

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

**NINETEENTH 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 17, 2012

The Senate was called to order at 3:10 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	Erdey	Peacock
Adley	Guillory	Perry
Allain	Johns	Peterson
Amedee	Kostelka	Riser
Appel	LaFleur	Smith, G.
Broome	Long	Smith, J.
Buffington	Martiny	Thompson
Claitor	Mills	Walsworth
Croze	Murray	Ward
Donahue	Nevers	White
Total - 30		

ABSENT

Brown	Dorsey-Colomb	Morrell
Chabert	Gallot	Morrish
Cortez	Heitmeier	Tarver
Total - 9		

The President of the Senate announced there were 30 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend George Lee Glass, 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 Cortez, the reading of the Journal was dispensed with and the Journal of April 16, 2012, was adopted.

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 57—**  
BY SENATOR ADLEY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Marine Corps Corporal Trent William Robert Blankenship while in the service of his country.

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

**Senate Resolutions on  
Second Reading**

**SENATE RESOLUTION NO. 54—**  
BY SENATOR MORRELL

A RESOLUTION

To commend and congratulate Sarah Devlin, a film and media arts student from the New Orleans Center for Creative Arts (NOCCA), upon receipt of the 2012 Portfolio Gold Medal from Scholastic Art & Writing Awards.

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

**SENATE RESOLUTION NO. 55—**  
BY SENATOR THOMPSON

A RESOLUTION

To designate May 4, 2012, as "FFA Day" at the legislature and to commend the state officers of FFA.

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

**SENATE RESOLUTION NO. 56—**  
BY SENATOR PETERSON

A RESOLUTION

To recognize Monday, May 7, 2012, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

**Senate Concurrent Resolutions on  
Second Reading**

**SENATE CONCURRENT RESOLUTION NO. 57—**  
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study how the value of a usufruct should be properly determined under state law.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Chabert	Gallot	Martiny
Croze	Guillory	
Total - 5		

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

April 17, 2012

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 16, 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. 70 HB NO. 95 HB NO. 138
HB NO. 172 HB NO. 338 HB. NO 353
HB NO. 378 HB NO. 581 HB NO. 639
HB NO. 651

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 70— BY REPRESENTATIVE ST. GERMAIN AN ACT

To enact R.S. 14:91.9, relative to sexual offenders; to prohibit sex offenders from residing or being physically present within a certain distance of a former victim; to prohibit sex offenders from communicating with a former victim; to provide for penalties; to provide for affirmative defenses; and to provide for related matters.

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

HOUSE BILL NO. 95— BY REPRESENTATIVES HENRY, ADAMS, ARNOLD, STUART BISHOP, BROWN, HENRY BURNS, CHAMPAGNE, GAROFALO, GISCLAIR, GREENE, HAVARD, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, JAY MORRIS, PUGH, PYLANT, REYNOLDS, RICHARD, SEABAUGH, TALBOT, THOMPSON, AND WHITNEY AN ACT

To amend and reenact R.S. 46:231.13 and 450.1(B)(6) and (C)(3) and to enact R.S. 46:231(15) and (16), 231.2.1, and 450.1(C)(4) and (5), relative to aid to needy families; to provide for the Family Independence Temporary Assistance Program; to prohibit certain uses of Family Independence Temporary Assistance Program benefits; to provide limitations on retailers participating in the cash assistance electronic benefits transfer system; to provide for definitions; to authorize promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 138— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 15:536(A), 537(A), 541(2)(n) and (o), 542.1(A)(2)(d), and 543.1(8), relative to sex offender registration and notification; to make technical corrections to sex offender registration and notification provisions; to make technical corrections to sex offender registration and notification provisions relative to crime against nature and crime against nature by solicitation; and to provide for related matters.

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

HOUSE BILL NO. 172— BY REPRESENTATIVE DIXON AN ACT

To amend and reenact R.S. 37:793(A)(1), (6), and (7), (B)(1) and (4), (C)(1), (2), and (3), (E)(1), (G)(1), and (H)(2) and 795(B)(2)(q) and (s), to enact R.S. 37:751(F) and 793(A)(9) and (10) and (C)(6), (7), (8), and (9), and to repeal R.S. 37:793(A)(2), (4), and (5) and (C)(4) and (5), relative to the practice of dentistry; to provide for a short title; to provide for definitions; to provide regulations for sedation of dental patients; to authorize promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 338— BY REPRESENTATIVE JOHNSON AN ACT

To amend and reenact Code of Criminal Procedure Article 895(I), (J), (K), (L), and (M) and to enact R.S. 15:538(E) and 574.4.3(F) and Code of Criminal Procedure Article 895(N), relative to sex offenders; to provide relative to conditions of probation and parole for certain sex offenders; to authorize the use of truth verification examinations; to provide relative to the administration of truth verification examinations; to prohibit the use of test results for certain purposes; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 353— BY REPRESENTATIVES LOPINTO, ADAMS, BADON, BROWN, GUILLORY, HAZEL, HONORE, HOWARD, MACK, NORTON, AND PYLANT AN ACT

To amend and reenact R.S. 14:91.2(A)(2) and (3) and (B)(1) and (2), relative to the unlawful presence of sex offenders; to amend provisions relative to the unlawful presence of certain offenders convicted of a sex offense; to provide relative to child care facilities; and to provide for related matters.

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

HOUSE BILL NO. 378— BY REPRESENTATIVES HOFFMANN, ADAMS, ANDERS, CHANEY, CONNICK, COX, FRANKLIN, GISCLAIR, GREENE, HARRIS, HAVARD, HILL, KATRINA JACKSON, NANCY LANDRY, LEBAS, MACK, JAY MORRIS, ORTEGO, POPE, REYNOLDS, RICHARDSON, SEABAUGH, SIMON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT AN ACT

To amend and reenact R.S. 40:1300.252 and 1300.256, relative to prohibition of smoking; to provide for legislative findings; to prohibit outdoor smoking within a certain distance of buildings or other enclosed areas in which smoking is prohibited; to provide for an exception to a prohibition on outdoor smoking; to provide for actions of an owner or manager of a business which cause an outdoor area to become an area where smoking is prohibited by law; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 581— BY REPRESENTATIVE LEGER AN ACT

To enact Code of Criminal Procedure Article 334.4, relative to bail; to provide for the reinstatement of bail in certain cases; to provide for the circumstances in which bail may be reinstated; and to provide for related matters.

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

**HOUSE BILL NO. 639—**

BY REPRESENTATIVE PATRICK WILLIAMS  
AN ACT

To amend and reenact R.S. 37:791(B) and to enact R.S. 37:770(F), 791(A)(3) and (4), and 795(B)(2)(v) and (3)(m), relative to the well-being program for dentists and dental hygienists; to provide for the assessment and collection of a fee to be used for the treatment of dentists and dental hygienists suffering from mental illness, physical deficiencies, or substance abuse; to provide for the limitation of liability of the Louisiana State Board of Dentistry and certain other specified people involved in the identification, investigation, and treatment of dentists and dental hygienists suffering from certain illnesses or deficiencies; to authorize the recovery of the cost of defending a frivolous lawsuit under certain circumstances; to establish minimum and maximum fees to be collected from dentists and dental hygienists to support the well-being 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. 651—**

BY REPRESENTATIVE LAMBERT  
AN ACT

To repeal R.S. 56:410.4, 410.5, 410.7(C), 410.8, 410.9, and 410.11, relative to fishing; to remove certain provisions relative to yo-yos or trigger devices and trotlines on certain bodies of water; 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. 73—**

BY REPRESENTATIVE LIGI  
AN ACT

To amend and reenact R.S. 40:41(D)(1) and (2)(introductory paragraph), relative to disclosure of records in the vital records registry; to authorize the use of certain records by judicial district courts; to provide for specified uses of vital records; 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. 141—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 18:1495.7(A) and R.S. 42:1124.4(A)(2), relative to financial disclosure; to change the deadline for certain disclosures by candidates for certain offices; to change the time for certain notices relative to financial disclosure statements; 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 Senate and Governmental Affairs.

**HOUSE BILL NO. 166—**

BY REPRESENTATIVE LEGER  
AN ACT

To enact Children's Code Article 603(15)(j), relative to the mandatory reporting of child abuse; to provide for the addition of certain coaches to the statutory list of mandatory reporters; 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. 216—**

BY REPRESENTATIVES HARRISON, ARMES, BILLIOT, GISCLAIR, GUINN, LAMBERT, LEOPOLD, MONTOUCET, JIM MORRIS, ORTEGO, RICHARDSON, AND SCHEXNAYDER  
AN ACT

To enact R.S. 56:301.9, relative to issuance of licenses associated with the commercial fishing industry; to authorize the Department of Wildlife and Fisheries to issue such licenses via the Internet; 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. 230—**

BY REPRESENTATIVES THIBAUT, ARMES, CHANEY, CONNICK, GISCLAIR, GUINN, HARRISON, LAMBERT, LEOPOLD, AND SCHEXNAYDER AND SENATORS LAFLEUR AND RISER  
AN ACT

To amend and reenact R.S. 56:116(C)(1), relative to weapons used during primitive firearms season; to provide for the minimum caliber of certain rifles used in primitive firearms season; to provide for the authority of the Wildlife and Fisheries Commission; 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. 231—**

BY REPRESENTATIVE LIGI  
AN ACT

To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime of unlawful sale of a live dog or cat at certain locations; 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. 233—**

BY REPRESENTATIVES BURFORD AND REYNOLDS  
AN ACT

To amend and reenact R.S. 56:116.1(D)(2), relative to taking of outlaw quadrupeds; to authorize taking outlaw quadrupeds at night on private property year-round with or without dogs; 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. 269—**

BY REPRESENTATIVE BARROW  
AN ACT

To amend and reenact R.S. 17:238(C), relative to the education of children in foster care; to provide relative to school placement of children in foster care; 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. 349—**

BY REPRESENTATIVE DIXON  
AN ACT

To amend and reenact R.S. 37:757(B), 760(A)(4)(b) and (9), 780(B)(1) and (3), 786(G), and 786.1(A)(1) and to enact R.S. 37:760(A)(16), relative to the Dental Practice Act; to provide for the provision of dental records in compliance with statutory law; to clarify the board's powers and duties to impose fines under certain circumstances; to authorize the board to defend employees, agents, or contractors in a lawsuit under certain circumstances; to clarify that the committee's administrative fine covers all of the board's costs from the start of the investigation through administrative hearings, judicial review, and appeals; to specify that the issuance of a stay of a board decision does not harm the Louisiana State Board of Dentistry; 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. 372—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To enact R.S. 49:191(5)(n) and to repeal R.S. 49:191(4)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State 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 Senate and Governmental Affairs.

**HOUSE BILL NO. 373—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To enact R.S. 49:191(5)(n) and to repeal R.S. 49:191(4)(g), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service 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 Senate and Governmental Affairs.

**HOUSE BILL NO. 397—**  
BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact Code of Criminal Procedure Article 230.1(B) and to enact Code of Criminal Procedure Article 333.1, relative to bail; to provide for the setting of bail; to provide for the appearance before a judge for the purpose of setting bail; to provide for time restrictions; to provide for extensions; to provide for exceptions; to provide for the consequences of failure to set bail; 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. 401—**  
BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact R.S. 56:497(A)(2) and (C)(1), relative to management and taking of shrimp; to authorize the Wildlife and Fisheries Commission to set shrimp seasons, including bait shrimp seasons; to provide relative to a bait shrimp permit and rules and regulations therefor; 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. 406—**  
BY REPRESENTATIVE GREENE  
AN ACT

To enact R.S. 56:805, relative to recreational reef sites; to authorize the Wildlife and Fisheries Commission to establish such sites; to authorize the commission to regulate fishing from such reef sites; 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 Natural Resources.

