

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

**TWENTIETH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 18, 2012

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

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Gallot	Perry
Adley	Guillory	Peterson
Allain	Johns	Riser
Amedee	Kostelka	Smith, G.
Broome	LaFleur	Smith, J.
Brown	Long	Thompson
Claitor	Mills	Walsworth
Cortez	Morrell	Ward
Donahue	Murray	
Dorsey-Colomb	Peacock	
Total - 28		

**ABSENT**

Appel	Erdey	Nevers
Buffington	Heitmeier	Tarver
Chabert	Martiny	White
Crowe	Morrish	
Total - 11		

The President of the Senate announced there were 28 Senators present and a quorum.

**Prayer**

The prayer was offered by Father John Asare-Dankwah, 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 Gary Smith, the reading of the Journal was dispensed with and the Journal of April 17, 2012, was adopted.

**Privilege Report of the  
Legislative Bureau**

April 18, 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. We advise and suggest the following amendments to the engrossed bills.

**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 without amendments.

**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.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 324 by Representative Danahay

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on April 17, 2012, on page 1, line 5, following "On page" and before ",," change "2" to "1"

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

Respectfully submitted,  
**DANIEL R. MARTINY**  
Chairman

April 18, 2012

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 59—

BY SENATOR LAFLEUR

A RESOLUTION

To commend Charles W. Tapp upon the occasion of his retirement and his service to the community.

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

SENATE RESOLUTION NO. 60—

BY SENATOR ADLEY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Specialist Matthew Wade Comeaux while in the service of his country.

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

SENATE RESOLUTION NO. 61—

BY SENATOR ALARIO

A RESOLUTION

To commend James E. "Jimmy" Fitzmorris Jr. for his many years of invaluable public service to the people of the state of Louisiana and to congratulate him on the attainment of an exceptional milestone of ninety years of age.

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

SENATE RESOLUTION NO. 62—

BY SENATOR LONG

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Avis Chelette Jones.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To request that the commissioner of administration determine that the "best use and disposition" of the former site of the state insurance building near the state capitol is to transfer the property to the control of the legislature for the use of the legislative auditor and the legislature, and to implement the transfer.

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATORS JOHNS, ADLEY, APPEL, BROOME, BROWN, BUFFINGTON, CORTEZ, DONAHUE, DORSEY-COLOMB, ERDEY, KOSTELKA, LONG, MARTINY, MILLS, MORRELL, MORRISH, NEVERS, PERRY, PETERSON, RISER, GARY SMITH, WALSWORTH AND WARD AND REPRESENTATIVES ADAMS, STUART BISHOP, BROADWATER, BROSSETT, BROWN, CHAMPAGNE, CROMER, DANAHAY, EDWARDS,

GAROFALO, GEYMAN, GUINN, HARRISON, HAZEL, HENSGENS, HILL, HODGES, HOFFMANN, HOWARD, KATRINA JACKSON, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEGER, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOUCET, JAY MORRIS, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, SCHEXNAYDER, SCHRODER, SHADON, SIMON, ST. GERMAIN, WHITNEY, ALFRED WILLIAMS AND PATRICK WILLIAMS

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Deputy Sheriff Randall L. Benoit of the Calcasieu Parish Sheriff's Office.

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR NEVERS AND REPRESENTATIVE RITCHIE

A CONCURRENT RESOLUTION

To commend the Louisiana Foster and Adoptive Parent Association (LFAPA) for its outstanding achievements and to designate Thursday, May 17, 2012, as Louisiana Foster and Adoptive Parent Association Day at the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Guillery, Tarver. Lists names of senators and their corresponding counts for ABSENT.

Total - 5

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

Senate Resolutions on Second Reading

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.

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

**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.

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

**Senate Concurrent Resolutions on Second Reading**

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Buffington	Guillory
Gallot	Martiny
Total - 4	

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Broome	Kostelka	Smith, G.
Brown	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Mills	Thompson
Cortez	Morrell	Walsworth
Crowe	Morrish	Ward
Donahue	Murray	White
Total - 36		

NAYS

Total - 0

ABSENT

Buffington	Guillory	Martiny
Total - 3		

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

**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 referred by the President to the Committee on Education.

**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 referred by the President to the Committee on Transportation, Highways and Public Works.

**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. 103	HB NO. 355	HB NO. 556
HB NO. 558	HB NO. 591	HB NO. 620
HB NO. 624	HB NO. 759	HB NO. 763
HB NO. 849	HB NO. 950	HB NO. 1188
HB NO. 1190	HB NO. 1191	

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

April 18, 2012

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 103— BY REPRESENTATIVE THIERRY AN ACT

To amend and reenact R.S. 13:783(D)(1)(a) and (7), relative to the clerks of court for East Feliciana Parish, West Feliciana Parish, and St. Landry Parish; to exempt the clerks of court for East Feliciana Parish, West Feliciana Parish, and St. Landry Parish from obtaining consent from the governing authority to purchase an automobile; to authorize an automobile expense allowance for the East Feliciana Parish, West Feliciana Parish, and St. Landry Parish clerks of court; to require automobile insurance for bodily injury and property damage; to allocate surplus funds to the expense allowance; to prohibit additional expenses from being paid by the state or local governing authority; and to provide for related matters.

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

HOUSE BILL NO. 355— BY REPRESENTATIVE POPE AN ACT

To enact R.S. 15:85.3, relative to posting of criminal bonds; to provide for an increase in fees assessed for criminal bonds in Denham Springs; to provide for collection of fees by the marshal of the Denham Springs City Court; to provide for allocation of funds to the marshal's general fund; to provide for use of funds for the operational expenses of the marshal's office; and to provide for related matters.

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

HOUSE BILL NO. 556— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 15:542.1.2(A), relative to sex offender registration and notification; to provide relative to changes in a sex offender's registration information; and to provide for related matters.

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

HOUSE BILL NO. 558— BY REPRESENTATIVES LOPINTO AND NORTON AN ACT

To amend and reenact R.S. 15:542.1.3(A) and (B)(2) and 544(C), (D), and (E) and to enact R.S. 15:544(F), relative to sex offender registration and notification; to provide relative to sex offenders convicted under the laws of another state; to provide for court documentation; to provide for the duration of sex offender registration and notification for certain offenders; to provide relative to the frequency of in-person registration renewals; to provide with respect to certification on an offender's registration history; to provide for an effective date; to provide for prospective application; and to provide for related matters.

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

HOUSE BILL NO. 591— BY REPRESENTATIVE SIMON AN ACT

To amend and reenact R.S. 36:259(T), 802(introductory paragraph), and 901(A), R.S. 46:2633(D) and (E), 2634(B)(2), (3), (13), (D), and (H), and 2635(A), (B), and (C) and to enact R.S. 46:2633(F), relative to administration of the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for certain duties of the Department of Health and Hospitals, office of aging and adult services relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for composition and certain duties

of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for the advisory capacity of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board within the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 620— BY REPRESENTATIVES THIERRY, ADAMS, BADON, BROWN, BURRELL, GUILLORY, HAZEL, HODGES, HONORE, HOWARD, TERRY LANDRY, MACK, MORENO, AND PYLANT AN ACT

To amend and reenact R.S. 14:91.5 and R.S. 15:543.1, relative to the unlawful use of a social networking website; to provide relative to the crime of unlawful use of a social networking website; to provide for definitions; to remove the exception regarding permission by the court or the probation or parole officer; to provide notice of this crime to sex offenders; and to provide for related matters.

