

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

THIRTIETH 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

Monday, May 7, 2012

The Senate was called to order at 4:10 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:

YEAS

Mr. President	Donahue	Peacock
Adley	Dorsey-Colomb	Perry
Allain	Gallot	Peterson
Amedee	Guillory	Riser
Appel	Johns	Smith, G.
Broome	Kostelka	Smith, J.
Brown	Long	Tarver
Buffington	Martiny	Walsworth
Chabert	Mills	Ward
Cortez	Murray	
Crowe	Nevers	
Total - 31		

NAYS

Total - 0

ABSENT

Claitor	LaFleur	Thompson
Erdey	Morrell	White
Heitmeier	Morrish	
Total - 8		

The President of the Senate announced there were 31 Senators present and a quorum.

Prayer

The prayer was offered by Brother Ken Ward, 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 Gallot, the reading of the Journal was dispensed with and the Journal of May 3, 2012, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 3, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 175—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 32:1268(A)(1)(a)(introductory paragraph) and (c), (2) and (B), and to enact R.S. 32:1261(1)(x), relative to the Louisiana Motor Vehicle Commission; to provide for regulation and enforcement by the commission; to provide for repurchase of certain tools and equipment; to provide for unauthorized actions of certain persons regulated by the commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 435—

BY SENATORS BROOME, ALARIO, BROWN, CROWE, DORSEY-COLOMB, ERDEY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MURRAY, NEVERS, GARY SMITH, TARVER, THOMPSON, WALSWORTH AND WARD

AN ACT

To enact R.S. 15:541.1, relative to human trafficking; to provide that certain establishments shall post information regarding the National Human Trafficking Resource Center hotline; to provide for the form and content of the posting; to provide for languages in which the information is to be posted; to provide for certain departments to notify affected establishments of the requirements; to provide for a civil penalty; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 575—

BY SENATOR MORRELL AND REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 14:90(C), R.S. 27:20(A)(1)(d)(ii), and Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 457, to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 and 502, and to repeal Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:301 through 326, relative to the licensing and operation of video draw poker devices; to provide for a comprehensive reorganization of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for the types of licensed establishments which may be issued for the operation of video draw poker devices; to provide for limits on the number of devices which may be offered at those licensed establishments; to provide for specifications of video draw poker devices; to provide for the types of games which may be played on video draw poker devices; to provide with respect to suitability criteria for the issuance of video draw poker devices; to provide for criteria and amenities which shall be offered at different licensed establishments; to provide for the calculation of fuel sales at qualified truck stop facilities; to provide with respect to the construction and location of qualified truck stop facilities; to provide for the temporary operation of video draw poker devices; to provide with respect to force majeure; to provide for applicability; to provide for exceptions; to provide with respect to leasing qualified truck stop facilities; to repeal statutory provisions which have become obsolete; to provide with respect to the sale or transfer of a license; to provide for tax clearances for the granting or renewal of a license to operate video draw poker devices; to provide for the application process for three machine locations; to provide for issuance of licenses by the office of state police for three machine locations; to provide for the regulation and enforcement regarding the operation of video draw poker devices; to provide for rulemaking; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 556—

BY SENATOR ERDEY

AN ACT

To enact Subpart DD of Part I 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 Alliance for the Advancement of End of Life Care; and to provide for related matters.

Reported without amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 3, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB

A CONCURRENT RESOLUTION

To designate and recognize May 13-19, 2012, as National Women's Health Week.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 7, 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. 24—
BY REPRESENTATIVE HENRY BURNS
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 94—
BY REPRESENTATIVE CROMER
AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 94 by Representative Cromer

AMENDMENT NO. 1

On page 1, line 2, following "enact" and before "and" change "R.S.49:191(6)(a)" to "R.S. 49:191(6)(introductory paragraph) and (a)"

AMENDMENT NO. 2

On page 1, line 19, following "4." and before "is" change "R.S.49:191(6)(a)" to "R.S. 49:191(6)(introductory paragraph) and (a)"

HOUSE BILL NO. 150—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 22:254(C), relative to health maintenance organizations; to clarify the minimum required capital and surplus for each such entity; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 154—
BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 22:1268(A)(2) and 1287, relative to policy refunds and interest; to provide for the crediting of refund amounts against future premiums; to provide for the accrual of interest on refunds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 156—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 46:236.1(C) and (D)(4) and (5) and to enact R.S. 46:236.1(A)(7) and (D)(6), relative to the Supplemental Nutrition Assistance Program educational component; to provide for legislative findings; to provide for requirements of nutrition education services; to provide for reporting requirements of the Department of Children and Family Services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 160—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 22:821(B)(2), relative to the annual financial regulation fee assessed and collected by the commissioner of insurance; to include vehicle mechanical breakdown insurers and property residual value insurers among such insurers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 193—
BY REPRESENTATIVE REYNOLDS
AN ACT

To amend and reenact R.S. 22:1986, relative to examinations of insurers by the commissioner of insurance; to provide with respect to the compensation of personnel employed by the commissioner of insurance to conduct such examinations; to delete provisions relative to the disposition of such monies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 227—
BY REPRESENTATIVE SCHRODER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 229—

BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 22:584(D)(3), relative to investments by insurers; to authorize domestic insurers to invest in certain master limited partnerships; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 308—

BY REPRESENTATIVE THIERRY
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 371—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 45:844.12(6)(k), relative to telephone solicitation; to authorize telephone solicitations on behalf of nonprofit organizations composed of public safety personnel; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 372—

BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 49:191(5)(n) and to repeal R.S. 49:191(4)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 389—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 6:333(F)(14), R.S. 9:315.9(A)(6), 315.16(A), 315.40(1), 399.1(A) and (F)(3) and (4), and 406(B)(2) and (C)(2), R.S. 11:441.1(F), R.S. 13:4291(B)(1) and (C), R.S. 27:364(A)(1)(b)(vi), R.S. 40:34(B)(1)(h)(iv) and (E)(1) and 46.1(D) and (F)(introductory paragraph), R.S. 46:56(M)(1), 236.1.1(9)(b) and (13), 236.1.2(G), 236.1.4(E), 236.1.5(C), 236.1.7(B), 236.1.8(D), 236.3(A)(2), 236.10(A), (B), and (D), 236.12(B)(1), 236.14(D)(1)(introductory paragraph) and (H)(2), 236.15(A)(1), 236.16, 238(F), and 2136.2(F), and R.S. 51:1442(4), relative to the Department of Children and Family Services; to provide for proper designation of certain sections

and divisions of the department; to make technical changes; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 389 by Representative Schroder

AMENDMENT NO. 1

On page 12, line 7, following "subpoenas," and before ", citations" change "summons" to "summonses"

AMENDMENT NO. 2

On page 14, line 21, following "obligor" and before "from" insert "only"

AMENDMENT NO. 3

On page 14, line 22, following "filing" and before ", and" delete "only"

HOUSE BILL NO. 481—

BY REPRESENTATIVE PATRICK WILLIAMS
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 513—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 22:1574(A)(3), (B), (C), and (D)(1) and to enact R.S. 22:1574(A)(4), relative to the Bail Bond Apprentice Program; to provide for registration of Bail Bond Apprentice Program participants; to provide for recordkeeping relative to program participants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 564—

BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 22:1188.1, relative to long-term care insurance; to provide for prompt payment of long-term care insurance claims; to provide for definitions; to provide for applicability; to provide with respect to violations; and to provide for related matters.

Reported without amendments.

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.

Reported with amendments.

May 7, 2012

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 591 by Representative Simon

AMENDMENT NO. 1

On page 6, line 5, delete

"* * *

HOUSE BILL NO. 595—

BY REPRESENTATIVE CROMER

AN ACT

To amend and reenact R.S. 22:23(D)(3)(b), 242(10), 653(A)(introductory paragraph), 851(A), 912(C), (D), and (E), 931(A)(10)(a), 1821(A), (C), (D)(1), (2)(e) and (g)(i)(aa), and (3)(c)(introductory paragraph) and (i), (d)(introductory paragraph) and (i) through (iv), and (e), and (F)(1), 1825(B)(introductory paragraph) and (C)(introductory paragraph) and (4), 1859(F), 1875, 1879(A), (B)(1)(introductory paragraph), and (C), 1880(B)(1)(introductory paragraph), (C)(introductory paragraph), and (D)(introductory paragraph), 1892(B)(1), (C)(1), and (D)(2), 1901(4), 1902(A)(2) and (9), 1903(C)(2)(introductory paragraph), 1904, 1905(C)(introductory paragraph) and (1), 1907, 1909(B) and (C), 1921(B) and (C), 1923(1)(a)(introductory paragraph) and (g), 1926(A), 1927(B), 1928(B), 1941, 1942, 1944, 1945, 1946, 1962(C) and (F), 1964(1)(g), (7)(a), (b), and (h), (9), (10)(c), (11), (13), (15)(c)(i), (iii), and (vii), (19)(b)(i)(introductory paragraph) and (c)(i), (20), (24), and (25), 1967, 1968, 1971(C), 1973(B)(introductory paragraph), 1981(A)(2) and (3) and (C)(introductory paragraph), 1983(D) through (H) and (I)(1) and (2), 1984(A) and (G), 1988, 1989, 1992, 1994(A), 2001, 2002(2) and (4), 2003(1)(e) and (f), 2005, 2006, 2008(A), 2009(E)(2) and (4), 2010(D), 2012(A)(introductory paragraph) and (3) and (B), 2013(B), 2018(A) and (B), 2019, 2020(C), 2021(A), 2023(C)(2), 2025(4), 2026, 2027(B), 2028(B), (C), and (D)(6), 2029, 2032, 2033(B), 2034(G) and (H), 2035(A) and (D), 2036(C), 2038(3), 2044, 2055(6)(a)(ii), (7)(introductory paragraph) and (a), (9)(a)(introductory paragraph) and (i) and (b), (12), and (15), 2056(C)(2)(f), 2058(A)(1)(a)(i) and (ii), (b)(i) and (ii), and (3)(a)(iv), 2059(A)(1), (C)(6), and (D), 2060(A)(1), 2061.1(A), 2062(A)(2)(a)(introductory paragraph) and (i) and (ii), (5)(a), and (6), 2083(A)(2)(introductory paragraph) and (a) and (C)(introductory paragraph) and (1), 2084(6), 2085(C)(1) and (3)(g), 2086(B) and (D), 2087(A)(2), (B)(1)(introductory paragraph) and (a) and (2)(introductory paragraph), (C)(2), (D)(introductory paragraph) and (3) and (4)(a), (E), (I)(introductory paragraph), (J), and (M)(3), 2088(D), 2089(A)(2) and (C)(8), 2091(A)(2) and (E)(1), 2092(D), 2093(E)(1), 2098(B) and (C)(introductory paragraph), 2112, 2113, 2114, 2118, 2119, 2132(C) and (D), 2133(2), 2135(A), 2147(A)(2), 2161(A)(introductory paragraph) and (6), 2171(A), (B), (C)(7), (13), and (21), (E)(6) and (14), (F)(5) and (12), and (G)(5), (11), and (12), 2181(B), 2191(A)(introductory paragraph) and (1), 2205, 2206, 2208, 2221(introductory paragraph), 2222(D)(introductory paragraph), 2223(F), 2243(2), 2244(A)(2), 2261(B), 2291, 2292(introductory paragraph), 2293(D)(2)(a) and (f) and (3), 2294(A)(5), 2296(B)(1), 2297(D)(8), 2302(E), 2307(G), 2308, 2313, 2314(F), 2315(A), 2316, 2326(A), 2363(B), 2364(A) and (F), and 2369(E)(1) and to repeal R.S. 22:1824(C), 2028(D)(3), 2161(A)(7), (12), (34), and (37), 2171(C)(20), (E)(17), and (G)(13), and 2303(D)(1), all relative to technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 595 by Representative Cromer

AMENDMENT NO. 1

On page 51, line 24, following "(16) of that" and before ", arise or" change "Section" to "Subsection"

AMENDMENT NO. 2

On page 63, line 17, following "of this" and before "only if" change "Section" to "Subsection"

AMENDMENT NO. 3

On page 74, between lines 11 and 12, insert

"* * *

HOUSE BILL NO. 596—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR WARD

AN ACT

To amend and reenact R.S. 9:4784(D) and to enact Part XVII of Chapter 1 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4791 through 4798, relative to towed and stored vessels; to provide for sales of certain boats; to provide for definitions; to provide for a privilege on towed and stored vessels; to provide for notice and advertisement; to provide for the disposition of proceeds; to provide for the authority to promulgate rules and regulations; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 596 by Representative St. Germain

AMENDMENT NO. 1

On page 2, line 17, following "towing" and before "licensed" insert "and"

AMENDMENT NO. 2

On page 2, line 22, at the beginning of the line and before "does" change "Towed vessel" to "'Towed vessel'"

AMENDMENT NO. 3

On page 2, line 28, following "fees" and before ", this" change "; however" to ". However"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 3, line 9, following "vessel" and before "and" delete ";"

AMENDMENT NO. 6

On page 5, line 18, following "vessel" and before ", if" change "; however" to ". However"

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.

Reported without amendments.

HOUSE BILL NO. 640—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

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

termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 660—
BY REPRESENTATIVE STUART BISHOP
AN ACT

To enact Subpart C of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:391, relative to solicitations; to prohibit solicitations with misleading governmental appearances; to provide for a disclaimer; to provide for a civil penalty; to provide for a remedy; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 804—
BY REPRESENTATIVE JAMES
AN ACT

To amend and reenact R.S. 32:781(5), (12), and (13)(a), 788(B), 793(A)(introductory paragraph), (2), and (5) and to enact R.S. 32:792(B)(16) and 795, relative to used motor vehicles; to provide for definitions; to provide relative to civil penalties; to provide for definitions in rent with option-to-purchase program; to provide relative to deposits and down payments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 852—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A)(1), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1284(F), 1299.1, 1300.13, 1302(2), 1307(B)(2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1405(B), 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and (B), to enact R.S. 18:1307(B)(1)(d) and (I), 1308(A)(2)(h), (i), and (j), 1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and 1415(G), and to repeal R.S. 18:1317, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the authority and duties of the State Board of Election Supervisors and the secretary of state; to provide relative to voter registration; to provide relative to application for voter registration; to provide relative to notice of registration and change in registration; to provide relative to precinct registers used by the registrar of voters; to provide relative to disclosure of voter information; to provide relative to reinstatement of voter registration after suspension; to provide for election dates; to provide relative to watchers; to provide relative to courses of instruction for commissioners; to provide relative to qualifying for an election; to provide relative to nominating petitions; to provide relative to changing of precinct boundaries by parish governing authorities; to provide relative to procedures for voting during early voting and on election day; to provide relative to identification of voters; to provide for the time limits for making appointments to fill vacancies in certain offices; to provide for the time limits for issuing proclamations for special elections to fill vacancies in certain offices; to provide relative to the requirements for special elections for certain offices; to provide relative to

propositions submitted to voters at certain elections; to provide relative to recall elections; to provide relative to applying to vote absentee by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper ballots; to provide relative to submission of certain changes in voting practice and procedure by political subdivisions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 917—
BY REPRESENTATIVES BROSETT, BARROW, WESLEY BISHOP, COX, HAZEL, KATRINA JACKSON, JAMES, JEFFERSON, MONToucET, NORTON, ORTEGO, RICHARD, SMITH, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 18:1308(B), relative to absentee voting by mail; to provide relative to procedures for voting absentee by mail; to provide relative to the means by which absentee voting materials may be returned to the registrar; to require certification under certain circumstances; to provide for limitations; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 923—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 37:3552, 3553, 3554(A), (B), (D), (E), and (F), 3555, 3556, 3557, 3558(A), (B), and (D), 3559, 3561, 3563, 3564, 3565, and 3566(B) and (C) and to repeal R.S. 37:3560, relative to massage therapy; to provide for definitions; to provide for applicability of the Louisiana Massage Therapists and Massage Establishment Act; to provide for exemptions; to provide for the Louisiana Board of Massage Therapy; to provide for membership of the board; to provide for the powers and duties of the board; to require licensure for persons performing massage therapy; to provide for licensure for massage establishments; to establish licensure requirements; to provide for an examination; to provide for licensing regulations; to provide for the expiration and renewal of licenses; to provide for inactive status; to provide for disciplinary actions; to regulate advertising as a massage therapist or a massage establishment; to provide for penalties; to provide for injunctions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 923 by Representative Ponti

AMENDMENT NO. 1

On page 2, line 15, following "a" and before "license" change "board issued" to "board-issued"

May 7, 2012

AMENDMENT NO. 2

On page 2, line 26, following "establishment" and before "shall" delete "1"

AMENDMENT NO. 3

On page 3, line 18, following "friction" and before "(active" delete ","

AMENDMENT NO. 4

On page 5, line 7, following "disaster" and before "provided" insert "1"

AMENDMENT NO. 5

On page 6, line 17, following "in" and before "years" change "odd" to "odd-numbered"

AMENDMENT NO. 6

On page 6, line 20, following "in" and before "years" change "even numbered" to "even-numbered"

AMENDMENT NO. 7

On page 8, line 17, following "3562" and before "and" delete "(B)"

AMENDMENT NO. 8

On page 10, line 16, following "Columbia" and before "has" change "which" to "that"

AMENDMENT NO. 9

On page 10, line 17, following "registration" and before "substantially" change "which" to "that"

AMENDMENT NO. 10

On page 12, line 14, following "Card" and before "which" insert "1"

AMENDMENT NO. 11

On page 14, line 26, following "form" and before "and" delete "1"

AMENDMENT NO. 12

On page 15, line 24, following "or" and before "is" change "which" to "that"

AMENDMENT NO. 13

On page 16, line 24, following "entered" and before "or" delete "," and following "received" and before "has" insert "1"

AMENDMENT NO. 14

On page 17, line 10, following "word" and before "1" change "massage" to "massage"

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1148 by Representative Armes

AMENDMENT NO. 1

On page 2, line 2, following "services" and before "nothing" change "; however," to ". However,"

HOUSE BILL NO. 1187— (Substitute for House Bill No. 751 by Representative Richardson)

BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 37:1861(B)(2) and (5), 1862(A), 1864.1(A), 1864.2(C), and 1864.3, to enact R.S. 37:1861(B)(6), and to repeal R.S. 37:1862(B), 1864(A)(1)(d), 1864.1(C)(2), and

1867(B), relative to used or secondhand property; to prohibit cash payment for the purchase of copper; to establish a maximum cash payment for metals other than copper; to require an occupational license to act as a secondhand dealer; to require photographic records of certain goods upon request of law enforcement; to exempt the purchase of educational course materials; to repeal the exemption for tires and rims; to repeal the requirement that secondhand dealers record the license plate of a seller; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1187 by Representative Richardson

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "and" change "R.S. 37:1861(B)(2)" to "R.S. 37:1861(B)(introductory paragraph), (2),"

AMENDMENT NO. 2

On page 1, line 12, following "1." and before "and" change "R.S. 37:1861(B)(2)" to "R.S. 37:1861(B)(introductory paragraph), (2),"

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1191 by Representative Thibaut

AMENDMENT NO. 1

On page 3, line 8, following "developing" and before "property" change "real or tangible personal" to "immovable or corporeal movable"

AMENDMENT NO. 2

On page 7, line 13, following "person" insert "or"

AMENDMENT NO. 3

On page 8, line 11, change "arrived" to "determined"

AMENDMENT NO. 4

On page 10, line 15, following "that" insert "registration"

AMENDMENT NO. 5

On page 16, line 9, following "forth in" change "this Subsection" to "Subsection D of this Section"

AMENDMENT NO. 6

On page 19, line 17, following "which" delete "has the following effects"

AMENDMENT NO. 7

On page 20, line 3, following "order" insert "issued"

AMENDMENT NO. 8

On page 29, line 5, following "this" change "Section" to "Subsection"

AMENDMENT NO. 9

On page 29, line 18, following "this" change "Section" to "Subsection"

AMENDMENT NO. 10

On page 39, line 14, following "commissioner," and before "any" change "seize or sequester" to "may order seizure or sequestration of"

AMENDMENT NO. 11

On page 39, line 15, following "such" and before "as" change "order" to "orders"

AMENDMENT NO. 12

On page 43, line 25, following "writ" change "in the nature of a" to "of"

AMENDMENT NO. 13

On page 43, line 26, delete "mandamus or a peremptory"

AMENDMENT NO. 14

On page 44, line 8, following "purchase of" and before "property" change "real or personal" to "immovable or movable"

AMENDMENT NO. 15

On page 44, line 9, following "security of" and before "property" change "real or personal" to "immovable or movable"

AMENDMENT NO. 16

On page 46, line 11, following "secondary" and before "than" change "market (otherwise" to "market, otherwise"

AMENDMENT NO. 17

On page 46, line 12, following "Act of" and before "such" change "1934) for" to "1934, for"

AMENDMENT NO. 18

On page 46, line 26, change "691.20 through 691.25, 691.26, and 723 691.27" to "691.20 through 691.27"

AMENDMENT NO. 19

On page 47, line 19, change "691.20 through 691.25, 691.26, and" to "691.20 through 691.27"

AMENDMENT NO. 20

On page 47, line 20, delete "691.27"

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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

SENATE RESOLUTION NO. 103—

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

A RESOLUTION

To commend Senate staff attorney James Benton for his outstanding service as a member of the Louisiana Army National Guard and

for his successful completion of the Judge Advocate General's Corps School.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATORS CROWE, DONAHUE AND NEVERS AND REPRESENTATIVES CROMER AND PEARSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Cecelia Louise Minnick Drennan, a successful real estate agent and civic volunteer in Slidell.