**HOUSE BILL NO. 431—**  
BY REPRESENTATIVE GAROFALO  
AN ACT

To amend and reenact R.S. 56:433.1(A)(2), relative to the oyster seed ground vessel permit; to extend the application period for such permit; 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. 478—**  
BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact Section 1(A) of Act No. 57 of the 2005 Regular Session of the Legislature, as amended by Act No. 79 of the 2007 Regular Session of the Legislature, relative to the Grand Isle Port Commission; to provide relative to the use of certain waters for seafood production research; to provide relative to the specification of the boundaries and size of the area in which the research will be done; 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. 486—**  
BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 56:1832(B), relative to the Wild Louisiana Stamp; to provide for the use of proceeds from the sale of the Wild Louisiana Stamp; 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. 513—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 22:1574(A)(3), (B), (C), and (D)(1) and to enact R.S. 22:1574(A)(4), relative to the Bail Bond Apprentice Program; to provide for registration of Bail Bond Apprentice Program participants; to provide for recordkeeping relative to program participants; 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. 557—**  
BY REPRESENTATIVE HENSGENS  
AN ACT

To amend and reenact R.S. 56:116.1(D)(1), relative to hunting; to provide for the authority of the Wildlife and Fisheries Commission and the secretary of the Department of Wildlife and Fisheries; to provide for trapping outlaw quadrupeds; 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. 610—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 34:1221(A)(introductory paragraph) and (5), relative to the Greater Baton Rouge Port Commission; to increase the membership of the commission; 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. 643—**  
BY REPRESENTATIVE MONTOU CET  
AN ACT

To amend and reenact R.S. 56:279(A), (B)(1), and (C)(1), relative to the Louisiana Alligator Resource Fund; to change the recipient of certain monies from the fur and refuge division to the office of wildlife; to provide for revenue to the fund; 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. 702—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 38:330.8(B), relative to authority of levee districts; to provide relative to the funding of the Algiers Levee District and the Orleans Levee District; 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. 710—**

BY REPRESENTATIVE BARROW  
AN ACT

To amend and reenact R.S. 18:1484(2)(a), relative to campaign finance; to provide for persons required to file reports; to change the threshold for a candidate for any other office to be required to file; 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. 805—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 45:162(2), (12), (13), and (20)(b), 163(D)(1)(b), 164(C), (D), (E)(1) and (2)(a) and (b), 165, 169, 172(A)(3), and 179 and to repeal R.S. 45:163(E) and 172(A)(4)(c), relative to the Louisiana Public Service Commission; to define "certificate"; to define "passenger carrying vehicle"; to correct a reference to Solid Waste Regulations; to require passenger carrying vehicles to have public liability and property damage insurance; to exclude passenger carrying vehicles from the requirement to prove public convenience and necessity; to change references to registration permit to common carrier certificate; to require a permanent establishment; to require registration of the permanent establishment; to authorize common carriers or waste carriers to also hold a certificate for the transportation of salt water; to correct references to certificate of convenience and necessity to common carrier certificate or contract carrier permit; to exempt from registration vehicles operated by Medicare and Medicaid providers; to provide for registration exemptions for certain motor vehicles; to repeal the duties of the Louisiana Public Service Commission with respect to the Louisiana Truck Center; to repeal a registration exemption for trucks or property carrying vehicles mainly located, operated, and employed within the corporate limits of one incorporated municipality; 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. 824—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 40:1749.12(11) and (12) and 1749.20(C)(introductory paragraph) and to enact R.S. 40:1749.12(16) and 1749.15(C), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "operator"; to define "person"; to define "wildfire"; to require notification of an emergency excavation within four hours after commencement of excavation; to require notification within twelve hours of an emergency excavation after a gubernatorially declared state of emergency due to a tropical storm or hurricane; to require notification of an emergency excavation within twenty-four hours after control of an emergency caused by a wildfire; 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 Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 996—**

BY REPRESENTATIVE HOFFMANN  
AN ACT

To amend and reenact R.S. 38:2212.10(F) and to enact R.S. 38:2212.10(G), relative to public works contracts; to clarify the application of E-Verify; 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. 997—**

BY REPRESENTATIVE PUGH  
AN ACT

To amend and reenact R.S. 37:3504(B) and (D), relative to the Louisiana State Board of Private Investigator Examiners; to provide for membership; 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. 1013—**

BY REPRESENTATIVES DANAHAY AND KLECKLEY  
AN ACT

To enact R.S. 13:5565 and R.S. 24:513(O), relative to the remittance of tax collections to public retirement systems; to provide relative to the responsibilities of tax collectors and the legislative auditor; to provide requirements; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1144— (Substitute for House Bill No. 953 by Representative Leger)**

BY REPRESENTATIVE LEGER AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 13:477(introductory paragraph), 691(A), 1306, 1307, 1311, 1312, 1381.2, and 1594, and R.S. 44:181, to enact R.S. 13:1213.2, and to repeal R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43 through 621.46, 714.1, 714.2, 751.1 through 751.5, 841.3, 983, 996.62 through 996.64, R.S. 44:181.5 and 181.6, and Sections 6, 8, 9, 22, and 31 of Act No. 621 of the 2006 Regular Session of the Legislature, and Section 19 of Act No. 621 of the 2006 Regular Session of the Legislature as amended by Act No. 675 and Act No. 873 of the 2008 Regular Session of the Legislature, and Act No. 340 of the 2011 Regular Session, relative to courts and judicial procedure; to provide relative to the civil and criminal district courts and juvenile court of the parish of Orleans; to repeal provisions relative to the consolidation of the civil and criminal district courts of Orleans Parish into the Forty-First Judicial District Court and their respective clerks; to repeal effective dates for repeals of provisions related to the civil and criminal district courts and the abolition of the juvenile court of Orleans Parish; to provide that certain provisions of law that would have otherwise been repealed shall remain in effect; to provide for the distribution of fees collected in the Civil District Court; to provide for the salaries of the civil and criminal district court judges and certain family and juvenile court judges; to provide relative to terms of office and elections for Orleans Parish Juvenile Court judges; to direct the Louisiana State Law Institute to redesignate certain statutory provisions; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 6— BY REPRESENTATIVE STUART BISHOP A CONCURRENT RESOLUTION

To amend the Department of Wildlife and Fisheries rule (LAC 76:V.115(E)(1)), which provides exemptions from the department's rules governing private possession of potentially dangerous quadrupeds, exotic cats, and nonhuman primates, to include in those exemptions the Zoo of Acadiana so long as it meets the American Zoo and Aquarium Association standards for enclosures and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 10— BY REPRESENTATIVES REYNOLDS, GREENE, HILL, RICHARD, AND WHITNEY AND SENATOR GARY SMITH A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to encourage the National Marine Fisheries Service, the Gulf of Mexico Marine Fisheries Council, and the Gulf of Mexico Fisheries Management Council to adopt a weekend-only fishery management regime for red snapper in the Gulf of Mexico for 2012.

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

HOUSE CONCURRENT RESOLUTION NO. 11— BY REPRESENTATIVE HOFFMANN A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to defund and appropriate no future funding to Planned Parenthood.

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

HOUSE CONCURRENT RESOLUTION NO. 41— BY REPRESENTATIVE ORTEGO A CONCURRENT RESOLUTION

To designate the city of Scott as the Boudin Capital of the World.

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

HOUSE CONCURRENT RESOLUTION NO. 46— BY REPRESENTATIVE ORTEGO A CONCURRENT RESOLUTION

To urge and request state agencies, when translating information from the English language to the French language, to make every effort to make such translations using Louisiana French by utilizing dictionaries and other resources dedicated to the preservation and celebration of this unique language.

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

HOUSE CONCURRENT RESOLUTION NO. 52— BY REPRESENTATIVE KATRINA JACKSON A CONCURRENT RESOLUTION

To urge and request the office of public health in the Department of Health and Hospitals to study the feasibility of establishing a breast milk bank at a hospital in Northeast Louisiana with a level three neonatal intensive care unit.

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

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 17, 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:

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
FRANCIS C. THOMPSON  
Chairman

**REPORT OF COMMITTEE ON**

**REVENUE AND FISCAL AFFAIRS**

Senator Neil Riser, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 16, 2012

To the President and Members of the Senate:

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

**SENATE BILL NO. 144—**

BY SENATOR MILLS  
AN ACT

To enact R.S. 47:337.11.2, relative to the sales and use tax of political subdivisions of the state; to provide for a conditional phased-in exemption for certain inhibitors and complex biologics; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 177—**

BY SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i) and (ii), relative to information provided regarding millage rates; to provide relative to certain notice publication deadline to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 270—**

BY SENATOR PERRY  
AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for such donations to the Friends of Palmetto Island State Park, Inc.; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 271—**

BY SENATOR PERRY  
AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for

such donations to the Dreams Come True, Inc.; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 783—**

BY REPRESENTATIVES FANNIN, ADAMS, ANDERS, ARMES, BARRAS, BERTHELOT, BILLIOT, BROADWATER, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, DIXON, EDWARDS, GAINES, GAROFALO, GEYMAN, GISCLAIR, GUILLORY, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HOFFMANN, HONORE, HOWARD, HUNTER, HUVAL, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, TERRY LANDRY, LEBAS, LEOPOLD, LIGI, LORUSSO, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PIERRE, POPE, PRICE, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SHADON, SIMON, SMITH, ST. GERMAIN, THIBAUT, THOMPSON, WHITNEY, AND PATRICK WILLIAMS AND SENATORS KOSTELKA AND RISER

AN ACT

To amend and reenact R.S. 48:196(A) and to enact R.S. 48:196.1, relative to the issuance of bonds; to authorize the State Bond Commission to issue bonds secured by certain licenses and fees; to provide for the deposit of certain monies into the State Highway Improvement Fund; to provide for the use of the proceeds of the bonds; to provide for a special fund; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 969—**

BY REPRESENTATIVE TALBOT  
AN ACT

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
SENATOR NEIL RISER  
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 17, 2012

To the President and Members of the Senate:

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

**SENATE BILL NO. 258—**

BY SENATOR APPEL  
AN ACT

To amend and reenact R.S. 9:2772(A)(intro paragraph) and (B)(3) and to enact R.S. 9:2772(A)(1)(c), relative to preemptive periods for certain actions; to authorize the filing of certain contribution, indemnity or third-party claims; to provide certain terms, conditions and requirements; and to provide for related matters.

Reported favorably.

April 17, 2012

**HOUSE BILL NO. 350—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact Code of Civil Procedure Article 2379, relative to evictions; to provide for rights of reimbursement; to provide for limitations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 405—**  
BY REPRESENTATIVE DANAHAY  
AN ACT

To enact Code of Civil Procedure Article 1922(C), relative to judgments; to provide for required information in a judgment; to provide relative to affidavits of distinction of judgments; to provide for recording fees; and to provide for related matters.

Reported favorably.

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 17, 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. 565—**  
BY SENATOR DORSEY-COLOMB  
AN ACT

To amend and reenact R.S. 15:833(A) and R.S. 46:1816(B)(6), and to enact Chapter 21-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1851 through 1857, relative to prisons and prisoners; to provide for the creation of escrow accounts for certain prisoners who enter into contracts for profits derived from the notoriety gained from their crimes; to provide relative to the distribution of escrow account funds to certain crime victims; to provide relative to notice to crime victims of escrow account funds becoming available; to provide for definitions; to provide relative to inspection of certain prisoner correspondence; to provide relative to the Crime Victims Reparations Fund; to provide for the payment of certain prisoner escrow account funds into the Crime Victims Reparations Fund; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 700—**  
BY SENATOR BROWN  
AN ACT

To amend and reenact R.S. 29:729(E)(14) and to enact R.S. 29:729(E)(15), relative to powers and duties of the parish office of homeland security and emergency preparedness; to require the office to establish a voluntary registry of persons with special needs; and to provide for related matters.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 3—**  
BY REPRESENTATIVE LOPINTO  
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding expungement.