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

HOUSE BILL NO. 624— BY REPRESENTATIVE CHANEY AN ACT

To enact R.S. 22:821(B)(34) and Part XI of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1807.1, 1807.2, and 1807.3, relative to appraisers; to require registration of certain appraisers with the Department of Insurance; to grant regulatory authority to the commissioner; to provide for a registration for certain appraisal registrations; and to provide for related matters.

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

HOUSE BILL NO. 759— BY REPRESENTATIVES NANCY LANDRY, ADAMS, ANDERS, ARNOLD, BARROW, WESLEY BISHOP, BURRELL, CHAMPAGNE, KATRINA JACKSON, LEBAS, NORTON, PYLANT, REYNOLDS, ROBIDEAUX, AND WILLMOTT AN ACT

To enact R.S. 14:43.4, relative to rape and sexual battery; to create the crime of female genital mutilation; to provide for the elements of such offense; to provide for exceptions; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

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

HOUSE BILL NO. 763— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact R.S. 13:917(A) and (C), 1221(A), 1903(A), 1904(A) and (C) through (E), 1904.1, and 2562.26(A) and R.S. 44:40(E) and to repeal R.S. 44:40(F) and 427, relative to records in the custody of a clerk of court; to provide for the destruction of such records in certain circumstances; to provide for retention in certain circumstances and in certain formats; and to provide for related matters.

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

HOUSE BILL NO. 849— BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact R.S. 22:651 and 652(2) and (3)(a), relative to reinsurance credits; to clarify terms, duties, and obligations; to provide for new accreditation requirements; to provide relative to the assumption of insurers' duties and obligations; to provide relative to trust requirements; and to provide for related matters.

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

**HOUSE BILL NO. 950—**

BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 42:1132(A), (B)(introductory paragraph), (C), and (D), 1134(A)(1) and (K), 1135, 1141(A), (B)(1)(a), (C)(1), (2), and (3)(c) and (d), and 1151 through 1157, to enact R.S. 42:1141(B)(3) and (C)(3)(e) and (f) and 1141.2 through 1141.6, and to repeal R.S. 42:1141(C)(4), (5), (6), (7), and (8), (D), (E), and (F), 1141.1, and 1157.2, relative to enforcement of the laws under the jurisdiction of the Board of Ethics; to clarify the powers and duties of the Board of Ethics and the Ethics Adjudicatory Board relative to such enforcement; to provide relative to certain time limitations; and to provide for related matters.

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

**HOUSE BILL NO. 1188— (Substitute for House Bill No. 802 by Representative Anders)**

BY REPRESENTATIVES ANDERS, ADAMS, ARMES, BADON, BILLIOT, BROWN, BURRELL, DIXON, GISCLAIR, HARRIS, HARRISON, HENSGENS, KATRINA JACKSON, LEOPOLD, JAY MORRIS, PONTI, PYLANT, REYNOLDS, RICHARDSON, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and 1864.3 and to enact R.S. 37:1861(B)(6) and Chapter 22 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1961 through 1975, relative to used or secondhand property; to provide for an exemption to the secondhand dealer law; to prohibit cash payments for the purchase of copper and other metals; to establish the Louisiana Scrap Metal Recyclers Law; to provide for definitions; to require an occupational license to operate as a scrap metal recycler; to require changes in location to be noted on a license; to provide for hours of operation; to require records of scrap metal purchased; to require the records to be kept for three years; to require the records to be made available for inspection by law enforcement; to require photographic records of scrap metal purchased and of the sellers; to prohibit the purchase of scrap metal not owned by the seller; to prohibit scrap metal purchases from person under the age of eighteen; to require a statement of ownership from the seller; to provide that failure to obtain the statement shall be prima facie evidence of fraud; to provide for exoneration from fraudulent, willful, or criminal knowledge; to require daily reports; to require the use of a national database; to provide for violations; to provide for penalties; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1190— (Substitute for House Bill No. 683 by Representative Dove)**

BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact 49:214.34(A)(3) and to enact R.S. 41:1705(16) and R.S. 56:431.2, relative to alternative oyster culture; to authorize the Department of Wildlife and Fisheries to issue permits for alternative oyster culture activities; to provide parameters for such permits; to provide relative to coastal use permits necessary for such activities; to provide relative to penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1191— (Substitute for House Bill No. 970 by Representative Thibaut)**

BY REPRESENTATIVE THIBAUT  
AN ACT

To enact Subpart G-1 of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.

22:691.1 through 691.27 and to repeal Subpart G of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:691 through 694, relative to insurance holding company systems; to provide for definitions; to provide relative to subsidiaries of insurers; to provide relative to acquisitions of domestic insurers; to provide relative to filing requirements for persons offering to acquire domestic insurers; to provide relative to public hearings in relation to denied acquisition attempts; to provide for penalties for violations of holding company laws; 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 18, 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. 97

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

**House Concurrent Resolutions on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVES HOFFMANN, ANDERS, CHANEY, FANNIN, HUNTER, KATRINA JACKSON, JAY MORRIS, PYLANT, AND SHADOIN AND SENATORS GALLOT, KOSTELKA, RISER, THOMPSON, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To commend Charles "Charlie Mac" McDonald of Bastrop, former state representative, and to express enduring gratitude for his outstanding contributions to education in the state of Louisiana.

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

**House Bills and Joint Resolutions on Second 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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Judiciary B.

April 18, 2012

**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 referred by the President to the Committee on Judiciary C.

**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 referred by the President to the Committee on Health and Welfare.

**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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Health and Welfare.

**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 referred by the President to the Committee on Judiciary A.

**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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Judiciary C.

**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 referred by the President to the Committee on Health and Welfare.

**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 referred by the President to the Committee on Judiciary A.

**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 referred by the President to the Committee on Judiciary C.

**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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Health and Welfare.

**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 yoyos or trigger devices and trotlines on certain bodies of water; 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. 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 referred by the President to the Committee on Senate and Governmental Affairs.

**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 referred by the President to the Committee on Judiciary A.

**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 referred by the President to the Committee on Education.

**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 referred by the President to the Committee on Senate and Governmental Affairs.

**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 referred by the President to the Committee on Senate and Governmental Affairs.

**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 referred by the President to the Committee on Senate and Governmental Affairs.

**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 referred by the President to the Committee on Health and Welfare.

**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

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

**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 referred by the President to the Committee on Transportation, Highways and Public Works.

**House Concurrent Resolutions on Second 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 referred by the President to the Committee on Natural Resources.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS**

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

April 18, 2012

To the President and Members of the Senate:

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

**SENATE BILL NO. 128—**

BY SENATOR CLAITOR  
AN ACT

To amend and reenact R.S. 37:711.15(A)(4)(b), and to repeal R.S. 37:711.4(D) relative to the Louisiana Professional Geoscience Practice Act; to provide for license eligibility; to provide for exemptions from examination requirements; to repeal certain prohibitions and limitations upon the receipt and use of state funds; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 360—**

BY SENATOR MARTINY AND REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 32:1252(4), (19) and (23), 1254(C)(12), (D)(4)(b) and (7), (E)(4), (9)(b), and (11), 1258(A)(10) and (E), 1260(B)(1) through (3), 1261, 1261.1, and 1263, to enact R.S. 32:1252(52) through (78), 1262(C), 1267(C), 1268(D), and Parts II, III, and IV of Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1270 through 1270.32, and to repeal R.S. 32:1257.1 and 1268.1, relative to marine products, motorcycles, all-terrain vehicles, and recreational vehicles; to provide for certain terms, conditions, requirements, and procedures; to provide for definitions; to provide for the establishment of new dealerships and the relocation of existing dealerships; to provide for payment to dealers; to provide for unauthorized acts; to provide for warranty agreements and application thereof; to provide for the sale and leasing of certain marine products, motorcycles, all-terrain vehicles, and recreational vehicles; to provide for the succession of a dealer; to provide for the procedure to terminate a dealership; to provide for the repurchase of certain products, equipment, parts, and tools; to provide relative to conflicts of laws; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 389—**