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

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

SENATE BILL NO. 762— (Substitute of Senate Bill No. 690 by Senator Buffington)

BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 14:35.1(A)(3), R.S. 15:1503(4), R.S. 35:406(A) and (D), R.S. 36:258(F), R.S. 46:56(A), (B)(1), and (F)(4)(b), 61(A)(1) and (C), 932(10), and 2136.2(F) and to repeal R.S. 46:936, relative the transfer of adult protection services of the office of elderly affairs in the office of the governor to the Department of Health and Hospitals, office of aging and adult services; to provide for functions of the programs and services transferred; to provide for contracts and leases; to provide for administrative rules; and to provide for related matters.

On motion of Senator Mills the bill was read by title, ordered engrossed and passed to a third reading.

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR PERRY

A CONCURRENT RESOLUTION

To urge and request the Integrated Criminal Justice Information System (ICJIS) Policy Board to meet and coordinate the integration of the various criminal justice automated information systems

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Cortez	Morrell	White
Crowe	Murray	
Total - 35		

NAYS

Total - 0

ABSENT

Heitmeier	Morrish
LaFleur	Thompson
Total - 4	

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

SENATE CONCURRENT RESOLUTION NO. 94—
 BY SENATOR HEITMEIER AND REPRESENTATIVE SIMON
 A CONCURRENT RESOLUTION

To commend Don Gregory on thirty-six years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Morrish
LaFleur	Thompson
Total - 4	

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

Message from the House

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

May 7, 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. 365	HB NO. 445	HB NO. 580
HB NO. 204	HB NO. 222	HB NO. 357

HB NO. 446	HB NO. 510	HB NO. 674
HB NO. 694	HB NO. 1120	HB NO. 1150
HB NO. 1158	HB NO. 411	HB NO. 761
HB NO. 711	HB NO. 1036	HB NO. 1067
HB NO. 1113	HB NO. 1205	HB NO. 856
HB NO. 1206	HB NO. 335	HB NO. 988
HB NO. 1083	HB NO. 1088	

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

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

HOUSE BILL NO. 204—
 BY REPRESENTATIVE GUILLORY
 AN ACT

To enact R.S. 14:95.2.3, relative to offenses affecting public safety; to create the crime of reckless discharge of a firearm on residential property in unincorporated areas of a parish; to provide for definitions; to provide for 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. 222—
 BY REPRESENTATIVE WESLEY BISHOP
 AN ACT

To amend and reenact R.S. 14:95(F), relative to illegal carrying of weapons; to provide with respect to prior offenses; to authorize the use of convictions of ordinances as predicate offenses for the purpose of increased 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. 335—
 BY REPRESENTATIVE LORUSSO
 AN ACT

To amend and reenact R.S. 33:9038.59(G), relative to the New Orleans City Park Taxing District; to provide relative to tax increment financing and the dedication of state sales tax increments for such purpose; to provide relative to approval of agreements related to such state sales tax increment financing; and to provide for related matters.

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

HOUSE BILL NO. 357—
 BY REPRESENTATIVE BROWN
 AN ACT

To amend and reenact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 365—
BY REPRESENTATIVE STUART BISHOP
AN ACT

To enact R.S. 18:461.1, relative to candidates for certain office; to require certain ethics education and training for certain candidates; to provide relative to certifying such training; and to provide for related matters.

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

HOUSE BILL NO. 411—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 17:3982(B), relative to educational facilities and property in Orleans Parish; to provide relative to the sale of such facilities and property by a charter school organization when they are no longer needed for an educational purpose; and to provide for related matters.

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

HOUSE BILL NO. 445—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 27:311(D)(5) and (6), relative to video draw poker; to provide for the holding of franchise payments until remitted to the state; to provide for liability of device owners and shareholders, officers, directors, partners, managers, and managing members for payment of the franchise payment to the state of Louisiana; to provide for rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 446—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 4:735(D), relative to violations of the Charitable Raffles, Bingo and Keno Licensing Law; to prohibit persons associated or affiliated with charitable gaming licensees from benefiting from net gaming proceeds; to provide for exceptions; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 510—
BY REPRESENTATIVES BURFORD AND COX
AN ACT

To enact R.S. 13:2621, relative to the DeSoto Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

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

HOUSE BILL NO. 580—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 42:19(A)(2)(a), relative to notice of public meetings; to provide relative to methods of providing notice for public meetings, including electronic means; and to provide for related matters.

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

HOUSE BILL NO. 674—
BY REPRESENTATIVE ROBIDEAUX
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(L) of the Constitution of Louisiana, to authorize the granting of ad valorem tax exemption contracts to certain businesses; to authorize the Board of Commerce and Industry to enter into contracts; to provide with respect to contract approvals; to provide for certain contract limitations; to provide with respect to the assessment and taxation of property subject to a contract; to require the legislature to establish a program for the granting of contracts; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 694—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4351 through 4355, relative to ad valorem taxation; to establish a program for the granting of ad valorem tax exemption contracts for certain businesses; to provide for the administration of the program; to provide for optional participation by parishes, municipalities, and school districts; to provide relative to the confidentiality of certain records in the possession of parish governing authorities relative thereto; to provide for eligibility for participation in the program; to authorize contracts under certain circumstances; to provide for contract terms, conditions, and limitations; to provide with respect to approval of contracts and notification of certain entities relative to contracts; to provide with respect to contract suspension and cancellation; to authorize rulemaking; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 711—
BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 18:463(A)(2)(a)(v) through (vii) and to enact R.S. 18:463(A)(2)(a)(viii), relative to the notice of candidacy; to require certain candidates to make certain certifications regarding campaign finance reports; to provide for 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. 761—
BY REPRESENTATIVES HONORE AND SMITH
AN ACT

To amend and reenact R.S. 17:194(B), relative to school nutrition programs; to except certain elementary and secondary schools operated by certain public postsecondary institutions from certain requirements relative to the funding of school nutrition programs; and to provide for related matters.

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

HOUSE BILL NO. 856—
BY REPRESENTATIVES HONORE AND SMITH
AN ACT

To enact R.S. 17:1855.2(3), relative to tuition increases at Southern University Laboratory School; to authorize a tuition increase; and to provide for related matters.

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

May 7, 2012

HOUSE BILL NO. 988—

BY REPRESENTATIVE JONES
AN ACT

To amend and reenact R.S. 11:2257(C), relative to the Firefighters' Retirement System; to provide for a five-year deferred retirement option plan period for certain members; to provide for qualifications; to authorize an extension of the period for members currently in the plan; and to provide for related matters.

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

HOUSE BILL NO. 1036—

BY REPRESENTATIVE BROSETT
AN ACT

To amend and reenact R.S. 18:1314(E), relative to absentee by mail and early voting commissioners; to provide relative to the compensation of such commissioners; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1067—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 30:2418(I)(2), relative to recycling waste tires; to provide for payment to waste tire processors; and to provide for related matters.

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

HOUSE BILL NO. 1083—

BY REPRESENTATIVE PYLANT
AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide for the forfeiture of certain benefits while incarcerated; to provide with respect to work release; to provide with respect to a transitional work program; to provide with respect to medical benefits; and to provide for related matters.

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

HOUSE BILL NO. 1088—

BY REPRESENTATIVE HENRY
AN ACT

To enact R.S. 17:17.6, relative to student health; to provide relative to the establishment and administration of a targeted coordinated school health program and a related grant program; to provide relative to the purpose and implementation of the program; to provide for rules and regulations; to provide relative to funding; and to provide for related matters.

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

HOUSE BILL NO. 1113—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 44:9(F) and (G) and to enact R.S. 44:4(45), relative to public records; to provide relative to the exemption of certain records in the possession of the Louisiana Licensed Professional Counselors Board of Examiners; to provide for the continued confidentiality of such records; to provide relative to the disclosure of certain confidential information to the Louisiana Licensed Professional Counselors Board of Examiners; and to provide for related matters.

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

HOUSE BILL NO. 1120—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 47:301(10)(a)(ii), relative to exclusions from local sales tax; to provide with respect to the exclusion for the resale of certain services from local sales tax; to clarify certain provisions; to provide with respect to compliance with rules and regulations; to provide for the acceptance by a local collector of a resale certificate; and to provide for related matters.

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

HOUSE BILL NO. 1150—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:850(B)(introductory paragraph) and to enact R.S. 13:850(E), relative to facsimile filings in civil actions; to provide for exceptions to filing an original document in certain circumstances; to provide for procedures; and to provide for related matters.

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

HOUSE BILL NO. 1158—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact Code of Civil Procedure Article 1551(A)(introductory paragraph), (B), and (C) and to enact Code of Civil Procedure Article 1551(D), relative to pretrial procedure in civil matters; to provide for scheduling conferences; to provide a time period within which to set conferences; to provide for the content of scheduling orders; and to provide for related matters.

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

HOUSE BILL NO. 1205— (Substitute for House Bill No. 910 by Representative Johnson)

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 46:236.2(A) and (B) and 236.14(E)(3)(a) and to enact R.S. 46:236.1.12, relative to obligations for child support; to provide for the transfer of an obligation for support to a caretaker; to provide for procedures; to provide for employer reporting requirements of the child support program; and to provide for related matters.

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

HOUSE BILL NO. 1206— (Substitute for House Bill No. 921 by Representative Johnson)

BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 22:972(D) and 1019, relative to network adequacy in health insurance; to provide for the filing of the network of participating health care providers; to provide for definitions; to require all health insurance issuers to have an adequate network of providers; to provide for penalties for violation of network adequacy rules; 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

May 7, 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. 13 | HCR NO. 120 | HCR NO. 121 |
| HCR NO. 122 | HCR NO. 125 | HCR NO. 5 |
| HCR NO. 7 | HCR NO. 23 | HCR NO. 42 |
| HCR NO. 65 | HCR NO. 76 | HCR NO. 81 |
| HCR NO. 93 | HCR NO. 84 | HCR NO. 108 |
| HCR NO. 126 | HCR NO. 127 | |

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

**House Concurrent Resolutions
 on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 5—
 BY REPRESENTATIVE SCHRODER
 A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44 and continued pursuant to House Concurrent Resolution No. 59 of the 2004 Regular Session, House Concurrent Resolution No. 105 of the 2005 Regular Session, and House Concurrent Resolution No. 137 of the 2007 Regular Session of the Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 7—
 BY REPRESENTATIVE HENSGENS
 A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to assist the Vermilion Parish Police Jury in regards to the regulatory permitting process and associated mitigation requirements involving maintenance activity performed by drainage districts in the parish.

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

HOUSE CONCURRENT RESOLUTION NO. 13—
 BY REPRESENTATIVE TIM BURNS
 A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study Louisiana's existing laws governing peremptory exceptions and immunity and to make specific recommendations as to whether immunity should be added as a peremptory exception.

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

HOUSE CONCURRENT RESOLUTION NO. 23—
 BY REPRESENTATIVE ORTEGO
 A CONCURRENT RESOLUTION

To authorize and direct creation of the Uniform Bilingual Signage and Map Task Force; to provide for membership, powers, and duties of the task force; to provide for a report of its business; and to provide for related matters.

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

HOUSE CONCURRENT RESOLUTION NO. 42—
 BY REPRESENTATIVE SCHEXNAYDER
 A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to encourage and enable the United States Army Corps of Engineers to expedite their wetlands permitting process.

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

HOUSE CONCURRENT RESOLUTION NO. 65—
 BY REPRESENTATIVE GISCLAIR
 A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study relative to the intersection of Louisiana Highway 1 and Louisiana Highway 3090 in Lafourche Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 76—
 BY REPRESENTATIVE SMITH
 A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study procedures for the filing of liens for unpaid wages and to make specific recommendations for legislation.

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

HOUSE CONCURRENT RESOLUTION NO. 81—
 BY REPRESENTATIVE HUVAL
 A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study jury trial procedures in order to create an expedited or summary jury trial and to make specific recommendations for legislation.

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

HOUSE CONCURRENT RESOLUTION NO. 84—
 BY REPRESENTATIVE KATRINA JACKSON
 A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Louisiana Hospital Association to promote and encourage public hospitals, hospitals receiving state funding, and medical clinics to promote the Text4baby initiative in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 93—
 BY REPRESENTATIVE BILLIOT
 A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study creating procedures that would enable a surety to take possession of collateral in certain circumstances and to report its findings on or after January 1, 2014.

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

HOUSE CONCURRENT RESOLUTION NO. 108—
 BY REPRESENTATIVE SIMON
 A CONCURRENT RESOLUTION

To create a study committee to study inpatient transfers between hospitals, public and private, and make recommendations on the establishment of hospital to hospital transfer agreements.

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

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE HAZEL AND SENATOR RISER
A CONCURRENT RESOLUTION

To commend the Buckeye High School girls softball team upon winning the 2012 Class 3A state championship.

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

HOUSE CONCURRENT RESOLUTION NO. 121—
BY REPRESENTATIVE SIMON AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend Mr. Don Gregory on his thirty-six years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

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

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE BROSSETT
A CONCURRENT RESOLUTION

To commend Keith A. Doley of New Orleans upon being invested as the Honorary Consul for the Republic of South Africa.

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

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To proclaim May 19 through May 25, 2012, as "Safe Boating Week" in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 126—
BY REPRESENTATIVE COX
A CONCURRENT RESOLUTION

To recognize the first of May through the fourteenth of June, 2012, as National Military Appreciation Month.

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

HOUSE CONCURRENT RESOLUTION NO. 127—
BY REPRESENTATIVE COX
A CONCURRENT RESOLUTION

To urge and request all Louisiana companies to offer every reasonable accommodation for employment to returning veterans.

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. 4—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 14:95.7(C), relative to the crime of possession or dealing in firearms with obliterated identification marks or serial numbers; to provide for increased penalties; and to provide for related matters.

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

HOUSE BILL NO. 61—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:62(4)(introductory paragraph), (5)(introductory paragraph), and (11)(introductory paragraph), 102(B)(1) and (3)(a) and (d)(v), (vi), and (vii), 542(A)(2)(a), 883.1(A)(2)(a), and 1145.1(A)(1)(introductory paragraph) and (a), (C)(4)(a)(introductory paragraph), and (E), and to enact R.S. 11:62(4.1), (5.1), and (11.1), 102(C)(1)(m), 542(C)(4)(d)(iii) and (e)(iii), 883.1(C)(4)(d)(iii) and (e)(iii), 1145.1(C)(4)(a)(iii) and (b)(iii), and Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1399.1 through 1399.7, relative to state retirement systems; to create a cash balance plan in certain state systems; to provide for contributions, credits, eligibility, and benefits; 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 Retirement.

HOUSE BILL NO. 220—
BY REPRESENTATIVES WESLEY BISHOP, BADON, BROWN, BURRELL,
GUILLORY, HODGES, MORENO, AND NORTON
AN ACT

To amend and reenact R.S. 14:95.2.2(D), relative to reckless discharge of a firearm at a parade; to increase penalties; and to provide for related matters.

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

HOUSE BILL NO. 497—
BY REPRESENTATIVE BARRAS AND SENATOR MILLS
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(L) of the Constitution of Louisiana, to authorize the governing authority of the city of New Iberia to grant ad valorem tax exemption contracts for certain property annexed by the city; to provide for the approval of contracts; to provide for certain contract limitations; to provide with respect to the assessment and taxation of property subject to a contract; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 526—
BY REPRESENTATIVES MONTOUCET, BERTHELOT, HENRY BURNS,
BURRELL, CHANEY, CONNICK, HARRISON, JAMES, MORENO, POPE,
AND SCHRODER

AN ACT

To amend and reenact R.S. 33:2002(A)(1) and to enact R.S. 33:2002(A)(5), relative to eligibility for state supplemental pay for firefighters; to provide for eligibility for certain firefighters who are ordered to active military duty; to waive certain requirements as to length of employment; and to provide for related matters.

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

HOUSE BILL NO. 532—
BY REPRESENTATIVE JIM MORRIS
AN ACT

To amend and reenact R.S. 30:961(E) and to enact R.S. 30:961(I), relative to withdrawal of surface water; to extend the time frame within which opportunities for cooperative agreements for such withdrawal may be entered into; to provide for approval by legislative committees of certain cooperative endeavor agreements; 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. 695—
BY REPRESENTATIVES BADON AND BARROW
AN ACT

To amend and reenact R.S. 32:300.5(A)(1), (2)(b), and (C)(4) and 398.10(A)(6), to enact R.S. 32:300.5(B)(4) and (C)(5), and to repeal R.S. 32:289.1, 300.6, and 300.7, relative to the use of wireless communication devices while driving; to prohibit the use of wireless communication devices while driving; to repeal provisions providing for exceptions; to repeal provisions relative to minors; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 701—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 38:330.7, relative to police officers for the Southeast Louisiana Flood Protection Authorities; to authorize the employment of a superintendent by the Southeast Flood Protection Authority - East; to provide for such superintendent's powers and authority; to authorize the use of police security personnel from one levee district within another under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 788—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:180(B), relative to annexation; to provide for exclusion of certain areas for annexation; and to provide for related matters.

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

HOUSE BILL NO. 843—
BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 33:9091.5, relative to Orleans Parish; to provide relative to the Lake Vista Crime Prevention District; to provide relative to the purpose and governance of the district; to provide relative to district funding; to change provisions relative to the levy of a parcel fee; and to provide for related matters.

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

HOUSE BILL NO. 867—
BY REPRESENTATIVE ORTEGO
AN ACT

To enact R.S. 17:1519.18, relative to a partnership for health care; to authorize certain functions of the University Medical Center in Lafayette; to provide for a pilot program for coordinated school health and wellness centers; to provide for goals and requirements of the program; to provide for conditions relative to funding availability; 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. 905—
BY REPRESENTATIVE EDWARDS
AN ACT

To enact R.S. 33:2740.20, relative to St. Helena Parish; to create the St. Helena Parish Elderly Services District; to provide for the governance, boundaries, and powers and duties of the district; to authorize the district to levy ad valorem and sales taxes, subject to voter approval; and to provide for related matters.

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

HOUSE BILL NO. 924—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT

To enact R.S. 33:2740.70.1, relative to Orleans Parish; to create the Downman Road Economic Development District within the parish; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to district funding, including the authority to levy taxes; and to provide for related matters.

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

HOUSE BILL NO. 934—
BY REPRESENTATIVES LIGI, ADAMS, ARNOLD, BADON, BILLIOT, WESLEY BISHOP, BROSSETT, CONNICK, LEGER, LEOPOLD, LOPINTO, LORUSSO, TALBOT, AND WILLMOTT AND SENATORS ALARIO, APPEL, MARTINY, AND MORRELL
AN ACT

To enact R.S. 47:551.1, relative to special districts; to authorize the establishment of an automobile rental tax district in the parishes of Jefferson and Orleans; to provide for the boundaries, governance, and powers of the district; to authorize the levy of a tax on the lease or rental of certain automobiles under certain circumstances; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 936—
BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 36:109(V) and Subpart B of Part I of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:61 through 68, relative to military forces; to create the Louisiana Military Advisory Council within the Department of Economic Development; to provide for the membership of the council and its officers; to provide for terms of office for the members of the council; to provide relative to compensation and expenses for council members; to provide the powers and duties of the council; to require the establishment of working groups; 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. 1048—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 11:701(10), 761(A)(3)(b), 768(A)(2) and (B)(2)(introductory paragraph), and 786(A)(1) and to enact R.S. 11:785 and 927(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to tax-qualification of such system; to make certain changes to such system's provisions in conformity with federal tax-qualification provisions; to provide effective dates; and to provide for related matters.