Reported favorably.

**HOUSE BILL NO. 119—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:571.21(B) and to enact R.S. 15:571.21(C), relative to probation and parole fees; to amend provisions relative to monetary assessments imposed as conditions of probation or parole; to provide for the assessment of a collection fee for certain funds due; to provide for the reinvestment of certain collected funds; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain fee collection contracts; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 122—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:824(A) and (C), relative to the commitment of persons to the custody of the Department of Public Safety and Corrections; to authorize the commitment of certain persons to the custody of the Department of Public Safety and Corrections prior to conviction or sentencing; to provide for the housing of those persons; to provide for reimbursement to the department; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 123—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:875(B)(1) and to enact R.S. 15:875(B)(3), relative to the imposition of restitution on offenders; to provide that restitution may be obtained from an offender for expenses incurred for an escape or attempted escape from any place where the offender is legally confined; to provide for applicability; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 994—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:571.3(B)(1)(a), relative to diminution of sentence for good behavior; to change the rate that diminution of sentence is calculated for certain offenders; to provide for applicability; 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 17, 2012

To the President and Members of the Senate:

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



**SENATE BILL NO. 5—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact Code of Criminal Procedure Article 793, 801, and 808, relative to jury trials; to provide for use of evidence during jury deliberations; to provide for note taking; to provide for evidence in jury room; to provide for jury charges; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 243—**  
BY SENATOR MARTINY

AN ACT

To enact R.S. 14:131.1, relative to the failure to report certain crimes; to create the crime of failure to report the commission of certain felonies; to provide for penalties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 481—**  
BY SENATOR PERRY

AN ACT

To enact Code of Criminal Procedure Article 718.1 and to repeal R.S. 46:1845, relative to discovery; to provide relative to discovery procedures in certain criminal cases; to prohibit the reproduction of certain evidence in certain cases involving pornography involving juveniles, video voyeurism, and obscenity; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 482—**  
BY SENATOR PERRY

AN ACT

To enact Code of Criminal Procedure Article 729.7, relative to discovery in certain criminal cases; to prohibit taking the deposition of the victim in certain sexual abuse cases involving a minor except under certain circumstances; to provide for definitions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 485—**  
BY SENATOR PERRY

AN ACT

To enact R.S. 14:32.1(A)(7), 32.8(A)(2)(g), 39.1(A)(6), 39.2(A)(6), and 98(A)(1)(f), relative to operating a vehicle while intoxicated; to provide that certain crimes involving operating a vehicle while intoxicated include operating a vehicle when any detectable amount of certain controlled dangerous substances is present in the operator's blood; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 553—**  
BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Article 894(B)(2) and to enact Code of Criminal Procedure Article 894(A)(7) and (B)(3), relative to suspension and deferral of criminal sentences; to provide relative to probation for cases assigned to certain substance abuse programs; to provide relative to discharge and dismissal of certain prosecutions under certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 659—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 521, 717, the introductory paragraph of 718 and 718(1) and 729.6 and to enact Code of Criminal Procedure Articles 434.1 and 725.1,

relative to criminal discovery; to provide for exceptions to grand jury secrecy; to provide relative to pretrial discovery motions; to provide relative to disclosure of certain evidence and records; to provide relative to disclosure of certain witness information; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 686—**  
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 14:106(A)(7)(a) and to enact R.S. 14:106(A)(8), relative to the crime of obscenity; to add the intentional transmission of sexually explicit text messages to the definition of the crime of obscenity; to provide for additional definitions; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

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

Senator Riser asked for and obtained a suspension of the rules to take up House Bill No. 969 just reported by Committee.

**HOUSE BILL NO. 969—**  
BY REPRESENTATIVE TALBOT

AN ACT

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 969 by Representative Talbot

**AMENDMENT NO. 1**

On page 3, line 26, after "previous year." insert "whichever is less."

**AMENDMENT NO. 2**

On page 5, line 8, after "organization." insert: "The Department of Education may bar a school tuition organization from participating in the rebate authorized under this Section if the school tuition organization fails to comply with the requirements of this Item."

**AMENDMENT NO. 3**

On page 6, between lines 7 and 8, insert:

"(xi) The school tuition organization shall adequately advertise the availability of scholarships to the public, with an emphasis on notifying parents of students in public schools that received a letter grade of "F" or "D", in the manner provided for in rules and regulations which shall be promulgated by the Department of Education in accordance with the Administrative Procedure Act."

**AMENDMENT NO. 4**

On page 6, line 9, after "which is" insert "approved."

April 17, 2012

AMENDMENT NO. 5

On page 6, at the beginning of line 10, after "approved" and before "or" insert a comma ",."

AMENDMENT NO. 6

On page 6, line 14, after "school." insert: "The Department of Education may bar an otherwise qualified school from participating in the rebate authorized under this Section if the otherwise qualified school fails to comply with the requirements of this Item."

AMENDMENT NO. 7

On page 7, line 8, change "charge" to "charged"

AMENDMENT NO. 8

On page 8, line 7, after "exceed" insert "the lesser of"

AMENDMENT NO. 9

On page 8, line 9, change "for a" to "in the case of a" and after "eight grade" insert a comma ",."

AMENDMENT NO. 10

On page 8, line 11, change "for a" to "in the case of a"

AMENDMENT NO. 11

On page 8, line 24, after "exceed" insert "the lesser of"

AMENDMENT NO. 12

On page 8, line 26, change "for a" to "in the case of a"

AMENDMENT NO. 13

On page 8, line 27, after "eight grade" insert a comma ",."

AMENDMENT NO. 14

On page 8, line 28, change "for a" to "in the case of a"

AMENDMENT NO. 15

On page 9, line 17, after "(2)" insert "(a)"

AMENDMENT NO. 16

On page 9, between lines 20 and 21, insert: "(b) The Department of Education shall ensure that the public of the state is aware of the availability of scholarships, with an emphasis on notifying parents of students in public schools that received a letter grade of "F" or "D", and shall provide for requirements for school tuition organizations to adequately advertise the availability of scholarships to the public, all as provided for in rules and regulations which shall be promulgated by the Department of Education in accordance with the Administrative Procedure Act."

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 77—

BY SENATORS GALLOT AND GARY SMITH AN ACT

To amend and reenact R.S. 32:402.3(C) and 408(C)(1) relative, to motorcycle endorsements on drivers' licenses; to provide that persons meeting certain qualifications are not required to take a written knowledge test to obtain an "M" endorsement on a driver's license; and to provide for related matters.

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

SENATE BILL NO. 91—

BY SENATOR JOHN SMITH AN ACT

To enact R.S. 13:2583.5, relative to the appointment of a deputy constable in Calcasieu Parish; to authorize a constable of a justice of the peace court in Calcasieu Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

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

SENATE BILL NO. 104—

BY SENATOR NEVERS AN ACT

To amend and reenact R.S. 17:3164(A)(2)(b), 3167(E), and 3168, relative to postsecondary education; to provide relative to articulation and transfer of credit between and among public secondary and postsecondary educational institutions; to provide relative to the development and implementation of a statewide common course numbering system; to provide relative to reporting requirements; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 104 by Senator Nevers

AMENDMENT NO. 1

On page 2, at the beginning of line 26, delete "by the beginning of" and insert "during"

AMENDMENT NO. 2

On page 2, line 29, between "established" and "the" delete "by the beginning of" and insert "during"

AMENDMENT NO. 3

On page 3, line 2, between "established" and "the" delete "by the beginning of" and insert "during"

AMENDMENT NO. 4

On page 3, at the end of line 10, change "January thirty-first" to "September thirtieth" and at the beginning of line 11, delete "and July thirty-first"

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

SENATE BILL NO. 156—

BY SENATORS MURRAY AND MORRELL AN ACT

To enact Children's Code Art. 905.1, relative to children committed to the Department of Public Safety and Corrections; to provide for assessment of reading ability; to provide for creation of an academic plan and timetable; to provide for court approval; to provide certain procedures, terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 156 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3 change "assessment of reading ability" to "an assessment of academic grade level"

AMENDMENT NO. 2

On page 1, line 4 after "academic" delete the remainder of the line and insert "plan; to provide for submission of the academic plan and reports to the court;"

AMENDMENT NO. 3

On page 1, at the beginning of line 5 delete "approval;"

AMENDMENT NO. 4

On page 1, line 11, after "assigned to the" and before "custody" insert "secure"

AMENDMENT NO. 5

On page 1, delete lines 12 through 16 and insert the following:  
**Safety and Corrections following an adjudication of delinquency, the department shall assess the child's academic grade level using a research based diagnostic tool within thirty days of the child's admission to a secure care facility.**

**B. The department shall develop a written academic plan for the child based upon all of the following criteria for each individual child:**

**(1) Grade level diagnostic test results.**

**(2) Past academic performance.**

**(3) The individualized education plan or individualized learning plan, as applicable.**

**(4) The length of time the child will be in the department's secure custody.**

**C. If the child tests at grade level or above, the individualized education plan or individualized learning plan shall be structured to allow"**

AMENDMENT NO. 6

On page 1, line 17, after "the child to" and before "earn" insert "timely prepare for or"

AMENDMENT NO. 7

On page 2, line 1, change "while he" to "during the period the child"

AMENDMENT NO. 8

On page 2, line 2, between "department's" and "custody" insert "secure"

AMENDMENT NO. 9

On page 2, delete lines 3 through 7 and insert the following:

**D. If the child tests below grade level, the individualized education plan or individualized learning plan shall be structured, depending on the child's abilities, to bring the child's academic performance up to grade level or as reasonably close thereto as possible, during the period the child is in the department's secure custody."**

AMENDMENT NO. 10

On page 2, delete lines 8 and 9, and at the beginning of line 10 delete "assessment," and insert the following:

**E. The department shall submit the individualized education plan or individualized learning plan to the court within forty-five days of the child's admission to the secure care facility and a copy"**

AMENDMENT NO. 11

On page 2, delete lines 12 through 19 and insert the following:

**F. A report on the child's academic progress shall be included in the department's quarterly report to the court."**

AMENDMENT NO. 12

On page 2, at the beginning of line 20, change "E." to "G."

AMENDMENT NO. 13

On page 2, delete lines 22 through 25 and insert the following: "**or guardian. The department shall provide this information to the school or academic program in which the child is thereafter enrolled upon written request."**

AMENDMENT NO. 14

On page 2, line 26, after "Section 2." and before "The legislature finds" insert "A.(1)"

AMENDMENT NO. 15

On page 3, line 1, at the beginning of the line insert "(2)"

AMENDMENT NO. 16

On page 3, line 5, at the beginning of the line insert "(3)"

AMENDMENT NO. 17

On page 3, line 8, at the beginning of the line insert "B."

AMENDMENT NO. 18

On page 3, line 11, at the beginning of the line insert "C."

AMENDMENT NO. 19

On page 3, line 13, at the beginning of the line insert "D."

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

SENATE BILL NO. 183—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 33:102.1(B), relative to amateur radio antennas; to provide for regulations related to amateur radio antennas; to prohibit the establishment of a limit less than a certain height; and to provide for related matters.