BY SENATOR MARTINY  
AN ACT

To enact R.S. 51:1726 and 1727, relative to sweepstakes promotions; to provide for the regulation of sweepstakes promotions by the attorney general; to provide for definitions; to provide for the display of sweepstakes promotions winners; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 81—**

BY REPRESENTATIVE LIGI  
AN ACT

To amend and reenact R.S. 32:1253(A)(2), relative to the Louisiana Motor Vehicle Commission; to provide for membership; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 386—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 37:2175.1(A)(introductory paragraph), 2175.2(C), and 2175.3(B) and to enact R.S. 37:2175.1(A)(6) and (7) and (D) and 2175.3(A)(9), relative to home improvement contracting; to lower the minimum threshold amount for home improvement contracting; to provide for a right to cancel a contract for home improvement contracting; to require notice of the right to cancel; to provide for refund of payments; to require proof of general liability insurance in a minimum amount; to prohibit a home improvement contractor from advertising or promising to pay or rebate all or any portion of an applicable insurance deductible as an inducement to the sale of goods or service; to provide for nullification of the contract and a cause of action for violations; to provide for an unfair trade practice violation; to provide for remedies for violations; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DANIEL R. MARTINY  
Chairman



REPORT OF COMMITTEE ON INSURANCE

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

April 18, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 644— BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 22:453(B), 454(A), 458, 459, 461(B),(C), (D), (E), (F), (G), and (H), and 463, enact R.S. 22:462(H), and to repeal R.S. 22:454(C) and (D) and 461(I), relative to group self-insurers; to provide for application for certificates of authority; to provide for fidelity bonds and insolvency of deposits; to provide for self-insured trusts; to provide for excess stop-loss coverage; to provide for annual audits, examinations by the commissioner, and issuance of annual reports; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 735— BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 36:696(A), relative to the deputy commissioner of consumer advocacy, to provide relative to the commissioner's appointment; to provide for the commissioner's salary; to provide for staff; to provide for the offices; and to provide for related matters.

Reported favorably.

Respectfully submitted, DAN W. "BLADE" MORRISH Chairman

SUPPLEMENTAL 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. 51— BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:441(A)(1)(introductory paragraph), (2)(a)(introductory paragraph) and (b)(introductory paragraph), and 761(A)(4) 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. 11:441(A)(4) and 761(A)(5), 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 relative to eligibility for retirement and to retirement benefits; to provide for applicability; and to provide for related matters.

Reported by substitute.

Respectfully submitted, ELBERT L. GUILLORY Chairman

REPORT OF COMMITTEE ON SENATE AND GOVERNMENTAL AFFAIRS

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

April 18, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 248— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1132(B)(4)(c), relative to the Board of Ethics; to provide for changes relative to persons eligible for nomination to the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 328— BY SENATOR BROOME

AN ACT

To enact R.S. 24:603.2, relative to the legislation; to provide for poverty impact statements for certain legislative measures; to provide for the duties of the legislative fiscal office; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 353— BY SENATOR MURRAY

AN ACT

To enact R.S. 49:170.17, relative to Irish-American Heritage Month; to designate the month of March as Irish-American Heritage Month; and to provide for related matters.

Reported favorably.

Respectfully submitted, LEE "JODY" AMEDEE Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

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

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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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 33 by Senator Guillory

AMENDMENT NO. 1

On page 2, line 5, after "participants" insert "who begin participation"

AMENDMENT NO. 2

On page 2, line 6, after "Plan" and before the period "." insert "on or after July 1, 2013"

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

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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 47 by Senator Guillory

AMENDMENT NO. 1

On page 2, delete lines 2 through 4 and insert the following: "Bill No. 47 of the 2012 Regular Session of the Legislature is to attain and maintain the actuarial soundness of the state and statewide systems as required by the Constitution of Louisiana, Article X, Section 29."

AMENDMENT NO. 2

On page 2, line 22, change "service" to "services"

AMENDMENT NO. 3

On page 7, delete lines 10 through 25 in their entirety and insert in lieu thereof the following:

"Section 3. R.S. 11:403 as amended by this Act shall not apply to a judge during the term of office he is serving on June 30, 2012. After that term, R.S. 11:403 as amended by this Act shall apply to a member holding that office.

Section 4. (A) On June 30, 2012, this Act shall become applicable to members of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana who are not eligible for retirement on or before September 30, 2012.

(B) On October 1, 2012, the provisions of this Act shall become applicable to other members of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana.

Section 5. (A) As soon as practicable after the effective date of this Act, the Public Retirement Systems' Actuarial Committee shall meet to adopt a revised valuation for each system prepared as provided in R.S. 11:102. This valuation shall include a revised employer contribution rate for each plan within the system to be utilized in the fiscal year

which begins on July 1, 2012. This valuation shall incorporate all changes enacted by the legislature in the 2012 Regular Session.

(B) The Public Retirement Systems' Actuarial Committee is hereby authorized to adopt an actuarial valuation or revised employer contribution rate to be utilized in the fiscal year which begins on July 1, 2012, calculated in accordance with R.S. 11:102, which has been prepared on behalf of the Division of Administration by a member of the American Academy of Actuaries who meets the qualification requirements of the academy to issue a particular statement of actuarial opinion.

Section 6. Because the legislature finds and declares that questions of law may be raised by some persons with respect to the constitutionality of some of the provisions of this Act, the public welfare requires that such questions of law be resolved with expedition prior to such time as its provisions take effect in order to avoid disruption of the orderly implementation of its provisions. Therefore, the legislature finds that an expedited hearing schedule for actions filed relative to the constitutionality of any provision of this Act should be immediately made available in order to avoid confusion by the public. Therefore, any domiciliary of this state may institute an action in the Nineteenth Judicial District Court seeking a declaratory judgment to determine the constitutionality of the provisions of this Act. The attorney general and the governor shall be served with a copy of the proceeding and shall be entitled to be heard. In the interest of further expediting this procedure, the Nineteenth Judicial District Court, First Circuit Court of Appeal, and Louisiana Supreme Court are urged to minimize all unnecessary delays in order to resolve any questions of law no later than thirty days prior to the prefiling deadline for retirement legislation for the 2013 regular legislative session, and the courts may suspend all applicable rules of court for this limited purpose.

Section 7. If a final judgment declares any of the provisions of this Act unconstitutional or unconstitutional as applied to a particular class of employees, the other provisions of this Act shall remain in effect and also shall be applicable to all other classes of employees unrelated to the judgment."

AMENDMENT NO. 4

On page 7, line 26 change "Section 6" to "Section 8"

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

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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 52 by Senator Guillory

AMENDMENT NO. 1

On page 1, line 3, after "11:62(11)(d)" insert ", R.S. 11:102(D),"

AMENDMENT NO. 2

On page 1, line 11, after "11:62(11)(d)" insert ", R.S. 11:102(D),"

AMENDMENT NO. 3

On page 3, between line 3 and line 4, insert the following: "§102. Employer contributions; determination; state systems

D. Notwithstanding any provision of this Section, R.S. 11:102.1, or R.S. 11:102.2 to the contrary, the additional

contributions to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana resulting from R.S. 11:62 as amended by the Act which originated as Senate Bill No. 52 shall be applied to the outstanding balance of the original amortization base of each system without reamortization of such base and until the base is fully liquidated, after which the additional contributions shall be applied as otherwise provided in this Section.

AMENDMENT NO. 4

On page 3, line 11, after "Section 2." and before "R.S.11:65(5)(a)", insert "(A)"

AMENDMENT NO. 5

On page 3, between line 15 and line 16, insert  
 "(B) Notwithstanding the provisions of Section 2(A) of this Act, the provisions of R.S. 11:62(5)(a) as amended by this Act shall apply to the governor in office on July 1, 2012."

AMENDMENT NO. 6

On page 3, delete line 16 through line 20, and insert the following:  
 "Section 3. (A) As soon as practicable after the effective date of this Act, the Public Retirement Systems' Actuarial Committee shall meet to adopt a revised valuation for each system prepared as provided in R.S. 11:102. This valuation shall include a revised employer contribution rate for each plan within the system to be utilized in the fiscal year which begins on July 1, 2012. This valuation shall incorporate all changes enacted by the legislature in the 2012 Regular Session.

(B) The Public Retirement Systems' Actuarial Committee is hereby authorized to adopt an actuarial valuation or revised employer contribution rate to be utilized in the fiscal year which begins on July 1, 2012, calculated in accordance with R.S. 11:102, which has been prepared on behalf of the Division of Administration by a member of the American Academy of Actuaries who meets the qualification requirements of the academy to issue a particular statement of actuarial opinion."

AMENDMENT NO. 7

On page 3, between line 20 and line 21, insert the following:  
 "Section 4. Because the legislature finds and declares that questions of law may be raised by some persons with respect to the constitutionality of some of the provisions of this Act, the public welfare requires that such questions of law be resolved with expedition prior to such time as its provisions take effect in order to avoid disruption of the orderly implementation of its provisions. Therefore, the legislature finds that an expedited hearing schedule for actions filed relative to the constitutionality of any provision of this Act should be immediately made available in order to avoid confusion by the public. Therefore, any domiciliary of this state may institute an action in the Nineteenth Judicial District Court seeking a declaratory judgment to determine the constitutionality of the provisions of this Act. The attorney general and the governor shall be served with a copy of the proceeding and shall be entitled to be heard. In the interest of further expediting this procedure, the Nineteenth Judicial District Court, First Circuit Court of Appeal, and Louisiana Supreme Court are urged to minimize all unnecessary delays in order to resolve any questions of law no later than thirty days prior to the prefiling deadline for retirement legislation for the 2013 regular legislative session, and the courts may suspend all applicable rules of court for this limited purpose."

AMENDMENT NO. 8

On page 3, line 21, change "Section 4." to "Section 5."

AMENDMENT NO. 9

On page 3, line 24, change "Section 5." to "Section 6."

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

**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 by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

**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 by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

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

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

**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 by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 270 by Senator Perry

AMENDMENT NO. 1

On page 1, line 5, after "Inc.;" and before "and" insert the following: "to provide for the administration and disbursement of donated monies;"

AMENDMENT NO. 2

On page 2, line 5, after "**Revenue.**" and before "**No**" insert the following: "**Donated monies shall be administered by the**

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secretary and distributed to the Friends of Palmetto Islands State Park, Inc. in accordance with the provisions of R.S. 47:120.37."

AMENDMENT NO. 3

On page 2, delete lines 7 through 13 in their entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 14, before "**Palmetto**" insert "**B. The Friends of**"

AMENDMENT NO. 5

On page 2, line 21, after "**but**" and before "**shall**" insert "**the report**"

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

**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 by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 271 by Senator Perry

AMENDMENT NO. 1

On page 1, line 4, after "Inc.;" and before "and" insert the following: "to provide for the administration and disbursement of donated monies;"

AMENDMENT NO. 2

On page 2, line 3, after "**Revenue.**" and before "**No**" insert the following: "**Donated monies shall be administered by the secretary and distributed to Dreams Come True, Inc., in accordance with the provisions of R.S. 47:120.37.**"

AMENDMENT NO. 3

On page 2, delete lines 5 through 10 in their entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 11, before "**monies**" insert the following:

**"B. The DCT shall use the"**

AMENDMENT NO. 5

On page 2, line 16, after "**but**" and before "**shall**" insert "**the report**"

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

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

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

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

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 553 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 15, delete "**National Highway Safety Commission**" and insert "**National Highway Traffic Safety Administration**"

AMENDMENT NO. 2

On page 2, line 8, delete "first" and insert "**prior**"

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

**SENATE BILL NO. 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 by the Committee on Judiciary B.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 565 by Senator Dorsey-Colomb

AMENDMENT NO. 1

On page 1, line 4, after "prisons and" change "prisoners;" to "offenders;"

AMENDMENT NO. 2

On page 1, line 5, after "certain" and before "who" change "prisoners" to "inmates"

AMENDMENT NO. 3

On page 1, line 9, after "certain" and before "correspondence" change "prisoner" to "inmate"

AMENDMENT NO. 4

On page 1, at the end of line 10, after "certain" change "prisoner" to "inmate"

AMENDMENT NO. 5

On page 2, at the beginning of line 4, before "inmate" insert "death row"

AMENDMENT NO. 6

On page 2, line 23, after "defendant" and before "as provided" delete "convicted of a crime of violence"

AMENDMENT NO. 7

On page 3, delete lines 1 through 5 in their entirety and insert in lieu thereof:

**"(4) "Defendant" means an offender who has been convicted of a capital offense and sentenced to death in accordance with the provisions of R.S. 15:567 through 571."**

AMENDMENT NO. 8

On page 3, at the beginning of line 6, change "(6)" to "(5)" and at the beginning of line 7, change "(7)" to "(6)"

AMENDMENT NO. 9

On page 3, line 8, after "crime" delete "of violence"

AMENDMENT NO. 10

On page 4, line 14, after "convicted" delete the remainder of the line and at the beginning of line 15, delete "or nolo contendere,"

AMENDMENT NO. 11

On page 4, line 21 after "convicted" delete the remainder of the line and at the beginning of line 15 delete "contendere,"

AMENDMENT NO. 12

On page 6, line 14, after "victim of" and before "or the" delete "a crime of violence" and insert "the defendant's crime" and on line 15, after "victim of" delete the remainder of the line and insert "the defendant's crime."

AMENDMENT NO. 13

On page 6, line 17, after "a victim" and before "who died" delete "of a crime of violence" and on line 18 after "result of" and before "crime" delete "such" and insert "the defendant's"

AMENDMENT NO. 14

On page 6, at the end of line 20, delete "a" and at the beginning of line 21, delete "crime of violence or an attempted crime of violence" and insert "the defendant's crime"

AMENDMENT NO. 15

On page 6, line 22, after "apprehend" delete the remainder of the line and delete line 23 in its entirety and insert in lieu thereof "the defendant during the course of the crime."

AMENDMENT NO. 16

On page 6, at the beginning of line 27 delete "a crime of violence or an attempted crime of violence" and insert "the defendant's crime" and on line 28, after "apprehend" delete the remainder of the line and delete line 29 in its entirety and insert in lieu thereof "the defendant during the course of the crime."

AMENDMENT NO. 17

On page 7, at the end of line 1, change "upon" to "from" and on line 2, after "victim" delete "of a crime of violence" and after "result of" change "such" to "the defendant's"

AMENDMENT NO. 18

On page 7, line 3, after "support" and before "any" change "upon" to "from" and on line 4, after "to prevent" and before "from" delete "a crime of violence or an attempted crime of violence" and insert "the defendant's crime"

AMENDMENT NO. 19

On page 7, line 5, after "apprehend" delete the remainder of the line and delete line 6, in its entirety and insert in lieu thereof "the defendant during the course of the crime."

AMENDMENT NO. 20

On page 7, line 10, after "of a" delete the remainder of the line and insert "defendant's crime" and on line 12, after "of a" and before "crime" insert "defendant's"

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

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

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

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

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

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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 740 by Senator Guillory

AMENDMENT NO. 1

On page 4, line 4, change "one hundred" to "eighty"

AMENDMENT NO. 2

On page 5, line 29, change "one hundred" to "eighty"

On motion of Senator Guillory, 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. 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 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

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

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 122 by Representative Lopinto

AMENDMENT NO. 1

On page 2, delete line 14 through 17, and insert in lieu thereof the following:

"(b) The secretary of the department certifies that the sheriff has insufficient facilities to house the individuals and that the transfer is necessary to prevent danger to the individuals, other inmates, or to the public, or to provide adequate physical or mental medical treatment to the individual.

(c) The sheriff has determined that the individuals should be housed by the department because the sheriff has insufficient facilities to house the individual and that the transfer is necessary to prevent danger to the individual, other inmates, or to the public, or to provide adequate physical or mental medical treatment to the individual."

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

HOUSE BILL NO. 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 by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

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

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

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

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

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

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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, MONTUCET, 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 by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Re-Reengrossed House Bill No. 783 by Representative Fannin

**AMENDMENT NO. 1**

On page 2, line 25, after "assistance" insert: "which are included in the priority listing for the fiscal year pursuant to the highway priority program provided for in R.S. 48:228 through 233"

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

**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 by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

**Special Order of the Day No. 1**

**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.

**Floor Amendments**

Senator Adley proposed the following amendments.

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 969 by Representative Talbot

AMENDMENT NO. 1

On page 7, line 3, change "A qualified school shall admit" to "Admit"

AMENDMENT NO. 2

On page 8, line 29, between "the" and "scholarships" insert "total amount"

AMENDMENT NO. 3

On page 6, line 28, change "(a)" to "(aa)"

AMENDMENT NO. 4

On page 7, line 1, change "(b)" to "(bb)"

On motion of Senator Adley, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 969 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 47:6301" and before the comma "," insert the following: "and Chapter 4 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6321"

AMENDMENT NO. 2

On page 1, line 4, after "organizations;" and before "to" insert "to authorize a rebate for certain donations to public schools;"

AMENDMENT NO. 3

On page 1, line 11, after "R.S. 47:6301" and before "hereby" delete the comma "," and delete "is" and insert the following: "and Chapter 4 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6321 are"

AMENDMENT NO. 4

On page 9, between lines 24 and 25, insert the following: "CHAPTER 4. REBATES FOR DONATIONS TO PUBLIC SCHOOLS"

§6321. Rebates; donations to public schools

A.(1) There shall be allowed a rebate for donations a taxpayer makes during a taxable year to a public school. In order to qualify for the rebate, the donation shall be made by a taxpayer who files a Louisiana income tax return. The amount of the rebate shall be equal to the actual amount of the taxpayer's donation to a public school.

(2) The Department of Revenue shall provide a standardized format for a receipt to be issued by the public school to the taxpayer. The receipt shall indicate the amount of the donation to the public school. The Department of Revenue shall require a taxpayer to provide a copy of the receipt when claiming the rebate authorized by this Section.

B. The total amount of rebates that shall be issued pursuant to the provisions of this Section shall not exceed five million dollars per calendar year; however, in any year in which the amount of rebates awarded reaches ninety percent of the five million dollar annual cap, the annual cap for the next year shall be increased by twenty percent.

C. The Department of Revenue shall approve rebates on a first-come, first-served basis until the maximum amount of rebates has been issued; however, all rebate requests received on the same business day shall be treated as received at the same time, and if the aggregate amount of rebate requests received on a single business day exceed the total amount of available rebates, rebates shall be approved on a pro rata basis.

D. Notwithstanding any provision of law to the contrary, the secretary of the Department of Revenue shall make the rebate

authorized pursuant to the provisions of this Section from the current collections of the taxes imposed by Title 47 of the Louisiana Revised Statutes of 1950, as amended."

AMENDMENT NO. 5

On page 9, line 28, after "thereafter" and before the period "." insert "or donations made to a public school on or after January 1, 2013"

Senator Murray moved the adoption of the amendments.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Broome	Kostelka	Nevers
Brown	LaFleur	Peterson
Dorsey-Colomb	Mills	Smith, G.
Erdey	Morrell	Tarver
Gallot	Murray	Thompson
Total - 15		

NAYS

Mr. President	Cortez	Perry
Adley	Crowe	Riser
Allain	Donahue	Smith, J.
Amedee	Heitmeier	Walsworth
Appel	Johns	Ward
Buffington	Long	White
Chabert	Morrish	
Claitor	Peacock	
Total - 22		

ABSENT

Guillory	Martiny
Total - 2	

The Chair declared the amendments were rejected.

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 969 by Representative Talbot

AMENDMENT NO. 1

On page 7, line 21, after "school" insert "under the provisions of this Section and under the provisions of the Student Scholarships for Educational Excellence Program"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 969 by Representative Talbot

AMENDMENT NO. 1

On page 3, at the end of line 3 after "school." insert "However this Paragraph shall not prohibit a donation being earmarked for a student with a disability. A student shall be considered to have a disability if such student is evaluated according to state and federal regulation or policy and is deemed to have a mental disability, hearing impairment (including deafness), multiple disabilities, deaf-



blindness, speech or language impairment, visual impairment (including blindness), emotional disturbance, orthopedic impairment, other health impairment, specific learning disability, traumatic brain injury, or autism, and as a result requires special education and related services."

On motion of Senator Adley, the amendments were adopted.

**Floor Amendments**

Senator Peacock proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Peacock to Reengrossed House Bill No. 969 by Representative Talbot

**AMENDMENT NO. 1**

On page 9, at the beginning of line 21, after "D." and before "Notwithstanding" insert the following: "The total amount of rebates issued pursuant to the provisions of this Section shall not exceed three hundred million dollars per calendar year."

**AMENDMENT NO. 2**

On page 9, after line 24, insert the following:  
"E. The Department of Revenue shall approve rebates on a first-come, first-served basis until the maximum amount of rebates have been issued; however, all rebate requests received on the same business day shall be treated as received at the same time, and if the aggregate amount of rebate requests received on a single business day exceed the total amount of available rebates, rebates shall be approved on a pro rata basis."

Senator Peacock moved the adoption of the amendments.

Senator Adley objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Broome	Johns	Peacock
Brown	Kostelka	Perry
Claitor	LaFleur	Peterson
Cortez	Long	Smith, G.
Dorsey-Colomb	Morrish	Tarver
Erdey	Murray	Ward
Gallot	Nevers	
Total - 20		

**NAYS**

Mr. President	Crowe	Riser
Adley	Donahue	Smith, J.
Allain	Guillory	Thompson
Amedee	Heitmeier	Walsworth
Appel	Martiny	White
Buffington	Mills	
Chabert	Morrell	
Total - 19		

**ABSENT**

Total - 0

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Crowe	Morrish
Adley	Donahue	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Riser
Broome	Johns	Smith, G.
Brown	LaFleur	Smith, J.
Buffington	Long	Thompson
Chabert	Martiny	Walsworth
Claitor	Mills	Ward
Cortez	Morrell	White
Total - 33		

**NAYS**

Dorsey-Colomb	Kostelka	Peterson
Erdey	Murray	Tarver
Total - 6		

**ABSENT**

Total - 0

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

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	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

April 18, 2012

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their votes for Senate Bill No. 91.

NAYS

Total - 0

ABSENT

Donahue Total - 1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their votes for Senate Bill No. 104.

Table with 3 columns: Broome, Johns, Smith, G.; Brown, Kostelka, Smith, J.; Buffington, LaFleur, Tarver; Chabert, Long, Thompson; Claitor, Martiny, Walsworth; Cortez, Mills, Ward; Crowe, Morrish, White; Donahue, Murray.

Total - 38

NAYS

Total - 0

ABSENT

Morrell Total - 1

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

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 an assessment of academic grade level; to provide for creation of an academic plan; to provide for submission of the academic plan and reports to the court; to provide certain procedures, terms and conditions; 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 Reengrossed Senate Bill No. 156 by Senator Murray

AMENDMENT NO. 1

On page 1, line 13, following "using a" change "research based" to "research-based"

AMENDMENT NO. 2

On page 2, line 9, following "General" change "Equivalency Degree" to "Educational Development Certification"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed Senate Bill No. 156 by Senator Murray

AMENDMENT NO. 1

On page 2, delete line 29 and insert the following:

"Section 2.A. The legislature finds that:

(1) The Louisiana Office of Juvenile Justice, hereinafter referred to in this Section as "OJJ",

AMENDMENT NO. 2

On page 3, at the beginning of line 1, delete "(OJJ)"

AMENDMENT NO. 3

On page 3, line 9, change "300" to "three hundred"

AMENDMENT NO. 4

On page 3, at the beginning of line 11, change "B." to "(4)"

AMENDMENT NO. 5

On page 3, line 12, change "85%" to "eighty-five percent"

AMENDMENT NO. 6

On page 3, line 13, change "70%" to "seventy percent"

AMENDMENT NO. 7

On page 3, at the beginning of line 14, change "C." to "(5)"

AMENDMENT NO. 8

On page 3, at the beginning of line 16, change "D." to "B."

AMENDMENT NO. 9

On page 3, line 18, delete "The purpose of this legislation is to" and at the beginning of line 19 insert the following:

"C. The purpose of this Act is to"

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	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 amended bill was passed, ordered reengrossed and sent to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	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 bill was passed and ordered it sent to the House. Senator Appel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	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 bill was passed and ordered it sent to the House. Senator Long moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dorsey-Colomb, Murray. Lists names of senators under each column.

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 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.

Floor Amendments

Senator Long proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Long to Engrossed Senate Bill No. 436 by Senator Long

AMENDMENT NO. 1

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

"(d) The written concurrence, by resolution and two-thirds vote, of the local governing authority of each parish in the territory of the Sabine River Authority 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. In addition, at least two-thirds of all the local governing authorities in the territory of the Sabine River Authority shall concur before the authority can enter into any such contract or other agreements."

On motion of Senator Long, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Nevers. Lists names of senators under each column.

NAYS

Total - 0

ABSENT

Donahue Total - 1

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

SENATE BILL NO. 468— BY SENATOR ALLAIN AN ACT

To amend and reenact R.S. 56:325.2(A), (B), and (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.

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. 468 by Senator Allain

AMENDMENT NO. 1

On page 2, line 11, following "bait" and before "does" change "which" to "that"

AMENDMENT NO. 2

On page 2, line 13, following "mackerel" and before "cut up" change "may be" to ", if"

AMENDMENT NO. 3

On page 2, line 15, following "vessel" and before "for" insert ";

AMENDMENT NO. 4

On page 2, line 16, following "may" and before "the parts" change "only be discarded once" to "be discarded only when"

AMENDMENT NO. 5

On page 2, line 20, following "shore" and before "and" insert ";

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 468 by Senator Allain

AMENDMENT NO. 1

On page 2, line 8, between "C." and "The" insert "(1)"

AMENDMENT NO. 2

On page 2, line 10, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 2, line 13, change "(2)" to "(b)"

AMENDMENT NO. 4

On page 2, line 18, change "(3)" to "(2)"

AMENDMENT NO. 5

On page 2, line 20, change "(4)" to "(3)"

AMENDMENT NO. 6

On page 2, line 24, change "(5)" to "(4)"

On motion of Senator Allain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Nevers, Adley, Gallot, Peacock, Allain, Guillory, Perry, Amedee, Heitmeier, Peterson, Appel, Johns, Riser, Broome, Kostelka, Smith, G., Brown, LaFleur, Smith, J., Buffington, Long, Tarver, Chabert, Martiny, Thompson, Claitor, Mills, Walsworth, Cortez, Morrell, Ward, Crowe, Morrish, White, Dorsey-Colomb, Murray, Total - 38

NAYS

Total - 0

ABSENT

Donahue  
Total - 1

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

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. 23:1472(12)(H)(XXII) and 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.

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. 472 by Senator Murray

AMENDMENT NO. 1

On page 1, line 16, delete "\*" \* \*" and insert

"I. such individual has been and will continue to be free from any control or direction over the performance of such services both under his contract and in fact; and

II. such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

III. such individual is customarily engaged in an independently established trade, occupation, profession or business;"

AMENDMENT NO. 2

On page 3, line 5, following "interest" and before "and" insert ";

AMENDMENT NO. 3

On page 3, line 24, following "interest" and before "and" insert ";

AMENDMENT NO. 4

On page 3, line 25, following "due" and before "and" delete ";

AMENDMENT NO. 5

On page 3, line 25, following "hearing" and before "of" insert ";

AMENDMENT NO. 6

On page 4, line 22, following "retaliation" and before "and" insert ";

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Gallot, Peacock, Adley, Guillory, Perry, Allain, Heitmeier, Peterson, Appel, Johns, Riser, Broome, Kostelka, Smith, G.

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Brown	LaFleur	Smith, J.
Buffington	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Mills	Walsworth
Cortez	Morrell	Ward
Crowe	Morrish	White
Dorsey-Colomb	Murray	
Erdey	Nevers	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	Donahue
Total - 2	

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

**SENATE BILL NO. 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), 3097.4(A), (D)(4),(5), and (6), and 3097.7, and to enact R.S. 38:3097.4(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.

**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. 495 by Senator Long

AMENDMENT NO. 1

On page 1, line 3, following "3087.266(A)(1)," and before "3097.2(3)" insert "Chapter 13 A-1 of Title 38 (Heading),"

AMENDMENT NO. 2

On page 2, line 15, following "3087.266(A)(1)," and before "3097.2(3)" insert "Chapter 13 A-1 of Title 38 (Heading),"

AMENDMENT NO. 3

On page 6, lines 3 and 5, following "ex-officio" and before "member" change "nonvoting" to "non-voting"

AMENDMENT NO. 4

On page 6, line 14, following "inventory" and before "the state's" delete "of"

AMENDMENT NO. 5

On page 7, line 5, delete "\*" \* \*" and insert  
 "(1) A person representing the office of the governor appointed by the governor.  
 (2) The president of the Louisiana Senate or his designee.  
 (3) The speaker of the Louisiana House of Representatives or his designee.  
 (4) The chair of the Senate Committee on Natural Resources or his designee.  
 (5) The chair of the Senate Committee on Environmental Quality or his designee.

(6) The chair of the House Committee on Natural Resources and Environment or his designee.  
 (7) The district engineer of the United States Army Corps of Engineers, New Orleans District, or his designee.  
 (8) The Louisiana State Conservationist, USDA Natural Resources Conservation Service or his designee.  
 (9) The chancellor of the Louisiana State University Agricultural Center or his designee.  
 (10) The executive director of the State Soil and Water Conservation Commission or his designee.  
 (11) The director of the United States Geological Survey, Louisiana Water Science Center or his designee.  
 (12) The director of the Louisiana Geological Survey or his designee.  
 (13) The executive director of the Louisiana Wildlife Federation or his designee.  
 (14) The president of the Louisiana Farm Bureau Federation or his designee.  
 (15) The president of the Louisiana Chemical Association or his designee.  
 (16) The executive director of the Coalition to Restore Coastal Louisiana or his designee.  
 (17) The president of the Louisiana Rice Growers Association or his designee.  
 (18) The executive director of Louisiana Mid-Continent Oil and Gas Association or his designee.  
 (19) The president of the Louisiana Cotton and Grain Association or his designee.  
 (20) One representative of the Capital Area Groundwater Conservation District.  
 (21) One representative of the Sparta Groundwater Conservation District.  
 (22) The executive director of the Louisiana Forestry Association or his designee.  
 (23) One representative of the Sabine River Authority.  
 (24) The president of the American Sugar Cane League or his designee.  
 (25) One representative of the Red River Compact Commission.  
 (26) The executive director of the Lake Pontchartrain Basin Foundation or his designee.  
 (27) The executive director of the Barataria-Terrebonne National Estuary Program or his designee.  
 (28) The president of the Louisiana Crawfish Farmers Association or his designee.  
 (29) The chairman of the Louisiana Pulp and Paper Association or his designee.  
 (30) A representative of the Louisiana Engineering Society who is a registered engineer with water resources management experience.  
 (31) A representative from Louisiana State University, Department of Geology and Geophysics.  
 (32) A representative from the University of Louisiana at Lafayette, Department of Geology.  
 (33) A representative of the Association of Electric Utilities.  
 (34) A representative of the League of Women Voters.  
 (35) A representative of the Citizens for a Clean Environment.  
 (36) A representative of the Louisiana Oil and Gas Association.  
 (37) A representative from the Louisiana State University at Shreveport, Red River Watershed Management Initiative.  
 (38) A representative of the New Orleans Sewerage and Water Board.  
 (39) One representative of the Louisiana Rural Water Association.  
 (40) The president of the Louisiana Soybean Association or his designee.  
 (41) The president of the Louisiana Cattlemen Association or his designee.  
 (42) A representative of the Louisiana Ground Water Association.  
 (43) The dean of the Southern University College of Agriculture, Family, and Consumer Science or his designee.  
 (44) A representative of the Irrigation Association."

AMENDMENT NO. 6

On page 7, line 19, following "inventory" and before "the state's" delete "of"

On motion of Senator Martiny, the amendments were adopted.

Senator Broome in the Chair

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 495 by Senator Long

AMENDMENT NO. 1

On page 6, between lines 1 and 2, insert the following:

"(25) Two members, one appointed by the chairman of the House Natural Resources Committee, and one appointed by the chairman of the Senate Natural Resources Committee who does not represent commercial, industrial or agricultural interests but who represents residential consumers."

AMENDMENT NO. 2

On page 6, line 2, change "25" to "26"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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 amended bill was passed, ordered reengrossed and sent to the House. Senator Long moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 513— BY SENATOR CROWE

AN ACT

To enact R.S. 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 certifications; and to provide for related matters.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 513 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 17, change "office" to "department or office, as applicable."

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

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

Total - 38

NAYS

Total - 0

ABSENT

Martiny

Total - 1

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.

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.

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. 535 by Senator Johns

AMENDMENT NO. 1

On page 1, line 13, following "over" and before "court" change "said" to "the"

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On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Crowe, Heitmeier, Martiny. Total - 3

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

Mr. President in the Chair

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.

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. 582 by Senator Gallot

AMENDMENT NO. 1 On page 1, line 9, change "which" to "that"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dorsey-Colomb, Murray, Adley, Erdey, Nevers, Allain, Gallot, Peacock, Amedee, Guillory, Perry.

Table with 3 columns: 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 amended bill was passed, ordered reengrossed and sent to the House. Senator Gallot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 626— BY SENATOR JOHN SMITH AN ACT

To amend and reenact R.S. 33:4574.1.1(P) and 4577(C)(2), to enact R.S. 33:4577.1 and to repeal R.S. 33:4577, relative to the Beauregard Parish Covered Arena Authority; to provide for board powers and duties; 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. 626 by Senator John Smith

AMENDMENT NO. 1 On page 1, line 12, following "Section" and before "the" change "and/or" to "or"

AMENDMENT NO. 2 On page 1, line 13, change "33:4574.11(E)(2)(b)" to "33:4574.11, or both,"

AMENDMENT NO. 3 On page 2, line 1, following "Arena" insert ",,"

AMENDMENT NO. 4 On page 3, line 20, following "necessary" and before "." insert "to carry out the purposes of the authority"

AMENDMENT NO. 5 On page 4, line 16, before "be used" delete "only"

AMENDMENT NO. 6 On page 4, line 16, following "jury" and before "for" insert "only"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator John Smith proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator John Smith to Engrossed Senate Bill No. 626 by Senator John Smith



AMENDMENT NO. 1

On page 1, at the beginning of line 13, add "33:4574.11(A) and defined in R.S."

On motion of Senator John Smith, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gallot  
Total - 1

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

**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.

**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. 627 by Senator Broome

AMENDMENT NO. 1

On page 4, line 29, change "**EBR**" to "**East Baton Rouge**"

AMENDMENT NO. 2

On page 5, line 11, following "**Miscellaneous**" change "**provision**" to "**provisions**"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor  
Total - 3  
Gallot  
Peacock

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

**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.

**Floor Amendments**

Senator Martiny sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 632 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 11, delete "those"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

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

**SENATE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Martiny  
Total - 1

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

**SENATE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	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 bill was passed and ordered it sent to the House. Senator Gary Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 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.

**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. 652 by Senator Claitor

**AMENDMENT NO. 1**

On page 1, line 15, following "(7)" and before "later" change "Beginning on March 1, 1991, and not" to "**Not**"

**AMENDMENT NO. 2**

On page 1, line 16, following "each" and before "regular" delete "subsequent"

**AMENDMENT NO. 3**

On page 2, line 5, following "**year.**" and before "**whether**" change "**. Indicate**" to "**, indicating**"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dorsey-Colomb	Murray
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 amended bill was passed, ordered reengrossed and sent to the House. Senator Claitor moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Perry  
Total - 1

**ABSENT**

Total - 0

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

**SENATE BILL NO. 745—**

BY SENATORS NEVERS AND WALSWORTH  
**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**Rules Suspended**

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

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 63—**

BY SENATOR BROOME

**A RESOLUTION**

To recognize Thursday, April 19, 2012, as Southern University Day at the Louisiana State Capitol.

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

**SENATE RESOLUTION NO. 64—**

BY SENATOR PERRY

**A RESOLUTION**

To express condolences of the Senate of the Legislature of Louisiana on behalf of its members to the family of Cecil James Hebert.

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

April 18, 2012

SENATE RESOLUTION NO. 65—  
BY SENATOR PERRY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of David Ortemond Jr.

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

SENATE RESOLUTION NO. 66—  
BY SENATOR PERRY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of Leon D. Ortemond Sr.

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

SENATE RESOLUTION NO. 67—  
BY SENATOR ADLEY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Specialist Jordan Chase Soulier.

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

SENATE RESOLUTION NO. 68—  
BY SENATOR LONG

A RESOLUTION

To commend the Louisiana oil and gas industry and recognize Wednesday, April 18, 2012, as Shale Day at the Louisiana State Capitol.

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

Message from the House

ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS

April 18, 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. 295	HB NO. 361	HB NO. 422
HB NO. 462	HB NO. 1148	HB NO. 1128
HB NO. 74	HB NO. 80	HB NO. 191
HB NO. 219	HB NO. 433	

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

House Bills and Joint Resolutions  
on First Reading

HOUSE BILL NO. 74—  
BY REPRESENTATIVE SEABAUGH  
AN ACT

To enact Code of Criminal Procedure Articles 163(D) and 163.1(D), relative to search warrants; to provide relative to the examination and testing of property and bodily samples seized pursuant to a search warrant; to provide relative to the timing of the examination or testing; and to provide for related matters.

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

HOUSE BILL NO. 80—  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 40:2115(C), relative to smoking in hospitals; to eliminate the requirement for accommodation of smoking by inpatients in psychiatric facilities of the Department of Health and Hospitals; to establish procedures for treatment of smokers with mental illness in such 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. 191—  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact Code of Criminal Procedure Article 415.1, relative to additional grand juries; to authorize the impaneling of one or more additional grand juries; 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. 219—  
BY REPRESENTATIVE WILLMOTT  
AN ACT

To amend and reenact R.S. 14:202.1(D)(1) and (3), (E)(1) and (3), and (F)(1) and (3), relative to the crime of home improvement fraud; to increase the values associated with the amount of damage caused by home improvement fraud or the amount contracted to conduct the home improvements; and to provide for related matters.

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

HOUSE BILL NO. 295—  
BY REPRESENTATIVES WESLEY BISHOP AND SMITH  
AN ACT

To amend and reenact R.S. 37:2950(A) and to enact R.S. 37:2950(D)(1)(a)(xv), relative to employment restrictions; to provide relative to criminal record; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 361—  
BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 35:191(A)(2), relative to notaries; to provide for parish commissioned notary jurisdiction; and to provide for related matters.

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

HOUSE BILL NO. 422—  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 48:252(C)(1), relative to the advertisement of public bids; to reduce the time period within which the Department of Transportation and Development can issue any addenda; and to provide for related matters.

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

**HOUSE BILL NO. 433—**

BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact Children's Code Article 877(A), relative to juvenile adjudication hearings; to amend procedures relative to adjudication hearings for juvenile offenders charged with a crime of violence; and to provide for related matters.

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

**HOUSE BILL NO. 462—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact Code of Civil Procedure Article 42(4), relative to venue of foreign corporations and limited liability companies; to provide for venue in certain parishes; and to provide for related matters.

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

**HOUSE BILL NO. 1128—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 6:1033(B) and 1040(A), (B), and (C), R.S. 9:3561.1(B) and (F), and R.S. 37:1785(A) and 1786(C) and (D) and to enact R.S. 6:1033(D), R.S. 9:3561.1(D), and R.S. 37:1786(F), relative to licensure renewal dates within the regulation of the Office of Financial Institutions; to provide for annual renewal of licenses under the Sales of Checks and Money Transmission Act, the Louisiana Consumer Credit Law, and the Louisiana Pawnshop Act; to provide relative to the electronic database licensing system; to provide for failure to pay renewal fee; 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. 1148—**

BY REPRESENTATIVE ARMES  
AN ACT

To amend and reenact R.S. 37:3272(A)(18)(introductory paragraph) and 3298(B) and to repeal R.S. 37:3298(D), relative to the Private Security Regulatory and Licensing Law; to provide for definitions; to provide for exceptions; to repeal certain exception; and to provide for related matters.

The bill 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**

**HEALTH AND WELFARE**

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

April 18, 2012

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 15—**

BY SENATOR MORRELL AND REPRESENTATIVE HODGES  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to promote the department's EarlySteps system with the Louisiana Hospital Association and the Louisiana State Medical Society.

Reported with amendments.

**SENATE BILL NO. 220—**

BY SENATOR JOHNS  
AN ACT

To amend and reenact R.S. 40:2198.12(A), the introductory paragraph of (B)(1), (B)(1)(b) and (f), (D)(2) and (8), and 2198.13 and to enact R.S. 40:2198.12(B)(1)(h) through (k), and 2198.14 through 2198.19, relative to pain management clinics; to transfer the powers and duties for the regulation of pain management clinics from the Department of Health and Hospitals to the Louisiana State Board of Medical Examiners; to provide licensure authority and powers to the Louisiana State Board of Medical Examiners to regulate and license pain management clinics; to provide for criminal penalties for operating a pain management clinic without a license; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 239—**

BY SENATOR MURRAY  
AN ACT

To amend and reenact Part XXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.39.5 through 1299.39.7, and 1299.58(C), 1299.131(A)(3), and 1300.11, and to enact R.S. 36:259(MM), relative to informed consent; to provide for methods in which informed consent may be obtained; to create the Louisiana Medical Disclosure Panel within the Department of Health and Hospitals; to provide for definitions; to provide for membership and terms; to provide for powers and duties; to provide for medical disclosure lists; to provide for exceptions to obtaining informed consent; to provide for the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 629—**

BY SENATOR JOHNS  
AN ACT

To enact Part LXXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.351 through 1300.352, relative to Medicaid; to require the Department of Health and Hospitals to submit an annual report to the legislature on the Louisiana Medicaid Bayou Health program; to provide for the information to be included in the report; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 708—**

BY SENATOR BROOME  
AN ACT

To amend and reenact R.S. 40:1299.35.2(D) and 1299.35.6(B)(3)(h), relative to abortions; to provide with respect to ultrasound requirements; to provide for informed consent; to provide for penalties; and to provide for related matters.

Reported with amendments.

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

April 18, 2012

Rules Suspended

Senator Perry asked for and obtained a suspension of the rules to recall House Concurrent Resolution No. 41 from the Committee on Commerce, Consumer Protection, and International Affairs.

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. Senator Perry moved to adopt the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and NAYS. Lists names like Mr. President, Gallot, Peacock, etc.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and YEAS. Lists names like Adley, Dorsey-Colomb, Tarver, etc.

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

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 18, 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. 221— BY SENATORS ALARIO, THOMPSON AND WALSWORTH AND REPRESENTATIVES ADAMS, BARRAS, BARROW, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, LAMBERT, LORUSSO, RITCHIE, THIBAUT AND WHITNEY

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; to authorize the secretary of the Department of Revenue

to administer and disburse donated monies; and to provide for related matters.

SENATE BILL NO. 581— BY SENATORS APPEL, ALARIO AND THOMPSON 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.

Respectfully submitted, "JODY" AMEDEE Chairman

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

Message to the Governor

SIGNED SENATE BILLS

April 18, 2012

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 221— BY SENATORS ALARIO, THOMPSON AND WALSWORTH AND REPRESENTATIVES ADAMS, BARRAS, BARROW, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, LAMBERT, LORUSSO, RITCHIE, THIBAUT AND WHITNEY

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; to authorize the secretary of the Department of Revenue to administer and disburse donated monies; and to provide for related matters.

SENATE BILL NO. 581— BY SENATORS APPEL, ALARIO AND THOMPSON 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.

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.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**ATTENDANCE ROLL CALL**

**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

**Announcements**

The following committee meetings for April 19, 2012, were announced:

Education	At Adj	Hainkel Room
Finance	2:30 P.M.	Room A
Labor and Ind. Rel.	At Adj	Room C
Local and Mun. Affairs	At Adj	Room F
Natural Resources	At Adj	Room A
Transportation	At Adj	Room E

**Adjournment**

On motion of Senator Thompson, at 5:30 o'clock P.M. the Senate adjourned until Thursday, April 19, 2012, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 19, 2012.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk