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

HOUSE BILL NO. 1051—
BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 33:2740.8(A)(1) and (D)(1)(d), relative to downtown development districts; to provide relative to the Downtown Development District of the city of Baton Rouge; to provide relative to the boundaries and the governing board of the district; and to provide for related matters.

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

May 7, 2012

HOUSE BILL NO. 1061—

BY REPRESENTATIVE ORTEGO
AN ACT

To enact R.S. 40:1853.1 and to repeal R.S. 40:1853, relative to dispensing of fuels; to authorize the public use of automatic liquefied petroleum gas dispensing devices; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 1091—

BY REPRESENTATIVE FANNIN
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2012-2013; and to provide for related matters.

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

HOUSE BILL NO. 1105—

BY REPRESENTATIVE KATRINA JACKSON
AN ACT

To enact R.S. 46:1053(F), relative to hospital service districts; to authorize the governing authority of certain parishes to pay a commissioner's fee to each member of the board of commissioners of any hospital service district located within the boundaries of the parish; to provide relative to the purpose and amount of the fee; and to provide for related matters.

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

HOUSE BILL NO. 1106—

BY REPRESENTATIVES KATRINA JACKSON AND PATRICK WILLIAMS
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 donations to certain public schools; to provide for the amount and issuance of the rebate; to provide for certain requirements and limitations; 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 Revenue and Fiscal Affairs.

HOUSE BILL NO. 1117—

BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 33:1236(21)(a)(i), relative to liens; to provide relative to the recordation and enforcement of certain liens; to provide for an award of attorney fees and court costs in certain circumstances; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

Senator Conrad Appel, Chairman on behalf of the Committee on Education, submitted the following report:

May 3, 2012

To the President and Members of the Senate:

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

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.

Reported favorably.

SENATE BILL NO. 594—

BY SENATOR BROWN
AN ACT

To enact R.S. 17:158(I), relative to school transportation; to provide for the transportation of certain students to certain technical colleges; to provide for responsibilities of city, parish, and other local public school boards; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 709—

BY SENATOR WARD AND REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 17:416.20, to enact R.S. 14:40.8, R.S. 17:418, 418.1 and 418.2, and to repeal R.S. 17:416.13, relative to bullying, criminal bullying and cyberbullying; to create the crime of criminal bullying; to provide for definitions; to provide for penalties; to provide relative to the student code of conduct; to provide relative to student discipline; to provide for duties; to provide for reporting; to provide for parental notification; to provide for the publication of certain documents; to provide for exceptions; to provide that the Act shall be known as the "Tesa Middlebrook Anti-bullying Act"; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 98—

BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 17:85, relative to naming certain school athletic facilities; to authorize city, parish, and other local public school boards to name athletic facilities after living persons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 149—

BY REPRESENTATIVE HENRY BURNS
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 273—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:3951(B)(14), relative to the College and Career Readiness Commission; to provide relative to commission membership; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 579—

BY REPRESENTATIVE ORTEGO
AN ACT

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

Reported favorably.

HOUSE BILL NO. 945—

BY REPRESENTATIVES HENRY BURNS AND GREENE
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i), and (4)(a)(iii), (B)(3)(a), (P)(1)(c), (2)(b), (3)(b), and (4)(b), (Q)(1)(d), and (V)(1)(c), relative to the Taylor Opportunity Program for Students; to provide for initial award eligibility and continuing eligibility for certain students who reenlist in the United States Armed Forces and maintain continuous active duty under certain circumstances; to extend the length of time required to claim or maintain an award for certain students on active duty under certain circumstances; to provide for applicability; to provide an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CONRAD APPEL
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator A. G. Crowe, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 3, 2012

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 560—

BY SENATOR DONAHUE
AN ACT

To amend and reenact R.S. 23:1123, 1124.1, 1201(F)(1), (2) and (4), 1210(A), 1221(3)(a) and (4)(s)(i), and 1224, and to enact R.S. 23:1020.1, Subpart A-1 of Part I of Chapter 10 of the Louisiana Revised Statutes of 1950 consisting of R.S. 23:1213 through 1213.27, and 1314(D) and (E), relative to workers compensation; to provide for a purpose; to provide for a burden of proof; to provide with respect to disputes as to injury causation and extent of disability; to provide with respect to appointment of independent medical examiners; to provide with respect to nonpayment of benefits; to provide for medical provider networks; to provide with respect to burial benefits; to provide with respect to supplemental earnings benefits; to provide with respect to benefits for catastrophic injury; to provide with respect to payment of compensation in first week; to provide with respect to prematurity of petition; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
A. G. CROWE
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Yvonne Dorsey-Colomb, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 3, 2012

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 346—

BY SENATOR RISER
AN ACT

To amend and reenact R.S. 33:180(C), relative to annexation of certain property; to provide relative to the prohibition of annexing certain property by a municipality; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 703—

BY SENATOR AMEDEE
AN ACT

To enact Part XI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:361 through 368, relative to expropriation; to authorize the governing authority of Ascension Parish to expropriate by a declaration of taking; to provide certain terms, conditions, procedures, definitions, requirements, and effects; to prohibit expropriation for certain purposes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 107—

BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Hampton Village Crime Prevention and Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 254—

BY REPRESENTATIVE BROSETT
AN ACT

To enact R.S. 33:9091.19, relative to Orleans Parish; to create the Gentilly Terrace and Gardens Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 414—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:4574(B)(6) and (F)(1)(a) and (b)(v), 4574.1.1(A)(6) and (L), and 4574.16(introductory paragraph) and to repeal R.S. 33:4574.1.1(H), relative to East Baton Rouge Parish; to provide relative to the Baton Rouge Area Convention and Visitors Bureau; to change the name of the bureau; to provide for legislative intent; to direct the Louisiana State Law Institute to change the name of the bureau in other provisions of law; and to provide for related matters.

Reported favorably.

May 7, 2012

HOUSE BILL NO. 430—
BY REPRESENTATIVE BROSSETT
AN ACT

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

Reported favorably.

Respectfully submitted,
YVONNE DORSEY-COLOMB
Chairman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS AND
PUBLIC WORKS**

Senator Robert Adley, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 3, 2012

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to improve the operational safety of the exit from Interstate 10 to East Washington Street in Baton Rouge.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 9—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study widening and lengthening the on-ramp to Interstate 110 from which traffic traveling from the state capitol enters Interstate 110 north in Baton Rouge.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR BROWN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility and costs of the four lane widening of LA 73 between LA 30 and Interstate 10 and the four lane widening of LA 30 between Interstate 10 and LA 44, all in Ascension Parish.

Reported favorably.

SENATE BILL NO. 224—
BY SENATOR RISER
AN ACT

To enact R.S. 32:410(A)(6), (7), and (8), relative to the form and information on a driver's license; to provide an option for the licensee of a lifetime hunting license, a lifetime sports fishing license, or combination lifetime hunting and sports fishing license to include such hunting, sports fishing, or combination

hunting and sports fishing license number on his Louisiana driver's license; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 674—
BY SENATOR WARD
AN ACT

To enact R.S. 47:463.155 and 156, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 730—
BY SENATOR THOMPSON
AN ACT

To enact Chapter 4-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:1401, relative to the creation of the Bunches Bend Protection District; to provide for the purposes, powers, duties, and governance of the district; to provide for the authority to levy taxes under certain conditions; to provide for the issuance of indebtedness; to authorize cooperative endeavors with the owners of certain land; to provide for certain penalties; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE MACK
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of adding two lanes to Highway 190, beginning at the Tangipahoa Parish line and ending at the East Baton Rouge Parish line.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 584—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:706.2, relative to peace officers; to clarify whom is qualified to perform inspections for vehicle identification number; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 586—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:405.1, relative to age requirements of Class "E" driver's license; to increase the age of which a person must submit a signed statement attesting to supervised driving practice; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 587—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:414.2(B)(2)(a) and to enact R.S. 32:414.2(A)(1)(d)(x), relative to commercial driver

disqualification; to provide that texting while driving a commercial motor vehicle is a serious traffic violation for commercial motor vehicle drivers; to provide for increased disqualification periods for commercial motor vehicle drivers found to have violated out-of-service orders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 589—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:408.1(2)(introductory paragraph) and to repeal R.S. 32:408.1(2)(a) through (e), relative to requiring third-party testers to comply with certain federal regulations and to obtain a surety bond; repeals minimum qualifications for third-party contracts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 615—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 3:2571(A) and 2572, R.S. 30:2199(A), R.S. 33:7556, R.S. 36: 508(A), R.S. 38:17, 20, 23, 26(C), 31(2), 32(A) and (B)(introductory paragraph), 33, 34(A) and (B)(introductory paragraph), 84(B), 90.1(8), 90.4(A)(1)(introductory paragraph), (B)(1) and (2)(introductory paragraph), 90.7, 90.8, 90.12(B), 91, 226, 301(C)(2)(c), 306(C) and (D), 307(A)(1) and (2), 315, 319, 338(B), 402(A), 491, 492, 511, 2044(5), 3074(A)(4), (D)(4) and (9)(c), 3086.24(H)(1), and 3306(B), and R.S. 40:1236.2(C)(4)(a)(v), relative to the Department of Transportation and Development; to reassign duties of offices within the Department of Transportation and Development; to rename the office of public works, hurricane flood protection and intermodal transportation, within the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 623—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 48:390(B) and 390.1(A)(2) and to enact R.S. 48:390(I) and 390.1(D), relative to closure of railroad crossings; to require the Department of Transportation and Development to notify affected landowners prior to the closing of any railroad crossings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 668—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:403.4(A), relative to commercial motor vehicle drivers; to require persons applying for commercial driver's licenses to make certain certifications; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 680—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 48:36, relative to topographic mapping; to provide for mandatory development and maintenance of a statewide digital geospatial database; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 696—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 15:587(A)(1)(e) and R.S. 32:408(A)(4)(b) and (d), (B)(2)(introductory paragraph) and (a)(ii) and (F)(1) and to enact R.S. 32:408.1(5) and 414(K)(3), relative to commercial motor vehicle driver's licenses; to provide for background checks; to provide for commercial motor vehicle driver's licenses tests matters; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT ADLEY
Chairman

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

Senator Murray asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 224—
BY SENATORS RISER AND AMEDEE AND REPRESENTATIVE PUGH
AN ACT

To enact R.S. 32:410(A)(6), relative to the form and information on a driver's license; to provide an option to include certain special endorsement codes on a driver's license; to authorize endorsement codes for a lifetime hunting license, a lifetime sports fishing license, a combination lifetime hunting and sports fishing license, a firearm and hunter education certificate, and a boating safety education certificate; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 224 by Senator Riser

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:410(A)(6), (7), and (8)" to "R.S. 32:410(A)(6)"

AMENDMENT NO. 2

On page 1, line 3, at the beginning of the line after "license;" delete the remainder of line 3, delete lines 4 through 6, and insert the following: "to provide an option to include certain special endorsement codes on a driver's license; to authorize endorsement codes for a lifetime hunting license, a lifetime sports fishing license, a combination lifetime hunting and sports fishing license, a firearm and hunter education certificate, and a boating safety education certificate; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 32:410(A)(6), (7), and (8) are" to "R.S. 32:410(A)(6) is"

AMENDMENT NO. 4

On page 1, line 13, after "(6)" insert "(a)" and change "**January**" to "**July**"

AMENDMENT NO. 5

On page 1, line 14, after "**method**" delete the remainder of line 14, delete lines 15 through 17 and insert the following: "**by which an applicant may choose to include a special endorsement code on his driver's license to indicate whether the applicant has been issued any of the following:**"

(i) A lifetime hunting or fishing license issued pursuant to R.S. 56:649.1 et seq.

(ii) A certificate of completion of firearm and hunter education issued pursuant to R.S. 56:699.5.

(iii) A certificate of completion of boating safety education issued pursuant to R.S. 34:851.36.

(b) Inclusion of a special endorsement code pursuant to Subparagraph (a) of this Paragraph on his driver's license shall be solely at the option of the applicant. If applicant opts to include any such endorsement code, possession of his driver's license which displays such endorsement code shall satisfy any requirement to possess and exhibit such license and certificate.

* * *

AMENDMENT NO. 6

Delete page 2, lines 1 through 27

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

SENATE BILL NO. 346—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 33:180(C), relative to annexation of certain property; to provide relative to the prohibition of annexing certain property by a municipality; and to provide for related matters.

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

SENATE BILL NO. 560—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 23:1123, 1124.1, 1201(F)(1), (2) and (4), 1210(A), 1221(3)(a) and (4)(s)(i), and 1224, and to enact R.S. 23:1020.1, Subpart A-1 of Part 1 of Chapter 10 of the Louisiana Revised Statutes of 1950 consisting of R.S. 23:1213 through 1213.27, and 1314(D) and (E), relative to workers compensation; to provide for a purpose; to provide for a burden of proof; to provide with respect to disputes as to injury causation and extent of disability; to provide with respect to appointment of independent medical examiners; to provide with respect to nonpayment of benefits; to provide for medical provider networks; to provide with respect to burial benefits; to provide with respect to supplemental earnings benefits; to provide with respect to benefits for catastrophic injury; to provide with respect to payment of compensation in first week; to provide with respect to prematurity of petition; and to provide for related matters.

Reported by substitute by the Committee on Labor and Industrial Relations. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 560 by Senator Donahue)

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 23:1201(F) and (H), 1210(A), 1221(3)(a) and (4)(s)(i), 1224 and the heading of 1314, and to enact R.S. 23:1020.1 and 1314(D) and (E), relative to workers' compensation; to provide for legislative purpose; to provide for legislative intent; to provide for construction; to provide with respect to nonpayment of benefits; to provide with respect to burial benefits; to provide with respect to supplemental earnings benefits; to provide with respect to benefits for catastrophic injury; to provide with respect to prematurity of actions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1201(F) and (H), 1210(A), 1221(3)(a) and (4)(s)(i), 1224 and the heading of 1314 are hereby amended and

reenacted and R.S. 23:1020.1 and 1314(D) and (E) are hereby enacted to read as follows:

§1020.1. Citation, purpose; legislative intent; construction

A. Citation. This Chapter shall be cited as the "Louisiana Workers' Compensation Law".

B. Purpose. The legislature declares that the purpose of this Chapter is all of the following:

(1) To provide for the timely payment of temporary and permanent disability benefits to all injured workers who suffer an injury or disease arising out of and in the course and scope of their employment as is provided in this Chapter.

(2) To pay the medical expenses that are due to all injured workers pursuant to this Chapter.

(3) To return such workers who have received benefits pursuant to this Chapter to the work force.

C. Legislative intent. The legislature finds all of the following:

(1) That the Louisiana Workers' Compensation Law is to be interpreted so as to assure the delivery of benefits to an injured employee in accordance with this Chapter.

(2) To facilitate injured workers' return to employment at a reasonable cost to the employer.

D. Construction. The Louisiana Workers' Compensation Law shall be construed as follows:

(1) The provisions of this Chapter are based on the mutual renunciation of legal rights and defenses by employers and employees alike; therefore, it is the specific intent of the legislature that workers' compensation cases shall be decided on their merits.

(2) Disputes concerning the facts in workers' compensations cases shall not be given a broad, liberal construction in favor of either employees or employers; the laws pertaining to workers' compensation shall be construed in accordance with the basic principles of statutory construction and not in favor of either employer or employee.

(3) According to Article III, Section 1 of the Constitution of Louisiana, the legislative powers of the state are vested solely in the legislature; therefore, when the workers' compensation statutes of this state are to be amended, the legislature acknowledges its responsibility to do so. If the workers' compensation statutes are to be liberalized, broadened, or narrowed, such actions shall be the exclusive purview of the legislature.

* * *

§1201. Time and place of payment; failure to pay timely; failure to authorize; penalties and attorney fees

* * *

F. Failure Except as otherwise provided in this Chapter, failure to provide payment in accordance with this Section or failure to consent to the employee's request to select a treating physician or change physicians when such consent is required by R.S. 23:1121 shall result in the assessment of a penalty in an amount up to the greater of twelve percent of any unpaid compensation or medical benefits, or fifty dollars per calendar day for each day in which any and all compensation or medical benefits remain unpaid or such consent is withheld, together with reasonable attorney fees for each disputed claim; however, the fifty dollars per calendar day penalty shall not exceed a maximum of two thousand dollars in the aggregate for any claim. The maximum amount of penalties which may be imposed at a hearing on the merits regardless of the number of penalties which might be imposed under this Section is eight thousand dollars. An award of penalties and attorney fees at any hearing on the merits shall be res judicata as to any and all claims for which penalties may be imposed under this Section which precedes the date of the hearing. Penalties shall be assessed in the following manner:

(1) Such penalty and attorney fees shall be assessed against either the employer or the insurer, depending upon fault. No workers' compensation insurance policy shall provide that these sums shall be paid by the insurer if the workers' compensation judge determines that the penalty and attorney fees are to be paid by the employer rather than the insurer.

(2) This Subsection shall not apply if the claim is reasonably controverted or if such nonpayment results from conditions over which the employer or insurer had no control.

(3) Except as provided in Paragraph (4) of this Subsection, any additional compensation paid by the employer or insurer pursuant to this Section shall be paid directly to the employee.

(4) In the event that the health care provider prevails on a claim for payment of his fee, penalties as provided in this Section and reasonable attorney fees based upon actual hours worked may be awarded and paid directly to the health care provider. This Subsection shall not be construed to provide for recovery of more than one penalty or attorney fee.

* * *

H. (1) Upon making the first payment of compensation and upon modification or suspension of payment for any cause, the employer or insurer shall immediately send a notice to the office, in the manner prescribed by the rules of the director, that payment of compensation has begun or has been suspended, as the case may be. A pavor, which shall mean that entity which is responsible by law or contract for the payment of benefits or medical expenses incurred by the claimant as a result of an injury covered by this Chapter, shall do all of the following:

(a) Prepare a notice of payment. The form for the notice of payment shall be promulgated by the office pursuant to the Administrative Procedure Act.

(b) Send the notice of payment to the injured employee, or the employee's representative, with the first payment of compensation.

(c) Send the notice of payment to the injured employee, or the employee's representative, within ten days of a suspension or modification to compensation for any cause or within ten days of the suspension or modification of the supplemental earnings benefit.

(d) Send a copy of the notice of payment to the office within ten days from the date that the original notice of payment was sent to the injured employee or the employee's representative.

(2)(a) The injured employee or the employee's representative who disagrees with any information provided on the notice of payment shall, in writing, notify the pavor of the basis for disagreement and provide the amounts believed appropriate.

(b) The pavor, within five business days of receipt of the notice of disagreement, shall do one of the following:

(i) Send a revised notice of payment along with a revised payment in accordance therewith to the injured employee or the employee's representative.

(ii) If the pavor believes that the amount determined in the original notice of payment was correct, then the pavor shall file a request for preliminary determination, on a form to be promulgated by the office, and shall provide a copy to the injured employee or the employee's representative.

(c) The preliminary determination shall be performed by the director's designee, who shall be a workers' compensation judge specifically assigned to handle preliminary determinations. Such preliminary determination hearing shall occur within fifteen days of the filing of a request.

(d) The injured employee, the employee's representative, the pavor and the employer, which includes the direct employer of a statutory employee pursuant to R.S. 23:1061, shall participate in a preliminary determination hearing by phone. The workers' compensation judge may require any of these parties to produce relevant records necessary for the determination of compensation provided for in the notice of payment. No later than thirty days from the filing of the request for a preliminary determination, the workers' compensation judge shall provide, in writing, a recommended amount of compensation.

(e) The pavor shall, within ten calendar days of the mailing of the recommendation from the workers' compensation judge, either mail to the injured employee or the employee's representative a revised notice of payment with the recommended amount if such recommended amount is different from that which was previously provided on the initial notice of payment, or notify the injured worker or the employee's representative in writing that the pavor does not accept the recommendation. No disputed claim for compensation regarding the amount of

compensation due shall be filed until the provisions of this Subsection have been exhausted unless such a disputed claim is in regard to a pavor's failure to provide a notice of payment as required by this Subsection. A pavor who provides the compensation amounts due as recommended by the workers' compensation judge shall not be subject to any penalty and attorney fees regarding such calculation of the compensation due and payment provided with the revised notice of payment.

(f) A pavor who provides the compensation amounts due as recommended by the workers' compensation judge's preliminary recommendation and who disagrees with such preliminary recommendation shall file a disputed claim for compensation within fifteen days of mailing the revised notice of payment and compensation amount due.

(3) Within fourteen days after the final payment of compensation has been made, the employer or insurer shall send a notice to the office, in the manner prescribed by the rules of the director, stating:

~~(1)~~(a) The name of the injured employee or any other person to whom compensation has been paid, or both.

~~(2)~~(b) The date of injury or death.

~~(3)~~(c) The dates on which compensation has been paid.

~~(4)~~(d) The total amount of compensation paid.

~~(5)~~(e) The fact that final payment has been made.

* * *

§1210. Burial expenses; duty to furnish

A. In every case of death, the employer shall pay or cause to be paid, in addition to any other benefits allowable under the provisions of this Part, reasonable expenses of the burial of the employee, not to exceed ~~seven~~ **eight** thousand five hundred dollars.

* * *

§1221. Temporary total disability; permanent total disability; supplemental earnings benefits; permanent partial disability; schedule of payments

Compensation shall be paid under this Chapter in accordance with the following schedule of payments:

* * *

(3) Supplemental earnings benefits.

(a)(i) For injury resulting in the employee's inability to earn wages equal to ninety percent or more of wages at time of injury, supplemental earnings benefits, **payable monthly**, equal to sixty-six and two-thirds percent of the difference between the average monthly wages at time of injury and average monthly wages earned or average monthly wages the employee is able to earn in any month thereafter in any employment or self-employment, whether or not the same or a similar occupation as that in which the employee was customarily engaged when injured and whether or not an occupation for which the employee at the time of the injury was particularly fitted by reason of education, training, and experience, such comparison to be made on a monthly basis. Average monthly wages shall be computed by multiplying his "wages" by fifty-two and then dividing the quotient by twelve.

(ii) When the employee is entitled to monthly supplemental earnings benefits pursuant to this Subsection, but is not receiving any income from employment or self-employment and the employer has not established earning capacity pursuant to R.S. 23:1226, payments of supplemental earning benefits shall be made in the manner provided for in R.S. 23:1201(A)(1).

* * *

(4) Permanent partial disability. In the following cases, compensation shall be solely for anatomical loss of use or amputation and shall be as follows:

* * *

(s)(i) In addition to any other benefits to which an injured employee may be entitled under this Chapter, any employee suffering an injury as a result of an accident arising out of and in the course and scope of his employment shall be entitled to a sum of ~~thirty~~ **fifty** thousand dollars, payable within one year after the date of the injury. Interest on such payment shall not commence to accrue until after it becomes payable. Such payment shall not be subject to any offset for payment of any other benefit under this Chapter. Such payment shall not be subject to a claim for attorney fees; however, attorney fees may be awarded in a claim to collect such payment pursuant to R.S. 23:1201.2.

May 7, 2012

§1224. Payments not recoverable for first week; exceptions
No compensation shall be paid for the first week after the injury is received; provided, that in cases where disability from injury continues for six two weeks or longer after date of the accident, compensation for the first week shall be paid after the first six two weeks have elapsed.

§1314. Necessary allegations; dismissal of premature petition; dispute of benefits

D. Disputes over medical treatment pursuant to the medical treatment schedule shall be premature unless a decision of the medical director has been obtained in accordance with R.S. 23:1203.1(J).

E. Notwithstanding any other provisions of this Section, the employer shall be permitted to file a disputed claim to controvert benefits or concerning any other dispute arising under this Chapter.

On motion of Senator Crowe, the committee substitute bill was adopted and becomes Senate Bill No. 763 by Senator Donahue, substitute for Senate Bill No. 560 by Senator Donahue.

SENATE BILL NO. 763— (Substitute of Senate Bill No. 560 by Senator Donahue)

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 23:1201(F) and (H), 1210(A), 1221(3)(a) and (4)(s)(i), 1224 and the heading of 1314, and to enact R.S. 23:1020.1 and 1314(D) and (E), relative to workers' compensation; to provide for legislative purpose; to provide for legislative intent; to provide for construction; to provide with respect to nonpayment of benefits; to provide with respect to burial benefits; to provide with respect to supplemental earnings benefits; to provide with respect to benefits for catastrophic injury; to provide with respect to prematurity of actions; and to provide for related matters.

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

SENATE BILL NO. 594— BY SENATOR BROWN

AN ACT

To enact R.S. 17:158(I), relative to school transportation; to provide for the transportation of certain students to certain technical colleges; to provide for responsibilities of city, parish, and other local public school boards; to allow local school boards to assess a fee to students using such transportation; to provide for exemptions; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 594 by Senator Brown

AMENDMENT NO. 1

On page 1, line 4, between "boards;" and "to provide" insert "to allow local school boards to assess a fee to students using such transportation; to provide for exemptions;"

AMENDMENT NO. 2

On page 1, line 12, between "board" and "provide" change "shall" to "may"

AMENDMENT NO. 3

On page 1, delete line 13, and insert ""transportation to any full-time student who is twenty years of age or younger"

AMENDMENT NO. 4

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

"(2) Each local public school board may assess a fee to each student utilizing the transportation services provided pursuant to this Subsection, not to exceed the actual cost of providing such transportation, including administrative costs.

(3) The State Board of Elementary and Secondary Education shall adopt rules in"

AMENDMENT NO. 5

On page 2, after line 6, insert the following:

"(4) The provisions of this Subsection shall not apply to: (a) Local public school boards in a parish with a population of more than three hundred thousand persons according to the most recent federal decennial census.

(b) Local public school boards in any parish that operates a parish-wide public transit system that provides sufficient service to meet the transportation needs of students attending technical colleges located in the parish."

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

SENATE BILL NO. 674— BY SENATOR WARD

AN ACT

To enact R.S. 47:463.155, 156, and 157, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 674 by Senator Ward

AMENDMENT NO. 1

On page 1, line 2, change "and 156" to ", 156, and 157"

AMENDMENT NO. 2

On page 1, line 8, change "and 156" to ", 156, and 157"

AMENDMENT NO. 3

On page 3, after line 16, insert:

"§463.157. Special prestige license plate; Registered Independent of Louisiana

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige license plate to be known as the "Registered Independent of Louisiana" subject to the provisions of this Section. The license plate shall be restricted to passenger cars, pickup trucks, vans, and recreational vehicles. The color and design of the license plate shall be selected by the secretary of the Department of Public Safety and Corrections.

B. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

C. The charge for this special license plate shall be the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, and a handling fee of three dollars and fifty cents which shall be retained by the department to offset administrative costs.

D. The secretary shall establish a prestige license plate in accordance with the provisions of this Section when the secretary has received a minimum of one thousand applications for the license plate.

E. The secretary may promulgate rules and regulations as are necessary to implement the provisions of this Section."

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

SENATE BILL NO. 703—

BY SENATOR AMEDEE AND REPRESENTATIVES BERTHELOT, LAMBERT AND SCHEXNAYDER

AN ACT

To enact Part XI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:361 through 368, relative to expropriation; to authorize the governing authority of Ascension Parish to expropriate by a declaration of taking; to provide certain terms, conditions, procedures, definitions, requirements, and effects; to prohibit expropriation for certain purposes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 703 by Senator Amedee

AMENDMENT NO. 1

On page 1, at the beginning of line 15, after "**A**," delete "**When**" and insert "**After August 1, 2012, and until August 1, 2016, when**"

AMENDMENT NO. 2

On page 1, line 16, after "**needed for a**" delete "**major infrastructure**,"

AMENDMENT NO. 3

On page 2, line 2, after "**property**," delete the remainder of the line and delete lines 3 through 14 in their entirety and insert the following:

"B. If the owners are known and can be located, the governing authority must engage in good faith negotiations with the owner or owners of the subject property to acquire the property by conventional agreement, and it must make at least one written offer to purchase the property for a specific price. Thereafter, if the governing authority concludes that it cannot amicably acquire the subject property, it must, at least thirty days prior to filing a petition, notify the owner or owners by certified mail, return receipt requested, of its intention to expropriate the property pursuant to this Part. If the notice is returned unclaimed, the governing authority shall mail the letter of notification by regular mail and wait thirty days from the date of mailing prior to filing suit. The letter of notification must also inform the owner that if, within thirty days after being served with the notice of suit, he does not object to the taking on the ground that it is not for a public purpose, he will waive all defenses to the taking except claims for compensation or damages. A copy of this Part must be enclosed with the letter of notification."

AMENDMENT NO. 4

On page 2, delete lines 22 and 23 in their entirety and insert the following:

"E. The provisions of this Part shall not apply to investor owned gas, electric, and telecommunication utilities or member owned electric co-operatives regulated by the Louisiana Public Service Commission."

AMENDMENT NO. 5

On page 3, line 22, after "**taken for**" delete "**public purposes**" and insert "**sewer, drainage, or road projects**"

AMENDMENT NO. 6

On page 3, line 24, after "court" insert a period and delete the remainder of the line and line 25 and insert the following: "**Upon the deposit of the amount of the estimate in the registry of the court, for the use and benefit of the persons entitled thereto, the clerk shall issue a receipt showing the amount deposited, the date it was**

deposited, the style and number of the cause, and the description of the property and property rights, as contained in the petition."

AMENDMENT NO. 7

On page 3, line 29, after "**taken for**" delete "**the project**" and insert "**sewer, drainage, or road projects**"

AMENDMENT NO. 8

On page 4, line 6, after "**notifying him that**" insert "**a petition has been filed to expropriate**"

AMENDMENT NO. 9

On page 4, line 7, after "**petition**" delete the remainder of the line and insert a period.

AMENDMENT NO. 10

On page 4, line 14, after "**for a**" delete "**public use may**" and insert "**sewer, drainage, or road project purpose shall**"

AMENDMENT NO. 11

On page 4, line 15, after "**dismiss**" delete the remainder of the line and at the beginning of line 16 delete "**on him**" and insert "**or other defenses to the taking within thirty days after the date on which the notice was served on him**"

AMENDMENT NO. 12

On page 5, after line 14, insert:

"Section 2. The provisions of this Act shall be interpreted so as to be consistent with Article 1, Section 4 of the Louisiana Constitution of 1974."

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

SENATE BILL NO. 709—

BY SENATOR WARD AND REPRESENTATIVE SCHRODER

AN ACT

To amend and reenact R.S. 17:416.20, to enact R.S. 14:40.8, R.S. 17:418, 418.1 and 418.2, and to repeal R.S. 17:416.13, relative to bullying, criminal bullying and cyberbullying; to create the crime of criminal bullying; to provide for definitions; to provide for penalties; to provide relative to the student code of conduct; to provide relative to student discipline; to provide for duties; to provide for reporting; to provide for parental notification; to provide for the publication of certain documents; to provide for exceptions; to provide that the Act shall be known as the "Tesa Middlebrook Anti-bullying Act"; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 709 by Senator Ward)

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 17:415, 416(A)(1)(a), (b)(i), and (c)(i), 3(a)(xvii), 4(introductory paragraph), (a)(i)(ee), and (b), 416.4(C), 416:13, and 416.20(A), to enact R.S. 17:416(A)(1)(c)(ii)(dd), (2)(d), (3)(a)(xviii), and (4)(c) and 3996(B)(30), and to repeal R.S. 17:416.14, relative to bullying; to provide relative to the student code of conduct; to provide relative to student discipline; to provide for duties; to provide for reporting; to provide for parental notification; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:415, 416(A)(1)(a), (b)(i), and (c)(i), 3(a)(xvii), 4(introductory paragraph), (a)(i)(ee), and (b), 416.4(C), 416:13, and 416.20(A) are amended and reenacted and R.S. 17:416(A)(1)(c)(ii)(dd), (2)(d), (3)(a)(xviii), and (4)(c) and 3996(B)(30) are hereby enacted to read as follows:

§415. School records; duty to keep reports by school principal

Parish superintendents and teachers of the public schools of the state shall make and keep such school records as shall be prescribed

by the state superintendent of education, prior to receiving their monthly salaries. Each principal of a school shall make to the parish superintendent of schools such reports as may be required, including but not limited to the disciplinary reports required in R.S. 17:416(A)(4). If any principal willfully neglects or fails to do this, the parish superintendent of schools may withhold the salary due until the report is satisfactorily made.

§416. Discipline of pupils students; suspension; expulsion

A.(1)(a) Every teacher and other school employee shall endeavor to hold every pupil student to a strict accountability for any disorderly conduct in school or on the playgrounds of the school, on the street or road while going to or returning from school, on any school bus, or during intermission or recess, or at any school-sponsored activity or function.

(b)(i) Each teacher may take disciplinary action to correct a pupil student who disrupts normal classroom activities, who is disrespectful to a teacher, who willfully disobeys a teacher, who uses abusive or foul language directed at a teacher or another pupil student, who engages in bullying, who violates school rules, or who interferes with an orderly education process.

(ii) In addition to those procedures set forth in R.S. 17:416.13 regarding bullying, disciplinary action may include but is not limited to:

(c)(i) When a pupil's student's behavior prevents the orderly instruction of other pupils students or poses an immediate threat to the safety or physical well being of any pupil student or teacher, when a pupil student exhibits disrespectful behavior toward the teacher such as using foul or abusive language or gestures directed at or threatening a pupil student or a teacher, when a pupil student violates the school's code of conduct, or when a pupil student exhibits other disruptive, dangerous, or unruly behavior, including inappropriate physical contact, inappropriate verbal conduct, sexual or other harassment, bullying, throwing objects, inciting other pupils students to misbehave, or destroying property, the teacher may have the pupil student immediately removed from his classroom and placed in the custody of the principal or his designee. A pupil student removed from the classroom pursuant to this Subparagraph shall be assigned school work missed and shall receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal or his designee, upon the recommendation of the pupil's student's teacher; however, the teacher shall not be required to interrupt class instruction time to prepare any such assignment.

(ii) The principal or designee shall follow all procedures set forth in R.S. 17:416.13 regarding bullying.

(2) As used in this Section:

(d) "Bullying" is defined in R.S. 17:416.13.

(3)(a) A school principal may suspend from school or suspend from riding on any school bus any pupil student who:

(xvii) Has engaged in bullying.

(xviii) Commits any other serious offense.

(4) By not later than January 1, 1998, The governing authority of each city and parish public elementary and secondary school board shall adopt such rules and regulations as it deems necessary to implement the provisions of this Subsection and of R.S. 17:416.13. Such rules and regulations shall include but not be limited to the following provisions:

(a) * * *

(i) * * *

(ee) A menu of check off items to indicate the nature of the incident, including fighting or bullying at the bus stop, fighting or bullying on the bus, smoking on the bus, leaving the bus without permission, boarding the bus at the incorrect stop, showing disrespect toward the driver, committing an immoral or vicious act, throwing objects within the bus or out of bus windows or doors, refusing to occupy an assigned seat, using profane language, showing willful disobedience, defacing the bus, carrying objects or implements which

can be used as weapons, or committing some other undesignated violation.

(b) Procedures implementing the provisions of R.S. 17:416.13 regarding bullying.

(c) A procedure requiring that, within a reasonable period of time, a principal shall review any such report and then act upon it as provided by this Section, or R.S. 17:416.13, or explain the reasons for failing to act to the local superintendent of schools or his designee and to the teacher, or other school employee, student, parent, or legal guardian reporting the violation.

§416.4. Civil liability; legal defense and indemnification of all public school employees

C. Nothing in this Section shall require a school board to indemnify an employee against a judgment wherein there is a specific decree in the judgment that the action of the employee was maliciously, willfully, and deliberately intended to cause bodily harm or to harass or intimidate the student or where there is a specific decree in the judgment that the employee purposefully or with gross disregard of the facts ignored the complaints of the student, or the student's parent or guardian, that the student was being bullied and the bullying lead to the physical harm or death of the child.

§416.13. Student code of conduct; requirement; harassment, intimidation, and bullying; prohibition; exemptions notice; reporting; accountability

A. Code of Conduct. By not later than August 1, 1999, The governing authority of each city, parish and other local public elementary and secondary school board shall adopt a student code of conduct for the students in it's the school system. Such code of conduct shall be in compliance with all existing rules, regulations, and policies of the school board and of the State Board of Elementary and Secondary Education and all state laws relative to student discipline and shall include any necessary disciplinary action to be taken against any student who violates the code of conduct.

B.(1) Bullying Policy. By not later than August 1, 2001, The governing authority of each city, parish, and other local public elementary and secondary school board shall adopt, and incorporate into the student code of conduct, as provided in this Section a policy prohibiting the harassment, intimidation, and bullying of a student by another student, which includes the definition of bullying set forth herein. This policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.

(2) For purposes of this Subsection, the terms "harassment", "intimidation", and "bullying" shall mean any intentional gesture or written, verbal, or physical act that:

(a) A reasonable person under the circumstances should know will have the effect of harming a student or damaging his property or placing a student in reasonable fear of harm to his life or person or damage to his property; and

(b) Is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

(3) Any student, school employee, or school volunteer who in good faith reports an incident of harassment, intimidation, or bullying to the appropriate school official in accordance with the procedures established by local board policy shall be immune from a right of action for damages arising from any failure to remedy the reported incident.

(4) The provisions of this Subsection shall not apply to the parishes of Livingston, East Baton Rouge, East Feliciana, West Feliciana, St. Helena, and Tangipahoa.

€(†) By not later than January 1, 2011 2013, the governing authority of each public elementary and secondary school shall:

(a) conduct Conduct a review of the student code of conduct required by this Section and amend such code as may be necessary to assure that the policy prohibiting the harassment, intimidation, and bullying of a student by another student specifically addresses the nature, extent, causes, and consequences of behavior constituting

cyberbullying, the effect said behavior has on others, including bystanders, and the disciplinary and criminal consequences, and includes the definition of bullying contained herein.

(b) Create a program through which it shall provide at least four hours of training for all school employees, including bus drivers, with respect to bullying each year which specifically addresses the effect said behavior has on others, including bystanders, and the disciplinary and criminal consequences, and includes the definition of bullying contained herein.

(2) For the purposes of this Subsection, the term "cyberbullying" shall mean harassment, intimidation, or bullying of a student on school property by another student using a computer, mobile phone, or other interactive or digital technology or harassment, intimidation, or bullying of a student while off school property by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property.

C. Definition of Bullying. For the purposes of this Subsection, the term "bullying" shall mean:

(1) Any pattern of any of the following:

(a) Gestures, including but not limited to, obscene gestures and making faces.

(b) Written, electronic, or verbal communications, including but not limited to, calling names, threatening harm, taunting, malicious teasing, spreading untrue rumors. Electronic communication includes but is not limited to a communication or image transmitted by e-mail, instant message, text message, blog, or social networking website through the use of a telephone, mobile phone, pager, or computer.

(c) Physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property.

(d) Repeatedly and purposefully shunning or excluding from activities.

(2) That a student or group of students has exhibited toward another student more than once.

(3) That occurs, or is received by a student, on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from schools or any school-sponsored activity or event.

(4) That has the effect of any of the following:

(a) Physically harming a student or placing the student in reasonable fear of physical harm.

(b) Damaging a student's property or placing the student in reasonable fear of damage to the student's property.

(5) That is sufficiently severe, persistent, and pervasive enough to either:

(a) Create an intimidating or threatening educational environment.

(b) Have the effect of substantially interfering with a student's performance in school.

(c) Have the effect of substantially disrupting the orderly operation of the school.

D. Prior to January 1, 2013, the State Board of Elementary and Secondary Education shall develop and adopt rules and regulations for the implementation of this Subsection relevant to the procedures the processes used to report and investigate bullying and which shall include but not be limited to:

(1) **Notice to Students and Parents.** Beginning on January 1, 2011, and continuing thereafter, the governing authority of each public elementary and secondary school shall inform each student, verbally and in writing within ten days after enrolling in school at the orientation required under R.S. 17:416.20, of the prohibition against harassment, intimidation, and bullying, including cyberbullying, of a student by another student; the nature and consequences of such actions; including the potential criminal consequences and loss of driver's license as provided in R.S. 17:416.1, and the proper process and procedure for reporting any incidents involving such prohibited actions. A copy of the written notice shall also be delivered to each student's parent or legal guardian.

(2) **Reporting.** (a) By not later than January 1, 2011, the governing authority of each public elementary and secondary school

shall develop and adopt a policy establishing procedures for the investigation of reports of harassment, intimidation, and bullying, including cyberbullying, of a student by another student a procedure for the reporting of incidents of bullying. This shall include a form for the purposes of bullying reports. The form shall include an affirmation of truth of statement. Any bullying report submitted regardless of recipient shall use this form, but additional information may be provided. The form shall be available on the Department of Education's website.

(i) Students and parents. Any student who believes that he or she has been, or is currently, the victim of bullying, or any student, or any parent or guardian, who witnesses bullying or has good reason to believe bullying is taking place, may report the situation to a school official. A student, or parent or guardian, may also report concerns regarding bullying to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity. Any report of bullying shall remain confidential.

(ii) School personnel. Any teacher, counselor, bus driver, or other school employee, whether full or part time, and including any parent chaperoning or supervising a school function or activity, who witnesses bullying or who learns of bullying from a student pursuant to Item (a)(i) of this Paragraph, shall make a report to a school official.

(iii) Retaliation. Retaliation against any person who reports bullying in good faith, who is thought to have reported bullying, who files a complaint, or who otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited conduct and subject to discipline. School and district resources shall not be used to prohibit or dissuade any person who meets the specifications of this Item.

(iv) False Reports. Intentionally making false reports about bullying to school officials is prohibited conduct and will result in the appropriate disciplinary measures as determined by the governing authority of the school in accordance with the rules and regulations of the State Board of Elementary and Secondary Education.

(3) **Investigation.**(a) **Procedure.** By not later than January 1, 2013, the State Board of Elementary and Secondary Education shall develop and adopt a procedure for the investigation of reports of bullying of a student by another student. The procedure shall include the following:

(b) **Scope of investigation.** An investigation shall include an interview of the reporter, the victim, the alleged bully, and any witnesses, and shall include obtaining copies or photographs of any audio-visual evidence.

(c) **Timing.** The school shall begin an investigation of any complaint that is properly reported and that alleges conduct prohibited in this Section the next business day during which school is in session after the report is received by the school official.

(d) **Appeal.** (i) If the school official does not take timely and effective action pursuant to this Section, the student, parent, or school employee may report the bullying incident to the city, parish, or other local school board or local governing authority. The school board or governing authority shall begin an investigation of any complaint that is properly reported and that alleges conduct prohibited in this Section the next business day during which school is in session after the report is received by a school board or governing authority official.

(ii) If the school board does not take timely and effective action, the student, parent, or other school employee may report the bullying incident to the Department of Education. The department shall track the number of reports, shall notify in writing the superintendent and the president of the school's governing authority, and shall publish the number of reports by school district or governing authority on its website. The department shall provide both the number of actual reports received and the number of reports received by affected child.

(iii) For the purposes of this Section, a report means a written document that meets the requirements of Subparagraph (2)(a) of this Subsection.

(e) **Parental Notification.**

(i) Upon receiving a report of bullying, the school official shall notify the child's parent or guardian according to the definition of notice created by the Department of Education.

(ii) Under no circumstances shall the delivery of the notice to the parent or parents, which is required by this Subsection, be the responsibility of an involved student. Delivery of the notice by an involved student shall not constitute notice as is required pursuant to this Subsection.

(iii) Before any student under the age of eighteen is interviewed, his or her parent or guardian shall be notified by the school official of the allegations made and shall have the opportunity to attend any interviews with their child conducted as part of the investigation.

(iv) The State Board of Elementary and Secondary Education shall develop a procedure for meetings with the parents of the victim and the parents of the alleged perpetrator. This procedure shall include:

(aa) Separate meetings with the parents or legal guardians of the victim and the parents or legal guardians of the alleged perpetrator.

(bb) Notification of parents or legal guardians of the victim and of the alleged perpetrator of the available potential consequences, penalties, and counseling options.

(cc) In any case where a teacher, principal, or other school employee is authorized in this Section to require the parent or legal guardian of a student who is under the age of eighteen and not judicially emancipated or emancipated by marriage to attend a conference or meeting regarding the student's behavior and, after notice, the parent, tutor, or legal guardian willfully refuses to attend, that the principal or his designee shall file a complaint with a court exercising juvenile jurisdiction, pursuant to Children's Code Article 730(8) and 731. The principal may file a complaint pursuant to Children's Code Article 730(1) or any other applicable ground when, in his judgment, doing so is in the best interests of the student.

(f) Disciplinary Action. If the school has received a report of bullying, has determined that an act of bullying has occurred, and after meeting with the parent/guardian of the students involved, the school official shall:

(i) Take prompt and appropriate disciplinary action, pursuant to R.S. 17:416 and 416.1, against the student that the school official determines has engaged in conduct which constitutes bullying, if appropriate.

(ii) Report criminal conduct to law enforcement, if appropriate.

(g) Parental Relief. (i) If a parent, legal guardian, teacher, or other school official has made four or more reports of bullying, as provided in Paragraph (2) of the Subsection, and no investigation pursuant to Paragraph (3) of this Subsection has occurred, the parent or legal guardian with responsibility for decisions regarding the education of the student about whom the report or reports have been made may exercise an option to have the child enroll in or attend another school operated by the governing authority of the public elementary or secondary school at which the child was enrolled on the dates when at least three of the reports were submitted.

(ii) The parent shall file a request with the superintendent for the transfer of the child to another school under the governing authority's jurisdiction.

(iii) The governing authority of the public elementary or secondary school at which the child was enrolled shall make a seat available at another public elementary or secondary school under its jurisdiction within thirty calendar days of the parent or legal guardian's request for a transfer.

(iv) If no seat is made available within thirty calendar days of the receipt by the superintendent of the request, the parent or legal guardian may request a hearing with the local governing authority, which shall be public or private at the option of the parent or legal guardian. The local governing authority shall grant the hearing at the next scheduled meeting or within sixty calendar days, whichever is sooner.

(h) Documentation. (i) The state Department of Education shall develop a behavior incidence checklist that the governing authority of each public elementary and secondary school shall use

to document the details of each reported incident of harassment, intimidation, and bullying, including cyberbullying.

(b)(ii) The governing authority of each public elementary and secondary school shall report all such documented incidences of harassment, intimidation, and bullying, including cyberbullying, to the Department of Education as prescribed in rules adopted by the State Board of Elementary and Secondary Education in accordance with the Administrative Procedure Act and R.S. 17:415.

(iii) After the investigation and meeting with the parents, pursuant to this Section, a school, local school board or other local school governing authority shall:

(aa) Compose a written document containing the findings of the investigation, including input from the parents, and the decision by the school or school system official. The document shall be placed in the school records of both students.

(bb) Promptly notify the complainant of the findings of the investigation and that remedial action has been taken, if such release of information does not violate the law.

(cc) Keep complaints and investigative reports confidential, except as is provided in this Section and where disclosure is required to be made pursuant to 20 U.S.C.A. 1232(G) or by other applicable federal laws, rules, or regulations or by state law.

(dd) Maintain complaints and investigative reports for three years in the event that disclosure is warranted by law enforcement officials.

(ee) As applicable, provide a copy of any reports and investigative documents to the governing authority of the school in order that the governing authority can comply with the provisions of R.S. 17:416.1.

(ff) As applicable, provide a copy of any reports and investigative documents to the Department of Education. Upon receipt, the department shall remove any reports related to the investigative documents from notation on the department's website, but shall maintain a record of those reports for three years.

E. Parental Responsibilities. Nothing herein shall be deemed to interfere with the authority and the responsibility that a parent or legal guardian has for the student at all times but particularly when the student is not on the school premises, is not engaged in a school-sponsored function or school-sponsored activity, and is not being transported by school-sponsored means of transportation.

F. This Section shall not be interpreted to conflict with or supercede the provisions requiring mandatory reporting pursuant to Louisiana Children's Code Article 609 and as enforced through R.S. 14:403.

G. Preclusion. (1) This Section shall not be interpreted to prevent a victim of bullying, or his parent or legal guardian, from seeking redress under any other available law either civil or criminal.

(2) Nothing in this Section is intended to infringe upon the right of a school employee or student to exercise their right of free speech.

H. Construction; equal protection. All students subject to the provisions of this Section shall be protected equally and without regard to the subject matter or the motivating animus of the bullying.

* * *

§416.20. Student conduct standards; awareness and understanding by students; required orientation; guidelines

A. In addition to any other requirements established by law, rule, or regulation relative to student discipline and conduct and beginning with the 2008-2009 school year and continuing thereafter, the governing authority of a public elementary or secondary school shall require that every student be provided an orientation during the first five days of each school year regarding school disciplinary rules and provisions of the code of student conduct applicable to such students, **including but not limited to the policy on bullying as set forth in R.S. 17:416.13.** Orientation instruction shall be provided by the school principal or his designees and shall include but not be limited to consequences for failing to comply with such school disciplinary rules and code requirements, **including suspension, expulsion, the possibility of suspension of a student's driver's license for one year as provided in R.S. 17:416.1, and the possible**

criminal consequences of violent acts committed on school property, at a school-sponsored function, or in a firearm-free zone. The orientation also shall clearly communicate to students the rights afforded teachers pursuant to R.S. 17:416.18 and other applicable law relative to the discipline of students.

§3996. Charter schools; exemptions; requirements

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

(30) Procedures on bullying pursuant to R.S. 17:416.13.

Section 3. The legislature finds all of the following:

(1) According to Article VIII, Section 1 of the Constitution of Louisiana, it is the role of the legislature to provide for the education of the people of this state and to establish and maintain a public education system.

(2) A safe and civil environment in school is necessary for students to learn and achieve high academic success. Bullying and other disruptive or violent behavior is conduct that disrupts both a student's ability to learn and a school's ability to educate its students.

Section 4. The purpose of this Act is to insure that all school districts have and maintain a uniform policy to provide equal protection, for all Louisiana public school children, against bullying.

Section 5. This Act shall be known as the "Tesa Middlebrook Anti-Bullying Act."

Section 6. R.S. 17:416.14 is hereby repealed in its entirety.

Section 7. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Kostelka, the committee substitute bill was adopted and becomes Senate Bill No. 764 by Senator Ward, substitute for Senate Bill No. 709 by Senator Ward.

SENATE BILL NO. 764— (Substitute of Senate Bill No. 709 by Senator Ward)

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 17:415, 416(A)(1)(a), (b)(i), and (c)(i), 3(a)(xvii), 4(introductory paragraph), (a)(i)(ee), and (b), 416.4(C), 416:13, and 416.20(A), to enact R.S. 17:416(A)(1)(c)(ii)(dd), (2)(d), (3)(a)(xviii), and (4)(c) and 3996(B)(30), and to repeal R.S. 17:416.14, relative to bullying; to provide relative to the student code of conduct; to provide relative to student discipline; to provide for duties; to provide for reporting; to provide for parental notification; and to provide for related matters.

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

SENATE BILL NO. 730—

BY SENATOR THOMPSON

AN ACT

To enact Chapter 4-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:1401, relative to the creation of the Bunches Bend Protection District; to provide for the purposes, powers, duties, and governance of the district; to provide for the authority to levy taxes under certain conditions; to provide for the issuance of indebtedness; to authorize cooperative endeavors with the owners of certain land; to provide for certain penalties; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 730 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 13, change "**Sections 19 and 30**" to "**Sections 19, 30, and 36**"

AMENDMENT NO. 2

On page 2, delete lines 4 through 6, and insert:

"B. The district shall be comprised of the following described tract of land situated in a portion of T 22 & 23 N - R 13 E, East Carroll Parish, Louisiana as shown on plat D-1724, file number 4539.2 containing approximately 10,599 acres, and being more particularly described as follows: FROM the southeast corner of Section 71, T 22 N - R 13 E, East Carroll Parish, Louisiana run North 50°43'51" West approximately 1,105 feet to a point at the intersection of the east toe of the Mississippi River Main Line Levee and a line 15.00 feet south of the southern toe of the Old Levee and THE POINT OF BEGINNING; thence run in a northern direction along the east toe of the Mississippi River Main Line Levee approximately 20,263 feet to a point at the intersection of a line 15.00 feet from the toe of the Old Levee on the unprotected side; thence run along the unprotected side and being 15.00 feet from the toe of the Old Levee approximately 79,421 feet to a point and The Point Of Beginning."

AMENDMENT NO. 3

On page 5, line 15, change "**19 and 30**" to "**19, 30, and 36**"

AMENDMENT NO. 4

On page 5, line 20, change "**seven hundred fifty mills**" to "**three hundred eleven mills**"

AMENDMENT NO. 5

On page 5, line 23, after "**acre**" delete the period "." and insert: "**levied on cropland as defined by the Farm Service Agency of the United States Department of Agriculture and seven dollars per acre levied on all other land.**"

AMENDMENT NO. 6

On page 7, delete lines 8 through 29, delete page 8, and on page 9, delete lines 1 through 3

AMENDMENT NO. 7

On page 9, line 4, change "**G.**" to "**F.**" and delete "**(2) through (10)**"

AMENDMENT NO. 8

On page 9, line 8, change "**H.**" to "**G.**"

AMENDMENT NO. 9

On page 9, line 14, change "**I.**" to "**H.**"

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

Reports of Committees, Resumed

The following reports of committees were received and read:

REPORT OF COMMITTEE ON REVENUE AND FISCAL AFFAIRS

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

May 7, 2012

May 7, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 717—
BY SENATOR ADLEY

AN ACT

To enact R.S. 24:609, relative to fiscal services; to provide for the preparation of certain reports relative to legislative instruments providing rebates; to provide for the review and analysis of certain data by the legislative fiscal office and the Department of Revenue; to provide for procedures for certain legislative instruments which reduce state revenues; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE MORENO

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to study and make recommendations relative to the practicality and feasibility of establishing a statewide database to track the name and address of a property owner claiming a homestead exemption which can be used by each assessor and each registrar of voters for the purpose of curtailing property tax and voter registration fraud.

Reported favorably.

HOUSE BILL NO. 729—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LORUSSO, THIBAUT, AND PATRICK WILLIAMS

AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4401, relative to corporation income and franchise taxes; to authorize the establishment of the Corporate Tax Apportionment Program and to provide for the administration thereof; to provide for certain definitions; to provide for contracts; to provide for certain eligibility requirements, limitations, and restrictions of such program; to prohibit the approval of certain contracts after a certain date; to provide with respect to applications; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 937—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, BURFORD, GUILLORY, HAZEL, HOFFMANN, LORUSSO, AND THIBAUT

AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111 through 3115, relative to the creation of a Corporate Headquarters Relocation Program; to authorize contracts with businesses that relocate or expand a headquarters in the state; to provide for the content and approval of contracts; to provide for the authority of the Department of Economic Development; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 958—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LORUSSO, AND THIBAUT

AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111, relative to the creation of the Competitive Projects Payroll Incentive Program; to provide for contract for the payment of rebates to certain

qualified businesses; to provide for procedures and requirements for the execution of such contracts and the payment or repayment of such rebates; to prohibit the approval of certain contracts after a certain date; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1013—

BY REPRESENTATIVES DANAHAY AND KLECKLEY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1072—

BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 51:2454(B), relative to tax rebates; to provide for contracts under the Quality Jobs Program; to authorize contract renewals for certain franchises of the National Basketball Association; to provide for conditions of contract renewals; to provide for limitations; to provide for effectiveness; and to provide for related matters.

Reported favorably.

Respectfully submitted,
SENATOR NEIL RISER
Chairman

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

SENATE BILL NO. 687—

BY SENATOR PERRY
AN ACT

To amend and reenact R.S. 14:98(B)(1) and (2), (C)(1) and (3), (D)(1)(a) and (b)(i), and (E)(1)(b)(i), and to enact R.S. 14:98(B)(3), (C)(4), (D)(4), and (E)(5), relative to the crime of operating a vehicle while intoxicated; to provide relative to sentencing guidelines for conviction of operating a vehicle while intoxicated; and to provide for related matters.

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

SENATE BILL NO. 760— (Substitute of Senate Bill No. 731 by Senator Allain)

BY SENATOR ALLAIN
AN ACT

To enact R.S. 30:29.2, relative to remediation; to provide relative to remediation of oilfield sites and exploration and production sites; to provide for qualified admission of responsibility for environmental damage; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agency heads; to provide relative to certain actions or claims involving environmental damage; and to provide for related matters.

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

SENATE BILL NO. 350—

BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 47:551(A), relative to local taxes; to continue the levy of a local tax on the gross proceeds derived from the lease or rental of an automobile pursuant to an automobile rental contract if approved by the registered voters of the parish; and to provide for related matters.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 350 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, change "continue the levy" to "authorize the levy and collection"

AMENDMENT NO. 2

On page 1, line 11, delete "one" and on line 12, change "half of one" to "three"

AMENDMENT NO. 3

On page 2, line 5, change "levy" to "collection"

On motion of Senator Murray, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 350 by Senator Murray

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert: "Section 2. The provisions of this Act shall not apply in Jefferson Parish or in Orleans Parish if a local law authorizing the levy of a three percent tax on the gross proceeds derived from the lease or rental of an automobile pursuant to an automobile rental contract in such parish is enacted and becomes law in the 2012 Regular Session of the Legislature."

AMENDMENT NO. 2

On page 2, line 12, change "Section 2." to "Section 3."

On motion of Senator Murray, the amendments were adopted.

Floor Amendments

Senator Murray submitted the following amendments on behalf of Senator Heitmeier.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Heitmeier and Alario to Engrossed Senate Bill No. 350 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:551(A)" insert "and (D)(3)(b)"

AMENDMENT NO. 2

On page 1, at the end of line 4, insert "to provide for certain distribution of proceeds;"

AMENDMENT NO. 3

On page 1, line 7, change "is" to "and (D)(3)(b) are"

AMENDMENT NO. 4

On page 2, between lines 11 and 12, insert:

"D. * * *

(3) The local tax as provided in Subsection A of this Section which is collected in Jefferson Parish shall be distributed as follows:

(b) Two-thirds of the tax shall be distributed as follows: to the Jefferson Performing Arts Society for programs on the east and west bank and one-third of that amount shall be distributed to the

Westwego Performing Arts Center, one-sixth of that amount shall be distributed to the Gretna Cultural Center for the Arts, and the remainder of that amount shall be distributed to the Jefferson Performing Arts Society for programs on the east and west bank.

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

Table with 3 columns: Name, YEA, NAY. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Chabert, Cortez, Crowe, Dorsey-Colomb, Gallof, Guillory, Johns, Kostelka, Martiny, Mills, Morrell, Murray, Smith, G., Smith, J., Tarver, Thompson, Ward.

NAYS

Table with 3 columns: Name, YEA, NAY. Lists names like Claitor, Donahue, Erdey, Long, Peacock, Riser, Walsworth, White.

ABSENT

Table with 3 columns: Name, YEA, NAY. Lists names like Heitmeier, LaFleur, Morrish, Nevers, Perry, Peterson.

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. 106— BY SENATOR GALLOT

AN ACT

To enact R.S. 24:31.4(E), relative to legislators; to authorize and provide for surplus space in state-owned property to be utilized as offices for legislators; to provide for a procedure for requesting such space; 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

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

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NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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. 311—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:1892(A)(3) and 1973(B)(6), relative to the payment and adjustment of insurance claims; to provide with respect to the good faith duty and claims settlement practices; to provide a definition for initiation of loss adjustment; to provide factors to be considered in determining the penalty to be awarded in the event of a certain violation; and to provide for related matters.

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

SENATE BILL NO. 452—
BY SENATOR WALSWORTH

AN ACT

To enact R.S. 44:3(A)(4)(b)(viii), relative to public records; to provide with respect to records of prosecutive, investigative, and law enforcement agencies, and communications districts; to provide relative to the initial report; to provide that the booking photograph of any person arrested for an alleged offense shall be subject to disclosure; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Morrell	Peterson	Smith, G.
Total - 3		

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

SENATE BILL NO. 628—
BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 40:2166.7.1, relative to adult residential care; to provide with respect to a moratorium on licensure of level 4 adult residential care providers; and to provide for related matters.

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

SENATE BILL NO. 707—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 44:2, relative to public records; to exempt certain records obtained by the Senate for the purpose of confirmation from the public records law; and to provide for related matters.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 707 by Senator Amedee

AMENDMENT NO. 1

On page 2, line 1 after "**B.**" insert "**(1)**"

AMENDMENT NO. 2

On page 2, line 2, after "**any**" and before "**confidential**" insert "**privileged or**"

AMENDMENT NO. 3

On page 2, line 4, after "**considering**" delete the remainder of the line and insert "**the election, confirmation or approval of any nomination or appointment for**"

AMENDMENT NO. 4

On page 2, line 5, after "**Senate**" delete the remainder of the line and insert "**election, confirmation, or approval is required.**"

AMENDMENT NO. 5

On page 2, after line 5, insert:
"**(2) Nothing in this Subsection shall prohibit the disclosure of any information relevant to the education, employment history, or work experience of an appointee or nominee.**"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Peterson
Total - 1

ABSENT

Heitmeier LaFleur Morrish
Total - 3

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

SENATE BILL NO. 761— (Substitute of Senate Bill No. 517 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact Children's Code Article 412.1, relative to children; to require the collection and remittance of certain data; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Guillory LaFleur
Heitmeier Morrish
Total - 4

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

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 78—

BY REPRESENTATIVE POPE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier LaFleur Morrish
Total - 3

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

HOUSE BILL NO. 101—

BY REPRESENTATIVES EDWARDS AND MACK

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier LaFleur Morrish
Total - 3

May 7, 2012

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

HOUSE BILL NO. 131—
BY REPRESENTATIVE BROADWATER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Heitmeier Morrish
LaFleur Peterson
Total - 4

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

HOUSE BILL NO. 143—
BY REPRESENTATIVE GISCLAIR
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Donahue Nevers
Adley Dorsey-Colomb Peacock

Allain Erdey Perry
Amedee Gallot Peterson
Appel Guillory Riser
Broome Johns Smith, G.
Brown Kostelka Smith, J.
Buffington Long Tarver
Chabert Martiny Thompson
Claitor Mills Walsworth
Cortez Morrell Ward
Crowe Murray White
Total - 36

NAYS

Total - 0

ABSENT

Heitmeier LaFleur Morrish
Total - 3

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

HOUSE BILL NO. 181—
BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 40:1496.5, relative to Beauregard Parish; to provide relative to the governing board of the Beauregard Parish Fire Protection District Number 2; to increase the membership of the governing board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier LaFleur Morrish
Total - 3

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

HOUSE BILL NO. 216—
BY REPRESENTATIVES HARRISON, ARMES, BILLIOT, GISCLAIR, GUINN, LAMBERT, LEOPOLD, MONTTOUCET, JIM MORRIS, ORTEGO, RICHARDSON, AND SCHEXNAYDER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 230—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 234—

BY REPRESENTATIVE HODGES

AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 245—

BY REPRESENTATIVE HARRISON AND SENATOR MORRELL

AN ACT

To amend and reenact R.S. 56:700.2(A)(4) and to repeal R.S. 30:101.11, relative to the Underwater Obstruction Removal Fund and the Fishermen's Gear Compensation Fund; to remove the termination date for deposits from the Fishermen's Gear Compensation Fund to the Underwater Obstruction Fund; to remove the termination date from the Underwater Obstruction Removal Fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Buffington	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Mills	Walsworth
Cortez	Morrell	Ward
Crowe	Murray	White
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 250—

BY REPRESENTATIVE ANDERS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 252—

BY REPRESENTATIVE PONTI

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 255—

BY REPRESENTATIVES LEGER, ABRAMSON, BROSSETT, LORUSSO, AND MORENO AND SENATORS MORRELL AND MURRAY

AN ACT

To authorize and provide for the transfer of certain property of the Orleans Parish School Board; to specify the property which may be transferred and the authorized recipient of the property; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 256—

BY REPRESENTATIVE ANDERS
AN ACT

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

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

HOUSE BILL NO. 271—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 27:44.1(D)(1)(a), relative to alternative inspections for riverboats; to provide with respect to inspection standards utilizing United States Coast Guard criteria; and to provide for related matters.

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

HOUSE BILL NO. 285—

BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 49:327(B)(2), relative to funds on deposit in the state treasury; to provide relative to the investment of funds in the state treasury; to provide relative to the maturity of securities purchased as investments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 296—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 39:197(1) and 200(F), relative to data processing procurement; to provide for definitions; to provide for contract forms; and to provide for related matters.

The bill was read by title. Senator Walsworth 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	Perry
Allain	Gallot	Smith, G.
Appel	Guillory	Smith, J.
Broome	Johns	Tarver
Brown	Kostelka	Thompson
Buffington	Long	Walsworth
Chabert	Martiny	Ward
Cortez	Mills	White
Donahue	Murray	
Total - 29		

NAYS

Amedee	Peacock	Riser
Claitor	Peterson	
Total - 5		

ABSENT

Crowe	LaFleur	Morrish
Heitmeier	Morrell	
Total - 5		

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

HOUSE BILL NO. 346—

BY REPRESENTATIVE CHANEY
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 352— BY REPRESENTATIVE BURFORD AN ACT

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

Floor Amendments

Senator Buffington proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Buffington to Reengrossed House Bill No. 352 by Representative Burford

AMENDMENT NO. 1

On page 1, line 17, change "as provided in R.S. 13:5554(G)" to "pursuant to R.S. 13:5554(G) and (X)"

AMENDMENT NO. 2

On page 2, line 20, change "provided in R.S. 13:5554(G)" to "pursuant to R.S. 13:5554(G) and (X)"

AMENDMENT NO. 3

On page 2, line 27, change as required in R.S. 13:5554(G)" to "pursuant to R.S. 13:5554(G) and (X)"

On motion of Senator Buffington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Claitor, LaFleur, Heitmeier, Morrish, Total - 4

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

HOUSE BILL NO. 363— BY REPRESENTATIVE THOMPSON AN ACT

To enact R.S. 47:120, relative to overtime compensation; to require employers to retain a record of overtime compensation paid; to provide for employee receipt of overtime data; to provide a time period for retention of the data; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 401— BY REPRESENTATIVE GISCLAIR AN ACT

To amend and reenact R.S. 56:497(A)(2) and (C)(1), relative to management and taking of shrimp; to authorize the Wildlife and Fisheries Commission to set shrimp seasons, including bait shrimp seasons; to provide relative to a bait shrimp permit and rules and regulations therefor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Heitmeier, Morrell, LaFleur, Morrish, Total - 4

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

HOUSE BILL NO. 406— BY REPRESENTATIVE GREENE AN ACT

To enact R.S. 56:805, relative to recreational reef sites; to authorize the Wildlife and Fisheries Commission to establish such sites; to authorize the commission to regulate fishing from such reef sites; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Guillory	LaFleur	Ward
Heitmeier	Morrish	
Total - 5		

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

HOUSE BILL NO. 431—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 56:433.1(A)(2), relative to the oyster seed ground vessel permit; to extend the application period for such permit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Perry
Appel	Guillory	Peterson
Broome	Johns	Riser
Buffington	Kostelka	Smith, G.
Chabert	Long	Smith, J.
Claitor	Martiny	Tarver
Cortez	Mills	Thompson
Crowe	Morrell	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Brown	LaFleur	Ward
Heitmeier	Morrish	White
Total - 6		

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

HOUSE BILL NO. 486—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 56:1832(B), relative to the Wild Louisiana Stamp; to provide for the use of proceeds from the

sale of the Wild Louisiana Stamp; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Morrish	White
LaFleur	Ward	
Total - 5		

The Chair declared the 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.

HOUSE BILL NO. 585—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:898(A) and 901, relative to certificates of insurance; to provide for method of filing proof and notice of cancellation or termination; and to provide for related matters.

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

HOUSE BILL NO. 588—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 47:519(L)(2), relative to temporary registration plates; to extend the time for which temporary registration plates and markers are valid; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Nevers
Adley	Dorsey-Colomb	Peacock
Allain	Erdey	Perry
Amedee	Gallot	Peterson
Appel	Guillory	Riser
Broome	Johns	Smith, G.
Brown	Kostelka	Smith, J.
Buffington	Long	Tarver
Chabert	Martiny	Thompson

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Claitor	Mills	Walsworth
Cortez	Morrell	White
Crowe	Murray	
Total - 35		

NAYS

Total - 0

ABSENT

Heitmeier	Morrish
LaFleur	Ward
Total - 4	

The Chair declared the 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.

HOUSE BILL NO. 590—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:412.2, relative to veterans; to exempt disabled veterans from the payment of fees for special identification cards; to provide for certain exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	Morrish
LaFleur	Ward
Total - 4	

The Chair declared the 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.

HOUSE BILL NO. 633—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:390(C), relative to commercial motor vehicles; to provide relative to the Weigh-In-Motion System; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

The Chair declared the 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.

HOUSE BILL NO. 557—
BY REPRESENTATIVE HENSGENS
AN ACT

To amend and reenact R.S. 56:116.1(D)(1), relative to hunting; to provide for the authority of the Wildlife and Fisheries Commission and the secretary of the Department of Wildlife and Fisheries; to provide for trapping outlaw quadrupeds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 643—
BY REPRESENTATIVE MONTOUCET
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Cortez	LaFleur	Smith, J.
Heitmeier	Morrish	
Total - 5		

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

HOUSE BILL NO. 651—
BY REPRESENTATIVE LAMBERT
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue	LaFleur
Heitmeier	Morrish
Total - 4	

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

HOUSE BILL NO. 498—
BY REPRESENTATIVE DIXON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	LaFleur
Heitmeier	Morrish
Total - 4	

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

HOUSE BILL NO. 832—
BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to provide for creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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YEAS

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

NAYS

Peterson
Total - 1

ABSENT

Heitmeier LaFleur Morrish
Total - 3

The Chair declared the 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.

HOUSE BILL NO. 926—

BY REPRESENTATIVE SIMON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier Morrell
LaFleur Morrish
Total - 4

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

HOUSE BILL NO. 931—

BY REPRESENTATIVE STUART BISHOP

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor LaFleur
Heitmeier Morrish
Total - 4

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

HOUSE BILL NO. 960—

BY REPRESENTATIVE JOHNSON

AN ACT

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

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

HOUSE BILL NO. 996—

BY REPRESENTATIVE HOFFMANN

AN ACT

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

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

HOUSE BILL NO. 998—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

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

requirements relative to the investment of such monies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue	LaFleur
Heitmeier	Morrish
Total - 4	

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

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. Senator Chabert 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	Johns	Riser
Broome	Kostelka	Smith, G.
Brown	Long	Smith, J.
Buffington	Martiny	Thompson
Chabert	Mills	Walsworth
Claitor	Morrell	Ward
Cortez	Murray	White
Total - 33		

NAYS

Total - 0

ABSENT

Crowe	Heitmeier	Morrish
Donahue	LaFleur	Tarver
Total - 6		

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

HOUSE BILL NO. 12—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 592(A)(3)(a)(ii), relative to certification of class actions; to provide for discovery and admissibility of expert witness testimony and evidence under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 16—
BY REPRESENTATIVE JAY MORRIS
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

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

HOUSE BILL NO. 18—
BY REPRESENTATIVE JAY MORRIS AND SENATOR KOSTELKA
AN ACT

To amend and reenact R.S. 14:34, 34.1(B) and (C), and 34.7, relative to the crime of battery; to provide for increased penalties for certain crimes of battery when the victim is an active member of the United States Armed Forces or a disabled veteran of the United States Armed Forces; to provide for definitions; and to provide for related matters.

May 7, 2012

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dorsey-Colomb, Peacock, Adley, Erdey, Perry, Allain, Gallot, Peterson, Amedee, Guillory, Riser, Appel, Johns, Smith, G., Broome, Kostelka, Smith, J., Brown, Long, Tarver, Buffington, Martiny, Thompson, Chabert, Mills, Walsworth, Claitor, Morrell, Ward, Cortez, Murray, White, Crowe, Nevers. Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Donahue, LaFleur, Heitmeier, Morrish. Total - 4

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

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. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Donahue, Peacock, Adley, Dorsey-Colomb, Perry, Allain, Erdey, Peterson, Amedee, Gallot, Riser, Appel, Guillory, Smith, G., Broome, Johns, Smith, J., Brown, Kostelka, Tarver, Buffington, Long, Thompson, Chabert, Martiny, Walsworth, Claitor, Mills, Ward, Cortez, Murray, White, Crowe, Nevers. Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Heitmeier, Morrell, LaFleur, Morrish, Total - 4

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

HOUSE BILL NO. 90— BY REPRESENTATIVE MACK AN ACT

To enact Code of Criminal Procedure Article 162.2, relative to search warrants; to provide for the issuance of search warrants upon electronic testimony; to provide procedures for the issuance of warrants upon electronic testimony; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 96— BY REPRESENTATIVE MORENO AN ACT

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

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 104— BY SENATOR ALARIO A RESOLUTION

To commend Bobby E. Smith, PhD, for his outstanding accomplishments and contributions to his fellow citizens.

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

SENATE RESOLUTION NO. 105— BY SENATORS ALARIO, ADLEY, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Barbara May "Bobbie" Heitmeier, and to celebrate a life well lived in service to her family, to her God, and to her community.

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

SENATE RESOLUTION NO. 106— BY SENATOR THOMPSON A RESOLUTION

To designate Tuesday, May 8, 2012, as Louisiana Society of Professional Surveyors Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 107—

BY SENATOR BUFFINGTON

A RESOLUTION

To declare Tuesday, May 8, 2012 "March of Dimes Day" in the Louisiana State Senate.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 96—

BY SENATOR JOHNS AND REPRESENTATIVE GEYMAN

A CONCURRENT RESOLUTION

To commend the Sam Houston High School Lady Broncos on winning the Class 5A Girls High School State Softball Championship.

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

SENATE CONCURRENT RESOLUTION NO. 97—

BY SENATOR MILLS

A CONCURRENT RESOLUTION

To commend the St. Martinville Senior High School's Academic Decathlon Team for winning the state championship and for its performance in the national competition.

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

SENATE CONCURRENT RESOLUTION NO. 98—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on certain aspects of child support calculations involving net child care costs.

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

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR APPEL

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to city, parish, and other local public school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on February 27, 2012.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Jack Donahue, Chairman on behalf of the Committee on Finance, submitted the following report:

May 7, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 47—

BY SENATOR GUILLORY

AN ACT

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

Reported with amendments.

SENATE BILL NO. 52—

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:62(5)(a), (c), and (e) and (11)(c) and to enact R.S. 11:62(11)(d), R.S. 11:102(D), and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, relative to certain members of the Louisiana State Employees' Retirement System and certain postsecondary education members of the Teachers' Retirement System of Louisiana; to increase employee contribution rates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 749— (Substitute of Senate Bill No. 51 by Senator Guillory)

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:441(A)(1)(introductory paragraph) and (2)(a)(introductory paragraph) and (b)(introductory paragraph), and 761(A)(1)(introductory paragraph), (2)(a)(introductory paragraph), (3)(introductory paragraph), and (4) and to enact R.S. 11:441(A)(4) and 761(A)(5), relative to retirement eligibility; to provide a schedule of retirement ages for certain members of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted, JACK DONAHUE Chairman

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

Senator Donahue asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

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 Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 47 by Senator Guillory

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert: "To amend and reenact R.S. 11:102(B)(1) and (3)(a) and (d)(i), (iv), (v), and (vii) and (C)(2), (3), and (4)(a), 403(5)(a)(i) and (b)(i) and (ii), and 701(5)(a)(introductory paragraph) and to enact R.S. 11:102(D) and 701(5)(f) and to repeal R.S. 11:403(5)(b)(iii), relative to"

AMENDMENT NO. 2

On page 1, delete lines 11 through 13 in their entirety and insert in lieu thereof the following: "Section 1. R.S. 11:102(B)(1) and (3)(a) and (d)(i), (iv), (v), and (vii) and (C)(2), (3), and (4)(a), 403(5)(a)(i) and (b)(i) and (ii), and 701(5)(a)(introductory paragraph) are hereby amended and reenacted and R.S. 11:102(D) and 701(5)(f) are hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 15 through 17 in their entirety and on page 2 delete lines 1 through 4 in their entirety and insert in lieu thereof the following: "§102. Employer contributions; determination; state systems

B.(1) Except as provided in Subsections C and D of this Section for the Louisiana State Employees' Retirement System and except as provided in R.S. 11:102.1 and 102.2 and in Paragraph (5) of this Subsection, for each fiscal year, commencing with Fiscal Year 1989-1990, for each of the public retirement systems referenced in Subsection A of this Section, the legislature shall set the required employer contribution rate equal to the actuarially required employer contribution, as determined under Paragraph (3) of this Subsection, divided by the total projected payroll of all active members of each particular system for the fiscal year. Each entity funding a portion of a member's salary shall also fund the employer's contribution on that portion of the member's salary at the employer contribution rate specified in this Subsection.

(3) With respect to each state public retirement system, the actuarially required employer contribution for each fiscal year, commencing with Fiscal Year 1989-1990, shall be that dollar amount equal to the sum of:

(a) The Except as provided in Subsection D of this Section, the employer's normal cost for that fiscal year, computed as of the first of the fiscal year using the system's actuarial funding method as specified in R.S. 11:22 and taking into account the value of future accumulated employee contributions and interest thereon, such employer's normal cost rate multiplied by the total projected payroll for all active members to the middle of that fiscal year. For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, the normal cost shall be determined in accordance with Subsection C of this Section.

(d) That fiscal year's payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially assumed interest rate, necessary to amortize changes in actuarial liability due to:

(i) Except as provided in Items (v), (vi), (vii), and (viii) of this Subparagraph and in Subsection D of this Section, actuarial gains and losses, if appropriate for the funding method used by the system as specified in R.S. 11:22, for each fiscal year beginning after June 30, 1988, such payments to be computed as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence or by the year 2029, such gains and losses to include any increases in actuarial liability due to governing authority granted cost-of-living increases.

(iv) Except as provided in Items (v), (vi), (vii), and (viii) of this Subparagraph and in Subsection D of this Section, changes in actuarial accrued liability, computed using the actuarial funding

method as specified in R.S. 11:22, due to legislation changing plan provisions, such payments to be computed in the manner and over the time period specified in the legislation creating the change or, if not specified in such legislation, as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence of the change or by the year 2029.

(v) Effective Except as provided in Subsection D of this Section, effective July 1, 2004, and beginning with Fiscal Year 1998-1999, the amortization period for the changes, gains, or losses of the Louisiana State Employees' Retirement System provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 1998-1999, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount. For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, amortization payments for changes in actuarial liability shall be determined in accordance with Subsection C of this Section.

(vii) Effective Except as provided in Subsection D of this Section, effective July 1, 2004, and beginning with Fiscal Year 2000-2001, the amortization period for the changes, gains, or losses of the Teachers' Retirement System of Louisiana provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2000-2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

C. (2) For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, the normal cost calculated pursuant to Subparagraph (B)(3)(a) of this Section, shall be calculated separately for each particular plan within the system. An employer shall pay employer contributions for each employee at the rate applicable to the plan of which that employee is a member. Beginning with the June 30, 2012, system valuation, the normal cost for each plan shall be subject to the provisions of Subsection D of this Section.

(3) For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, changes in actuarial liability due to legislation, changes in governmental organization, or reclassification of employees or positions shall be calculated individually for each particular plan within the system based on each plan's actuarial experience as further provided in Subparagraph (4)(c) of this Subsection. Beginning with the June 30, 2012, system valuation, this calculation for each plan shall be subject to the provisions of Subsection D of this Section.

(4) For each plan referenced in Paragraph (1) of this Subsection, the legislature shall set the required employer contribution rate equal to the sum of the following:

(a) The particularized normal cost rate. The normal cost rate for each fiscal year shall be the employer's normal cost for the plan computed by applying the method specified in R.S. 11:102(B)(1) and (3)(a) to the plan. Beginning with the June 30, 2012, system valuation, the normal cost for each plan shall be subject to the provisions of Subsection D of this Section.

D. (1) The employer contribution rate for the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana, for any valuation prepared following enactment of the Act that originated as Senate Bill No. 47 of the 2012 Regular Session, shall be the rate determined pursuant to Subsections B and C of this Section without regard to any gains or changes in the normal cost rate produced by the Act that originated as Senate Bill No. 47 of the 2012 Regular Session. Neither the employer normal cost rate nor the amortization payments shall be reduced as a result of the application of the provisions of the Act that originated as Senate Bill No. 47 of the 2012 Regular Session.

(2) The amortization of any gain produced by the Act which originated as Senate Bill No. 47 of the 2012 Regular Session plus the dollar amount attributable to the difference between the employer normal cost rate required as calculated pursuant to Paragraph (1) of this Subsection minus the employer normal cost rate calculated pursuant to the provisions of Subsections B and C of this Section without regard to Paragraph (1) of this Subsection shall be determined and applied as follows for each year beginning with Fiscal Year 2013-14:

(a) To the outstanding balance of the original amortization base without reamortization of such base and until such base is fully liquidated.

(b) After the liquidation of the original amortization base, to the outstanding balance of the experience account amortization base without reamortization of such base and until such base is fully liquidated.

(c) After the liquidation of the experience account amortization base, to the balance of the oldest outstanding amortization base without reamortization of such base and until all such bases are fully liquidated."

AMENDMENT NO. 4

On page 2, delete lines 10 through 16 in their entirety and insert in lieu thereof the following:

"(5)(a)(i) "Average compensation", for a member **to whom R.S. 11:441(D), (E), or (F) applies, and for a member** whose first employment making him eligible for membership in the system began on or before June 30, 2006, **who retires or enters the Deferred Retirement Option Plan on or before June 30, 2013,** and for any person who receives an additional benefit pursuant to R.S. 11:444(A)(2)(b) or (c), 557, 582, or 602 ~~or R.S. 24:36~~ whose first employment making him eligible for membership in one of the state systems occurred on or before December 31, 2010, means the average annual earned compensation ~~of a state employee~~ for the thirty-six highest months of "

AMENDMENT NO. 5

On page 2, line 21 after "basis" delete the remainder of the line and delete lines 22 through 29 in their entirety and on page 3 delete lines 1 through 23 in their entirety and insert a period ." and the following:

"* * * (b)(i) "Average compensation", for a member ~~whose first employment making him eligible for membership in the system began on or after July 1, 2006, and subject to the limitations provided in this Subparagraph, who is not covered by Subparagraph (a) of this Paragraph~~ means the average annual earned compensation ~~of a state employee~~ for the sixty highest months of successive employment or for the highest sixty successive joined months of employment where interruption of service occurred; however, average compensation for part-time employees who do not use sixty months of full-time employment for average compensation purposes shall be based on the base pay the part-time employee would have received had he been employed on a full-time basis. This Item shall also be applicable to any ~~judge, court officer, governor, lieutenant governor, member of the legislature, clerk or sergeant-at-arms of the House of Representatives, secretary or sergeant-at-arms of the Senate, or state treasurer. This Item shall also be applicable to any judge or court officer~~ whose first employment making him eligible for membership in one of the state systems occurred on or after January 1, 2011."

AMENDMENT NO. 6

On page 4, delete lines 15 through 18 in their entirety

AMENDMENT NO. 7

On page 4, delete lines 25 through 29 in their entirety and on page 5 delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"(5)(a) "Average compensation" subject to the other provisions of this Paragraph, for any teacher **not listed in Subparagraph (f) of this Paragraph** whose first employment making him eligible for membership in one of the state systems occurred on or before December 31, 2010, means the average earnable compensation of a teacher for the three highest successive years of employment, or the highest three successive joined years of employment where interruption of service occurred. For any teacher whose first employment making him eligible for membership in one of the state systems occurred on or after January 1, 2011, **and for any teacher listed in Subparagraph (f) of this Paragraph** "average compensation" means his average earnable compensation for the five highest successive years of employment, or the highest five successive joined years where interruption of service occurred. The computation of such average compensation shall be in accordance with the following guidelines:

* * *

(f) Regardless of the first date of employment making the teacher eligible for membership in a state retirement system and except for a member who is employed by an institution of postsecondary education or a postsecondary education management board for the sole purpose of providing instruction or administrative services at the primary or secondary level, including at any lab school and the Louisiana School for Math, Science, and the Arts, "average compensation" for any member who is employed by an institution of postsecondary education, the Board of Regents, or a postsecondary education management board, means his average earnable

AMENDMENT NO. 8

On page 5, delete lines 10 through 29 in their entirety and delete page 6 in its entirety and on page 7, delete lines 1 through 24 and insert the following: **"accordance with the guidelines in Items (a)(i) through (a)(v) of this Paragraph.**

* * *

Section 2. R.S. 11:403(5)(b)(iii) is hereby repealed.
 Section 3. The provisions of this Act shall not cause the average compensation expressed in dollars of any member retiring or entering the Deferred Retirement Option Plan on or after July 1, 2013, to be less than such member's average compensation expressed in dollars as it existed on June 30, 2013.
 Section 4. The provisions of this Act shall not apply to any person whose date of retirement or entry into the Deferred Retirement Option Plan occurs on or before June 30, 2013.
 Section 5. This Act shall be implemented according to the provisions of this Section.
 (A) For transitional purposes, the provisions of R.S. 11:403(5) and 701(5) as amended by this Act shall be phased in as follows:
 (1) For members retiring before July 1, 2013, the provisions of R.S. 11:403(5) and 701(5) shall apply as they existed before the effective date of this Act.
 (2) For those members retiring on or after July 1, 2013, and on or before June 30, 2015, the period used to calculate monthly average final compensation shall be thirty-six months plus the number of whole months since July 1, 2013.
 (B) For transitional purposes, the provisions of this Act as applied to R.S. 11:450(D) and 789(D) shall be phased in as follows:
 (1) For members entering the Deferred Retirement Option Plan before July 1, 2015, the period of additional service required and utilized to calculate a revised average compensation for the supplemental benefit after Deferred Retirement Option Plan participation shall be equal to thirty-six months plus the number of whole months from July 1, 2013, to the date of Deferred Retirement Option Plan entry.
 (2) For members entering the plan on or after July 1, 2015, the provisions of this Act shall apply."

AMENDMENT NO. 9

On page 7, at the beginning of line 25, change "(B)" to "Section 6."

AMENDMENT NO. 10

On page 7, line 25, after "Committee" delete the remainder of the line and insert "may"

AMENDMENT NO. 11

On page 7, line 26, delete "or revised employer contribution rate"

AMENDMENT NO. 12

On page 7, line 27, change "2012" to "2013"

AMENDMENT NO. 13

On page 8, line 2 change "Section 6" to "Section 7"

AMENDMENT NO. 14

On page 8, delete lines 11 and 12 and insert "Act. In the interest of further expediting this procedure, the"

AMENDMENT NO. 15

On page 8, line 18 change "Section 7" to "Section 8"

AMENDMENT NO. 16

On page 8, between lines 21 and 22, insert the following:

"Section 9. The provisions of this Act and the provisions of the Acts which originated as Senate Bill No. 749 and Senate Bill No. 52 of the 2012 Regular Session shall not apply to any member of the Teachers' Retirement System of Louisiana whose membership in the system is based solely on employment as a teacher in a public elementary or secondary school."

AMENDMENT NO. 17

On page 8, line 22 change "Section 8" to "Section 10"

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

SENATE BILL NO. 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), R.S. 11:102(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 Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 52 by Senator Guillory

AMENDMENT NO. 1

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof the following: "11:62(11)(d) and 102(D),"

AMENDMENT NO. 2

On page 1, line 12, after "and R.S." delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof the following: "11:62(11)(d) and 102(D)"

AMENDMENT NO. 3

On page 2, delete lines 4 through 12 in their entirety and insert in lieu thereof the following:

"(i) **Judges and court officers whose first employment making them eligible for membership in one of the state systems occurred on or before December 31, 2010 - 11.5%.**

(ii) **Employees, other than judges and court officers in Item (i) of this Subparagraph,** whose first employment making them eligible for membership in one of the state systems occurred on or before December 31, 2010—:

(aa) Through June 30, 2013 - 11.5%.

(bb) From July 1, 2013, through June 30, 2014 - 12%.

(cc) From July 1, 2014, through June 30, 2015 - 12.5%.

(dd) From July 1, 2015, through June 30, 2016 - 13%.

(ee) After June 30, 2016 - 13.5%.

(iii) **Employees, other than judges in Item (iii) (iv) of this Subparagraph,** whose first employment making them eligible for membership in one of the state systems occurred on or after January 1, 2011—:

(aa) Through June 30, 2013 - 8%.

(bb) From July 1, 2013, through June 30, 2014 - 8.5%.

(cc) From July 1, 2014, through June 30, 2015 - 9%.

(dd) From July 1, 2015, through June 30, 2016 - 9.5%.

(ee) After June 30, 2016 - 10%.

(iii) **Judges holding positions specified in R.S. 11:553(1), (3) through (5), (7), and (10) through (15) whose first employment making them eligible for membership in one of the state systems occurred on or after January 1, 2011 - 13%.**"

AMENDMENT NO. 4

On page 2, line 17, after "31," delete the remainder of the line and delete lines 18 through 20 and insert the following: "2010—:

(aa) Through June 30, 2013 - 9.5%.

(bb) From July 1, 2013, through June 30, 2014 - 10%.

(cc) From July 1, 2014, through June 30, 2015 - 10.5%.

(dd) From July 1, 2015, through June 30, 2016 - 11%.

(ee) After June 30, 2016 - 11.5%.

(ii) **Employees whose first employment making them eligible for membership in one of the state systems occurred on or after January 1, 2011—:**

(aa) Through June 30, 2013 - 8%.

(bb) From July 1, 2013, through June 30, 2014 - 8.5%.

(cc) From July 1, 2014, through June 30, 2015 - 9%.

(dd) From July 1, 2015, through June 30, 2016 - 9.5%.

(ee) After June 30, 2016 - 10%."

AMENDMENT NO. 5

On page 2, delete lines 24 and 25 in their entirety and insert the following:

"(ii) **Employed Employees who are not members of the optional retirement plan employed** on or before June 30, 2006—:

(aa) Through June 30, 2013 - 7.5%.

(bb) From July 1, 2013, through June 30, 2014 - 8%.

(cc) From July 1, 2014, through June 30, 2015 - 8.5%.

(dd) From July 1, 2015, through June 30, 2016 - 9%.

(ee) After June 30, 2016 - 9.5%.

(iii) **Employed Employees who are not members of the optional retirement plan employed** on or after July 1, 2006—:

(aa) Through June 30, 2013 - 8%.

(bb) From July 1, 2013, through June 30, 2014 - 8.5%.

(cc) From July 1, 2014, through June 30, 2015 - 9%.

(dd) From July 1, 2015, through June 30, 2016 - 9.5%.

(ee) After June 30, 2016 - 10%."

AMENDMENT NO. 6

On page 2, line 29, change "Members" to "**Except as provided in Subparagraph (d) of this Paragraph, members**"

AMENDMENT NO. 7

On page 3, line 3, after "others" and before "- 8%." insert the following: "**, including members employed by institutions of postsecondary education or postsecondary education management boards for the sole purpose of providing instruction or administrative services at the primary or secondary level, including at any lab school and the Louisiana School for Math, Science, and the Arts.**"

AMENDMENT NO. 8

On page 3, line 2, after "**retirement**" delete the remainder of the line and insert the following: "**plan:**"

- (i) Through June 30, 2013 - 8%.
 (ii) From July 1, 2013, through June 30, 2014 - 8.5%.
 (iii) From July 1, 2014, through June 30, 2015 - 9%.
 (iv) From July 1, 2015, through June 30, 2016 - 9.5%.
 (v) After June 30, 2016 - 10%."

AMENDMENT NO. 9

On page 3, line 7, after "**D.**" insert "**(1)**"

AMENDMENT NO. 10

On page 3, line 11, after "**52**" and before "**shall**" insert the following:
" , net of the increase in reserve necessary to fund the increase in future refunds to employees."

AMENDMENT NO. 11

On page 3, line 13, after "**liquidated**" delete the remainder of the line and delete lines 14 through 29 in their entirety and on page 4, delete lines 1 through 6 in their entirety and insert in lieu thereof a period ":" and the following:

"(2) After liquidation of the original amortization base, the additional contributions shall be applied to the outstanding balance of the experience account amortization base without reamortization of such base and until such base is fully liquidated."

"(3) After the liquidation of the experience account amortization base, the additional contributions shall continue to be applied toward the balance of the oldest outstanding amortization base until all such bases are fully liquidated."

AMENDMENT NO. 12

On page 4, at the beginning of line 7, change "(B)" to "Section 3."

AMENDMENT NO. 13

On page 4, line 7, after "Committee" delete the remainder of the line and insert "may"

AMENDMENT NO. 14

On page 4, line 8, delete "or revised employer contribution rate"

AMENDMENT NO. 15

On page 4, line 9, change "2012" to "2013"

AMENDMENT NO. 16

On page 4, line 22, after "Act." delete the remainder of the line and on line 23, delete "shall be entitled to be heard."

AMENDMENT NO. 17

On page 5, between lines 2 and 3, insert the following:
 "Section 6. The provisions of this Act and the provisions of the Acts which originated as Senate Bill No. 47 and Senate Bill No. 749 of the 2012 Regular Session shall not apply to any member of the Teachers' Retirement System of Louisiana whose membership in the system is based solely on employment in a public elementary or secondary school."

AMENDMENT NO. 18

On page 5, line 3, change "Section 6" to "Section 7"

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

SENATE BILL NO. 749— (Substitute of Senate Bill No. 51 by Senator Guillory)

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:441(A)(1)(introductory paragraph) and (2)(a)(introductory paragraph) and (b)(introductory paragraph), and 761(A)(1)(introductory paragraph), (2)(a)(introductory paragraph), (3)(introductory paragraph), and (4) and to enact R.S. 11:441(A)(4) and 761(A)(5), relative to retirement eligibility; to provide a schedule of retirement ages for certain members of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 749 by Senator Guillory

AMENDMENT NO. 1

On page 1, line 2 after "R.S." delete the remainder of the line and insert the following: "11:102(B)(1) and (3)(a) and (d)(i), (iv), (v), and (vii) and (C)(2), (3), and (4)(a), 441(A)(1)(introductory paragraph) and (2)(a)(introductory)"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, change "11:441(A)(4) and 761(A)(5)" to "11:102(D), 441(A)(4), 761(A)(5), and 786(A)(4)."

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert:

"Notice of intention to introduce this Act has been published."

AMENDMENT NO. 4

On page 1, line 10, after "R.S." delete the remainder of the line and insert the following: "11:102(B)(1) and (3)(a) and (d)(i), (iv), (v), and (vii) and (C)(2), (3), and (4)(a), 441(A)(1)(introductory paragraph) and (2)(a)(introductory)"

AMENDMENT NO. 5

On page 1, line 13, change "11:441(A)(4) and 761(A)(5)" to "11:102(D), 441(A)(4), 761(A)(5), and 786(A)(4)."

AMENDMENT NO. 6

On page 1, between lines 13 and 14, insert the following:

"§102. Employer contributions; determination; state systems

* * *

B. (1) Except as provided in Subsections C and D of this Section for the Louisiana State Employees' Retirement System and except as provided in R.S. 11:102.1 and 102.2 and in Paragraph (5) of this Subsection, for each fiscal year, commencing with Fiscal Year 1989-1990, for each of the public retirement systems referenced in Subsection A of this Section, the legislature shall set the required employer contribution rate equal to the actuarially required employer contribution, as determined under Paragraph (3) of this Subsection, divided by the total projected payroll of all active members of each particular system for the fiscal year. Each entity funding a portion of a member's salary shall also fund the employer's contribution on that portion of the member's salary at the employer contribution rate specified in this Subsection.

* * *

(3) With respect to each state public retirement system, the actuarially required employer contribution for each fiscal year, commencing with Fiscal Year 1989-1990, shall be that dollar amount equal to the sum of:

(a) The Except as provided in Subsection D of this Section, the employer's normal cost for that fiscal year, computed as of the first of the fiscal year using the system's actuarial funding method as specified in R.S. 11:22 and taking into account the value of future accumulated employee contributions and interest thereon, such employer's normal cost rate multiplied by the total projected payroll for all active members to the middle of that fiscal year. For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, the normal cost shall be determined in accordance with Subsection C of this Section.

* * *

(d) That fiscal year's payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially assumed interest rate, necessary to amortize changes in actuarial liability due to:

(i) Except as provided in Items (v), (vi), (vii), and (viii) of this Subparagraph and in Subsection D of this Section, actuarial gains and losses, if appropriate for the funding method used by the system as specified in R.S. 11:22, for each fiscal year beginning after June 30, 1988, such payments to be computed as an amount forming an

annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence or by the year 2029, such gains and losses to include any increases in actuarial liability due to governing authority granted cost-of-living increases.

(iv) Except as provided in Items (v), (vi), (vii), and (viii) of this Subparagraph and in Subsection D of this Section, changes in actuarial accrued liability, computed using the actuarial funding method as specified in R.S. 11:22, due to legislation changing plan provisions, such payments to be computed in the manner and over the time period specified in the legislation creating the change or, if not specified in such legislation, as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence of the change or by the year 2029.

(v) Effective Except as provided in Subsection D of this Section, effective July 1, 2004, and beginning with Fiscal Year 1998-1999, the amortization period for the changes, gains, or losses of the Louisiana State Employees' Retirement System provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 1998-1999, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount. For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, amortization payments for changes in actuarial liability shall be determined in accordance with Subsection C of this Section.

(vii) Effective Except as provided in Subsection D of this Section, effective July 1, 2004, and beginning with Fiscal Year 2000-2001, the amortization period for the changes, gains, or losses of the Teachers' Retirement System of Louisiana provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2000-2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

C. (2) For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, the normal cost calculated pursuant to Subparagraph (B)(3)(a) of this Section, shall be calculated separately for each particular plan within the system. An employer shall pay employer contributions for each employee at the rate applicable to the plan of which that employee is a member. Beginning with the June 30, 2012, system valuation, the normal cost for each plan shall be subject to the provisions of Subsection D of this Section.

(3) For the Louisiana State Employees' Retirement System, effective for the June 30, 2010, system valuation and beginning with Fiscal Year 2011-2012, changes in actuarial liability due to legislation, changes in governmental organization, or reclassification of employees or positions shall be calculated individually for each particular plan within the system based on each plan's actuarial experience as further provided in Subparagraph (4)(c) of this Subsection. Beginning with the June 30, 2012, system valuation, this calculation for each plan shall be subject to the provisions of Subsection D of this Section.

(4) For each plan referenced in Paragraph (1) of this Subsection, the legislature shall set the required employer contribution rate equal to the sum of the following:

(a) The particularized normal cost rate. The normal cost rate for each fiscal year shall be the employer's normal cost for the plan computed by applying the method specified in R.S. 11:102(B)(1) and (3)(a) to the plan. Beginning with the June 30, 2012, system valuation, the normal cost for each plan shall be subject to the provisions of Subsection D of this Section.

D. (1) The employer contribution rate for the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana, for any valuation prepared following enactment of the Act that originated as Senate Bill No. 749 of the 2012 Regular Session, shall be the rate determined pursuant to Subsections B and C of this Section without regard to any gains or changes in the normal cost rate produced by the Act that originated as Senate Bill No. 749 of the 2012 Regular Session. Neither the employer normal cost rate nor the amortization payments shall be reduced as a result of the application of the provisions of the Act that originated as Senate Bill No. 749 of the 2012 Regular Session.

(2) The amortization of any gain produced by the Act which originated as Senate Bill No. 749 of the 2012 Regular Session plus the dollar amount attributable to the difference between the employer normal cost rate required as calculated pursuant to Paragraph (1) of this Subsection minus the employer normal cost rate calculated pursuant to the provisions of Subsections B and C of this Section without regard to Paragraph (1) of this Subsection shall be determined and applied as follows for each year beginning with Fiscal Year 2013-14:

(a) To the outstanding balance of the original amortization base without reamortization of such base and until such base is fully liquidated.

(b) After the liquidation of the original amortization base, to the outstanding balance of the experience account amortization base without reamortization of such base and until such base is fully liquidated.

(c) After the liquidation of the experience account amortization base, to the balance of the oldest outstanding amortization base without reamortization of such base and until all such bases are fully liquidated.

AMENDMENT NO. 7

On page 2, at the beginning of line 11, change "2012" to "2013"

AMENDMENT NO. 8

On page 2, line 16 after "member" delete the remainder of the line and delete lines 17 and 18 in their entirety and at the beginning of line 19 delete "2010 Regular Session and" and insert "whose first employment making him eligible for state system membership occurred on or before June 30, 2013, including any elected official, the clerk or sergeant-at-arms of the House of Representatives, or the secretary or sergeant-at-arms of the Senate."

AMENDMENT NO. 9

On page 2, delete lines 21 through 29 in their entirety and on page 3, delete lines 1 through 12 in their entirety and insert the following:

(i) Age fifty-five if he has at least fifteen but fewer than twenty years of service on June 30, 2013.

(ii) Age fifty-seven if he has at least ten but fewer than fifteen years of service on June 30, 2013.

(iii) Age sixty if he has at least five but fewer than ten years of service on June 30, 2013.

(iv) Age sixty-five if he has fewer than five years of service on June 30, 2013."

AMENDMENT NO. 10

On page 3, at the beginning of line 13, change "(iii)" to "(b)"

AMENDMENT NO. 11

On page 3, line 13, change "Subparagraph" to "Paragraph"

AMENDMENT NO. 12

On page 3, line 16, delete "**or (b)**"

AMENDMENT NO. 13

On page 3, delete lines 19 through 29 in their entirety and on page 4, delete lines 1 through 26 in their entirety and insert in lieu thereof the following: "**shall receive an actuarially-reduced benefit. Notwithstanding any provision of law to the contrary, such a member shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:447 or the Initial Benefit Option provided by R.S. 11:446(A)(5).**

(d)(i) A member whose first employment making him eligible for state system membership occurred on or after July 1, 2013, is eligible for retirement with an unreduced benefit if"

AMENDMENT NO. 14

On page 4, after line 29, insert the following:

"(ii) A member to whom Item (i) of this Subparagraph applies may retire with twenty years of service credit at any age, exclusive of military service and unused annual and sick leave, but any person retiring under this Item shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced. Any employee who elects to retire under the provisions of this Item shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:447 or the Initial Benefit Option provided by R.S. 11:446(A)(5)."

AMENDMENT NO. 15

On page 5, delete lines 1 through 3 in their entirety and at the beginning of line 4, change "**(f)**" to "**(e)**"

AMENDMENT NO. 16

On page 5, line 4, after "**(c)**," delete the remainder of the line and insert in lieu thereof "**and (d) of this**"

AMENDMENT NO. 17

On page 5, line 7, change "**1957**" to "**1958**"

AMENDMENT NO. 18

On page 5, line 14, delete "**or "members"**"

AMENDMENT NO. 19

On page 5, between lines 18 and 19, insert:

"(vi) A member who has at least twenty years of service credit on June 30, 2013.

(vii) A member who separated from service on or before June 30, 2013, who does not return to service before beginning receipt of his benefit pursuant to the provisions of this Chapter."

AMENDMENT NO. 20

On page 6, line 13, after "**applies**" delete the remainder of the line and at the beginning of line 14 delete "**before December 30, 2010, and**" and insert "**whose first employment making him eligible for state system membership occurred on or before June 30, 2013,**"

AMENDMENT NO. 21

On page 6, delete lines 16 through 29 in their entirety and on page 7, delete line 1 in its entirety and insert in lieu thereof the following:

(i) Age fifty-five if he has at least fifteen but fewer than twenty years of service on June 30, 2013.

(ii) Age fifty-seven if he has at least ten but fewer than fifteen years of service on June 30, 2013.

(iii) Age sixty if he has at least five but fewer than ten years of service on June 30, 2013.

(iv) Age sixty-five if he has fewer than five years of service on June 30, 2013."

AMENDMENT NO. 22

On page 7, at the beginning of line 2, change "**(c)**" to "**(b)**"

AMENDMENT NO. 23

On page 7, line 2, delete "**or (b)**"

AMENDMENT NO. 24

On page 7, delete lines 5 through 29 in their entirety and on page 8, delete lines 1 through 11 in their entirety and insert in lieu thereof the following: "**shall receive an actuarially-reduced benefit. Notwithstanding any provision of law to the contrary, such a member shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:786 or the Initial Lump-Sum Benefit option provided by R.S. 11:783.**"

AMENDMENT NO. 25

On page 8, at the beginning of line 12, change "**(d)**" to "**(c)(i)**"

AMENDMENT NO. 26

On page 8, line 12, after "**applies**" delete the remainder of the line and insert the following: "**whose first employment making him eligible for state system membership occurred on or**"

AMENDMENT NO. 27

On page 8, line 13, change "**2012**" to "**2013**"

AMENDMENT NO. 28

On page 8, delete lines 16 through 21 in their entirety and insert in lieu thereof the following:

"(i) A member to whom Item (i) of this Subparagraph applies may retire with twenty years of service credit at any age, exclusive of military service and unused annual and sick leave, but any person retiring under this Item shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced. Any member who elects to retire under the provisions of this Item shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:786 or the Initial Lump-Sum Benefit option provided by R.S. 11:783.

(d) The provisions of Subparagraphs (a), (b), and (c) of this Paragraph shall not apply to the following persons, who may retire under any provision of this Chapter applicable to their service in the system:

(i) A member who was born on or before June 30, 1958.

(ii) A member who has at least twenty years of service credit on June 30, 2013.

(iii) A member who is employed by an institution of postsecondary education or a postsecondary education management board for the sole purpose of providing instruction or administrative services at the primary or secondary level, including at any lab school and the Louisiana School for Math, Science, and the Arts

(iv) A member who separated from service on or before June 30, 2013, who does not return to service before beginning receipt of his benefit pursuant to the provisions of this Chapter."

AMENDMENT NO. 29

On page 8, after line 29, insert the following:

* * *
§786. Deferred Retirement Option Plan
A.(1) * * *

(4) Notwithstanding any other provision of law to the contrary, a system member to whom the Act which originated as Senate Bill No. 749 of the 2012 Regular Session applies may elect to participate in the Deferred Retirement Option Plan pursuant to the provisions of this Section after he attains eligibility for an unreduced benefit pursuant to R.S. 11:761(A)(4)."

AMENDMENT NO. 30

On page 9, delete lines 2 through 7 in their entirety and insert in lieu thereof the following:

"Section 2.(A) Notwithstanding any other provision of law to the contrary, any member of the Teachers' Retirement System of Louisiana to whom the provisions of this Act apply who has credit in the system for at least one year of service shall be eligible to obtain credit for purposes of attaining eligibility for retirement and calculation of benefits for up to five years of service credit in one-year increments provided that he shall apply to the system for such credit after January 1, 2013, and on or before January 1, 2015, and pay to the system by June 30, 2015, the amount calculated in

accordance with the actuarial cost provisions of R.S. 11:158, which totally offsets the increase in accrued liability of the system resulting from the receipt of the credit by the member. The amount to be paid shall be paid in one lump sum, and no service credit shall be given to the member until or unless the amount is paid in full.

(B) Any service credit purchased on or before June 30, 2015, by a member of the Louisiana State Employees' Retirement System or the Teachers' Retirement System of Louisiana for purposes of eligibility shall be applied to determine the member's earliest retirement age pursuant to R.S. 11:441(A)(4) or R.S. 11:761(A)(4).

Section 3. The provisions of this Act and the provisions of the Acts which originated as Senate Bill No. 47 and Senate Bill No. 52 of the 2012 Regular Session shall not apply to any member of the Teachers' Retirement System of Louisiana whose membership in the system is based solely on employment as a teacher in a public elementary or secondary school.

Section 4. In case of any conflict between the provisions of this Act and the provisions of any other Act of the 2012 Regular Session of the Legislature, the provisions of this Act shall control, regardless of the order of passage."

AMENDMENT NO. 31

On page 9, at the beginning of line 8, change "(B)" to "Section 5."

AMENDMENT NO. 32

On page 9, line 8, after "Committee" delete the remainder of the line and insert "may"

AMENDMENT NO. 33

On page 9, line 9, delete "or revised employer contribution rate"

AMENDMENT NO. 34

On page 9, line 10, change "2012" to "2013"

AMENDMENT NO. 35

On page 9, line 14, change "Section 3" to "Section 6"

AMENDMENT NO. 36

On page 9, delete lines 23 and 24 in their entirety and insert in lieu thereof "Act. In the interest of further expediting this procedure, the"

AMENDMENT NO. 37

On page 10, at the beginning of line 1, change "Section 4" to "Section 7"

AMENDMENT NO. 38

On page 10, at the beginning of line 5, change "Section 5" to "Section 8"

AMENDMENT NO. 39

On page 10, line 5, change "15" to "30"

AMENDMENT NO. 40

On page 10, line 7, change "15" to "30"

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

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:

May 4, 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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 44—

BY SENATOR MORRELL

A RESOLUTION

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

SENATE RESOLUTION NO. 80—

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

A RESOLUTION

To commend Edwin William "Bill" Curry for his lengthy career of exemplary public service to the state of Louisiana, in particular the forty years of faithful service to the Senate body, and to congratulate him upon the occasion of his most deserved retirement.

SENATE RESOLUTION NO. 81—

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

A RESOLUTION

To commend Sherri Breaux for her many years of dedicated public service to the state of Louisiana, in particular, the Louisiana Senate and to congratulate her on the occasion of her retirement.

SENATE RESOLUTION NO. 82—

BY SENATOR JOHNS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of William "Bill" L. Henning Sr.

SENATE RESOLUTION NO. 83—

BY SENATOR WALSWORTH

A RESOLUTION

To urge and request the Department of Environmental Quality to study the establishment of a recycling and collection system for electronic waste in Louisiana and report its findings to the legislature.

SENATE RESOLUTION NO. 32—

BY SENATOR MURRAY

A RESOLUTION

To establish and provide for the Major Event Funding Study Committee to conduct a study of the feasibility of establishing trust funds to support the hosting of major events in Louisiana.

SENATE RESOLUTION NO. 85—

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

A RESOLUTION

To commend the River Region Caucus and its member parishes for their cooperative efforts toward improving the quality of life in the river region.

SENATE RESOLUTION NO. 86—

BY SENATOR APPEL

A RESOLUTION

To commend the Ambassador of the Republic of Hungary to the United States of America, György Szapáry, and to welcome him to the Louisiana Senate.

SENATE RESOLUTION NO. 87—
BY SENATOR PETERSON

A RESOLUTION

To commend Tulane University for the work and research it does in critical areas such as bioenvironmental, cancer and research involving women's issues, and for its contributions to the state of Louisiana.

SENATE RESOLUTION NO. 88—
BY SENATOR PETERSON

A RESOLUTION

To commend Ted Ellis for his many contributions to the greater New Orleans area and to the world of art.

SENATE RESOLUTION NO. 84—
BY SENATOR THOMPSON

A RESOLUTION

To urge and request the commissioner of administration and the director of the governor's office of coastal activities to utilize all available funding when considering the implementation of the Gulf hypoxia action plan.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary on May 4, 2012.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

May 4, 2012

To the Honorable Secretary of State:

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

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, the Louisiana State Medical Society, and the Optometry Association of Louisiana.

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, BROSETT, BROWN, CHAMPAGNE, CROMER, DANAHAY, EDWARDS, GAROFALO, GEYMANN, 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, MONTOUCEY, JAY MORRIS, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, SCHEXNAYDER, SCHRODER, SHADOIN, 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.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR PEACOCK AND REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To commend and congratulate Georgia Lynn Hilburn of South Highlands Magnet Elementary School in Caddo Parish on being selected as the Louisiana 2012 Elementary School Student of the Year.

SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR HEITMEIER AND REPRESENTATIVE ARNOLD

A CONCURRENT RESOLUTION

To commend New Orleans Fire Department Eighth District Fire Chief Darryl Klumpp for his heroic actions which saved an elderly man and his two dogs from a fire that consumed his Algiers home.

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To designate May 16, 2012, as Louisiana Housing Council Day.

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATOR PEACOCK AND REPRESENTATIVES CARMODY AND THOMPSON

A CONCURRENT RESOLUTION

To commend and congratulate Clifford Harris LeBlanc on being selected as Louisiana Non-Public 8th Grade Student of the Year.

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATORS PEACOCK AND ADLEY AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To commend and congratulate Taylor Cox on being elected President of the Student Government Association at Louisiana State University in Baton Rouge.

SENATE CONCURRENT RESOLUTION NO. 78—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To commend William H. Hutchinson, Bishop of the Louisiana Area of the United Methodist Church and Episcopal Director of the Foundation for Evangelism, for his many years of leadership and to congratulate him upon the occasion of his retirement.

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATORS ALARIO, ADLEY, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOUCEY, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS AND WILLMOTT

A CONCURRENT RESOLUTION

To commemorate the Louisiana Bicentennial of statehood and to encourage civic participation in local activities and statewide observances throughout the anniversary year of 2012.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

The foregoing Senate Concurrent Resolutions were presented to the Secretary of State by the Secretary on May 4, 2012.

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:

May 7, 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 Bill has been properly enrolled:

SENATE BILL NO. 556—
BY SENATOR ERDEY

AN ACT

To enact Subpart DD of Part I 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 Alliance for the Advancement of End of Life Care; and to provide for related matters.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Bill was signed by the President of the Senate.

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

ENROLLMENTS

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

May 7, 2012

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB

A CONCURRENT RESOLUTION

To designate and recognize May 13-19, 2012, as National Women's Health Week.

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Jennifer Young Tu of New Orleans on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Dr. Annette Oertling of New Orleans upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Dr. Alma Thornton of Baton Rouge upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Dawn Sharpe-Brackett of Slidell upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Madison Julia Matherne of New Orleans on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 86—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Danielle Lauren Borel of Baton Rouge on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY

A CONCURRENT RESOLUTION

To commend Shelly Deckert Dick of Baton Rouge on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

SENATE CONCURRENT RESOLUTION NO. 88—
BY SENATOR GARY SMITH

A CONCURRENT RESOLUTION

To commend Lily Acosta Galland, Norco Communications and Social Performance Manager, upon the occasion of her retirement after thirty-three years of service.

SENATE CONCURRENT RESOLUTION NO. 90—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend and congratulate Senator Karen Carter Peterson on being elected as the chair of the Louisiana Democratic Party, the first female to hold the post.

SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR GARY SMITH

A CONCURRENT RESOLUTION

To commend and congratulate the St. Charles Catholic High School Football Team upon its nonpareil excellence during the 2011 football season that culminated in winning the 2011 Louisiana High School Athletic Association Class 3A State Championship.

Respectfully submitted,
"JODY" AMEDEE
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 7, 2012

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 10—
 BY REPRESENTATIVES REYNOLDS, GREENE, HILL, RICHARD, AND WHITNEY AND SENATOR GARY SMITH
A CONCURRENT RESOLUTION
 To memorialize the United States Congress to take such actions as are necessary to encourage the National Marine Fisheries Service, the Gulf of Mexico Marine Fisheries Council, and the Gulf of Mexico Fisheries Management Council to adopt a weekend-only fishery management regime for red snapper in the Gulf of Mexico for 2012.

HOUSE CONCURRENT RESOLUTION NO. 31—
 BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION
 To approve the Atchafalaya Basin Annual Basin Plan for Fiscal Year 2012-2013, as adopted by the Atchafalaya Basin Research and Promotion Board and the Coastal Protection and Restoration Authority.

HOUSE CONCURRENT RESOLUTION NO. 49—
 BY REPRESENTATIVES ORTEGO, BARRAS, CHAMPAGNE, HUVAL, JONES, TERRY LANDRY, AND LEBAS AND SENATORS ALLAIN, CHABERT, LONG, MORRELL, AND MORRISH
A CONCURRENT RESOLUTION
 To urge and request the Department of Wildlife and Fisheries to study Bayou Teche for possible inclusion into the Historic and Scenic Rivers program.

HOUSE CONCURRENT RESOLUTION NO. 63—
 BY REPRESENTATIVE POPE
A CONCURRENT RESOLUTION
 To urge and request each legislator, statewide elected official, and member of the State Board of Elementary and Secondary Education to volunteer to substitute teach in a public elementary or secondary school in Louisiana for at least two full school days of each year of his term of office through a program designated as the "Be Proud to Teach" program.

HOUSE CONCURRENT RESOLUTION NO. 64—
 BY REPRESENTATIVES SCHRODER, LEGER, AND JIM MORRIS
A CONCURRENT RESOLUTION
 To urge and request the Department of Wildlife and Fisheries to study for possible implementation a system for the issuance of hunting and recreational fishing licenses that would involve a term of effectiveness for each license for a year from the date of issuance.

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.

HOUSE CONCURRENT RESOLUTION NO. 114—
 BY REPRESENTATIVE MACK
A CONCURRENT RESOLUTION
 To commend Clay Parker of Hammond for his accomplishments upon being selected to participate in the National Rifle Association's annual National Youth Education Summit.

HOUSE CONCURRENT RESOLUTION NO. 115—
 BY REPRESENTATIVE THOMPSON AND SENATOR PEACOCK
A CONCURRENT RESOLUTION
 To memorialize the United States Congress to take such actions as are necessary to prevent the retirement of A-10 aircraft assigned to the 917th Fighter Group, based at Barksdale Air Force Base.

HOUSE CONCURRENT RESOLUTION NO. 116—
 BY REPRESENTATIVES BURRELL, WESLEY BISHOP, DIXON, JEFFERSON, AND PIERRE AND SENATORS BROWN AND GUILLORY
A CONCURRENT RESOLUTION
 To commend Alpha Phi Alpha Fraternity, Incorporated, upon the celebration of its one hundred sixth anniversary as an organization.

HOUSE CONCURRENT RESOLUTION NO. 117—
 BY REPRESENTATIVES ST. GERMAIN, BARRAS, BERTHELOT, CHAMPAGNE, DOVE, GUILLORY, HARRISON, HUVAL, JONES, LAMBERT, TERRY LANDRY, LEBAS, LEGER, MONTOUCET, JIM MORRIS, ORTEGO, PIERRE, SCHEXNAYDER, THIBAUT, AND THIERRY

A CONCURRENT RESOLUTION
 To urge and request the governor of the state of Louisiana to submit a request on behalf of the state of Louisiana to the Major General of the Mississippi River Commission and the Mississippi Valley Division of the United States Army Corps of Engineers to increase the water flow at the Old River Control structure from the Mississippi River into the Atchafalaya River in an amount necessary to effect a stage change increase of approximately six inches at the Butte La Rose gauge.

HOUSE CONCURRENT RESOLUTION NO. 118—
 BY REPRESENTATIVE KATRINA JACKSON
A CONCURRENT RESOLUTION
 To commend Pastor Ronnie L. Traylor upon his ninth anniversary as pastor of the Marion Missionary Baptist Church in Marion, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 119—
 BY REPRESENTATIVES TIM BURNS AND FOIL
A CONCURRENT RESOLUTION
 To express condolences upon the death of Kerry Joseph Triche of Baton Rouge and to commend him posthumously for his exceptional achievements and contributions.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 7, 2012

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 8—
 BY REPRESENTATIVE SIMON
AN ACT
 To amend and reenact R.S. 40:1737(A), 1738(D), 1741, and 1742(A)(2), relative to equal access to governmental and public facilities for the disabled community; to provide for proper designation of a certain office of the state; and to provide for related matters.

May 7, 2012

HOUSE BILL NO. 91—

BY REPRESENTATIVE LEGER
AN ACT

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

HOUSE BILL NO. 108—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:2048.51(C)(14) and to enact R.S. 17:2048.51(C)(18) and (G)(7), relative to the Louisiana Health Works Commission; to provide for membership of such commission; to provide for membership of the executive committee within such commission; and to provide for related matters.

HOUSE BILL NO. 144—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 51:708(8)(introductory paragraph), relative to securities; to change a reference to the Financial Industry Regulatory Authority to the NASDAQ Stock Market, LLC; and to provide for related matters.

HOUSE BILL NO. 178—

BY REPRESENTATIVE PONTI
AN ACT

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

HOUSE BILL NO. 311—

BY REPRESENTATIVE LEGER
AN ACT

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

HOUSE BILL NO. 456—

BY REPRESENTATIVES BURRELL AND RICHARD
AN ACT

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

HOUSE BILL NO. 578—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 18:1309(L), relative to voting; to provide relative to early voting at certain locations; to provide relative to the days and hours of early voting at such locations; to provide relative to the authority and duties of registrars of voters and the secretary of state relative to early voting; to require notice; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 663—

BY REPRESENTATIVE RITCHIE
AN ACT

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

HOUSE BILL NO. 748—

BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 37:702(7), relative to the practice of engineering; to provide an exception for the evaluation of oil and gas resources; and to provide for related matters.

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.

HOUSE BILL NO. 824—

BY REPRESENTATIVE PONTI
AN ACT

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

HOUSE BILL NO. 836—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.2(B), relative to sentencing hearings in capital cases; to provide that members of the Board of Pardons shall not be required to appear at sentencing hearings for capital cases; and to provide for related matters.

HOUSE BILL NO. 984—

BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT

To amend and reenact R.S. 15:705(D)(1) and (2), relative to the imposition of restitution on offenders in local correctional facilities; to expand restitution to cover medical costs to the offender or others which are caused by the offender; to provide for the amount of restitution; and to provide for related matters.

HOUSE BILL NO. 1006—

BY REPRESENTATIVE PYLANT
AN ACT

To amend and reenact R.S. 13:5554(S), relative to payment of group insurance premiums for sheriffs and deputy sheriffs retired from the Franklin Parish Sheriff's Office; to provide for requirements relative to age and years of service with the Franklin Parish Sheriff's Office; and to provide for related matters.

HOUSE BILL NO. 1029— (Substitute for House Bill No. 798 by Representative Ponti)

BY REPRESENTATIVE PONTI

AN ACT

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

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

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

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

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

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

ABSENT

Heitmeier	LaFleur	Morrish
Total - 3		

Leaves of Absence

The following leaves of absence were asked for and granted:

Heitmeier	1 Day	Morrish	1 Day
LaFleur	1 Day		

Announcements

The following committee meetings for May 8, 2012, were announced:

Agriculture	9:30 A.M.	Room C
Judiciary A	9:00 A.M.	Hainkel Room
Judiciary B	9:30 A.M.	Room E
Judiciary C	9:30 A.M.	Room F

Adjournment

On motion of Senator Thompson, at 6:30 o'clock P.M. the Senate adjourned until Tuesday, May 8, 2012, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Tuesday, May 8, 2012.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