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

SENATE BILL NO. 247—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 17:3217.1(A) and to enact R.S. 17:3232, relative to postsecondary education; to provide for the creation of the Central Louisiana Technical Community College; to provide with respect to the management, supervision, and operation of the institution; to provide with respect to program offerings; to provide for the awarding of certificates, diplomas, and degrees; to provide for the duties and responsibilities of the Board of Regents and the Board of Supervisors of Community and Technical Colleges; to provide relative to accreditation; to provide with respect to performance agreements with the Board of Regents; to provide reporting requirements; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 249—

BY SENATOR LONG AND REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(a), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 249 by Senator Long

AMENDMENT NO. 1

On page 1, line 15, change "2016" to "2017" and change "R.S. 49:191" to "R.S. 49:191"

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

SENATE BILL NO. 284—

BY SENATORS CORTEZ, MILLS AND PERRY AND REPRESENTATIVES STUART BISHOP AND NANCY LANDRY

AN ACT

To enact R.S. 17:1994(C) and 3217.3, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with South Louisiana Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to South Louisiana Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 299—

BY SENATOR WHITE

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Southeast Baton Rouge community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 407—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4121(A)(1)(a), relative to the Sewerage and Water Board of New Orleans; to provide relative to exemptions from charges; to provide for effective date; and to provide for related matters.

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

SENATE BILL NO. 436—

BY SENATOR LONG AND REPRESENTATIVE HOWARD

AN ACT

To amend and reenact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to provide for the powers and duties of the authority; to provide rules, conditions, and requirement for the sale, utilization, distribution, or consumption of water outside the state; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 436 by Senator Long

AMENDMENT NO. 1

On page 2, line 6, delete "Authority" and insert "authority"

AMENDMENT NO. 2

On page 2, delete lines 7 through 14 and insert:

"(c) The written concurrence of the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment shall be required for any contracts and other agreements which provide for the sale, utilization, distribution, or consumption, outside of the boundaries of the state of Louisiana, of the waters over which the authority has jurisdiction or control."

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

SENATE BILL NO. 468—

BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 56:325.2(C), relative to saltwater recreational fish; to provide requirements of possession; to provide exceptions for possession; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 468 by Senator Allain

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 56:325.2(C)" to "R.S. 56:325.2(A), (B), and (C)"

AMENDMENT NO. 2

On page 1, line 6, delete "R.S. 56:325.2(C) is" and insert "R.S. 56:325(A), (B), and (C) are"

AMENDMENT NO. 3

On page 1, line 7, after "recreational" delete "fish" and insert "finfish"

AMENDMENT NO. 4

On page 1, delete line 8 and insert:

"A. All saltwater recreational finfish, except swordfish possessed by a recreational fisherman, shall have the head and caudal fin intact until set or put on shore. Swordfish and sharks possessed by a recreational fisherman shall not be skinned until set or put on shore. Tuna shall retain the caudal fin intact until set or put on shore and those species of tuna which have minimum size restrictions may have the head removed as long as the carcass length without the head exceeds the minimum size requirement. All saltwater recreational finfish shall be measured in accordance with applicable law. Any garfish caught or possessed by a recreational fisherman in the saltwater areas of the state may have the head and caudal fin removed but, until the fish is set or put on shore, it shall retain a strip of skin sufficient to clearly identify the fish.

B. No person shall possess any finfish parts, such as filleted fish, while aboard a vessel on the water. For the purpose of consumption at sea aboard the harvesting vessel, a person shall have no more than two pounds of finfish parts per person on board the vessel, provided that the vessel is equipped to cook such finfish and such finfish does not exceed applicable bag limits."

AMENDMENT NO. 5

On page 1, line 9, after "bait species," delete the remainder of the line and insert: "the following:

(1) Any legally harvested saltwater recreational finfish being utilized for bait, which does not have a size limit and is not in excess of any daily possession limits.

(2) King or spanish mackerel may be cut up and utilized for bait so long as the carcass is retained with the head and caudal fin intact while such parts are in possession aboard a fishing vessel for purposes of determining legal size and possession limits. Such carcasses may only be discarded once the parts or

pieces of those finfish being utilized as bait are no longer possessed.

(3) Swordfish possessed by a recreational fisherman shall not be skinned until set or put on shore.

(4) Tuna shall retain the caudal fin intact until set or put on shore and those species of tuna which have minimum size restrictions may have the head removed as long as the carcass length without the head exceeds the minimum size requirement.

(5) Any garfish caught or possessed by a recreational fisherman in the saltwater areas of the state may have the head and caudal fin removed but, until the fish is set or put on shore, it shall retain a strip of skin sufficient to clearly identify the fish."

AMENDMENT NO. 6

On page 1, delete lines 10 through 16

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

**SENATE BILL NO. 472—**

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 23:1472(12)(E) and 1761(9) and to enact R.S. 23:1711(G), relative to unemployment compensation; to provide for employers' classification of workers; to provide for independent contractors; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 472 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the rest of the line and insert the following: "R.S. 23:1472(12)(H)(XXII) and 1711(G),"

AMENDMENT NO. 2

On page 1, delete line 8, and insert the following: "23:1472(12)(H)(XXII) and 1711(G) are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, line 15, change "that;" to "that:;:"

AMENDMENT NO. 4

On page 2, between lines 8 and 9 insert the following:

"H. The term "employment" shall not include:

\* \* \*

**XXII. The services performed by an individual who meets the definition of an owner-operator as is defined in R.S. 23:1021(10).**

\* \* \*

AMENDMENT NO. 5

On page 2, line 13, after "(1)(a)" and before "If the" insert "Written warning."

AMENDMENT NO. 6

On page 2, line 17, change "assessed," to the following: "**issued a written warning as evidence that the employer has been cited for a first offense of misclassification. Such warning shall constitute a determination that any workers identified therein are employees, and all resulting contributions, interest and penalties shall be due, and shall be appealable as provided in this Section. However, no administrative penalties shall be due.**

**(b) Administrative penalties. If the administrator determines, after investigation, that an employer, or any officer, agent, superintendent, foreman, or employee of the employer, after June 30, 2013, and subsequent to the issuance of a written warning, failed to properly classify an individual as an employee**

**and failed to pay contributions in accordance with this Chapter, then"**

AMENDMENT NO. 7

On page 2, line 19, after "penalty" change "**not to exceed ten thousand dollars per employee, not to**" to "**of not more than two hundred fifty dollars per each such individual. Thereafter, any such failure by an employer to properly classify an individual as an employee and pay contributions due shall be subject to a penalty of not more than five hundred dollars per each such individual.**"

AMENDMENT NO. 8

On page 2, line 20, delete "**exceed a maximum penalty of twenty-five thousand dollars per audit.**"

AMENDMENT NO. 9

On page 2, delete lines 25 through 29.

AMENDMENT NO. 10

On page 3, delete lines 1 through 7, and insert the following:

**"(c) If, after an employer has been issued a written warning and subsequently found, on two or more separate occasions, to have failed to properly classify an individual as an employee, the employer may also be subject to an additional fine of not less than one hundred dollars nor more than one thousand dollars, or imprisoned for not less than thirty days nor more than ninety days, or both. For the purpose of this Subsection, each employee so misclassified shall constitute a separate offense."**

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

**SENATE BILL NO. 495—**

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S. 38:3076(A)(24), 3087.136(4), 3087.266(A)(1), 3097.2(3), and the introductory paragraph of 3097.4(A), (D)(4), (5), and (6), and 3097.7, and to enact R.S. 38:3097.4(20) and (D)(7), relative to the Ground Water Resources Commission; to change the name of the Ground Water Resources Commission; to provide for additional members to the commission; to provide for the powers and duties of the commission; to change the name of the Ground Water Management Advisory Task Force; to provide for the study of the surface waters of the state; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 495 by Senator Long

AMENDMENT NO. 1

On page 1, line 3, after "3097.2(3)," delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 4, delete "(20) and"

AMENDMENT NO. 3

On page 1, line 16, delete "through 3097.6", and insert "**et seq.**"

AMENDMENT NO. 4

On page 2, at the end of line 15, delete "the"

AMENDMENT NO. 5

On page 2, line 16, delete "introductory paragraph of"

April 17, 2012

AMENDMENT NO. 6

On page 2, line 17, delete "38:3097.4(20) and (D)(7) are" and insert "38:3097.4(D)(7) is"

AMENDMENT NO. 7

On page 4, delete lines 8 through 16 and insert:

- "(1) The governor or his designee.
- (2) The commissioner of conservation or his designee.
- (3) The commissioner of agriculture and forestry or his designee.
- (4) The secretary of the Department of Economic Development or his designee.
- (5) The secretary of the Department of Environmental Quality or his designee.
- (6) The secretary of the Department of Health and Hospitals or his designee.
- (7) The secretary of the Department of Wildlife and Fisheries or his designee.
- (8) The secretary of the Department of Transportation and Development or his designee.
- (9) The director of the Governor's Office of Coastal Activities or his designee.

**(10) The executive director of the Sabine River Authority or his designee.**

**(11) The executive director of the Louisiana Public Service Commission or his designee.**

~~(H12)~~ One member appointed by the governor, who is a geologist or an engineer with expertise in ground water resource management.

~~(H13)~~ One member appointed by the governor from a list of four nominations submitted jointly by the Louisiana Chemical Association, the Louisiana Mid-Continent Oil & Gas Association, the Louisiana Association of Business and Industry, and the Louisiana Pulp & Paper Association.

~~(H214)~~ One member appointed by the governor from a list of three names nominated by the Louisiana Farm Bureau.

~~(H315)~~ One member appointed by the governor from a list of three nominations submitted by the Police Jury Association of Louisiana.

~~(H416)~~ One member appointed by the governor from a list of three nominations submitted by the Louisiana Municipal Association.

~~(H517)~~ One member appointed by the governor from a list of three nominations submitted by the Sparta Groundwater Conservation District Board of Commissioners.

~~(H618)~~ One member appointed by the governor from a list of three nominations submitted by the board of commissioners of the Capital Area Groundwater Conservation District.

~~(H719)~~ One member appointed by the governor who resides or works in the geographical area of the state underlain by the Chicot aquifer.

~~(H820)~~ One member appointed by the governor from a list of three nominations submitted by the Louisiana Landowners Association.

~~(H921)~~ One member appointed by the governor from a list of three names submitted by the Louisiana Wildlife Federation, Coalition to Restore Coastal Louisiana, and the League of Women Voters.

**(22) One member appointed by the governor from a list of three nominations submitted by the Ports Association of Louisiana.**

**(23) One member appointed by the governor from a list of three nominations submitted by the Louisiana River Pilots' Association.**

**(24) One member, who is a lawyer licensed to practice in Louisiana with not less than five consecutive years in the practice of law in Louisiana and who has legal expertise in water law, appointed by the governor from a list of four names submitted by the chancellor of the Louisiana State University Law School, the dean of the Loyola University School of Law, the chancellor of the Southern University Law School, and the dean of the Tulane University School of Law.**

**(25)(a) The chairman of the House Committee on Natural Resources and Environment, or his designee, shall serve as an ex-officio nonvoting member.**

**(b) The chairman of the Senate Committee on Natural Resources, or his designee, shall serve as an ex-officio nonvoting member.**

**(c) The chairman shall not be counted as part of the total membership of the commission for purposes of determining the number of members necessary to constitute a quorum but, if present, they shall be counted as members for purposes of establishing a quorum for the particular meeting.**

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

**SENATE BILL NO. 513—**  
BY SENATOR CROWE

AN ACT

To enact R.S. 39:249, relative to the expenditure of state funds; to prohibit certain expenditures by the division of administration; to prohibit the approval of certain expenditures; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 513 by Senator Crowe

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S.", delete the remainder of the line, delete line 3, and insert the following: "51:940.1, relative to standards and procedures for the state Department of Economic Development or the Office of Entertainment Industry Development; to prohibit certain certifications by the Department of Economic Development or the Office of Entertainment Industry Development; to prohibit the approval of certain"

**AMENDMENT NO. 2**

On page 1, line 4, change "expenditures" to "certifications"

**AMENDMENT NO. 3**

On page 1, line 6, change "R.S. 39:249" to "R.S. 51:940.1"

**AMENDMENT NO. 4**

On page 1, line 7, delete "~~§249. Prohibition~~" and insert "**§940.1. Motion picture investor; prohibition**"

**AMENDMENT NO. 5**

On page 1, line 7, change "~~expenditures~~" to "**certification**" and delete "~~obscene or~~"

**AMENDMENT NO. 6**

On page 1 between line 7 and 8, insert the following:

**"A. Purpose. The purpose of this Section is to provide heightened standards and procedures by the Department of Economic Development or the Office of Entertainment Industry Development."**

**AMENDMENT NO. 7**

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

**"B. The Department of Economic Development or the Office of Entertainment Industry Development shall not certify any film project which the production company must register pursuant to 18 U.S.C. §2257. Every motion picture production company applicant shall submit to the office a statement certifying that it is not required to"**

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. 535—**  
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 33:441.13, relative to the mayor's court for the town of Westlake; to expand the court's jurisdiction; and to provide for related matters.

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

**SENATE BILL NO. 563—**  
BY SENATOR WHITE

AN ACT

To enact R.S. 17:58.2(I), 67, and 67.1, relative to the Southeast Baton Rouge Community School System; to provide for the school system, including its establishment and geographic boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide relative to the collection and remittance of certain taxes; to provide relative to the provision of certain student services; to provide relative to certain applications for funding; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 563 by Senator White

AMENDMENT NO. 1

On page 3, line 21, change "**Interstate 10**" to "**Airline Highway**"

AMENDMENT NO. 2

On page 3, line 26, change "**Interstate 10**" to "**Airline Highway**"

AMENDMENT NO. 3

On page 3, line 27, change "**Interstate 10**" to "**Airline Highway**"

AMENDMENT NO. 4

On page 6, between lines 25 and 26, insert the following:

**"L. The president of the State Board of Elementary and Secondary Education shall appoint a committee of experts to make non-binding recommendations regarding the apportionment of financial obligations between the Southeast Baton Rouge Community School System and the East Baton Rouge Parish School System."**

AMENDMENT NO. 5

On page 6, at the beginning of line 26, change "**L.**" to "**M.**"

AMENDMENT NO. 6

On page 10, between lines 1 and 2, insert the following:

"Section 2. Any high school student residing within the geographic boundaries of the Southeast Baton Rouge Community School System or the East Baton Rouge Parish School System may elect to remain enrolled in the high school he was attending on the effective date of this Act, until such time as the student graduates from high school. Such student shall be included in the membership count for the school system in which he is enrolled for all purposes, including state funding through the Minimum Foundation Program formula."

AMENDMENT NO. 7

On page 10, at the beginning of line 2, change "Section 2." to "Section 3."

On motion of Senator Appel, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**SENATE BILL NO. 582—**

BY SENATORS GALLOT AND GARY SMITH  
AN ACT

To amend and reenact R.S. 32:191.3(B), relative to motorcycles; to provide relative to handlebars on motorcycles; and to provide for related matters.

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

**SENATE BILL NO. 626—**

BY SENATOR JOHN SMITH  
AN ACT

To amend and reenact R.S. 33:4577(C)(2), relative to the Beaugard Parish Covered Arena Authority; to provide for board powers and duties; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 626 by Senator John Smith

AMENDMENT NO. 1

On page 1, line 2, change "4577(C)(2)" to "4574.1.1(P) and 4577(C)(2), to enact R.S. 33:4577.1 and to repeal R.S. 33:4577"

AMENDMENT NO. 2

On page 1, line 6, change "4577(C)(2) is" to "4574.1.1(P) and 4577(C)(2) are" and between "reenacted" and "to" insert "and R.S. 33:4577.1 is hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:  
"§4574.1.1. Occupancy taxes levied by the commissions

\* \* \*

P. If the Southwest Louisiana Convention and Visitors Bureau levies the tax authorized in Paragraph (A)(25) of this Section and/or the tax authorized by R.S. 33:4574.11(E)(2)(b), an amount equal to twenty-five thousand dollars annually of the proceeds of the tax collected from the company which has a license to conduct slot machine gaming at a pari-mutuel live racing facility pursuant to Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:351 et seq., shall be provided by the Southwest Louisiana Convention and Visitors Bureau quarterly to the **governing authority of the** Beaugard Parish Covered Arena Authority provided such funds are used for maintenance or to promote equine activities for the purpose of attracting tourists to Beaugard Parish. The **governing authority of the** Beaugard Parish Covered Arena Authority, which is subject to audit by the legislative auditor, shall not be required to report its expenditure of funds received pursuant to this Subsection to the Southwest Louisiana Convention and Visitors Bureau.

\* \* \*"

AMENDMENT NO. 4

On page 2, between lines 14 and 15, insert the following:

**"§4577.1. Beaugard Parish Covered Arena**  
**In addition to powers otherwise granted by law, the Beaugard Parish governing authority shall have the following powers and duties with respect to owning, operating, and maintaining the Beaugard Parish Covered Arena:**

**(1) To enter into contracts for the sale, lease, or exchange of property.**

**(2) To enter into cooperative endeavors with any special district, political subdivision, or local governmental unit of the state.**

(3) To accept donations of money or property from public or private sources.

(4) To fix, maintain, collect, and revise rates, charges, and rentals for the use of facilities and services.

(5) To repair, maintain, and operate facilities.

(6) To contract with any public or private entities for the maintenance and operation of the property.

(7) To borrow money to pay its obligations.

(8) To do any and all things necessary.

Section 2. R.S. 33:4577 is hereby repealed on July 1, 2013.

Section 3.A.(1) As used in this Section:

(a) "Arena" means the Beauregard Parish Covered Arena, including all land, rights-of-way, servitudes, and improvements situated thereon, or connected therewith, for such purpose.

(b) "Authority" means the Beauregard Parish Covered Arena Authority.

(c) "Police jury" means the Beauregard Parish governing authority.

(2) In accordance with, and pursuant to, Article VI, Section 14(A) of the Constitution of Louisiana, the arena shall transfer from the authority to the police jury on or before January 1, 2013. Thereafter, the arena shall be owned, managed, maintained, and controlled by the police jury which shall be the successor of the authority.

B. This Act is not intended to nor shall it be construed to impair the contractual or other obligations of the authority existing on the date the arena is transferred to the police jury in accordance with this Act. Upon the date of the transfer of the arena, all obligations of the authority shall be deemed to be obligations of the police jury to the same extent as if originally incurred by it.

C. Any legal proceeding to which the authority is a party and which is filed, initiated, or pending before any court on July 1, 2013, and all documents involved in or affected by said legal proceeding, shall retain its effectiveness and shall be continued in the name of the police jury.

D. All outstanding indebtedness of the authority shall become the liability of the police jury when the arena is transferred to the police jury.

E. The proceeds from a tax and other revenue received by the authority may only be used or expended by the police jury for a purpose for which the tax is levied and revenue is collected.

F. All books, records, documents, funds, and movable property of the authority shall be transferred to the police jury on or before July 1, 2013."

AMENDMENT NO. 5

On page 2, line 15, change "Section 2. This" to "Section 4. Except as provided in Section 2 of this Act, this"

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

**SENATE BILL NO. 627—**

BY SENATOR BROOME

AN ACT

To enact R.S. 33:9097.13, relative to neighborhood improvement districts; to create the Live Oak Trace Subdivision Crime Prevention and Improvement District in the city of Zachary in East Baton Rouge Parish; to provide for the boundaries and purpose of the district; to provide for the powers and duties of the district and its board of commissioners; to provide for the levy of a parcel fee upon voter approval; to provide for the district's budget; to provide with respect to termination of the district; and to provide for related matters.

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

**SENATE BILL NO. 632—**

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:9124(E), relative to the Jefferson Parish Communication District; to provide for the authority to fund certain dispatching services; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 645—**

BY SENATORS THOMPSON, RISER AND WALSWORTH AND REPRESENTATIVES ANDERS, CHANEY, HOFFMANN, KATRINA JACKSON, JEFFERSON, JAY MORRIS, PYLANT, GREENE AND SHADOIN

AN ACT

To enact R.S. 17:1994(C) and 3217.3, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with Louisiana Delta Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to Louisiana Delta Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

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

**SENATE BILL NO. 648—**

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 34:851.27(B)(9), relative to the regulation of air boats; to authorize St. Charles Parish and its municipalities to regulate the operation of air boats; to provide terms, conditions, and requirements; and to provide for related matters.

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

**SENATE BILL NO. 652—**

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:9010(A)(7), relative to the Louisiana Lottery Corporation; to provide for the content of the annual budget report submitted to the Joint Legislative Committee on the Budget; to provide for the reporting of certain personnel information; 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. 667—**

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 32:402.1(A)(1)(a) and the introductory paragraph of 402.1(A)(2), relative to driver education; to provide relative to the requirements for driver education for persons who are less than eighteen years of age and for persons who are eighteen years of age or older; to provide relative to classroom instruction and actual driving instruction; and to provide for related matters.

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



**SENATE BILL NO. 745—**

BY SENATORS NEVERS AND WALSWORTH  
AN ACT

To enact R.S. 17:1379, relative to consolidation of certain school districts; to provide for the conduct of an election for such purpose; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 745 by Senator Nevers

**AMENDMENT NO. 1**

On page 1, line 2, change "certain school districts" to "school systems"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 3, change "conduct" to "call"

**AMENDMENT NO. 3**

On page 1, line 6, after "**§1379.**" delete the remainder of the line and insert "**Consolidation of school systems; call of election**"

**AMENDMENT NO. 4**

On page 1, line 7, after "**shall be**" change "**conducted**" to "**called**"

**AMENDMENT NO. 5**

On page 1, line 8, after "**school**" change "**districts**" to "**systems**"

**AMENDMENT NO. 6**

On page 1, at the end of line 9, delete "**by**" and insert "**a resolution adopted by each of**"

**AMENDMENT NO. 7**

On page 1, line 10, change "**multiple school districts**" to "**two or more school systems**"

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

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

**HOUSE BILL NO. 205—**

BY REPRESENTATIVE BERTHELOT  
AN ACT

To amend and reenact R.S. 47:462(C), relative to motor vehicles; to authorize the use of prestige license plates on certain trucks; and to provide for related matters.

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

**HOUSE BILL NO. 324—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To designate a portion of Highway 12 as the "Purple Heart Recipient Highway".

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 324 by Representative Danahay

**AMENDMENT NO. 1**

On page 1, line 2, after "Highway" insert "and to designate the Interstate 20/US 371 Interchange as the "Sergeant Joshua Barrett Madden Interchange""

**AMENDMENT NO. 2**

On page 2, between lines 7 and 8, insert the following:  
"Section 2. The interchange of Interstate 20 and U.S. 371 (Exit 47 Sibley/Minden) in Webster Parish shall be hereinafter known and designated as the "Sergeant Joshua Barrett Madden Interchange"."

**AMENDMENT NO. 3**

On page 1, line 8, change "2" to "3"

**AMENDMENT NO. 4**

On page 1, line 9, change "this" to "these" and "designation" to "designations"

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

**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.

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

**HOUSE BILL NO. 814—**

BY REPRESENTATIVE HILL  
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.

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

**HOUSE BILL NO. 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.

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

**HOUSE BILL NO. 882—**

BY REPRESENTATIVES HOWARD AND HILL  
AN ACT

To designate a certain portion of Highway 463 as the "B.R. Harvey Memorial Highway".

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

April 17, 2012

Rules Suspended

Senator Kostelka asked for and obtained a suspension of the rules to recall Senate Bill No. 296 from the Committee on Judiciary C.

SENATE BILL NO. 296— BY SENATOR KOSTELKA

A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; and to specify an election for the submission of the proposition to electors and to provide a ballot proposition.

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

Rules Suspended

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

HOUSE BILL NO. 610— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact R.S. 34:1221(A)(introductory paragraph) and (5), relative to the Greater Baton Rouge Port Commission; to increase the membership of the commission; and to provide for related matters.

Senator Adley moved to recommit the bill from the Committee on Senate and Governmental Affairs to the Committee on Transportation, Highways and Public Works.

Without objection, so ordered.

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

SENATE BILL NO. 221— BY SENATOR ALARIO

AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for such donations to the Louisiana Association of United Ways/LA 2-1-1; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 221 by Senator Alario

AMENDMENT NO. 1

On page 1, line 5, after "2-1-1;" and before "and" insert the following: "to authorize the secretary of the Department of Revenue to administer and disburse donated monies;"

AMENDMENT NO. 2

On page 2, line 8, after "B." delete the remainder of the line, delete lines 9 through 13 in their entirety, and from the beginning of line 14 delete "fund in accordance with" and insert the following: "Donated monies shall be administered by the secretary and disbursed to United Ways/LA 2-1-1 in accordance with the provisions of"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 221 by Senator Alario

AMENDMENT NO. 1

On page 2, line 22, following "but" and before "shall" insert "the report"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue, Dorsey-Colomb, Erdey, Gallot, Guillory, Johns, Kostelka, LaFleur, Long, Martiny, Mills, Morrell, Morrish, Murray, Nevers, Peacock, Peterson, Riser, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names Heitmeier, Perry, Tarver.

Total - 3

The Chair declared the Senate concurred in the amendments proposed by the House.

SENATE BILL NO. 581— BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES CARTER AND KLECKLEY

AN ACT

To enact Part X-A of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:407.21 through 407.25, relative to early childhood education; to provide for the creation of an early childhood care and education network; to provide for the purposes of such network and the duties and responsibilities of certain state agencies related thereto; to provide relative to early childhood education programs and standards; to provide for an accountability system for early childhood education programs; to provide relative to a quality rating system for certain day care centers; to provide for legislative findings and intent; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Reengrossed Senate Bill No. 581 by Senator Appel

AMENDMENT NO. 1

On page 4 delete lines 26 through 28 in their entirety and insert in lieu thereof the following:

"(3) By not later than March 1, 2013, the state board shall submit a written report to each member of the legislature, the Senate Committee on Education secretary, and the House Committee on Education secretary on the status of development of the early childhood care and education network. Such report shall include but

not be limited to any recommendations relative to changes in law or administrative policy needed to properly implement the network."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

The Chair declared the Senate concurred in the amendments proposed by the House.

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

**SENATE RESOLUTION NO. 11—  
BY SENATOR APPEL**

**A RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education, in collaboration with the Louisiana Serve Commission, to study the feasibility of establishing a "distinction for community service" endorsement program for students who have performed an exemplary number of community service hours during their high school career, and to provide a report to the Senate Committee on Education by February 1, 2013.

Reported favorably by the Committee on Education.

The resolution was read by title. On motion of Senator Appel, the Senate Resolution was adopted.

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

**SENATE CONCURRENT RESOLUTION NO. 17—  
BY SENATOR DORSEY-COLOMB**

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents and the Board of Supervisors for Community and Technical Colleges to study the feasibility of merging Capital Area Technical College and Baton Rouge Community College in order to more adequately address the educational needs of students and the economic and workforce development needs of the greater Baton Rouge area.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 17 by Senator Dorsey-Colomb

**AMENDMENT NO. 1**

On page 1, line 2, after "Supervisors" change "for" to "of"

**AMENDMENT NO. 2**

On page 2, line 16, after "Supervisors" change "for" to "of"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 37

**NAYS**

Total - 0

**ABSENT**

Martiny	Morrell
Total - 2	

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

**SENATE CONCURRENT RESOLUTION NO. 41—  
BY SENATOR MORRISH**

**A CONCURRENT RESOLUTION**

To approve the annual integrated coastal protection plan for Fiscal Year 2012-2013, as adopted by the Coastal Protection and Restoration Authority.

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

**SENATE CONCURRENT RESOLUTION NO. 46—  
BY SENATOR MORRISH**

**A CONCURRENT RESOLUTION**

To approve the comprehensive master plan for integrated coastal protection projects, as adopted by the Coastal Protection and Restoration Authority.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 46 by Senator Morrish

April 17, 2012

AMENDMENT NO. 1

On page 2, delete lines 12 and 13, and insert "its specific intent that the Coastal"

On motion of Senator Long, the committee amendment was adopted. The concurrent resolution was read by title, ordered engrossed and recommitted to the Committee on Transportation, Highways and Public Works.

Privilege Report of the Legislative Bureau

April 17, 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. 969—

BY REPRESENTATIVE TALBOT AN ACT

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; 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.

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

Called from the Calendar

Senator Morrell asked that Senate Bill No. 677 be called from the Calendar.

SENATE BILL NO. 677— (Substitute of Senate Bill No. 491 by Senator Morrell)

BY SENATOR MORRELL AN ACT

To amend and reenact R.S. 33:4702(B)(1), (2), (3), (4), (6), and (7) and 4702 (D), (E), and (F) and to enact R.S. 33:4701(D) and 4702(C)(3), (H), (I), and (J), relative to Orleans Parish; to change references to legislative districts in Orleans Parish which has appointing authority for members serving on the board of the New Orleans Regional Business Park; to provide for the board's membership, term of office, its powers and duties; and to provide for related matters.

Floor Amendments

Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 677 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 3, after "(H)," insert "and" and after "(I)," delete "and (J),"

AMENDMENT NO. 2

On page 1, line 11, after "(H)," insert "and" and after "(I)" delete ", and (J),"

AMENDMENT NO. 3

On page 9, delete lines 10 through 29, delete page 10 in its entirety, and on page 11, delete lines 1 through 25

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like 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, Morrell, Morrish, Murray, Nevers, Peacock, Perry, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 38

NAYS

Total - 0

ABSENT

Peterson Total - 1

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

Called from the Calendar

Senator Crowe asked that Senate Bill No. 676 be called from the Calendar.

SENATE BILL NO. 676— (Substitute of Senate Bill No. 437 by Senator Crowe)

BY SENATOR CROWE AN ACT

To amend and reenact R.S. 23:1513(A)(1), 1553(A), 1576, 1601(8), 1713(B) and (C), 1714, and 1726 and to enact R.S. 23:1531.1(E), relative to unemployment compensation; to provide for the penalty and interest account; to provide for filing certain documents; to provide for separation notices; to provide for method of calculation regarding the experience-rating account of an employer; to provide for disqualification of employee benefits subsequent to commission of a fraudulent act; to provide for the recovery of overpayment of benefits; to

provide for the payment of certain benefits; 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. 676 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 3, following "23:1531.1(E)," insert "and to repeal R.S. 23:1713(D),"

AMENDMENT NO. 2

On page 1, line 17, following "when" and before "became" change "the same" to "they"

AMENDMENT NO. 3

On page 2, line 17, following "following" and before ":" change "occurs" to "pertain"

AMENDMENT NO. 4

On page 2, line 18, following "timely" and before "a separation" change "filed" to "files"

AMENDMENT NO. 5

On page 2, line 21, following "employer" and before "filed" change "has been" to "is"

AMENDMENT NO. 6

On page 2, line 22, following "employer" and before "determined" change "was" to "is"

AMENDMENT NO. 7

On page 4, line 17, following "following" and before ":" change "occurs" to "pertain"

AMENDMENT NO. 8

On page 5, line 27, change "\* \* \*" to "(3) When an overpayment has been assessed in the amount of one hundred dollars or more, upon default, the administrator or his duly authorized representatives may make in any manner feasible, and cause to be recorded in the mortgage records of any parish in which such claimant owns immovable property, a statement under oath showing the amount of the overpayment in default; which statement, when filed for record, shall operate as a lien, privilege, and mortgage on the immovable property of the claimant from the date of such filing."

AMENDMENT NO. 9

On page 6, line 12, following "Subsection C" and before "and any" insert "of this Section"

AMENDMENT NO. 10

On page 7, line 5, following "this" and before "shall" change "part" to "Part"

AMENDMENT NO. 11

On page 7, line 9, following "this" change "part." to "Part."

AMENDMENT NO. 12

On page 7, after line 15, insert "Section 2. R.S. 23:1713(D) is hereby repealed."

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. 676 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 3, after "23:1531.1(E)" and before ", relative" insert "and to repeal R.S. 23:1713(D)"

AMENDMENT NO. 2

On page 5, delete lines 27 through 29 and insert the following:  
"(3) When an overpayment has been assessed in the amount of one hundred dollars or more, upon default, the administrator or his duly authorized representatives may make in any manner feasible, and cause to be recorded in the mortgage records of any parish in which such claimant owns immovable property, a statement under oath showing the amount of the overpayment in default; which statement, when filed for record, shall operate as a lien, privilege, and mortgage on the immovable property of the claimant from the date of such filing."

AMENDMENT NO. 3

On page 6, delete lines 1 through 6

AMENDMENT NO. 4

On page 7, after line 15, insert the following:  
"Section 2. R.S. 23:1713(D) is hereby repealed."

On motion of Senator Crowe, 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. 676 by Senator Crowe

AMENDMENT NO. 1

On page 5, delete lines 28 through 29 in their entirety

AMENDMENT NO. 2

On page 6, delete lines 1 through 6 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	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White

Total - 39

NAYS

Total - 0

April 17, 2012

ABSENT

Total - 0

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 Crowe asked that Senate Bill No. 217 be called from the Calendar.

SENATE BILL NO. 217— BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 38:2315 and to enact R.S. 38:2183 and R.S. 39:1553.1, relative to equal employment in certain public contracts; to prohibit employment discrimination on the basis of race, religion, national ancestry, age, sex or disability; to provide for the inclusion of certain language in public contracts; to prohibit certain designations not provided for in law; to provide exceptions; and to provide for related matters.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe and Senator Guillory to Engrossed Senate Bill No. 217 by Senator Crowe

AMENDMENT NO. 1

On page 4, between lines 22 and 23 insert the following: "Section 5. Nothing in this Act shall be interpreted to prevent or restrict the admission or enrollment of any student to any public school, whether charter or otherwise, nor shall this Act be interpreted to have any effect whatsoever on the admission or enrollment policies of any public school, including charter schools."

AMENDMENT NO. 2

On page 4, line 23 change "Section 5." to "Section 6."

Senator Crowe moved the adoption of the amendments.

Senator Murray objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Guillory, Riser, Adley, Johns, Smith, G., Allain, Kostelka, Smith, J., Amedee, Long, Thompson, Appel, Martiny, Walsworth, Cortez, Mills, Ward, Crowe, Nevers, White, Donahue, Peacock, Erdey, Perry

NAYS

Broome, Dorsey-Colomb, Morrish, Brown, Gallot, Murray, Buffington, Heitmeier, Peterson, Chabert, LaFleur, Claitor, Morrell, Total - 13

ABSENT

Tarver, Total - 1

The Chair declared the amendments were adopted.

Senator Claitor moved to place the amended bill on the Involuntary Calendar.

Senator Crowe objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Chabert, Mills, Adley, Claitor, Morrell, Allain, Dorsey-Colomb, Morrish, Amedee, Gallot, Murray, Appel, Heitmeier, Peterson, Broome, Johns, Smith, G., Brown, LaFleur, Tarver, Buffington, Martiny, Ward, Total - 24

NAYS

Cortez, Kostelka, Riser, Crowe, Long, Thompson, Donahue, Nevers, Walsworth, Total - 9

ABSENT

Erdey, Peacock, Smith, J., Guillory, Perry, White, Total - 6

The Chair declared the amended bill was placed on the Involuntary Calendar.

Called from the Calendar

Senator Peterson asked that Senate Bill No. 446 be called from the Calendar.

SENATE BILL NO. 446— BY SENATOR PETERSON

AN ACT

To enact R.S. 40:2013.7, relative to mental health; to provide a prohibition on discrimination by a community-based physical health care provider based on a serious mental illness; to provide definitions; and to provide for related matters.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 446 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 3, delete "community-based physical health" and insert "primary"

AMENDMENT NO. 2

On page 1, line 7, delete "community-based physical health" and insert "primary"

AMENDMENT NO. 3

On page 1, line 9, delete "community-based physical health" and insert "primary"

AMENDMENT NO. 4

On page 1, line 13, delete "Community-based physical health" and insert "Primary"

On motion of Senator Peterson, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Nevers
Adley	Johns	Peterson
Allain	Kostelka	Smith, G.
Broome	LaFleur	Smith, J.
Buffington	Long	Tarver
Chabert	Mills	Thompson
Dorsey-Colomb	Morrell	Ward
Erdey	Morrish	
Gallot	Murray	
Total - 25		

NAYS

Appel	Guillory	Walsworth
Brown	Peacock	White
Claitor	Perry	
Cortez	Riser	
Total - 10		

ABSENT

Amedee	Donahue
Crowe	Martiny
Total - 4	

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Peterson 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. 186 be called from the Calendar for reconsideration.

**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

Delete Senate Floor Amendments Nos. 1, 2, 4, 9, 12, 13, and 16 proposed by Senator Claitor and adopted by the Senate on April 10, 2012.

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	Claitor	Mills
Adley	Cortez	Morrell
Allain	Crowe	Nevers
Amedee	Donahue	Peacock
Appel	LaFleur	
Chabert	Long	
Total - 16		

NAYS

Broome	Johns	Smith, J.
Brown	Kostelka	Tarver
Buffington	Martiny	Thompson
Dorsey-Colomb	Morrish	Walsworth
Erdey	Murray	Ward
Gallot	Peterson	White
Guillory	Riser	
Heitmeier	Smith, G.	
Total - 22		

ABSENT

Perry  
Total - 1

The Chair declared the amended bill failed to pass. Senator Martiny moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

**Called from the Calendar**

Senator Riser asked that Senate Bill No. 499 be called from the Calendar.

**SENATE BILL NO. 499—**

BY SENATOR RISER

AN ACT

To enact R.S. 39:1405.5, relative to the issuance of debt by political subdivisions; to prohibit the State Bond Commission from approving the issuance of bonds, notes, or other evidences of indebtedness related to political subdivisions against whom there is filed certain unpaid judgments; to provide for the filing of notices of certain unpaid eligible judgments with the State Bond Commission; to provide that eligible judgments shall include judgments owed for goods, services, or work performed under a contractual obligation; and to provide for related matters.

**Floor Amendments**

Senator Mills proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Mills to Engrossed Senate Bill No. 499 by Senator Riser

AMENDMENT NO. 1

On page 1, line 4, after "related to" insert "certain"

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AMENDMENT NO. 2

On page 1, line 8, after "obligation;" insert "to provide for exemptions for certain political subdivisions;"

AMENDMENT NO. 3

On page 1, line 12, after "A." change "Bonds" to "Except as provided in Subsection F of this Section, bonds"

AMENDMENT NO. 4

On page 3, after line 8, insert:

"F. The provisions of this Section shall not apply to bonds, notes, or other evidence of indebtedness of the political subdivisions within the following parishes or municipalities, or bonds, notes, or other evidences of indebtedness by any political subdivision, special district, public trust, or other entity seeking to issue them on behalf of the political subdivisions within the following parishes or municipalities, if the parishes or municipalities are listed, or have the following populations according to the most recent federal decennial census:

(1) Any parish with a population between fifty thousand and fifty-two thousand two hundred fifty.

(2) Any parish with a population between seventy thousand and eighty thousand.

(3) Any parish with a population between fifty-three thousand two hundred fifty and fifty-four thousand seven hundred.

(4) Any parish with a population between sixty thousand five hundred and sixty-one thousand eight hundred.

(5) Any parish with a population between eighty-two thousand five hundred and eighty-three thousand five hundred.

(6) Any parish with a population between fifty-seven thousand and fifty-eight thousand.

(7) Any parish with a population between fifty-two thousand two hundred and fifty-two thousand five hundred.

(8) Any parish with a population between thirty-five thousand five hundred and thirty-five thousand eight hundred.

(9) Any parish with a population between one hundred ninety thousand and two hundred thousand.

(10) Any parish with a population between six thousand and seven thousand.

(11) Any parish with a population between forty-seven thousand and forty-eight thousand.

(12) Any parish with a population between one hundred seventeen thousand and one hundred twenty-five thousand.

(13) Any parish with a population between two hundred thirty thousand and two hundred forty thousand.

(14) Any parish with a population between two hundred twenty thousand and two hundred twenty-five thousand eighteen.

(15) Any parish with a population between one hundred twenty eight thousand and one hundred twenty nine thousand.

(16) Any parish with a population between ten thousand six hundred and eleven thousand four hundred.

(17) Any parish with a population between four hundred thirty thousand and four hundred forty thousand.

(18) Any municipality with a population between seventeen thousand and eighteen thousand.

(19) Any municipality with a population between twenty-two thousand and twenty seven thousand.

(20) Any parish with a population between forty one thousand five hundred and forty three thousand.

(21) Any parish with a population between twenty-five thousand and twenty-six thousand.

(22) Any parish with a population between thirty three thousand five hundred and thirty four thousand.

(23) Any parish with a population between twenty thousand seven hundred and twenty thousand seven hundred fifty.

(24) Any parish with a population between eleven thousand seven hundred and twelve thousand one hundred.

(25) Any parish with a population between twenty-seven thousand and twenty-eight thousand.

(26) Any parish with a population between seven thousand five hundred and eight thousand.

(27) Any parish with a population between five thousand and five thousand five hundred.

(28) Any parish with a population between two hundred forty thousand and three hundred thousand.

(29) Any parish with a population between one hundred twelve thousand and one hundred twenty thousand.

(30) Any parish with a population between twenty-six thousand and twenty seven thousand.

(31) Any parish with a population greater than four hundred forty thousand.

(32) Any parish with a population between three hundred forty thousand and three hundred fifty thousand.

(33) Any municipality with a population between three thousand two hundred twenty-one and three thousand two hundred thirty.

(34) Assumption, Ascension, St. James, St. John the Baptist, St. Charles, Lafourche, Iberville, West Baton Rouge, and Terrebone."

Senator Mills moved the adoption of the amendments.

Senator Riser objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Allain, Broome, Brown, Buffington, Claitor, Donahue, Dorsey-Colomb, Erdey, Gallot, Total - 26; Guillory, Heitmeier, Johns, LaFleur, Long, Martiny, Mills, Morrish, Murray; Nevers, Perry, Peterson, Smith, J., Tarver, Thompson, Ward, White.

NAYS

Table with 3 columns of names: Mr. President, Adley, Amedee, Appel, Total - 12; Chabert, Cortez, Kostelka, Morrell; Peacock, Riser, Smith, G., Walsworth.

ABSENT

Crowe
Total - 1

The Chair declared the amendments were adopted.

Explanation of Vote

Senator Crowe stated he appeared as absent on the vote on the amendment by Senator Mills to Senate Bill No. 499. He intended to vote yea on the amendment and asked that the Official Journal so state.

Floor Amendments

Senator Gallot proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed Senate Bill No. 499 by Senator Riser

AMENDMENT NO. 1

On page 3, after line 8 insert the following:

"G. The provisions of this Section shall not apply to the parishes of Lincoln, Grant, Bienville, Jackson, Natchitoches,



**Rapides, Red River, Sabine and Winn or to any municipalities contained in any of these parishes.**

Senator Gallot moved the adoption of the amendments.

Senator Riser objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Erdey	Murray
Allain	Gallot	Nevers
Broome	Guillory	Perry
Brown	Heitmeier	Peterson
Buffington	Johns	Smith, J.
Claitor	LaFleur	Tarver
Crowe	Long	Thompson
Donahue	Martiny	Ward
Dorsey-Colomb	Mills	White
Total - 27		

**NAYS**

Mr. President	Cortez	Riser
Amedee	Kostelka	Smith, G.
Appel	Morrell	Walsworth
Chabert	Peacock	
Total - 11		

**ABSENT**

Morrish  
Total - 1

The Chair declared the amendments were adopted.

**Floor Amendments**

Senator Riser proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Riser to Engrossed Senate Bill No. 499 by Senator Riser

**AMENDMENT NO. 1**

On page 3, after line 8, insert:

**"I. Any parish with a population between ten thousand and ten thousand three hundred according to the most recent federal decennial census is not exempt from the provisions of this Section."**

On motion of Senator Riser, the amendments were adopted.

**Floor Amendments**

Senator Adley proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 499 by Senator Riser

**AMENDMENT NO. 1**

On page 3, after line 8 insert the following:

**"H. The provisions of this Section shall not apply to the parishes of Webster and Claiborne."**

Senator Adley moved the adoption of the amendments.

Senator Riser objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gallot	Murray
Allain	Heitmeier	Nevers
Brown	Johns	Perry
Buffington	LaFleur	Peterson
Claitor	Long	Smith, J.
Crowe	Martiny	Tarver
Donahue	Mills	Thompson
Dorsey-Colomb	Morrell	Ward
Erdey	Morrish	
Total - 26		

**NAYS**

Mr. President	Cortez	Smith, G.
Amedee	Kostelka	Walsworth
Appel	Peacock	
Chabert	Riser	
Total - 10		

**ABSENT**

Broome	Guillory	White
Total - 3		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Crowe	Murray
Adley	Donahue	Peacock
Allain	Dorsey-Colomb	Perry
Amedee	Guillory	Riser
Appel	Heitmeier	Smith, G.
Broome	LaFleur	Smith, J.
Brown	Mills	Tarver
Chabert	Morrell	Walsworth
Cortez	Morrish	White
Total - 27		

**NAYS**

Buffington	Johns	Nevers
Claitor	Kostelka	Peterson
Erdey	Long	Thompson
Gallot	Martiny	Ward
Total - 12		

**ABSENT**

Total - 0

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

**Called from the Calendar**

Senator Cortez asked that Senate Bill No. 643 be called from the Calendar.

April 17, 2012

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.

Floor Amendments

Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 643 by Senator Cortez

AMENDMENT NO. 1

On page 2, after line 4, add the following:

"Section 2. The provisions of this Act shall expire and be void after a final, non appealable judgment by the United States Supreme Court that includes the merits of the provisions of Section 2794 of the Public Health Service Act and that rejects the validity of such provisions, together with any and all federal regulations promulgated in accordance therewith by any federal agency. The provisions of this Act shall become null and void immediately upon congressional repeal of Section 2794 of the Public Health Service Act."

On motion of Senator Cortez, the amendments were adopted.

The bill was read by title. Senator Cortez 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
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	White
Donahue	Morrish	
Total - 38		

NAYS

Total - 0

ABSENT

Ward

Total - 1

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 58—  
BY SENATOR PERRY

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Percy J. Manceaux Jr.

