy." to "and for the succeeding term of that office."

AMENDMENT NO. 14

On page 3, line 9, between "designated" and "to" insert "who takes the oath of office"

AMENDMENT NO. 15

On page 3, line 10, before the question mark "?" insert "and for the succeeding term of office"

AMENDMENT NO. 16

On page 3, line 11, after "16(A)," add "Article V, Section 30, Article VI, Section 13(A), Article VII, Section 24(C),"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, Name. Includes Mr. President, Adley, Allain, Amedee, Appel, Total - 14.

NAYS

Table with 3 columns: Name, Position, Name. Includes Broome, Brown, Buffington, Chabert, Cortez, Crowe, Donahue, Dorsey-Colomb, Total - 24.

ABSENT

Table with 1 column: Name. Includes Morrell, Total - 1.

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 231— BY SENATORS MURRAY, MILLS AND THOMPSON AN ACT

To enact R.S. 22:1006.1, relative to prior authorization forms; to provide with respect to the issuance and use of prior authorization forms; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 231 by Senator Murray

AMENDMENT NO. 1

On page 1, line 13, following "**Subpart I of**" and before "**Chapter 2**" insert "**Part I of**"

AMENDMENT NO. 2

On page 2, line 13, following "**shall**" and before "**a single**" change "**only utilize**" to "**utilize only**"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Donahue	Murray	
Total - 38		

NAYS

Total - 0

ABSENT

Morrell
Total - 1

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

SENATE BILL NO. 233—

BY SENATOR GARY SMITH

AN ACT

To enact R.S. 22:1486, relative to automobile insurance; to provide for premiums charged on insurance policies; to provide for the use of the insured's parish of residence in formulating a schedule of premiums in certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 399—

BY SENATORS WHITE, NEVERS AND THOMPSON

AN ACT

To amend and reenact R.S. 12:403(2) and 407, relative to electric cooperatives; to provide relative to powers and bylaws; to provide for perpetual existence of cooperatives in certain

circumstances; to provide relative to adoption, amendment, or repeal of bylaws; to provide certain terms, conditions, and requirements; to provide for the board of directors taking certain actions without authorization of the members of the cooperative; and to provide for related matters.

Floor Amendments

Senator White proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Engrossed Senate Bill No. 399 by Senator White

AMENDMENT NO. 1

On page 2, line 12, change "**shall**" to "**may**"

AMENDMENT NO. 2

On page 2, line 13, change "**Only**" to "**However, only**"

On motion of Senator White, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Total - 36		

NAYS

Total - 0

ABSENT

Guillory
Total - 3
Morrell
Tarver

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

SENATE BILL NO. 426—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 44:3.2(C), (D), and (E) and to enact R.S. 44:3.2(F), relative to economic development; to provide for the confidentiality of any proprietary or trade secret information submitted to the Department of Economic Development for economic development purposes; to provide for an effective date; 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.

April 10, 2012

SENATE BILL NO. 538—
BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 40:1730.42 and 1730.45(A) and (B), relative to the state fire marshal; to provide for definitions; to provide for enforcement and rules; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Heitmeier	Peterson
Appel	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrish	White
Donahue	Murray	
Dorsey-Colomb	Nevers	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Guillory	Ward
Broome	Morrell	
Total - 5		

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

SENATE BILL NO. 591—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 18:1488, relative to the Louisiana Election Code; to authorize the creation of the Candidates Others PACS Education Trust Interest Credit program; to authorize the supervisory committee on campaign finance disclosure to adopt rules and regulations relative to such program; to provide for oversight of such program; to provide for basic criteria for program development; to provide for implementation; 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. 591 by Senator Claitor

AMENDMENT NO. 1

On page 1, delete line 17, and insert: "receives the interest or other income earned on a candidate's, PAC's, or other's contribution account net of any tax required to be paid on such interest or other income and"

AMENDMENT NO. 2

On page 2, line 13, after "candidate's" insert ", PAC's, or other's"

AMENDMENT NO. 3

On page 2, line 26, after "utilized by a" insert "PAC, other, or by a"

AMENDMENT NO. 4

On page 2, line 27, after "committee" delete the period "." and insert: "except to pay any tax which may be required to be paid on such interest or income."

AMENDMENT NO. 5

On page 2, line 28, after "income" insert "net of any tax required to be paid on such interest or income"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Allain	Erdey	Nevers
Amedee	Gallot	Peacock
Appel	Guillory	Perry
Broome	Heitmeier	Riser
Brown	Johns	Smith, G.
Buffington	Kostelka	Smith, J.
Chabert	LaFleur	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	Ward
Donahue	Morrish	White
Total - 36		

NAYS

Peterson
Total - 1

ABSENT

Adley
Total - 2
Morrell

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

SENATE BILL NO. 622—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 36:202(A) and 203, relative to the Department of Culture, Recreation and Tourism; authorizes the lieutenant governor to perform the duties, functions and responsibilities of the secretary of culture, recreation and tourism; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser

Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Donahue	Murray	
Total - 38		

NAYS

Total - 0

ABSENT

Morrell
Total - 1

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

SENATE BILL NO. 746— (Substitute of Senate Bill No. 547 by Senator Peacock)

BY SENATOR PEACOCK

AN ACT

To enact R.S. 12:1308.3, relative to limited liability companies; to provide for the manner of converting the state of organization of domestic and foreign limited liability companies; to provide certain terms, conditions, procedures, requirements, and effects; to provide for the content and requirements for certain certificates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Thompson
Chabert	Long	Walsworth
Claitor	Martiny	Ward
Cortez	Mills	White
Crowe	Morrish	
Donahue	Murray	
Total - 37		

NAYS

Total - 0

ABSENT

Morrell
Total - 2

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

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

Called from the Calendar

Senator Crowe asked that Senate Bill No. 130 be called from the Calendar.

SENATE BILL NO. 130—

BY SENATORS CROWE, ALARIO, APPEL, KOSTELKA, LONG, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 14:91.9, relative to crimes involving the distribution, purchase, or possession of certain substances; to create the crime of unlawful distribution, purchase, or possession of Kratom; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 130 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 10, following "**person**" and before "**distribute**" change "**knowingly to**" to "**to knowingly**"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 130 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 14:91.9" to "R.S. 40:989.2(C)(5)(m)"

AMENDMENT NO. 2

On page 1, line 2, after "involving the", delete the rest of the line and delete lines 3 through 4, in their entirety, and insert, in lieu thereof, the following: "knowing and intentional possession of a compound or mixture of a certain prohibited plant; to provide for certain prohibited plants; and to"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 14:91.9" to "R.S. 40:989.2(C)(5)(m)"

AMENDMENT NO. 4

On page 1, delete lines 8 through 17 and insert the following:
"§989.2. Unlawful production, manufacturing, distribution, or possession of prohibited plant products

* * *

C. For the purposes of this Section:

* * *

(5) "Prohibited plant" means any combination of any of the parts, leaves, stems, stalks, seeds, materials, compounds, salts, derivatives, mixtures, preparations, or any resin extracted from any part of the following plants:

* * *

(m) Mitragyna speciosa.

* * *"

April 10, 2012

AMENDMENT NO. 5

On page 2, delete lines 1 through 4, in their entirety

On motion of Senator Crowe, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Allain Gallot Perry
Amedee Guillory Peterson
Appel Heitmeier Riser
Broome Johns Smith, G.
Brown Kostelka Smith, J.
Buffington LaFleur Tarver
Chabert Long Thompson
Cortez Martiny Walsworth
Crowe Morrish Ward
Donahue Murray White
Dorsey-Colomb Nevers
Total - 35

NAYS

Total - 0

ABSENT

Adley
Claitor
Total - 4
Mills
Morrell

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

Called from the Calendar

Senator Claitor asked that Senate Bill No. 502 be called from the Calendar.

SENATE BILL NO. 502—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 38:3097.8, relative to water quality; to require annual reports from certain special districts regarding water quality and use and saltwater intrusion or encroachment; 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. 502 by Senator Claitor

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 2 proposed by Senator Long and adopted by the Senate on April 9, 2012.

AMENDMENT NO. 2

On page 1, at the beginning of line 8, before "On" insert "A."

AMENDMENT NO. 3

On page 2, between lines 1 and 2, insert the following:
"B. For purposes of the annual report, the amount of water used for agricultural purposes may be estimated."

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Donahue Perry
Adley Dorsey-Colomb Peterson
Allain Erdey Riser
Amedee Gallot Smith, G.
Appel Heitmeier Smith, J.
Broome Johns Tarver
Brown Long Thompson
Buffington Martiny Walsworth
Chabert Mills Ward
Claitor Morrish White
Cortez Murray
Crowe Peacock
Total - 34

NAYS

Kostelka
Total - 1

ABSENT

Guillory Morrell
LaFleur Nevers
Total - 4

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

Rules Suspended

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

April 10, 2012

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 MILLS

A CONCURRENT RESOLUTION

To commend Mary Julia S. Terrebonne upon her retirement from the Louisiana Department of Health and Hospitals.

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 SENATORS GALLOT, ADLEY, KOSTELKA, LONG, RISER,
LAFLEUR, JOHN SMITH AND WALSWORTH AND REPRESENTATIVES
ARMES, BROWN, COX, HARRIS AND HAZEL
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support the 259th
Air Traffic Control Squadron Louisiana National Guard and
urge the Louisiana congressional delegation to take action to
reverse the planned disbanding of the squadron.

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

**Senate Bills and Joint Resolutions on
Second Reading to be Referred,
Subject to Call**

Called from the Calendar

Senator Martiny asked that Senate Bill No. 514 be called from
the Calendar.

SENATE BILL NO. 514—
BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 47:6007(B)(10) through (13), (D)(2)(d)
and (7) and to enact R.S. 47:6007(B)(14) through (16) and
6007.1, relative to the motion picture investor tax credit; to
provide for definitions; to provide for an audit; to provide for
duties of a qualified accountant; to provide for a qualified cost
report; to provide for certain terms, conditions, and procedures;
and to provide for related matters.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 10, 2012

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. 67 | HB NO. 153 | HB NO. 298 |
| HB NO. 131 | HB NO. 101 | HB NO. 402 |
| HB NO. 721 | | |

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

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

HOUSE BILL NO. 67—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 13:5554(J), relative to the payment of
group insurance premium costs; to provide for eligibility for
payment of such costs for retired sheriffs and retired deputy
sheriffs of the Winn Parish Sheriff's Office; and to provide for
related matters.

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

HOUSE BILL NO. 101—
BY REPRESENTATIVES EDWARDS AND MACK
AN ACT

To amend and reenact R.S. 13:996.6, relative to court costs for the
Twenty-First Judicial District Court; to authorize an increase in
civil and criminal court costs in the Twenty-First Judicial
District Court; to provide for the allocation of funds to the
judicial expense fund; to require the sheriffs in the Twenty-First
Judicial District to collect court costs in criminal cases; and to
provide for related matters.

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

HOUSE BILL NO. 131—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 33:108(D) and 4724, relative to planning
and zoning; to provide relative to master plans adopted by
municipal or parish planning commissions; to provide relative
to the filing of certified copies of any such plan; to provide
relative to zoning regulations and restrictions established by
municipal governing authorities; to provide relative to public
hearings held by any such governing authorities relative to the
establishment and amendment of such regulations and
restrictions; to change the notice requirements relative to such
public hearings; and to provide for related matters.

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

HOUSE BILL NO. 153—
BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 3:19 and 20, relative to the Department of Agriculture
and Forestry; to provide for an organic certification cost-share
rebate program; to provide for the duties of the commissioner of
agriculture; to provide for cooperative agreements; to provide
for organic labeling standards; and to provide for related
matters.

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

HOUSE BILL NO. 298—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 23:1127(C)(3), relative to written
communication in workers' compensation claims; to provide for
transmission by electronic mail in certain circumstances; and to
provide for related matters.

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

HOUSE BILL NO. 402—
BY REPRESENTATIVES EDWARDS AND MACK
AN ACT

To amend and reenact R.S. 13:996.7 and 996.8, relative to the
judicial expense fund for the Twenty-First Judicial District; to
prohibit the allocation of funds from the Twenty-First Judicial
District's judicial expense fund for payment of salaries for
personnel or judges in the Twenty-Second Judicial District and
other expenses; and to provide for related matters.

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

April 10, 2012

HOUSE BILL NO. 721—

BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 13:5073(A)(1), relative to the certification of tobacco product manufacturers; to provide for a fee for certification for tobacco product manufacturers; to provide for the use of the fees; and to provide for related matters.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

April 10, 2012

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. 80

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

House Concurrent Resolutions
on First Reading

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVES BROSSETT, BADON, BARROW, WESLEY BISHOP, DIXON, LEGER, MORENO, NORTON, AND SMITH AND SENATORS MORRELL, MURRAY, AND PETERSON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Elizabeth Catlett, the former chair of the art department at Dillard University in New Orleans and an internationally renowned artist.

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

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Gallot	Perry
Amedee	Guillory	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	Ward
Crowe	Morrish	White
Donahue	Murray	
Total - 38		

ABSENT

Morrell
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Morrell 1 Day

Announcements

The following committee meetings for April 11, 2012, were announced:

Commerce	9:30 A.M.	Room E
Health and Welfare	9:00 A.M.	Hainkel Room
Insurance	9:00 A.M.	Room A
Senate and Gov't Affairs	9:30 A.M.	Room F

Adjournment

On motion of Senator Thompson, at 3:50 o'clock P.M. the Senate adjourned until Wednesday, April 11, 2012, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Wednesday, April 11, 2012.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk