

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

SIXTEENTH 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

Wednesday, April 11, 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	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Peterson
Appel	Guillory	Riser
Broome	Heitmeier	Smith, J.
Brown	Johns	Tarver
Buffington	Kostelka	Thompson
Chabert	Long	Walsworth
Claitor	Martiny	Ward
Cortez	Mills	White
Crowe	Morrish	
Donahue	Murray	
Total - 34		

ABSENT

Adley	Morrell	Smith, G.
LaFleur	Perry	
Total - 5		

The President of the Senate announced there were 34 Senators present and a quorum.

Prayer

The prayer was offered by Father Matthew C. Dupre, 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 White, the reading of the Journal was dispensed with and the Journal of April 10, 2012, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 46—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Charles Gerald Clark Sr.

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

SENATE RESOLUTION NO. 47—
BY SENATORS WALSWORTH AND RISER
A RESOLUTION

To urge and request the U.S. Army Corps of Engineers to maintain its current hours of operations at its four locks and dams on the Ouachita River.

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

**Senate Resolutions on
Second Reading**

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.

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

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.

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

**Senate Concurrent Resolutions on
Second Reading**

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Nevers
Allain	Gallot	Peacock
Appel	Guillory	Peterson
Broome	Heitmeier	Riser
Brown	Johns	Smith, G.
Chabert	Kostelka	Smith, J.
Claitor	Long	Tarver
Cortez	Martiny	Thompson
Crowe	Mills	Walsworth
Donahue	Morrish	Ward
Donahue	Murray	White
Dorsey-Colomb		
Total - 33		

NAYS

Total - 0

ABSENT

Adley	Buffington	Morrell
Amedee	LaFleur	Perry
Total - 6		

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

April 11, 2012

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 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

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

NAYS

Total - 0

ABSENT

Adley	LaFleur	Perry
Amedee	Morrell	
Total - 5		

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Allain	Erdey	Peacock
Appel	Gallot	Peterson
Broome	Guillory	Riser
Brown	Heitmeier	Smith, G.
Buffington	Johns	Smith, J.
Chabert	Kostelka	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	Ward
Donahue	Morrish	White
Total - 33		

NAYS

Total - 0

ABSENT

Adley	LaFleur	Nevers
Amedee	Morrell	Perry
Total - 6		

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 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. 78	HB NO. 149	HB NO. 309
HB NO. 352	HB NO. 498	HB NO. 521
HB NO. 737	HB NO. 865	HB NO. 931
HB NO. 960	HB NO. 1006	HB NO. 503
HB NO. 873		

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

House Bills and Joint Resolutions

Senator Dorsey-Colomb asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and act upon them as follows:

HOUSE BILL NO. 78—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 13:5556(C), (D), and (E), relative to the Livingston Parish Retired Employees' Insurance Fund; to provide relative to the administration of the Livingston Parish Retired Employees' Insurance Fund; to provide for the investment of fund monies; to authorize the use of fund monies for the LREIF Board; and to provide for related matters.

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

HOUSE BILL NO. 149—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 17:236(C), (D), and (E); to define for purposes of general school law the terms "elementary school", "middle school", "junior high school", and "high school"; to specify that middle schools, junior high schools, and high schools shall be considered secondary schools; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 309—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Park Forest Crime Prevention and Improvement District in East Baton Rouge Parish; to provide relative to the boundaries, purpose, and governance of the district; to provide

relative to the powers and duties of the district; to provide for the levy of a parcel fee within 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. 352—
BY REPRESENTATIVE BURFORD
AN ACT

To enact R.S. 13:5557.1, relative to payment of group health insurance premiums for retired sheriffs and deputy sheriffs; to create the DeSoto Parish Retired Employees' Insurance Fund to fund premium costs for eligible retired sheriffs and retired deputy sheriffs; to provide for the total amount of principal and earnings in the DeSoto Parish Retired Employees' Insurance Fund; to provide for the limitations on withdrawal and appropriation of monies; to provide for limitations of equity and fixed income investments; to provide for the membership and election on the investment advisory board; and to provide for related matters.

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

HOUSE BILL NO. 498—
BY REPRESENTATIVE DIXON
AN ACT

To amend and reenact R.S. 23:1293(A)(1) and to enact R.S. 23:1291.2, relative to workers' compensation; to provide that payors shall make certain information available; to provide for confidentiality; and to provide for related matters.

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

HOUSE BILL NO. 503—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:1337(C), 2151(E), and 2151.4(E), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; and to provide for related matters

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

HOUSE BILL NO. 521—
BY REPRESENTATIVES MORENO, ADAMS, ARMES, ARNOLD, BADON, BERTHELOT, BILLIOT, BROADWATER, BROSSETT, BROWN, HENRY BURNS, BURRELL, CARMODY, CONNICK, COX, EDWARDS, FOIL, GAINES, GAROFALO, GISCLAIR, HARRIS, HOLLIS, HONORE, HOWARD, HUNTER, GIROD JACKSON, JAMES, JEFFERSON, LEGER, LEOPOLD, LOPINTO, LORUSSO, MILLER, NORTON, ORTEGO, PRICE, PUGH, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCHEXNAYDER, SHADOIN, SIMON, SMITH, ST. GERMAIN, THIERRY, AND WHITNEY
AN ACT

To amend and reenact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5401, to enact Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5501, and to repeal R.S. 13:621.41(J) and 1343(C), relative to reentry courts; to authorize the creation of reentry divisions of court in certain judicial district courts in the state; to provide for the implementation of the workforce development sentencing program in the reentry division; to provide for conditions and procedures; to provide for applicability; to repeal provisions related to the Criminal District Court of Orleans Parish or the Forty-First Judicial District workforce development program; and to provide for related matters.

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

HOUSE BILL NO. 737—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 23:1231(B)(2) and to enact R.S. 23:1231(B)(3) and 1251(3), relative to workers' compensation; to provide death benefits to living descendants of a deceased employee; and to provide for related matters.

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

HOUSE BILL NO. 865—
BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 48:1456(A), (C), and (E) and 1460(9), relative to the Capital Area Transit System; to provide relative to membership of the board of commissioners, including qualifications and procedures for appointment; to provide for appointment of new members; to provide for powers and duties of the board; to remove a requirement for approval of certain board actions by the appropriate parish governing authority; to provide relative to fare increases by the 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.

Rules Suspended

Senator Dorsey-Colomb asked for and obtained a suspension of the rules to allow the Senate Committee on Local and Municipal Affairs to hear House Bill No. 865 without the required 24-hour notice.

HOUSE BILL NO. 873—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact Code of Civil Procedure Article 4850.2 and Section 2 of Chapter 2 of Title 1 of Book VIII of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 4857, relative to the appellate jurisdiction and procedure; to provide the Traffic Court of New Orleans with exclusive jurisdiction for appeals taken from an administrative hearing for certain traffic violations; to authorize de novo review by the traffic court on administrative hearing appeals; to provide the First and Second City Court of New Orleans with appellate jurisdiction over appeals taken from the Traffic Court of New Orleans for certain traffic violations; to require the adoption of rules to implement the procedure for hearing and deciding such appeals; to direct the Louisiana State Law Institute to make certain conforming technical changes; and to provide for related matters.

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

HOUSE BILL NO. 931—
BY REPRESENTATIVE STUART BISHOP
AN ACT

To amend and reenact R.S. 23:1306(B), relative to workers' compensation job injury data; to require the submission of reports to the office of workers' compensation administration; and to provide for related matters.

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

April 11, 2012

HOUSE BILL NO. 960—

BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 13:852 and 853, relative to court costs, to provide relative to court costs in the Twelfth Judicial District Court; to provide for additional court costs for criminal cases including traffic offenses in the Twelfth Judicial District Court; to provide relative to court costs in the Twenty-Second Judicial District Court; to provide for additional court costs for criminal cases in the Twenty-Second Judicial District Court; to provide for additional funds; and to provide for related matters.

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

HOUSE BILL NO. 1006—

BY REPRESENTATIVE PYLANT
AN ACT

To amend and reenact R.S. 13:5554(S), relative to payment of group insurance premiums for sheriffs and deputy sheriffs retired from the Franklin Parish Sheriff's Office; to provide for requirements relative to age and years of service with the Franklin 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 Bills and Joint Resolutions on
Second 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 referred by the President to the Committee on Retirement.

HOUSE BILL NO. 20—

BY REPRESENTATIVES HOFFMANN, BARROW, BROWN, HENRY BURNS, CHANEY, COX, HOLLIS, HOWARD, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LEGER, LIGI, MONTOUCET, 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 referred by the President to the Committee on Retirement.

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 referred by the President to the Committee on Retirement.

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 referred by the President to the Committee on Insurance.

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 referred by the President to the Committee on Judiciary A.

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 referred by the President to the Committee on Local and Municipal Affairs.

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 referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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 referred by the President to the Committee on Local and Municipal Affairs.

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 referred by the President to the Committee on Local and Municipal Affairs.

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

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 referred by the President to the Committee on Judiciary A.

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 referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

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 referred by the President to the Committee on Local and Municipal Affairs.

**House Concurrent Resolutions on
Second 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. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Morrell	Perry
Total - 3		

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
COMMERCE, CONSUMER PROTECTION AND
INTERNATIONAL AFFAIRS**

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 11, 2012

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE BILL NO. 316—
BY SENATOR MARTINY
AN ACT

To enact R.S. 6:356, relative to financial institutions; to provide relative to the use of a power of attorney for certain bank transactions; to provide for revocation of a power of attorney; to provide for definitions; to provide for terms, conditions, and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 326—
BY SENATORS BROOME AND DORSEY-COLOMB
AN ACT

To enact R.S. 9:3578.8(C), relative to the Louisiana Deferred Presentment and Small Loan Act; to provide for duties of the commissioner of the office of financial institutions; to provide for the compiling of certain information; to require the commissioner to submit a report to the Louisiana Legislature by January 1, 2013; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 631—
BY SENATOR LONG

AN ACT

To enact R.S. 37:2804(L), relative to chiropractors; to authorize the Louisiana Board of Chiropractic Examiners to promulgate rules; to provide for licensure of chiropractors; to provide for criminal background checks; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

Senator David R. Heitmeier, O.D., Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 11, 2012

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 170—
BY SENATOR ALLAIN

AN ACT

To enact R.S. 40:1300.143(7)(a)(xiv), relative to rural hospitals; to provide with respect to the definition of a rural hospital; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 446—
BY SENATOR PETERSON

AN ACT

To enact RS. 40:2013.7, relative to mental health; to provide a prohibition on discrimination by a healthcare facility based on a person's mental illness or disorder; to provide definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 500—
BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 36:919.4 and R.S. 40:1231, 1231.1(A), 1232(A) and (B), 1232.1(A) and (B), 1232.2(B)(1)(b) and (d), (B)(2), and (G), 1232.3(A)(1) through (3) and (B), 1232.4(1), (3), and (5), 1232.5, the introductory paragraph of 1232.6, and 1232.6 (1), (2), and (12), 1232.7 (D) and (E), 1232.9, 1232.11, 1233, 1234, 1235(A)(1), (2)(a), (c), and (d), 1235.1(A), 1236, 1236.1, 1236.13(B) and (F), 1299.58.2(4), 1299.64.2(3); to enact R.S. 40:1232.4(10) and 1232.6(15), and to repeal R.S. 40:1236.3, relative to the changes within the emergency medical services provisions; to provide for changes in references to emergency medical personnel; to provide with respect to title designations for certain licensee providing emergency medical services; to provide with respect to grounds for disciplinary proceedings relative to intentional falsification of documents; to provide relative to the duties of emergency medical personnel; to provide relative to the permissible functions which an emergency medical services practitioner student may perform and under what conditions they may be performed; to provide with respect to the certifications necessary for an emergency medical services practitioner to hold; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DAVID R. HEITMEIER, O.D.
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

Senator Dan W. "Blade" Morrish, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 11, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 206—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1060.3(A), 1068(D), and 1074(D) and to repeal R.S. 22:1061(5)(y), relative to health benefit plans; to provide with respect to the continuation of coverage; to provide for guaranteed renewability of coverage for employers in the group market; to repeal special definitions related to prescription drug programs; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 207—
BY SENATOR MORRISH

AN ACT

To enact R.S. 22:1098, relative to review of health coverage premium rates; to provide for definitions; to enact requirements that meet the provisions of effective rate review as defined by the U.S. Department of Health and Human Services; to provide for information to be filed by health insurance issuers; to provide for review of filed information by the commissioner of insurance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 225—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1122(1), 1132(A) and (B)(introductory paragraph), 1133, 1135(A), (B), and (D)(introductory paragraph), 1137(A), and 1144(B) and to enact R.S. 22:1122(27.1), 1132(B)(3), (4), and (5), and 1137(E), and to repeal R.S. 22:1122(18), relative to Medical Necessity Review Organizations; to provide definitions; to provide with respect to independent external review and appeal processes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 232—
BY SENATOR BROOME

AN ACT

To enact R.S. 22:18(C), relative to the suspension or revocation of insurers' licenses; to provide for the issuance of cease and desist orders by the commissioner; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 643—
BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 22:1061(5)(e)(ii) and (iii), relative to portability, availability, and renewability of health insurance coverage; to provide for definitions of large and small

employers for purposes of such coverage; and to provide for related matters.

Reported favorably.

Respectfully submitted, DAN W. "BLADE" MORRISH Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 11, 2012

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

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.

Reported favorably.

SENATE BILL NO. 111— BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 44:9(F) and (G), relative to the Public Records Law; relative to records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony; to provide the Louisiana Board of Pharmacy with access to expunged records under certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 161— BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 18:1311, relative to the Louisiana Election Code; to delete the requirement for the Registrar of Voters to post a list of voters who request to vote absentee by mail and to provide for related matters.

Reported favorably.

SENATE BILL NO. 381— BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 24:972(A)(22), R.S. 36:4(N) and 802.14, the title of Chapter 17 of Title 49 of the Louisiana Revised Statutes of 1950, R.S. 49:1112(A) and (B)(2)(a) and 1122 and to repeal R.S. 49:1121, relative to the Louisiana Serve Commission; to provide for a change in the name of the commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 421— BY SENATOR DONAHUE

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:347(A)(4)(a) and the introductory paragraph of R.S. 48:756(A)(1), relative to population estimates used in certain

fund distributions; to provide for an entity under the latest federal-state cooperative program for local population estimates; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted, LEE "JODY" AMEDEE Chairman

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recommit a bill.

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.

Senator Donahue moved to recommit the bill from the Committee on Judiciary C to the Committee on Finance.

Without objection, so ordered.

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 72 by Senator Mills

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety, and insert the following:

"To enact R.S. 13:3049(B)(1)(e)(iii) and R.S. 15:255(P), relative to Sixteenth Judicial District Court special funds; to provide with respect to surplus juror compensation fees; to provide with respect to surplus witness fees payable to off-duty law enforcement officers; and to provide for related matters."

AMENDMENT NO. 2

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 13:3049(B)(1)(e)(iii) is hereby enacted to read as follows:

Table with 3 columns and 3 rows showing filing fees for B.(1) and (e).

April 11, 2012

(iii)(aa) In the Sixteenth Judicial District, each parish governing authority may adopt an ordinance which provides that surplus monies in the juror compensation fund in their respective parish that exceeds fifty thousand dollars at the end of each calendar year may be used to defray the costs of providing courthouse security and all expenses associated with the trial of a capital case.

(bb) As used in this Item, "special fund" means the special fund provided for in this Subparagraph, and "surplus monies" means the amount of money that is in each special fund at the end of each calendar year and that is in excess of the total amount paid from costs of court collected as provided in Item (e)(i) of this Subparagraph in that calendar year. No money obligated to be paid to any juror shall be considered surplus money pursuant to this Item.

(cc) For the purposes of this Item, the balance of fifty thousand dollars required to be maintained in the juror compensation fund shall mean fifty thousand dollars in unexpended and unencumbered funds, and under no circumstances shall the balance in the fund be reduced below fifty thousand dollars as a result of an expenditure made under the provisions of this Item.

* * *

AMENDMENT NO. 3

On page 1, line 7, after "Section" change "1." to "2."

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

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 by the Committee on Judiciary B. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 108 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R.S. 27:19(D), relative to video poker; to prohibit persons and entities advising the state from representing any business or legal entity seeking to be engaged in or who is engaged in any activity regulated by the Video Draw Poker Devices Control Law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:19(D) is hereby enacted to read as follows: §19. Attorney general

* * *

D. Any person employed, contracted, or otherwise engaged by the attorney general to advise or represent the state or any state agency is prohibited from representing any person seeking to be engaged in or who is currently engaged in any activity licensed or regulated by the Video Draw Poker Devices Control Law.

On motion of Senator Johns, the committee substitute bill was adopted and becomes Senate Bill No. 747 by Senator Morrell, substitute for Senate Bill No. 108 by Senator Morrell.

SENATE BILL NO. 747— (Substitute of Senate Bill No. 108 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R.S. 27:19(D), relative to video poker; to prohibit persons and entities advising the state from representing any business or legal entity seeking to be engaged in or who is engaged in any

activity regulated by the Video Draw Poker Devices Control Law; and to provide for related matters.

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

SENATE BILL NO. 121—

BY SENATORS KOSTELKA, GUILLORY, MILLS AND PERRY

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 121 by Senator Kostelka

AMENDMENT NO. 1

On page 1, delete lines 2 through 6 and insert the following: "To amend and reenact R.S. 14:35.3(G)(2) and to enact R.S. 14:37.7, relative to assault and battery affecting domestic household members; to create the crime of domestic abuse aggravated assault; to provide for enhancement of"

AMENDMENT NO. 2

On page 1, at the end of line 12 delete the comma "," and at the beginning of line 13 delete "37.8, and 40.8 are" and insert "is"

AMENDMENT NO. 3

On page 2, at the beginning of line 5, after "hereunder," insert the following: "However, periods of time during which the offender was incarcerated in a penal institution in this or any other state shall be excluded in computing the ten-year period."

AMENDMENT NO. 4

On page 2, delete lines 9 through 29, delete page 3 in its entirety, and on page 4, delete lines 1 through 3

AMENDMENT NO. 5

On page 4, at the beginning of line 4, change "§37.8" to "§37.7"

AMENDMENT NO. 6

On page 4, delete lines 24 through 29, and on page 5, delete lines 1 through 19

AMENDMENT NO. 7

On page 5, at the beginning of line 20, change "Section 3." to "Section 2."

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 152 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "Articles" insert "606(A)(5),"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "675(B)(3)," to "672.1(C)(2) and (3), 675(B)(2), (3),"

AMENDMENT NO. 3

On page 1, line 8, after "Code;" insert "to provide for the grounds which must be alleged in a child in need of care proceeding;"

AMENDMENT NO. 4

On page 1, line 10, after "hearing;" insert "to provide for a reunification efforts determination;"

AMENDMENT NO. 5

On page 2, line 7, after "Articles" insert "606(A)(5),"

AMENDMENT NO. 6

On page 2, at the beginning of line 8, change "675(B)(3)," to "672.1(C)(2) and (3), 675(B)(2), (3),"

AMENDMENT NO. 7

On page 2, line 12, change the period "." to a colon ":"

AMENDMENT NO. 8

On page 2, between lines 12 and 13, insert the following:

"Art. 606. Grounds; child in need of care

A. Allegations that a child is in need of care must assert one or more of the following grounds:

* * *

(5) The conduct of the parent, either as principal or accessory, constitutes a crime against the child or against any other child of that parent.

* * *

AMENDMENT NO. 9

On page 4, between lines 23 and 24 insert the following:

"Art. 672.1. Reunification efforts determination

* * *

C. Efforts to reunify the parent and child are not required if a court of competent jurisdiction has determined that:

* * *

(2) The parent has committed murder or manslaughter of another child of the parent **or any other child** or has aided or abetted,

attempted, conspired, or solicited to commit such a murder or manslaughter.

(3) The parent has committed a felony that results in serious bodily injury to the child or another child of the parent **or any other child**.

* * *

AMENDMENT NO. 10

On page 4, between lines 26 and 27, insert the following:

"* * *

(2) A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate the safe return of the child to his own home or other permanent placement of the child, or both, and address the needs of the child while in foster care, including a plan for visitation and a discussion of the appropriateness of the services that have been provided to the child under the plan. If the child has been committed to the custody of a person other than the parents, the plan shall recommend an amount the parents are obligated to contribute for the cost of care and treatment of their child in accordance with Article 685. When appropriate for a child ~~age sixteen~~ **fifteen years of age** or older, the plan shall include a written description of the programs and services which will help the child prepare for the transition from foster care to independent living."

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

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 by the Committee on Judiciary B. The bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 198 by Senator Morrell

AMENDMENT NO. 1

On page 1, after line 14, insert the following:

"Section 2. In the event of a conflict between the provisions of this Act and the provisions of the Act which originated as Senate Bill No. 575 of the 2012 Regular Session, the provisions of this Act shall prevail."

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

April 11, 2012

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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 200 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 30:" and insert "to enact R.S. 30:2351.1(6) and"

AMENDMENT NO. 2

On page 1, line 3, after "require" delete the remainder of the line and insert "the owner of a new day care center, preschool, or certain elementary school facility that qualifies as a child-occupied facility to have that facility and grounds inspected"

AMENDMENT NO. 3

On page 1, line 4, delete "grounds constructed prior to 1978"

AMENDMENT NO. 4

On page 1, line 5, delete "annually to the legislature;" and insert "to the state health officer who shall compile the results and report the findings to the legislature annually; to provide terms, conditions, requirements and definitions;"

AMENDMENT NO. 5

On page 1, at the end of line 7, after "R.S." insert "30:2351.1(6) and 2351.28(C) are"

AMENDMENT NO. 6

On page 1, line 8, delete "30:2351.28(C) is"

AMENDMENT NO. 7

On page 1, between lines 8 and 9, insert:
"§2351.1. Definitions

As used in this Chapter, unless the context indicates otherwise, the following terms have the following meanings:

* * *

(6) "Child-occupied facility" means a building or portion of a building or common area, other than the child's principal residence, constructed prior to 1978, and meets one of the following:

(a) Is visited regularly by the same child, who is six years of age or younger, on at least two different days within any week, provided that each day's visit lasts at least three hours, that the combined weekly visits last at least six hours, and the combined annual visits last at least sixty hours. Examples of child-occupied facilities include, but are not limited to, public and non-public elementary schools, day care centers, parks, playgrounds and community centers.

(b) Has been determined by the department, in conjunction with the state health officer, to be a significant risk because of its contribution to lead poisoning or lead exposure to children who are six years of age or younger.

(c) Is a child-occupied unit and common area in a multi-use building.

* * *

AMENDMENT NO. 8

On page 1, delete lines 11 through 14 and insert:

"B. The owner of any day care center, preschool, or public or non-public elementary school facility that qualifies as a child-occupied facility, placed in operation after August 1, 2012, shall

have an inspection conducted by an inspector of the facility and grounds for the presence of lead hazards. If a lead hazard is found to be present, the inspector and the owner shall report those findings to the state health officer. The state health officer shall compile the results and report the findings to the legislature on an annual basis."

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

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 by the Committee on Environmental Quality. The bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 211 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "30:2351.53" and insert "30:2351.1(6) and 2351.53" and delete "public and"

AMENDMENT NO. 2

On page 1, line 3, delete "non-public schools" and insert "child-occupied facilities" and change "issues" to "hazards"

AMENDMENT NO. 3

On page 1, line 4, delete "students attending" and insert "children enrolled at"

AMENDMENT NO. 4

On page 1, line 5, change "schools" to "facilities"

AMENDMENT NO. 5

On page 1, line 7, delete "30:2351.53 is" and insert "30:2351.1(6) and 2351.53 are"

AMENDMENT NO. 6

On page 1, between lines 7 and 8, insert the following:
"§2351.1. Definitions

As used in this Chapter, unless the context indicates otherwise, the following terms have the following meanings:

* * *

(6) "Child-occupied facility" means a building or portion of a building or common area, other than the child's principal residence, constructed prior to 1978, and meets one of the following:

(a) Is visited regularly by the same child, who is six years of age or younger, on at least two different days within any week, provided that each day's visit lasts at least three hours, that the

combined weekly visits last at least six hours, and the combined annual visits last at least sixty hours. Examples of child-occupied facilities include, but are not limited to, public and non-public elementary schools, day care centers, parks, playgrounds and community centers.

(b) Has been determined by the department, in conjunction with the state health officer, to be a significant risk because of its contribution to lead poisoning or lead exposure to children who are six years of age or younger.

(c) Is a child-occupied unit and common area in a multi-use building.

* * *

AMENDMENT NO. 7

On page 1, line 8, after "**Reporting**" delete the remainder of the line and insert "**of lead hazards at child-occupied facilities**"

AMENDMENT NO. 8

On page 1, delete line 9

AMENDMENT NO. 9

On page 1, line 10, after "**notify**" delete the remainder of the line and insert "**the State Board of Elementary and Secondary Education and the Department of Children and Family Services**"

AMENDMENT NO. 10

On page 1, line 11, delete "**secondary schools in the state**" and delete "**issues**" and insert "**hazards**"

AMENDMENT NO. 11

On page 1, line 12, delete "**such schools and surrounding**" and insert "**child-occupied facilities**"

AMENDMENT NO. 12

On page 1, line 13, delete "**grounds**"

AMENDMENT NO. 13

On page 1, delete line 14, and insert: "**within ninety days of receipt of reports of lead hazards, lead abatement activities or any lead testing performed to the secretary of the Department of Environmental Quality, the state health officer, and the secretary of the Department of Health and Hospitals. A copy of the notification shall be displayed in a prominent location at the child-occupied facility.**"

AMENDMENT NO. 14

On page 1, delete line 15, and insert "**B. All child-occupied facilities shall**"

AMENDMENT NO. 15

On page 1, line 16, delete "**enrolled student**" and insert "**child enrolled at the facility**"

AMENDMENT NO. 16

On page 1, line 17, delete "**in**" and insert "**at the child-occupied facility or its grounds.**"

AMENDMENT NO. 17

On page 2, line 1, delete "**such schools and surrounding grounds.**"

AMENDMENT NO. 18

On page 2, line 2, delete "**school's**" and insert "**child-occupied facility's**"

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

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 by the Committee on Environmental Quality. The bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 317 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 18, change "**twenty**" to "**twenty-five**"

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

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 by the Committee on Environmental Quality. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 344 by

Senator Morrish)

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 30:2373(B)(1), relative to environmental quality; to provide for the failure to report of certain reportable releases; to provide for the reportable release from natural gas distribution lines; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2373(B)(1) is hereby amended and reenacted to read as follows:

§2373. Failure to report; penalties

* * *

B.(1) Owners and operators shall immediately notify the department of any reportable releases, other than a federally or state permitted release or application of a pesticide or fertilizer, of a hazardous material or substance listed pursuant to this Chapter exceeding the reportable quantity when that reportable quantity could be reasonably expected to escape the site of the facility, as soon as the owner or operator has knowledge of such release. Failure to do so shall subject owners and operators to civil penalties as provided in Subsection C of this Section. **Notwithstanding any provision of law to the contrary, natural gas from distribution lines shall have a reportable release of one thousand pounds or more.**

* * *

On motion of Senator Walsworth, the committee substitute bill was adopted and becomes Senate Bill No. 748 by Senator Morrish, substitute for Senate Bill No. 344 by Senator Morrish.

April 11, 2012

SENATE BILL NO. 748— (Substitute of Senate Bill No. 344 by Senator Morrish)

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 30:2373(B)(1), relative to environmental quality; to provide for the failure to report of certain reportable releases; to provide for the reportable release from natural gas distribution lines; and to provide for related matters.

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

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 by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 403 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 44:9(E)(3)" and insert "enact R.S. 44:9(E)(1)(c) and (d)"

AMENDMENT NO. 2

On page 1, line 8, delete "(3) is hereby amended and reenacted" and insert "(1)(c) and (d) are hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 13 through 17 and on page 2, delete line 1

AMENDMENT NO. 4

On page 2, at the beginning of line 2, change "(b)" to "(c)"

AMENDMENT NO. 5

On page 2, delete lines 18 through 23 and insert:
"(vi) The person has not received a prior expungement of a felony pursuant to Code of Criminal Procedure Article 893.
(d) Notwithstanding the provisions of Code of Criminal Procedure Article 893 or any other provision of law to the contrary regarding the set aside of a conviction or the dismissal of a prosecution, an expungement of a felony conviction shall occur only once with respect to any person during a lifetime."

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 621 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, delete "and to repeal R.S. 13:2500.3,"

AMENDMENT NO. 2

On page 1, line 4, delete "and Traffic Court"

AMENDMENT NO. 3

On page 1, line 7, delete "; to repeal" and lines 8 and 9 in their entirety and insert "; and to provide for related matters."

AMENDMENT NO. 4

On page 2, delete line 25

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

SENATE BILL NO. 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 by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary B. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 646—

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND RISER

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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

Rules Suspended

Senator Claitor asked for and obtained a suspension of the rules to recommit a bill.

SENATE BILL NO. 191—
BY SENATOR CLAITOR

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:2405(A), and (A)(1) and (6), (B)(1), (2), (9), and (10), R.S. 37:3552(1), and 3562(D), and to repeal R.S. 36:259(CC) and 37:3554, relative to the transfer of the powers and duties of the Louisiana Board of Massage Therapy to the Louisiana Physical Therapy Board; to abolish the Louisiana Board of Massage Therapy and transfer the powers and duties of that board to the Louisiana Physical Therapy Board; and to provide for related matters.

Senator Claitor moved to recommit the bill from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Health and Welfare.

Without objection, so ordered.

Rules Suspended

Senator Amedee asked for and obtained a suspension of the rules to recommit a bill.

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.

Senator Amedee moved to recommit the bill from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Senate and Governmental Affairs.

Without objection, so ordered.

Reconsideration

The vote by which Senate Bill No. 186 failed to pass on Tuesday, April 10, 2012, was reconsidered.

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.

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

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

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 by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Morrell	Tarver
LaFleur	Perry	
Total - 5		

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

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 by the Committee on Judiciary C.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Peterson
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.

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Buffington	LaFleur	Thompson
Chabert	Long	Walsworth
Claitor	Martiny	Ward
Cortez	Mills	White
Crowe	Morrish	
Total - 35		

NAYS

Total - 0

ABSENT

Guillory	Perry
Morrell	Tarver
Total - 4	

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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.

Floor Amendments

Senator Guillory submitted the following amendments on behalf of Senator Alario.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Original Senate Bill No. 39 by Senator Alario

AMENDMENT NO. 1

On page 1, between line 13 and line 14, insert "Section 3. Following the effective date of this Act, the governing body of the Lafitte Area Independent Levee District may adopt a resolution declaring the district to be a participating employer in Louisiana State Employees' Retirement System. Such resolution shall be adopted on or before October 1, 2012 and the executive director of the system shall be provided with a copy of such resolution. Contributions to the system and accrual of benefits shall begin with the first pay period following the system's receipt of the resolution. If the resolution is not adopted on or before October 1, 2012, the provisions of this Act shall be null and void."

AMENDMENT NO. 2

On page 1, line 14, change "Section 3." to "Section 4."

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Nevers
Adley	Gallot	Peacock
Allain	Guillory	Riser
Amedee	Heitmeier	Smith, G.
Appel	Johns	Smith, J.
Broome	Kostelka	Tarver
Brown	LaFleur	Thompson
Buffington	Long	Walsworth
Chabert	Martiny	Ward

Cortez	Mills	White
Crowe	Morrish	
Donahue	Murray	
Total - 34		

NAYS

Total - 0

ABSENT

Claitor	Morrell	Peterson
Dorsey-Colomb	Perry	
Total - 5		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Allain	Morrell	Peterson
Guillory	Perry	
Total - 5		

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

SENATE BILL NO. 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.

The bill was read by title. Senator Kostelka 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	Peterson
Amedee	Guillory	Riser
Appel	Heitmeier	Smith, G.
Broome	Johns	Smith, J.
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 Perry
Total - 2

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

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.

The bill was read by title. Senator Buffington 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	Peterson
Amedee	Guillory	Riser
Appel	Heitmeier	Smith, G.
Broome	Johns	Smith, J.
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 Perry
Total - 2

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Claitor
Total - 1

ABSENT

Morrell Perry
Total - 2

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

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.

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. 624 by Senator Murray

April 11, 2012

AMENDMENT NO. 1

On page 2, line 22, following "by the" and before "of the" change "Clerk" to "clerk"

AMENDMENT NO. 2

On page 2, line 22, following "Orleans" and before "Civil District" insert "Parish"

AMENDMENT NO. 3

On page 2, line 23, following "of" and before "this" insert "Paragraph (1) of"

AMENDMENT NO. 4

On page 2, line 26, following "Orleans" and before "Civil District" insert "Parish"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 624 by Senator Murray

AMENDMENT NO. 1

On page 2, line 28, change "July 1, 2015" to "July 1, 2013"

AMENDMENT NO. 2

On page 2, after line 29, insert

"D.(1) A retiree who has terminated employment and was receiving retirement benefits from the system on January 1, 2007, and who was temporarily reemployed by the clerk of the Orleans Parish Civil District Court on or before June 30, 2012, may work for a period of ninety working days, or the equivalent thereof, during the calendar year.

(2) The provisions of this Subsection shall expire on July 1, 2014, and thereafter shall be null and void and of no effect."

Senator Cortez moved the adoption of the amendments.

Senator Murray objected.

ROLL CALL

The roll was called with the following result:

YEAS

Allain, Amedee, Chabert, Claitor, Cortez, Crowe, Donahue, Erdey, Guillory, Johns, Kostelka, LaFleur, Long, Peacock, Riser, Smith, G., Tarver, Thompson, Walsworth, White

NAYS

Mr. President, Adley, Appel, Broome, Brown, Buffington, Dorsey-Colomb, Gallot, Martiny, Mills, Murray, Peterson, Smith, J., Ward

ABSENT

Heitmeier, Morrell, Morrish, Nevers, Perry

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

Total - 36

NAYS

Total - 0

ABSENT

Guillory, Morrell, Perry

Total - 3

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Morrell Perry
Total - 2

The Chair declared the bill was passed and ordered it 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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Morrell Perry Smith, J.
Total - 3

The Chair declared the bill was passed and ordered it sent to the House. Senator Long 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 Martiny asked that Senate Bill No. 426 be called from the Calendar.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
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
Total - 36		

NAYS

Total - 0

ABSENT

Donahue Morrell Perry
Total - 3

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

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the National Football League to reconsider the penalties imposed upon the New Orleans Saints.

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

Rules Suspended

Senator Adley 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 11, 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. 50—

BY SENATORS BROOME, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATORS THOMPSON, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, WALSWORTH, WARD AND WHITE AND REPRESENTATIVE RICHARDSON

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.

Reported without amendments.

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. Liuzza, 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.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 56—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To recognize and designate April 21, 2012, as Global Youth Service Day in Louisiana.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 11, 2012

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR MILLS

A CONCURRENT RESOLUTION

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

Respectfully submitted, "JODY" AMEDEE Chairman

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

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

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

Total - 37

ABSENT

Table listing absent members: Morrell, Perry. Total - 2

Leaves of Absence

The following leaves of absence were asked for and granted:

Table showing leaves of absence: Morrell (1 Day), Perry (1 Day).

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

LOUISIANA SENATE

April 11, 2012

The Honorable John A. Alario Jr. President of the Senate Post Office Box 94183 Baton Rouge, Louisiana 70804

Dear Senator Alario:

Please be advised that I will be absent from the session on Thursday, April 12, 2012. I will be attending the Assembly of Francophone Parliamentary Members Conference in Toronto, Canada from April 12-14, 2012.

Please give me an excused absence for this (1) day and direct the Senate Comptroller to not pay me the session per diem for this (1) day.

Thank you for your consideration.

Sincerely, ERIC LAFLEUR

Announcements

The following committee meetings for April 12, 2012, were announced:

Table listing committee meetings: Education, Labor and Ind. Rel., Local and Mun. Affairs, Natural Resources, Transportation, At Adj, Hainkel Room, Room C, Room F, Room A, Room E.

Adjournment

On motion of Senator Thompson, at 3:05 o'clock P.M. the Senate adjourned until Thursday, April 12, 2012, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 12, 2012.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