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

Introduction of  
Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 58—  
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Chief Justice Burrell Johnston Carter of the First Circuit Court of Appeal upon his retirement and for his service to the legal community and to the citizens of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 59—  
BY SENATOR LONG

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Reverend Perry Sanders.

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

SENATE CONCURRENT RESOLUTION NO. 60—  
BY SENATOR PERRY AND REPRESENTATIVE HENSGENS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the state Department of Education to develop and implement a comprehensive curriculum for a high school communications course that will prepare students to communicate effectively, both orally and in writing.

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

SENATE CONCURRENT RESOLUTION NO. 61—  
BY SENATOR BROWN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility and costs of widening LA 73 between LA 30 and Interstate 10 in Ascension Parish.

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

Message from the House

ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS

April 17, 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. 818	HB NO. 894	HB NO. 942
HB NO. 955	HB NO. 1025	HB NO. 1187
HB NO. 1189	HB NO. 23	HB NO. 68

HB NO. 315                      HB NO. 426                      HB NO. 592  
 HB NO. 746                      HB NO. 777

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

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

**HOUSE BILL NO. 23—**  
 BY REPRESENTATIVE SEABAUGH  
 AN ACT

To enact R.S. 13:1565.1(C), relative to the Caddo Parish juvenile court; to authorize the clerk of the Juvenile Court for Caddo Parish to lease or purchase an automobile for office use; to provide for the purchase of insurance for the automobile; and to provide for related matters.

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

**HOUSE BILL NO. 68—**  
 BY REPRESENTATIVE SEABAUGH  
 AN ACT

To amend and reenact R.S. 13:2583.3(A) and (B), relative to constables; to provide with respect to the constable of a justice of the peace court in Caddo Parish; to provide for the appointment of one or more deputy constables; and to provide for related matters.

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

**HOUSE BILL NO. 315—**  
 BY REPRESENTATIVE HAVARD  
 AN ACT

To enact R.S. 13:961(F)(1)(u), relative to court reporter fees for the Twentieth Judicial District Court; to authorize the judges of the Twentieth Judicial District Court to determine the fees to be charged for transcriptions and copies in all 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. 426—**  
 BY REPRESENTATIVE JAY MORRIS  
 AN ACT

To amend and reenact Code of Civil Procedure Article 4916, relative to justice of the peace courts; to provide for venue; to provide for applicability of rules of venue; and to provide for related matters.

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

**HOUSE BILL NO. 592—**  
 BY REPRESENTATIVE JAY MORRIS  
 AN ACT

To amend and reenact R.S. 13:587.2(A) and 587.4(A), relative to district courts; to provide relative to designation of speciality divisions or sections in district courts; to provide relative to the designation of a special division or section of the Fourth Judicial District Court; and to provide for related matters.

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

**HOUSE BILL NO. 746—**  
 BY REPRESENTATIVE CHANEY  
 AN ACT

To enact R.S. 49:170.17, relative to state symbols; to provide for the official state boat; and to provide for related matters.

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

**HOUSE BILL NO. 777—**  
 BY REPRESENTATIVE FOIL  
 AN ACT

To amend and reenact R.S. 13:5202(A), relative to small claims divisions of city courts; to provide for the jurisdictional amount in a small claims division; and to provide for related matters.

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

**HOUSE BILL NO. 818—**  
 BY REPRESENTATIVE ST. GERMAIN  
 AN ACT

To amend and reenact the heading of Part II-A of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950 and R.S. 40:1541 and to enact R.S. 36:651(S) and R.S. 40:1541.1 through 1541.3, relative to firemen training and certification; to create the Louisiana Fire and Emergency Training Commission within Louisiana State University and provide for its membership, powers, and duties; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 894—**  
 BY REPRESENTATIVE TIM BURNS  
 AN ACT

To amend and reenact R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b), and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1), relative to elections; to provide for election dates; to provide for certain deadlines relative to special elections and bond, tax, and other elections at which a proposition or question is to be submitted to the voters; to provide for effectiveness; and to provide for related matters.

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

**HOUSE BILL NO. 942—**  
 BY REPRESENTATIVE TIM BURNS  
 AN ACT

To amend and reenact R.S. 42:1142, relative to enforcement of the laws under the jurisdiction of the Board of Ethics; to provide for the appeal of actions taken to enforce the laws under the jurisdiction of the Board of Ethics; to provide for appeal of actions of the Board of Ethics and the Ethics Adjudicatory Board; to provide the Board of Ethics a limited right to appeal final decisions of the Ethics Adjudicatory Board; to provide for the payment of attorney fees and court costs under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 955—**  
 BY REPRESENTATIVE TIM BURNS  
 AN ACT

To amend and reenact R.S. 18:463(A)(2)(c)(i), 1505.4(A)(1) and (4), (C), and (D)(1), 1511.4(D), and 1511.5(A)(1) and (2), (B), and (D) and to enact R.S. 18:1511.4.1, relative to the Campaign Finance Disclosure Act; to clarify the enforcement of certain violations of the Campaign Finance Disclosure Act; to provide for the powers, functions, and duties of the Supervisory Committee on Campaign Finance Disclosure and the Ethics Adjudicatory Board relative to such enforcement; and to provide for related matters.

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

**HOUSE BILL NO. 1025—**  
BY REPRESENTATIVE POPE  
AN ACT

To enact R.S. 37:1281.2, relative to the allied practitioner health program; to establish an annual assessment for the identification, monitoring, assistance, and procurement of treatment of medical psychologists, physician assistants, and podiatrists suffering from certain conditions; to provide for a self-reporting waiver applicable to a violation related to the individual's ability to practice his profession with reasonable skill and safety by reason of substance abuse or psychiatric condition; to extend protected actions and communications to certain enumerated individuals and entities; and to provide for related matters.

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

**HOUSE BILL NO. 1187— (Substitute for House Bill No. 751 by Representative Richardson)**  
BY REPRESENTATIVE RICHARDSON  
AN ACT

To amend and reenact R.S. 37:1861(B)(2) and (5), 1862(A), 1864.1(A), 1864.2(C), and 1864.3, to enact R.S. 37:1861(B)(6), and to repeal R.S. 37:1862(B), 1864(A)(1)(d), 1864.1(C)(2), and 1867(B), relative to used or secondhand property; to prohibit cash payment for the purchase of copper; to establish a maximum cash payment for metals other than copper; to require an occupational license to act as a secondhand dealer; to require photographic records of certain goods upon request of law enforcement; to exempt the purchase of educational course materials; to repeal the exemption for tires and rims; to repeal the requirement that secondhand dealers record the license plate of a seller; and to provide for related matters.

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

**HOUSE BILL NO. 1189— (Substitute for House Bill No. 892 by Representative Hodges)**  
BY REPRESENTATIVE HODGES  
AN ACT

To enact R.S. 32:1717(D), relative to motor vehicles; to provide that certain operators of car carriers are not required to have certain license plates or insurance; 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 17, 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. 94

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

**House Concurrent Resolutions  
on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 94—**  
BY REPRESENTATIVE JONES AND SENATOR LONG  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to encourage and enable the Federal Energy Regulatory Commission to expedite the review and approval of Cheniere Energy's Sabine Pass Liquefied Natural Gas facility and to streamline the approval process for similar export facilities to magnify the economic benefits of liquefied natural gas exports throughout the region and nation.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**RETIREMENT**

Senator Elbert L. Guillory, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 16, 2012

To the President and Members of the Senate:

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

**SENATE BILL NO. 33—**  
BY SENATOR GUILLORY  
AN ACT

To amend and reenact R.S. 11:102(B)(1), 103(B)(1), 448(A), 450(B), 787(A)(1), 1152(E) and (H), 2221(E)(1)(a), and 2257(E), relative to deferred retirement option plans or programs; to provide for employer contributions in state and statewide retirement systems pursuant to such plans or programs; to require employer contributions to continue during any employee's participation in such a plan or program; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 47—**  
BY SENATOR GUILLORY  
AN ACT

To amend and reenact R.S. 11:403(5) and 701(5)(b) through (e) and to enact R.S. 11:701(5)(f) and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, relative to certain members of the Louisiana State Employees' Retirement System and certain postsecondary education members of the Teachers' Retirement System of Louisiana; to provide with respect to benefit calculation; to provide an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 52—**  
BY SENATOR GUILLORY  
AN ACT

To amend and reenact R.S. 11:62(5)(a), (c), and (e) and (11)(c) and to enact R.S. 11:62(11)(d) and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, relative to certain members of the Louisiana State Employees' Retirement System and certain postsecondary education members of the Teachers'

Retirement System of Louisiana; to increase employee contribution rates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 727— BY SENATORS CLAITOR, APPEL, CORTEZ, CROWE, GUILLORY, LONG AND PERRY

AN ACT

To enact R.S. 11:413(11), relative to membership in the Louisiana State Employees' Retirement System; to provide for classes of employees who are ineligible for membership in the system; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 740— BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:542(A)(2) and (3), (B)(introductory paragraph), and (F)(2), 883.1(A)(2) and (3), (B)(introductory paragraph), and (G)(2) and to enact Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, and R.S. 11:542(A)(4), (B)(4), (F)(3), and 883.1(A)(4), (B)(4), and (G)(3), relative to certain accounts of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for calculation and application of credits and debits to the systems' experience accounts; to provide for subaccounts; to provide for an effective date, and to provide for related matters.

Reported with amendments.

Respectfully submitted, ELBERT L. GUILLORY Chairman

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 17, 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 Bills have been properly enrolled:

SENATE BILL NO. 384— BY SENATOR RISER

AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(i), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue 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.

SENATE BILL NO. 610— BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:120.37(A), (C), and (D), relative to the Department of Revenue; to provide for distribution dates for donations from individual state income tax returns to donees; and to provide for related matters.

Respectfully submitted, "JODY" AMEDEE Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 17, 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 Resolutions have been properly enrolled:

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.

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATORS GALLOT, ADLEY, KOSTELKA, LAFLEUR, LONG, RISER, JOHN SMITH AND WALSWORTH AND REPRESENTATIVES ARMES, BROWN, COX, DIXON, 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.

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.

Respectfully submitted, "JODY" AMEDEE Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 17, 2012

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 82—

BY REPRESENTATIVE SHADOIN AND SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Lincoln Parish School Board to name the Ruston High School field house in honor of Jimmy "Chick" Childress.

April 17, 2012

**HOUSE CONCURRENT RESOLUTION NO. 83—**  
BY REPRESENTATIVE SHADON AND SENATOR WALSWORTH  
A CONCURRENT RESOLUTION

To urge and request the Lincoln Parish School Board to name the Ruston High School football stadium in honor of the late L.J. "Hoss" Garrett.

**HOUSE CONCURRENT RESOLUTION NO. 85—**  
BY REPRESENTATIVE CROMER AND SENATOR NEVERS  
A CONCURRENT RESOLUTION

To commend Lou Major, Sr., on the occasion of being inducted into the Manship School of Fame.

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

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

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

**Motion to Make Special Order**

Senator Adley asked for and obtained a suspension of the rules to make House Bill No. 969, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 1 on Wednesday, April 18, 2012.

**HOUSE BILL NO. 969—**  
BY REPRESENTATIVE TALBOT  
AN ACT

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, House Bill No. 969 was made Special Order of the Day No. 1 on Wednesday, April 18, 2012.

**ATTENDANCE ROLL CALL**

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

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	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White

Total - 39

**ABSENT**

Total - 0

**Announcements**

The following committee meetings for April 18, 2012, were announced:

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

**Adjournment**

On motion of Senator Thompson, at 6:50 o'clock P.M. the Senate adjourned until Wednesday, April 18, 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 18, 2012.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk