

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

FORTY-FOURTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 30, 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	Crowe	Peacock
Adley	Erdey	Perry
Allain	Guillory	Peterson
Appel	Kostelka	Smith, G.
Broome	LaFleur	Smith, J.
Brown	Long	Tarver
Buffington	Martiny	Thompson
Chabert	Mills	Walsworth
Claitor	Murray	Ward
Cortez	Nevers	
Total - 29		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Riser
Donahue	Johns	White
Dorsey-Colomb	Morrell	
Gallot	Morrish	
Total - 10		

The President of the Senate announced there were 29 Senators present and a quorum.

Prayer

The prayer was offered by Bishop William Hutchinson, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator LaFleur, the reading of the Journal was dispensed with and the Journal of May 29, 2012, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 30, 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. 138—
BY SENATOR GALLOT AND REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To urge and request the Red River Waterway Commission and the Louisiana Department of Economic Development to prepare and provide to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs, a report on economic development opportunities and strategies for the Red River area between the cities of Alexandria and Pineville.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 139—
BY SENATORS MORRELL, ALARIO AND HEITMEIER AND
REPRESENTATIVES ADAMS, ARNOLD, BILLIOT, CONNICK, GIROD
JACKSON AND LEOPOLD
A CONCURRENT RESOLUTION

To commend Stewart Young and Café Hope for cooking up great food and bright futures with the "Seeds of Success Program" located at the historic Hope Haven campus in Marrero.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 141—
BY SENATOR CLAITOR AND REPRESENTATIVES CARTER AND FOIL
A CONCURRENT RESOLUTION

To designate June 1, 2012, as Congenital Heart Defect Awareness Day in Louisiana and to name the Brett and Melanie Williams Family as 2012 Louisiana Congenital Heart Defect Ambassadors.

Reported without amendments.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 30, 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. 200—
BY SENATOR MORRELL
AN ACT

To amend and reenact R.S. 30:2351.28(B) and to enact R.S. 30:2351.1(6) and 2351.28(C), relative to environmental quality; to require the owner of a new day care center, preschool, or certain elementary school facility that qualifies as a child-occupied facility to have that facility and grounds inspected for the presence of lead materials and report its findings to the state health officer who shall compile the results and report the findings to the legislature annually; to provide terms, conditions, requirements and definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 201—
BY SENATOR MORRELL
AN ACT

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

Reported with amendments.

May 30, 2012

SENATE BILL NO. 211—
BY SENATOR MORRELL

AN ACT

To enact R.S. 30:2351.1(6) and 2351.53, relative to environmental quality; to require certain child-occupied facilities to publicly disclose any lead hazards, abatement activities or testing; to provide for notice to parents or legal guardians of children enrolled at such facilities; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 243—
BY SENATOR MARTINY

AN ACT

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

Reported with amendments.

SENATE BILL NO. 256—
BY SENATOR MARTINY

AN ACT

To enact Part I-D of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:744 through 744.8, relative to prisoners and correctional institutions; to provide relative to the use of restraints on pregnant prisoners; to provide relative to medical treatment and monitoring of pregnant prisoners; to provide for reporting and record keeping; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 319—
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 344(C), relative to the right to notice of certain required appearances; to provide with respect to the right to notice of time and place of a defendant's required appearance to the personal surety or the commercial surety; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 320—
BY SENATOR MARTINY

AN ACT

To enact R.S. 37:1743.1, relative to certain healthcare providers; to restrict the use of the title "Doctor" or "Dr." by certain healthcare providers; to provide for procedures and terms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 321—
BY SENATOR MARTINY

AN ACT

To enact R.S. 15:574.4(A)(5), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least fifty years of age and have met certain conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 502—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 38:3097.8, relative to water quality; to provide for annual reports from certain special districts regarding water quality and use and saltwater intrusion or encroachment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 507—
BY SENATOR MORRELL

AN ACT

To enact R.S. 17:176(H) and (I), relative to extracurricular interscholastic athletic activities; to provide relative to participation by student athletes in certain activities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 481—
BY SENATOR PERRY

AN ACT

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

Reported without amendments.

SENATE BILL NO. 103—
BY SENATORS NEVERS AND THOMPSON

AN ACT

To amend and reenact R.S. 17:3165(D)(2), relative to public postsecondary education; to provide relative to the number of credit hours required to earn a baccalaureate degree; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 104—
BY SENATOR NEVERS

AN ACT

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

Reported without amendments.

SENATE BILL NO. 228—
BY SENATORS MORRISH AND THOMPSON

AN ACT

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

Reported without amendments.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 141** by Representative St. Germain, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 274** by Representative Foil, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 365** by Representative Stuart Bishop, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 464** by Representative Abramson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 518** by Representative Lopinto, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 581** by Representative Leger, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 754** by Representative Robideaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 30, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 1188** by Representative Anders, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **Senate Bill No. 173** by Senator Murray:

Representatives Brossett, Arnold and Garofalo.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **Senate Bill No. 261** by Senator Nevers:

Representatives Edwards, Abramson and N. Landry.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **Senate Bill No. 390** by Senator White:

Representatives Hazel, Lopinto and Mack.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **Senate Bill No. 472** by Senator Murray:

Representatives Broadwater, Dixon and Leger.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 141** by Representative St. Germain:

Representatives St. Germain, T. Burns and Foil.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 179** by Representative Leger:

Representatives Leger, G. Jackson and Brossett.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 274** by Representative Foil:

Representatives Foil, Abramson and Lorusso.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 365** by Representative S. Bishop:

Representatives S. Bishop, T. Burns and Ligi.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 464** by Representative Abramson:

Representatives Abramson, Seabaugh and Edwards.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 518** by Representative Lopinto:

Representatives Lopinto, Moreno and Adams.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 754** by Representative Robideaux:

Representatives Robideaux, K. Jackson and Fannin.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **House Bill No. 1188** by Representative Anders:

Representatives Anders, Ponti and Arnold.

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

**Privilege Report of the
Legislative Bureau**

May 30, 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. 2—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 183—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 27:247 and 270(A)(3)(a), relative to the casino support services contract; to provide for the funding of such contract; to establish the Casino Support Services Fund as a special treasury fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 203—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 27:247, relative to the casino support services contract; to provide for compensation to the parish for providing support services; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 370—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 40:1094, relative to prenatal addiction; to provide for the convening of a multidisciplinary team by a district attorney in parishes with certain population ranges regarding the disposition of cases involving pregnant women who test positive for controlled dangerous substances while under arrest; to provide for the makeup of the multidisciplinary team; to provide for the term of members of the multidisciplinary team; to provide for definitions; and to provide for related matters.

Reported without amendments.

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

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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.

Reported without amendments.

HOUSE BILL NO. 741—
BY REPRESENTATIVE BROADWATER
AN ACT

To enact R.S. 39:88.3, relative to the Louisiana Collection Policy and Procedure Act; to provide for the sale or securitization of long-term delinquent accounts receivable and other obligations due to the state; to provide for selling or securitizing certain percentages in 2013 and 2014; to provide for reporting results of such sale or securitization; to direct the Louisiana State Law Institute to redesignate the provisions of R.S. 39:88.3 and 88.4 as R.S. 39:88.4 and 88.5; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 810—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 42:456(A)(3), relative to permitted payroll withholdings for public employees; to provide authority for certain payroll deductions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 812—
BY REPRESENTATIVES CHAMPAGNE, BARRAS, BERTHELOT,
GAROFALO, GISCLAIR, GREENE, GUINN, HENSGENS, HUNTER,
HUVAL, GIROD JACKSON, JONES, NANCY LANDRY, LEGER, MILLER,
ORTEGO, PIERRE, SCHEXNAYDER, ST. GERMAIN, THIERRY,
WHITNEY, AND WILLMOTT
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.2(G) of the Constitution of Louisiana, to provide for the deposit of any monies received by the state from violations of federal and state environmental and water quality laws associated with the Deepwater Horizon oil spill into the Coastal Protection and Restoration Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 906—
BY REPRESENTATIVE GAINES
AN ACT

To amend and reenact R.S. 33:4780.46(A)(2), relative to zoning boards of adjustment; to provide relative to the membership of any such board in certain parishes; to provide for the appointment of additional members to any such board; to provide relative to the terms and qualifications of board members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1092—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 47:1621(D)(1), relative to the payment of tax refunds; to authorize the payment of refunds for overpayments by means of a debit card under certain circumstances; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1092 by Representative Fannin

AMENDMENT NO. 1
On page 1, line 10, delete

"* * *"

HOUSE BILL NO. 1131—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:102(B)(1), (2)(introductory paragraph), (b)(introductory paragraph) and (ii), and (c), (3)(a) and (d)(vii), (4), and (5)(b) and to enact R.S. 11:102(D), relative to employer contribution rates for the Teachers' Retirement System of Louisiana; to provide for calculation of individualized employer contribution rates for classes of employees; to provide for system valuations; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

**HOUSE BILL NO. 1209— (Substitute for House Bill No. 312
by Representative Richard)**
BY REPRESENTATIVES RICHARD, ADAMS, ARNOLD, BADON,
BERTHELOT, BILLIOT, WESLEY BISHOP, BROADWATER, HENRY
BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY,
COX, DIXON, EDWARDS, GAINES, GISCLAIR, GUILLORY, HOLLIS,
HUNTER, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON,
JONES, LEGER, LIGI, MORENO, PIERRE, PRICE, REYNOLDS, SHADON,
SMITH, ST. GERMAIN, THIBAUT, THIERRY, THOMPSON, ALFRED
WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 17:416(A)(2)(c) and 416.2(A) and (D) and to repeal R.S. 17:416.2(B) and (F), relative to students suspended or expelled from school; to provide relative to placement of students in alternative education programs; to require attendance of students placed in alternative schools or alternative education programs; to require parents, tutors, and guardians of the students to assure attendance, and to provide for enforcement and penalties for violations; to provide relative to such programs, including provisions for agreements for provision of education services to certain students; to remove the exclusion of certain students from the requirement for supervision of expelled and suspended students; to repeal provisions relative to waivers from a requirement for alternative education programs and provisions prohibiting return of certain students to alternative education programs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1212— (Substitute for House Bill No. 935
by Representative St. Germain)**
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:820.5.8, Chapter 2 of Subtitle VIII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:7011 through 7018, and R.S. 48:954 and 954.1, relative to the Department of Transportation and Development; to provide for an election to determine if tolls are collected on the Crescent City Connection Bridge; to provide relative to collection of tolls; to provide relative to the distribution of toll collections; to create a fund; to provide for an advisory body; to provide for ferry fares; to provide for privatization; to authorize the State Bond Commission to issue bonds secured by certain funds; to provide for the use of the proceeds of the bonds; to provide for a special fund; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for

the rights of bondholders; to authorize the issuance of refunding bonds; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1212 by Representative St. Germain

AMENDMENT NO. 1

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 23, 2012, on page 2, line 17, change "net tax supported debt" to "net state tax supported debt"

AMENDMENT NO. 2

In Senate Committee Amendment No. 15 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 23, 2012, on page 2, line 35, following "shall" and before "as provided" change "only be used" to "be used only"

AMENDMENT NO. 3

On page 10, line 27, following "contained in" delete the remainder of the line and on line 28, delete "through 820.5" and insert "Part VI of Chapter 7 of Subtitle II of Title 47"

AMENDMENT NO. 4

On page 11, line 21, following "Street" change ":", to "·"

AMENDMENT NO. 5

On page 11, line 22, following "Boulevard" change "·; and" to "·"

AMENDMENT NO. 6

On page 13, line 26, following "days" and before "the" change "herein prescribed." to "prescribed in this Subsection."

AMENDMENT NO. 7

On page 15, line 13, following "limitation" and before "appointment" delete "·"

HOUSE BILL NO. 1213— (Substitute for House Bill No. 664 by Representative Ortego)

BY REPRESENTATIVES ORTEGO, ARMES, ARNOLD, BARROW, BROSSETT, HENRY BURNS, CARMODY, CHAMPAGNE, COX, DIXON, EDWARDS, FOIL, GISCLAIR, GUINN, HAVARD, HUNTER, HUVAL, JOHNSON, LEGER, MONTOU CET, REYNOLDS, RICHARD, RITCHIE, WHITNEY, AND ALFRED WILLIAMS

AN ACT

To amend and reenact R.S. 39:364, relative to motor vehicles used by state agencies; to provide for the purchase or lease of vehicles which use certain fuels; to provide for the types of vehicles; to provide for the use of certain funds administered by the Department of Natural Resources; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1213 by Representative Ortego

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on May 29, 2012, on page 1, line 5, following "(c)" and before "vehicle" change "If the" to "The"

AMENDMENT NO. 2

On page 2, line 5, following "any" and before "based" change "non-ethanol" to "nonethanol"

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

SENATE RESOLUTION NO. 166—

BY SENATOR PEACOCK

A RESOLUTION

To commend and congratulate Angelo Roppolo on his long and very productive life, his myriad of long lasting accomplishments, and his contributions to his community and the state of Louisiana.

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

SENATE RESOLUTION NO. 167—

BY SENATOR WALSWORTH

A RESOLUTION

To urge and request the Board of Regents to study the feasibility, practicality, and advisability of delegating tuition-setting authority to the state's public institutions that provide professional programs.

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

SENATE RESOLUTION NO. 168—

BY SENATOR BROOME

A RESOLUTION

To commend and congratulate the Irene W. Pennington Planetarium at the Louisiana Art & Science Museum in Baton Rouge on hosting the 2012 International Planetarium Society Conference and to welcome delegates to the conference to Louisiana and Baton Rouge.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 145—

BY SENATOR BROOME AND REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Carole Glover, dedicated behavioral health advocacy leader, and recognize and record for posterity her outstanding accomplishments and singular contributions to her community and state.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 155—

BY SENATOR CLAITOR

A RESOLUTION

To commend and congratulate Pat R. Van Burkleo on being selected as National Executive of the Year by the Boys & Girls Clubs of America's Professional Association.

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

SENATE RESOLUTION NO. 156—

BY SENATOR BUFFINGTON

A RESOLUTION

To direct the Department of Health and Hospitals to submit a report on the status of implementation of the plan mandated by Act 299 of the 2011 Regular Session of the Legislature of Louisiana.

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

SENATE RESOLUTION NO. 157—

BY SENATOR APPEL

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the Louisiana Binding Arbitration Act.

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

SENATE RESOLUTION NO. 158—

BY SENATOR APPEL

A RESOLUTION

To urge and request the Louisiana State Law Institute to study Louisiana's lien laws.

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

SENATE RESOLUTION NO. 159—

BY SENATOR MORRELL

A RESOLUTION

To amend the membership for the Behavior Analysts Licensure and Regulation Study Commission that shall study the licensure and regulation of behavior analysts and to require a report on the baseline framework for such licensure and regulation on or before February 1, 2013.

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

SENATE RESOLUTION NO. 160—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the West Monroe High School football team for winning the 2011 Class 5A state football championship game in the Louisiana Superdome in the Louisiana High School Athletic Association State Farm Prep Classic.

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

SENATE RESOLUTION NO. 161—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the Neville High School football team for winning the 2011 Class 4A state football championship game in the Louisiana Superdome in the Louisiana High School Athletic Association State Farm Prep Classic.

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

SENATE RESOLUTION NO. 162—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the Ouachita Christian High School team for winning the 2011 Class 1A state football championship game in the Louisiana Superdome in the Louisiana High School Athletic Association State Farm Prep Classic.

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

SENATE RESOLUTION NO. 163—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the Ouachita Christian High School boys track team for winning the 2012 Class 1A state track championship.

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

SENATE RESOLUTION NO. 164—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the Ouachita Christian High School boys baseball team for winning the 2012 Class 1A state championship.

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

SENATE RESOLUTION NO. 165—

BY SENATOR WALSWORTH

A RESOLUTION

To commend the Ouachita Christian High School girls track team for winning the 2012 Class 1A state track championship.

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

**Senate Resolutions on
Second Reading,
Subject to Call**

Called from the Calendar

Senator Peterson asked that Senate Resolution No. 146 be called from the Calendar.

SENATE RESOLUTION NO. 146—

BY SENATOR PETERSON

A RESOLUTION

To urge and request the Louisiana Department of Education and the State Board of Elementary and Secondary Education (BESE) to conduct a survey or study to determine school compliance with the state law regarding vending machines in schools and the requirement of thirty minutes of physical activity in the public schools.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 142—

BY SENATORS KOSTELKA, LONG AND WALSWORTH AND REPRESENTATIVES JEFFERSON, JAY MORRIS AND SHADOIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Fire Marshal to provide education and code enforcement at fraternity and sorority houses associated with colleges and universities located in the state.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 143—
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To commend Dr. Randall L. "Randy" Lemoine for his dedication and commitment to the citizens of Louisiana on the occasion of his retirement from the Department of Health and Hospitals after thirty-five years of service.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 144—
BY SENATOR GALLOT AND REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Eugene "Doc" Harvey, longtime Grambling State University athletic trainer.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 30, 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. 190 HCR NO. 189

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 189—
BY REPRESENTATIVES JONES AND HARRISON AND SENATOR ALLAIN

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to require Louisiana Citizens Property Insurance Corporation to implement its 2012 premium increase by phasing it in incrementally over a four-year time period.

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

HOUSE CONCURRENT RESOLUTION NO. 190—
BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To commemorate the one hundredth anniversary of the signing of the first nurse practice act in Louisiana and to recognize July 10, 2012, as Louisiana State Board of Nursing Day.

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

May 30, 2012

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 112— BY REPRESENTATIVE HUNTER AND SENATOR THOMPSON A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to assess the viability of establishing public health research centers in medically underserved areas of the state through public-private partnerships for the purpose of studying certain prevalent diseases and to report its findings to the legislative committees on health and welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists yeas for House Concurrent Resolution No. 112.

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE CONCURRENT RESOLUTION NO. 145— BY REPRESENTATIVE NANCY LANDRY A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues relative to meetings of public bodies, particularly requirements regarding public comment at meetings, vote requirements for a public body to go into executive session or take up a matter not on the agenda, and the creation of committees and subcommittees by public bodies.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists yeas for House Concurrent Resolution No. 145.

Table with 3 columns: Name, Name, Name. Lists names for House Concurrent Resolution No. 112.

Total - 38

NAYS

Total - 0

ABSENT

LaFleur Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 168— BY REPRESENTATIVES CARMODY AND HENRY BURNS A CONCURRENT RESOLUTION

To provide legislative findings relative to the Louisiana State University Shreveport Commitment Plan as unanimously endorsed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College on April 27, 2012, to urge and request all public postsecondary education institutions in the region to fully cooperate and support plan implementation; and to specify that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall make certain written reports to the legislature, the legislative education committees, and the Board of Regents for the next three academic years on its progress in plan implementation.

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

HOUSE CONCURRENT RESOLUTION NO. 185— BY REPRESENTATIVE GAROFALO A CONCURRENT RESOLUTION

To urge and request the Department of Homeland Security to direct the United States Coast Guard (USCG) to implement all reasonable containment, countermeasures, cleanup and removal efforts allowable during active response while allowing substantive input from and in collaboration with the state of Louisiana and the affected coastal parishes to ensure an efficient, coordinated, and effective cleanup of coastal Louisiana prior to bringing an active response to an end.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists yeas for House Concurrent Resolution No. 185.

Total - 37

NAYS

Total - 0

ABSENT

Kostelka LaFleur
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 186—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to adopt rules and regulations to control fugitive emission impacts from rock, concrete, and asphalt crushing operations on human health and the environment.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur Morrell
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE SIMON AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend Dr. Randall L. Lemoine for thirty-five years of dedicated service to the citizens of the state of Louisiana as an employee of the Louisiana Department of Health and Hospitals.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total - 37

NAYS

Total - 0

ABSENT

LaFleur Peterson
Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 188—
BY REPRESENTATIVES BURRELL, BURFORD, HENRY BURNS, CARMODY, COX, JEFFERSON, JIM MORRIS, NORTON, REYNOLDS, SEABAUGH, THOMPSON, AND PATRICK WILLIAMS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to ensure that the Northwest Louisiana Council of Governments (NLCOG), the Coordinating and Development Corporation (CDC), the North Delta Regional Planning and Development District, Incorporated, Ouachita Council of Governments (OCOG), and the Louisiana Department of Economic Development are included in the ongoing Interstate 20 high speed rail corridor study by the East Texas Corridor Council (ETCC).

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

LaFleur
Total - 1

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 30, 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:

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study financial disclosure and ethics training requirements for the calendar year in which the terms of office end for elected officials whose terms end early in the calendar year.

Reported favorably.

HOUSE BILL NO. 206—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(ii) and to enact R.S. 42:1119(B)(2)(b)(iii), relative to nepotism; to remove certain restrictions relative to contracting with and employment of immediate family members by certain hospital service districts and hospital public trust authorities; to provide for recusal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 524—

BY REPRESENTATIVE TIM BURNS
A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to provide relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts; to retain the existing number of members; to provide for implementation of membership from reapportioned congressional districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 529—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 49:968(B)(24), relative to administrative procedure; to require agencies to send certain notifications and reports to legislators regarding certain proposed rule or fee changes; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 756—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 44:4(16)(introductory paragraph) and to enact R.S. 44:4(16)(e) through (g), relative to public records; to provide relative to records of boards or institutions of higher learning; to exempt certain records from the Public Records Law; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 768—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 4:144(A), R.S. 9:2341(E)(4), R.S. 17:1453(A) and (D), 1831(A) and (B), 1851(B), 2503(C)(1), and 3121(B), R.S. 24:973.1(B)(1)(a)(i), R.S. 25:845(B)(7), R.S. 27:211(A)(1) and (C), R.S. 30:2503(A)(2)(h), R.S. 37:1432(A) and 2165(A), R.S. 39:99.5(A) and 99.29(A), and R.S. 40:1236.25(A), relative to membership on various boards, commissions, and like entities; to provide with respect to the number and locale of members appointed based on congressional districts as of January 2013; to adjust or create a membership at large to retain the existing number of members on each board or commission; to provide transitional provisions; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

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

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

HOUSE BILL NO. 206—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(ii) and to enact R.S. 42:1119(B)(2)(b)(iii), relative to nepotism; to remove certain restrictions relative to contracting with and employment of immediate family members by certain hospital service districts and hospital public trust authorities; to provide for recusal; and to provide for related matters.

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

HOUSE BILL NO. 524—

BY REPRESENTATIVE TIM BURNS
A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to provide relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts; to retain the existing number of

members; to provide for implementation of membership from reapportioned congressional districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 529—
BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 49:968(B)(24), relative to administrative procedure; to require agencies to send certain notifications and reports to legislators regarding certain proposed rule or fee changes; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 756—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 44:4(16)(introductory paragraph) and to enact R.S. 44:4(16)(e) through (g), relative to public records; to provide relative to records of boards or institutions of higher learning; to exempt certain records from the Public Records Law; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 768—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 4:144(A), R.S. 9:2341(E)(4), R.S. 17:1453(A) and (D), 1831(A) and (B), 1851(B), 2503(C)(1), and 3121(B), R.S. 24:973.1(B)(1)(a)(i), R.S. 25:845(B)(7), R.S. 27:211(A)(1) and (C), R.S. 30:2503(A)(2)(h), R.S. 37:1432(A) and 2165(A), R.S. 39:99.5(A) and 99.29(A), and R.S. 40:1236.25(A), relative to membership on various boards, commissions, and like entities; to provide with respect to the number and locale of members appointed based on congressional districts as of January 2013; to adjust or create a membership at large to retain the existing number of members on each board or commission; to provide transitional provisions; and to provide for related matters.

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

HOUSE BILL NO. 1036—
BY REPRESENTATIVE BROSSETT
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.

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

Senator Broome in the Chair

**Senate Concurrent Resolutions
Returned from the House of Representatives
with Amendments**

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR BUFFINGTON (Substitute of SCR No. 66 by
Senator Buffington)

A CONCURRENT RESOLUTION
To establish an advisory work group within the Department of Insurance to examine options that may be available to allow an insured under a life insurance policy or contract holder of an annuity to fund long-term care benefits.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original Senate Concurrent Resolution No. 104 by Senator Buffington

AMENDMENT NO. 1
On page 2, line 16, after "Association of" delete the remainder of the line and insert "Insurance and Financial Advisors"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

May 30, 2012

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

SENATE BILL NO. 84—
BY SENATOR MARTINY

AN ACT

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

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 84 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 42:1123(18)(e)," to "R.S. 42:1121(H),"

AMENDMENT NO. 2

On page 1, delete line 3, and insert "an exception to the post service restrictions for physicians who are former members of the governing authority of a hospital service district; and to provide"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 42:1123(18)(e)" to "R.S. 42:1121(H)"

AMENDMENT NO. 4

On page 1, delete lines 7 through 17 and delete page 2 and insert the following:

"§1121. Assistance to certain persons after termination of public service
* * *

H. Nothing in this Section shall prohibit a licensed physician who is a former member of the governing authority of a hospital service district or any legal entity in which such licensed physician is an officer, director, trustee, partner, or employee from being employed by or from contracting with the hospital service district or any entity over which the governing authority of the hospital service district exercises supervision or jurisdiction to perform professional health care services directly related to his expertise as a licensed physician, from contracting with the hospital service district or any entity over which the governing authority of the hospital service district exercises supervision or jurisdiction for the purchase or lease of property related to the licensed physician's health care practice, or from contracting with the hospital service district or any entity over which the governing authority of the hospital service district exercises supervision or jurisdiction for the sale of the physician's practice.

Section 2. 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."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 88—

BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 49:968(D)(2)(a) and to enact R.S. 49:968(D)(1)(c), relative to the Administrative Procedure Act; to require agencies to provide written notice to the office of state register upon submission of certain reports to the legislature; to provide for an effective date; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 88 by Senator Buffington

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 49:968(D)(2)(a) and to"

AMENDMENT NO. 2

On page 1, line 3, after "provide" delete "written notice to" and insert "public notice" and on line 4, at the beginning of the line delete "the office of state register"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S."

AMENDMENT NO. 4

On page 1, delete lines 12 through 16 in their entirety and insert the following:

"(c) The agency shall publish on its website public notice that the report required by Subparagraph (b) of this Paragraph has been delivered to the appropriate standing committee as provided for in Subsection B of this Section within one business day from submission of the report to the appropriate standing committee. If the agency does not maintain a website, the agency may submit the public notice to the office of the state register for publication on a website maintained by the office of the state register."

AMENDMENT NO. 5

On page 1, delete line 17 in its entirety and on page 2 delete lines 1 through 6 in their entirety.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 119—
BY SENATOR MORRELL

AN ACT

To enact R.S. 17:436.1(K), relative to the administration of medication to public school students; to require public school governing authorities to adopt a policy allowing school nurses to administer certain medication to students under certain circumstances; to provide for definitions; to provide for limitation of liability; to provide for notification of policy; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 119 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 5, delete "to provide for limitation of liability;"

AMENDMENT NO. 2

On page 2 delete lines 1 through 5 in their entirety.

AMENDMENT NO. 3

On page 2, at the beginning of line 6, change "(3)" to "(2)"

AMENDMENT NO. 4

On page 2, at the beginning of line 12, change "(4)" to "(3)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 119 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 4, after "nurses" and before "to administer" insert "and trained school employees"

AMENDMENT NO. 2

On page 1, line 13, after "nurse" and before "to" insert "or trained school employee"

AMENDMENT NO. 3

On page 1, line 15, after "school" and before "in" change "nurse," to "nurse or trained school employee,"

AMENDMENT NO. 4

On page 1, at the end of line 17, add the following: "At least one employee at each school shall receive training from a registered nurse or a licensed medical physician in the administration of auto-injectable epinephrine. The school nurse or trained employee may administer the auto-injectable epinephrine to respond to a student's anaphylactic reaction, under a standing protocol from a physician licensed to practice medicine in the state."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 183—
BY SENATOR APPEL

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed Senate Bill No. 183 by Senator Appel

AMENDMENT NO. 1

On page 1, line 17, after "buildings" and before "codes" delete "under any" and insert "located in the zone or district where the antenna is located under applicable"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed Senate Bill No. 183 by Senator Appel

May 30, 2012

AMENDMENT NO. 1

On page 1, line 4, after "height;" and before "and" insert "to provide an exception for historic districts;"

AMENDMENT NO. 2

On page 1, line 17, after "ordinances." add the following: "The provisions of this Paragraph shall not apply to historic districts."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 198

BY SENATOR MORRELL

AN ACT

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

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 198 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert "R.S. 27:302(A)(5)(o), relative to the operation of video draw poker devices; to provide for legislative approval of changes to the central computer system; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete line 6 in its entirety and insert the following: "Section 1. R.S. 27:302(A)(5)(o) is hereby amended and"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 in their entirety and insert the following:

"(5) Offer the game of draw poker or such other card games as are approved by the division and have the following method of operation:

* * *

(o) The device must be linked by telecommunication to a central computer for purposes of polling or reading device activities and for central computer remote shutdown of device operations. However, if the central computer system fails as a result of a malfunction or catastrophic event, the device may remain in operation until the central computer system is restored. Any change in the operation of the central computer system including changing the hardware or software of the central computer system shall require the affirmative approval of the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B.

* * *

Section 2. In the event Senate Bill 575 of the 2012 Regular Session is enacted into law, the Louisiana State Law Institute is hereby directed to redesignate R.S. 27:302(A)(5)(o) as amended in this Act as R.S. 27:405(B)."

AMENDMENT NO. 4

On page 1, line 16, change "Section 2." to "Section 3."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 198 by Senator Morrell

AMENDMENT NO. 1

In Amendment No. 3 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 17, 2012, on page 1, line 18, after "restored." delete the remainder of the line and delete lines 19 through 21 in their entirety and insert the following: "The division shall obtain approval from the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B prior to awarding any new central computer system contract."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Crowe, Donahue, Kostelka, Nevers, Peterson.

Total - 5

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

SENATE BILL NO. 248—
BY SENATOR ADLEY

AN ACT

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

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 248 by Senator Adley

AMENDMENT NO. 1

On page 2, line 2, after "**eligible for nomination**" delete the remainder of the line and on line 3, delete "**if appointed,**" and insert "**and appointment to the board, but**"

AMENDMENT NO. 2

On page 2, at the end of line 3, delete "**board**" and insert "**such board or commission**"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 268—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 25:376, 379.4 and 1245, and to enact R.S. 25:380.3(C), 380.24(C), 380.34(C), 380.44(C), 380.54(C), 380.64(C), 380.74(C), 380.84(C), 380.94(C), 380.104(C), 380.114(C), 380.124(C), 380.134(C), 380.154(C) and 380.165(C), relative to operations of the Old State Capitol and certain museums; to authorize the Department of State to temporarily close the Old State Capitol and certain museums under its jurisdiction when no funds are appropriated for the operation of such facilities; and to provide for related matters.

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

SENATE BILL NO. 290—

BY SENATORS MURRAY, ALLAIN, BROOME, BROWN, CHABERT, DORSEY-COLOMB, LAFLEUR, LONG, MORRELL, PETERSON, GARY SMITH AND TARVER

AN ACT

To amend and reenact R.S. 17:3451, 3453(B), (D) and (E), and 3456, to enact R.S. 17:3453.1, and to repeal R.S. 17:3453(F), relative to the Louisiana Universities Marine Consortium for Research and Education; to provide relative to the purpose of the consortium and the membership of the executive board; to establish and provide for the membership and duties of an advisory council; to provide relative to development of a master plan; to provide for annual reporting requirements; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 290 by Senator Murray

AMENDMENT NO. 1

On page 3, between lines 10 and 11, insert the following:

"(m) A vice president or dean, appointed by the president of the University of Louisiana at Monroe, who shall serve as a voting member.

"(n) A vice president or dean, appointed by the president of the University of Louisiana at Monroe, who shall serve as a non-voting member."

AMENDMENT NO. 2

On page 3, at the beginning of line 11, change "**(m)**" to "**(o)**"

AMENDMENT NO. 3

On page 3, at the beginning of line 13, change "**(n)**" to "**(p)**"

AMENDMENT NO. 4

On page 3, at the beginning of line 15, change "**(o)**" to "**(q)**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Reengrossed Senate Bill No. 290 by Senator Murray

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on Education and adopted by the House on May 15, 2012.

Senator Murray moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

May 30, 2012

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate rejected the amendments proposed by the House.

SENATE BILL NO. 362— BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(introductory paragraph), (aa), and (bb), relative to the operation of video draw poker devices at qualified truck stop facilities; to provide with respect to certain amenity requirements of a qualified truck stop facility; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 362 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 27:306(A)(5)(d),"

AMENDMENT NO. 2

On page 1, line 4, after "respect to" and before "certain" insert "the closing of" and change "amenity requirements " to "amenities"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 27:306(A)(5)(d) is"

AMENDMENT NO. 4

On page 1, delete lines 12 through 17 in their entirety

AMENDMENT NO. 5

On page 2, delete lines 1 through 10 in their entirety and insert the following:

"(5) * * *

(d) Notwithstanding any other provision of law to the contrary, the owner or lessor of a qualified truck stop facility, except for a qualified truck stop facility located in Orleans Parish, may close the restaurant on the premises of the qualified truck stop facility on Sundays and during a legal holiday as defined in R.S. 1:55(B)(1)(a).

AMENDMENT NO. 6

On page 2, after line 10, add the following: "Section 2. In the event Senate Bill 575 of the 2012 Regular Session is enacted into law, the Louisiana State Law Institute is hereby directed to redesignate R.S. 27:306(A)(5)(d) as amended in this Act as R.S. 27:418(C)."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 362 by Senator Morrell

AMENDMENT NO. 1

In Amendment No. 5 in the set of Amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, line 19, delete "on Sundays and"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 3 columns: Crowe, Donahue, Nevers; Total - 3

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

SENATE BILL NO. 363— BY SENATOR MARTINY

AN ACT

To enact R.S. 27:306(A)(4)(e), relative to the operation of video draw poker devices; to provide relative to amenities required of qualified truck stop facilities; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 363 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete line 3 in its entirety and insert "amend and reenact R.S. 27:319(B)(1)(a)(ii) and (b)(iii), relative to penalties for certain violations of the Video Draw Poker Devices Control Law; to provide with respect to the revocation of a license for certain violations; and to provide"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and delete lines 7 through 15 in their entirety and insert the following: "R.S. 27:319(B)(1)(a)(ii) and (b)(iii) are hereby amended and reenacted to read as follows:

§319. Allowing underage persons to play video draw poker devices; penalties; revocation of license

B.(1) Violations of Subsection A of this Section shall be penalized by the division as follows:

(a) For allowing a person under the age of twenty-one to play or operate a video draw poker device at a licensed establishment, unless the licensee, his employee, or agent reasonably believed that the person was twenty-one years old or older:

(ii) For a third or subsequent violation, license revocation shall may be imposed.

(b) For allowing a person under the age of twenty-one to play or operate a video draw poker device at a licensed establishment when the licensee, his employee, or agent is shown to have known or

reasonably believed he was allowing a person under the age of twenty-one years old to play or operate a video draw poker device, or for allowing a person under the age fifteen years old to play or operate a video draw poker device at a licensed establishment regardless of what the licensee, his employee or agent knew or reasonably believed about the age of that person:

(iii) For a third or subsequent violation, license revocation ~~shall~~ may be imposed."

AMENDMENT NO. 3

On page 1, after line 16, add the following:

"Section 2. In the event Senate Bill 575 of the 2012 Regular Session is enacted into law, the Louisiana State Law Institute is hereby directed to redesignate R.S. 27:319 as amended in this Act as R.S. 27:443."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed Senate Bill No. 363 by Senator Martiny

AMENDMENT NO. 1

In Amendment No. 2 in the set of amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, delete lines 21 and 22 in their entirety and insert the following:

"(ii) For a third or subsequent violation, a license revocation hearing shall be conducted at which time the board shall determine whether or not there are extenuating circumstances pursuant to which a license suspension or revocation should not be imposed."

AMENDMENT NO. 2

In Amendment No. 2 in the set of amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, delete lines 31 and 32 in their entirety and insert the following:

"(iii) For a third or subsequent violation, a license revocation hearing shall be conducted at which time the board shall determine whether or not there are extenuating circumstances pursuant to which a license suspension or revocation should not be imposed."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Broome	Crowe	Nevers
Claitor	Kostelka	

Total - 5

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

SENATE BILL NO. 365—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph), relative to the operation of video draw poker devices at qualified truck stop facilities; to provide with respect to the calculation of fuel sales; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 365 by Senator Martiny

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 365 by Senator Martiny, on page 1, line 19, following "Item" change "(b)(i)" to "(i)"

AMENDMENT NO. 2

In House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 365 by Senator Martiny, on page 1, line 22, following "Item" change "(b)(i)" to "(i)"

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 365 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 2, delete "(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 4, after "sales;" and before "and" insert "to provide for exceptions regarding the fuel sales requirements at certain facilities;"

AMENDMENT NO. 3

On page 1, line 6, delete "(introductory paragraph)"

AMENDMENT NO. 4

On page 1, line 13, change "(b)" to "(b)(i)" and after "Subsection" and before the comma "," insert "and in R.S. 27:306(A)(4)(b)(ii)"

AMENDMENT NO. 5

On page 2, delete line 2 in its entirety and insert the following:

~~(i)(aa)~~ One hundred thousand gallons of fuel of which forty thousand gallons are diesel - not more than fifty devices.

~~(ii)(bb)~~ Seventy-five thousand gallons of fuel of which thirty thousand gallons are diesel - not more than forty devices.

~~(iii)(cc)~~ Fifty thousand gallons of fuel of which ten thousand are diesel - not more than thirty-five devices.

(ii) In addition to the requirements in Item (b)(i) of this Subparagraph, a qualified truck stop facility, except a qualified truck stop facility located in Orleans Parish, which complies or has complied with one of the fuels sales requirements of Item (b)(i) of this Subparagraph for five consecutive years shall thereafter be permitted to retain the number of devices it operated during that same consecutive five-year period provided it continues to meet the fuel sales requirement set forth in R.S. 27:306(A)(4)(b)(i)(cc).

(iii) The board may adopt rules to recognize alternative fuel sources to satisfy the requirements regarding fuel sales provided by this Chapter.

* * *

May 30, 2012

AMENDMENT NO. 6

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

"Section 2. In the event Senate Bill 575 of the 2012 Regular Session is enacted into law, the Louisiana State Law Institute is hereby directed to redesignate R.S. 27:306(A)(4)(b) as amended in this Act as R.S. 27:416(C)."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Morrell
Adley Erdey Morrish
Allain Gallot Murray
Amedee Guillory Nevers
Appel Heitmeier Peacock
Brown Johns Peterson
Buffington LaFleur Tarver
Chabert Long White
Cortez Martiny
Donahue Mills
Total - 28

NAYS

Claitor Smith, J. Walsworth
Crowe Thompson
Total - 5

ABSENT

Broome Perry Smith, G.
Kostelka Riser Ward
Total - 6

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

SENATE BILL NO. 386—

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 23:1201(E), relative to timely payment of medical bills; to provide for a shorter time frame for timely payment for providers who utilize the electronic billing rules and regulations; and to provide for related matters.

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

SENATE BILL NO. 404—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 38:2211(A)(12), relative to public contracts; to provide relative to letting contracts for public works; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed Senate Bill No. 404 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 3, after "works;" and before "and" insert "to provide for prospective application;"

AMENDMENT NO. 2

On page 1, after line 13, add the following:

"Section 2. The provisions of this Act shall have prospective application only."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Peterson
Total - 1

ABSENT

Claitor Morrell
Kostelka Nevers
Total - 4

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

SENATE BILL NO. 422—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 49:953(B)(1) and (4)(a), relative to the Administrative Procedure Act; to provide for legislative review of emergency rules or fees; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 422 by Senator Claitor

AMENDMENT NO. 1

On page 2, line 11, after "at" delete "their" and insert "his"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 422 by Senator Claitor

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 422 by Senator Claitor, on page 1, line 2, following "line 11," delete the remainder of the line and insert "after "respective" change "office" to "offices""

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Foil to Engrossed Senate Bill No. 422 by Senator Claitor

AMENDMENT NO. 1

On page 2, at the end of line 11, insert "electronic transmission if such means are available. If electronic means are not available,"

the agency statement shall be submitted to the office of the speaker of the House of Representatives and the president of the Senate in the state capitol by certified mail with the return receipt requested or by messenger who shall provide a receipt for signature. The return receipt, the receipt for signature, or the electronic confirmation receipt shall be proof of receipt of the agency statement by the respective offices." and delete lines 12 through 14

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Nevers
Total - 1

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

SENATE BILL NO. 536—
BY SENATOR PETERSON

AN ACT

To amend and reenact Children's Code Art. 901.1(A), relative to probation and parole supervision fees; to provide with respect to a reduction in supervision fees; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 536 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 14, after "shall" delete the remainder of the line and insert "not exceed"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 615—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 33:9613(A)(2) and (3) and 9614(B) and (C), to enact R.S. 33:9613(A)(4) and 9614(D) and (E), relative to local ethics entities, including but not limited to an ethics review board or office of inspector general in the parishes of East Baton Rouge, Jefferson, and Orleans; to provide relative to subpoena powers; to provide for protective orders; to provide relative to enforcement of subpoenas; to provide relative to the privileged nature of certain documents; to provide relative to public access to public documents; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brossett to Reengrossed Senate Bill No. 615 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:9613(A)(2) and (3)" to "R.S. 33:9613(A)(3)"

AMENDMENT NO. 2

On page 1, line 11, change "R.S. 33:9613(A)(2) and (3)" to "R.S. 33:9613(A)(3)"

AMENDMENT NO. 3

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 7

AMENDMENT NO. 4

On page 3, line 1, after "Jefferson may" delete "also"

AMENDMENT NO. 5

On page 3, line 5, after "provided by" delete "respective"

AMENDMENT NO. 6

On page 3, at the beginning of line 6, change "in" to "by"

AMENDMENT NO. 7

On page 3, line 6, after "Section" delete the comma ","

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AMENDMENT NO. 8

On page 5, line 3, between "certify" and "and" insert a comma ",."

AMENDMENT NO. 9

On page 5, delete line 15

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 637— (Substitute of Senate Bill No. 83 by Senator Murray)

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 37:2862 (7), (8), (11), and (12), 2864(C), (D), and (E), 2865(A) and (C), 2866, and 2870(A)(1), to enact R.S. 37:2865(E) and 2869(A)(3), and to repeal R.S. 37:2862(13) and 2864(F), relative to Polysomnographic Practice Act; to provide for definitions; to remove term limits on the advisory committee members; to provide for technologist; to provide for technicians; to provide with respect to exemptions from state licensure and permit requirements; to provide for prohibitions; and to provide for related matters

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 637 by Senator Murray

AMENDMENT NO. 1

On page 1, line 4, following "repeal R.S." and before "," change "37:2862(13) and 2864(F)" to "37:2864(F)"

AMENDMENT NO. 2

On page 5, line 20, following "Section 2. R.S." and before "is" change "37:2862(13) and 2864(F)" to "37:2864(F)"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 645—

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

AN ACT

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

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 645 by Senator Thompson

AMENDMENT NO. 1

On page 2, line 8, after "2012" and before "the" delete the comma "," and insert the following: "or at the appropriate time thereafter as determined by formal action taken by the Board of Supervisors of the Community and Technical Colleges."

AMENDMENT NO. 2

On page 2, line 10, after "College" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 2, at the beginning of line 11, change "this date" to "the effective date of the merger"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 645 by Senator Thompson

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Education to Engrossed Senate Bill No. 645 by Senator Thompson, on page 1, line 2, following "after" and before "insert" change ""2012" and before "the" delete the comma ",," and to ""2012," and before "the""

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed Senate Bill No. 645 by Senator Thompson

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Education and adopted by the House of Representatives on May 17, 2001, on page 1, line 5, after "Supervisors of" and before "Community" delete "the"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue
Total - 1

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

SENATE BILL NO. 653—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:338.1(D), relative to sales tax of political subdivisions; to provide for the use of the tax proceeds of a sales tax district in the municipality of Breaux Bridge; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Huval to Reengrossed Senate Bill No. 653 by Senator Mills

AMENDMENT NO. 1

On page 2, line 20, after "(i)" and before "percent" change "Ten" to "Twenty"

AMENDMENT NO. 2

On page 2, line 22, after "municipality" and before the period "." insert the following: "provided that an Annual Plan for Repair and Maintenance of Municipality Infrastructure is approved by the adoption of an ordinance of the governing authority of the municipality, by a two-thirds vote"

AMENDMENT NO. 3

On page 2, line 23, after "(ii)(aa)" and before "percent" change "Ninety" to "Eighty"

AMENDMENT NO. 4

On page 3, at the beginning of line 4, delete "held at least three open and public meetings" and insert "a public meeting"

AMENDMENT NO. 5

On page 3, line 11, after "hearing." add the following: "The master plan for the Construction of Municipal Infrastructure shall be approved by the adoption of an ordinance, of the governing authority of the municipality, by a two-thirds vote."

AMENDMENT NO. 6

On page 3, between lines 15 and 16, insert the following:
"(dd) As used in this Section, "infrastructure" means transportation and communication systems, gas systems, roads, bridges, drainage, parks, sidewalks and similar public utilities."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 686—
BY SENATORS ADLEY AND THOMPSON
AN ACT

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

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

May 30, 2012

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 686 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:106(A)(7)(a)" and before "and" insert "and (G)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 14:106(A)(7)(a)" and before "hereby" delete "is" and insert "and (G) are"

AMENDMENT NO. 3

On page 2, delete lines 16 through 19 in their entirety

AMENDMENT NO. 4

On page 2, after line 20, add the following:

"G.(1) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on a first conviction, whoever commits the crime of obscenity shall be fined not less than one thousand dollars nor more than two thousand five hundred dollars, or imprisoned, with or without hard labor, for not less than six months nor more than three years, or both.

(2)(a) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on a second conviction, the offender shall be imprisoned, with or without hard labor for not less than six months nor more than three years, and in addition may be fined not less than two thousand five hundred dollars nor more than five thousand dollars.

(b) The imprisonment provided for in Subparagraph (a), may be imposed at court discretion if the court determines that the offender, due to his employment, could not avoid engagement in the offense. This Subparagraph (b) shall not apply to the manager or other person in charge of an establishment selling or exhibiting obscene material.

(3) ~~On~~ Except as provided in Paragraph (5) of this Subsection, on a third or subsequent conviction, the offender shall be imprisoned with or without hard labor for not less than two years nor more than five years, and in addition may be fined not less than five thousand dollars nor more than ten thousand dollars.

(4) When a violation of Paragraph (1), (2), or (3) of Subsection A of this Section is with or in the presence of an unmarried person under the age of seventeen years, the offender shall be fined not more than ten thousand dollars and shall be imprisoned, with or without hard labor, for not less than two years nor more than five years, without benefit of parole, probation, or suspension of sentence.

(5) Whoever violates the provisions of Paragraphs (A)(7) or (A)(8) of this Section may be fined not less than one hundred dollars nor more than five hundred dollars.

* * *

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 686 by Senator Adley

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 686 by Senator Adley, on page 1, line 20, following "(a)" and before "," insert "of this Paragraph"

AMENDMENT NO. 2

On page 1, line 12, following "causing" and before "person" change "to be transmitted by a" to "the transmission by a"

AMENDMENT NO. 3

On page 1, line 14, following "advertisement" and before "in" insert "containing sexually explicit materials"

AMENDMENT NO. 4

On page 1, line 15, following "state" delete "that contains"

AMENDMENT NO. 5

On page 1, line 16, delete "sexually explicit materials"

AMENDMENT NO. 6

On page 2, line 4, following "causing" and before "person" change "to be transmitted by a" to "the transmission by a"

AMENDMENT NO. 7

On page 2, line 5, change "the content of a text message" to "its content"

AMENDMENT NO. 8

On page 2, line 6, following "message" and before "to" insert "containing sexually explicit materials"

AMENDMENT NO. 9

On page 2, line 7, following "state" and before "." delete "that contains sexually explicit materials"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Nevers. Lists names of members voting 'YEAS'.

Total - 37

NAYS

Peterson
Total - 1

ABSENT

Guillory
Total - 1

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

SENATE BILL NO. 714—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 40:600.87(8), and 600.91(A)(18)(c), and (27), to enact R.S. 40:600.91(A)(28)(b)(ii)(oo) and (pp) and (E), and to repeal R.S. 40:600.91(A)(28)(b)(ii)(ii), relative to the Louisiana Housing Corporation Act; to provide for the definition of "persons or families of low or moderate income"; to provide for the powers and duties of the corporation; to provide for members on the commission; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow to Reengrossed Senate Bill No. 714 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:600.87(8)" delete the comma ","

AMENDMENT NO. 2

On page 1, line 2, after "600.91(A)(18)(c)" delete the comma ","

AMENDMENT NO. 3

On page 1, line 3, after "40:600.91(A)(28)(b)(ii)(oo)" and before "and (E)," delete "and (pp)" and insert a comma "," and "(pp), and (qq)"

AMENDMENT NO. 4

On page 1, line 6, after "corporation;" delete the remainder of the line and at the beginning of line 7, delete "commission;" and insert "to provide relative to the membership of an advisory committee;"

AMENDMENT NO. 5

On page 1, line 9, after "R.S. 40:600.87(8)" delete the comma ","

AMENDMENT NO. 6

On page 1, line 9, after "600.91(A)(18)(c)" delete the comma ","

AMENDMENT NO. 7

On page 1, line 10, after "R.S. 40:600.91(A)(28)(b)(ii)(oo)" and before "and (E)" delete "and (pp)" and insert a comma "," and "(pp), and (qq)"

AMENDMENT NO. 8

On page 3, between lines 7 and 8, insert the following:
"(qq) One member appointed by the Louisiana Association of Affordable Housing Providers."

Senator Dorsey-Colomb moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 729—
 BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 42:1113(D)(2)(b), relative to the Code of Governmental Ethics; to provide for an exception to the prohibition of contractual arrangements for any contract with any plan providing medicaid services to medicaid recipients; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 729 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 4, after "recipients;" insert "to provide an exception relative to the provision of services relative to the early steps program;"

AMENDMENT NO. 2

On page 1, line 15, after "program" insert "**or the early steps program, a contract with an early steps program provider,**"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Peterson
 Total - 1

ABSENT

Donahue	Heitmeier
Gallot	Morrell
Total - 4	

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

SENATE BILL NO. 750— (Substitute of Senate Bill No. 328 by Senator Broome)

BY SENATOR BROOME AND REPRESENTATIVES BARROW, BURRELL, GAINES, HAVARD, HUNTER, KATRINA JACKSON, PIERRE, PRICE AND ST. GERMAIN

AN ACT

To enact R.S. 49:953(A)(1)(a)(ix) and 973, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a poverty impact statement be issued; to provide for contents of the poverty impact statement; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 750 by Senator Broome

May 30, 2012

AMENDMENT NO. 1

On page 2, line 6, following "statement" and before "consider" change "will" to "shall"

Senator Dorsey-Colomb moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Murray. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue and their corresponding counts.

NAYS

Peacock
Total - 1

ABSENT

Total - 0

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

SENATE BILL NO. 754— (Substitute of Senate Bill No. 81 by Senator Mills)

BY SENATOR MILLS

AN ACT

To enact R.S. 42:1123(42), relative to the Code of Governmental Ethics; to provide for an exception to the provisions of law relative to ethical standards for public servants; to provide relative to a public servant doing business with a person who has a business relationship with the agency of the public servant under certain circumstances; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 754 by Senator Mills

AMENDMENT NO. 1

On page 1, line 3, after "exception to" delete the remainder of the line and delete lines 4 and 5 and insert "allow members of the Greater Baton Rouge Port Commission and related persons to enter into certain transactions under the supervision and jurisdiction of the port under certain"

AMENDMENT NO. 2

On page 1, delete lines 12 through 17 and delete page 2, and insert the following:

"(42) A member of the Greater Baton Rouge Port Commission, an immediate family member of such a port commission member, or a legal entity in which such a port commission member or a member of his immediate family has a substantial economic interest from contracting for the sale of

grain to the operator of a grain elevator that is owned, operated, or managed by the port commission provided that:

(a) The port commission member recuses himself on all matters involving such sale of grain and all matters related to the management and operation of the grain elevator.

(b) The terms and conditions of the sale are the same or substantially similar as a sale of grain by similarly situated persons who are not port commission members or related persons.

Section 2. 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."

Senator Mills moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Murray. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue and their corresponding counts.

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate rejected the amendments proposed by the House.

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 78—

BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To create a study committee to study and make recommendations with respect to student athletes and the detection and prevention of heart disease.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dorsey-Colomb, Murray. Lists names like Mr. President, Adley, Erdey, Gallot, Nevers, Peacock.

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

Total - 38

NAYS

Total - 0

ABSENT

Donahue
Total - 1

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

Mr. President in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 1—
BY REPRESENTATIVE FANNIN
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

On motion of Senator Donahue, House Bill No. 1 was made Special Order of the Day No. 1 on Thursday, May 31, 2012.

HOUSE BILL NO. 134—
BY REPRESENTATIVE FANNIN
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

On motion of Senator Donahue, House Bill No. 134 was made Special Order of the Day No. 4 on Thursday, May 31, 2012.

HOUSE BILL NO. 822—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 22:842, relative to special treasury funds; to provide for deposits into the Louisiana Medical Assistance Trust Fund; to provide for the transfer, dedication, use, and appropriations as specified of certain treasury funds; to provide for the deposit of certain funds into the state treasury; to provide for effective dates; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 822 was made Special Order of the Day No. 2 on Thursday, May 31, 2012.

HOUSE BILL NO. 1044—
BY REPRESENTATIVE KLECKLEY
AN ACT

To appropriate funds for Fiscal Year 2012-2013 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide for the salary, expenses and allowances of members, officers, staff and agencies of the Legislature; to provide with respect to the appropriations and allocations herein made; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 1044 was made Special Order of the Day No. 6 on Thursday, May 31, 2012.

HOUSE BILL NO. 1058—
BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS ALARIO AND DONAHUE
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 1058 was made Special Order of the Day No. 5 on Thursday, May 31, 2012.

HOUSE BILL NO. 1059—
BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2011-2012; to provide for an effective date; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 1059 was made Special Order of the Day No. 3 on Thursday, May 31, 2012.

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.

On motion of Senator Donahue, House Bill No. 1091 was made Special Order of the Day No. 7 on Thursday, May 31, 2012.

HOUSE BILL NO. 377—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 47:201.1(F), relative to income tax returns; to provide with respect to composite returns of partnerships; to provide for the payment and distribution of overpayments; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 377 by Representative Robideaux

AMENDMENT NO. 1
On page 1, line 4, after "overpayments;" and before "to" insert "to provide for electronic filing;"

AMENDMENT NO. 2
On page 1, after line 20, insert the following:
"(4) Composite returns shall be filed electronically. The Secretary shall promulgate rules and regulations in accordance with the Administrative Procedure Act necessary for implementation of this Paragraph and shall further define and require the necessary methods for filing, signing, subscribing or verifying a return, statement, or other documents required for such implementation."

AMENDMENT NO. 3
On page 2, at the beginning of line 1, change "(4)" to "(5)"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

HOUSE BILL NO. 971—

BY REPRESENTATIVE BARROW

AN ACT

To enact R.S. 47:551.1, relative to special districts; to authorize the establishment of an automobile rental tax district in East Baton Rouge Parish; 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.

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

Motion to Make Special Order

Senator Alario asked for and obtained a suspension of the rules to make House Bill No. 2, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 8 on Thursday, May 31, 2012.

HOUSE BILL NO. 2—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and

improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Alario, House Bill No. 2 was made Special Order of the Day No. 8 on Thursday, May 31, 2012.

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

Called from the Calendar

Senator Martiny asked that House Bill No. 805 be called from the Calendar.

HOUSE BILL NO. 805—

BY REPRESENTATIVE PONTI

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

Called from the Calendar

Senator Amedee asked that House Bill No. 955 be called from the Calendar.

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

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

Floor Amendments

Senator Gallot proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed House Bill No. 955 by Representative Tim Burns

AMENDMENT NO. 1 On page 4, line 18, after "request shall" delete "not"

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

NAYS

Total - 0

ABSENT

Morrell
Total - 1

The Chair declared the amended bill was passed 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.

Called from the Calendar

Senator Morrish asked that House Bill No. 1210 be called from the Calendar.

HOUSE BILL NO. 1210— (Substitute for House Bill No. 807 by Representative Huval)

BY REPRESENTATIVE HUVAL AN ACT

To amend and reenact R.S. 42:1123(37), relative to ethics; to provide exceptions to the Code of Governmental Ethics relative to the provision of certain insurance services and compensation related thereto; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Morrell
Total - 2

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

Rules Suspended

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 30, 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. 519— BY SENATOR MARTINY AN ACT

To amend and reenact Children's Code Article 412(H)(1), relative to juvenile proceedings; to provide relative to the confidentiality

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of delinquency hearings and the records thereof; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 565—

BY SENATOR DORSEY-COLOMB

AN ACT

To amend and reenact R.S. 15:833(A) and R.S. 46:1816(B)(6), and to enact R.S. 14:402(D)(10) and Chapter 21-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1851 through 1857, relative to prisons and offenders; to provide for definitions; to provide for the creation of escrow accounts for certain inmates who enter into contracts for profits derived from the notoriety gained from their crimes; to provide relative to the distribution of escrow account funds to certain crime victims; to provide relative to notice to crime victims of escrow account funds becoming available; to provide for definitions; to provide relative to inspection of certain inmate correspondence; to provide relative to the Crime Victims Reparations Fund; to provide for the payment of certain inmate escrow account funds into the Crime Victims Reparations Fund; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

SENATE BILL NO. 659—

BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 521, 717, the introductory paragraph of 718 and 718(1) and 729.6 and to enact Code of Criminal Procedure Articles 434.1 and 725.1, relative to criminal discovery; to provide for exceptions to grand jury secrecy; to provide relative to pretrial discovery motions; to provide relative to disclosure of certain evidence and records; to provide relative to disclosure of certain witness information; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 553—

BY SENATOR CLAITOR

AN ACT

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

Reported with amendments.

SENATE BILL NO. 708—

BY SENATORS BROOME, APPEL, CORTEZ, CROWE, DONAHUE, ERDEY, JOHNS, LAFLEUR, LONG, MARTINY, NEVERS, PEACOCK, PERRY, RISER, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

AN ACT

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

Reported with amendments.

SENATE BILL NO. 710—

BY SENATOR PERRY

AN ACT

To amend and reenact R.S. 15:1302(4), (11) and (15), 1303(A)(1), (2), (3), and (4), (C)(2), (3) and (4), 1304(A), the introductory paragraph of 1308(A) and 1308(B), 1309, the introductory paragraph of 1310(A) and 1310(A)(6), the introductory paragraph of 1310(C) and 1310(C)(5), the introductory paragraph of 1310(D)(1), 1310(E), (F)(1) and (2), the introductory paragraph of 1310(F)(4), 1310(F)(4)(c) and (G), the introductory paragraph of 1310(H)(1) and 1310(H)(2), 1311(C) and the introductory paragraph of 1312(A), relative to the interception of communications; to provide for definitions; to provide relative to authorizations and disclosures; to provide relative to procedures for interception and reporting requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 733—

BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 56:578.2(A), (B), (C), and (D) and to enact R.S. 56:578.2(F), relative to the Louisiana Seafood Promotion and Marketing Board; to provide for its membership; to provide for the election of its officers; to provide for certain term limits for officers; to provide certain requirements, terms, and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 738—

BY SENATORS MORRELL, BROOME, DORSEY-COLOMB AND HEITMEIER AND REPRESENTATIVES BROSSETT, LERGER AND MORENO

AN ACT

To enact R.S. 14:20.1, relative to self-defense; to require full investigation of all deaths due to violence or suspicious circumstances when a claim of self-defense is raised; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 745—

BY SENATORS NEVERS AND WALSWORTH

AN ACT

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

Reported without amendments.

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

BY SENATOR MORRISH

AN ACT

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

Reported without amendments.

SENATE BILL NO. 7—

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:1732(15) and 1763(J)(1), (2), and (3), relative to the Municipal Employees' Retirement System; to provide for final average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for transitional provisions; to provide an effective date; and to provide for related matters.

Reported without amendments.

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

**Appointment of Conference Committee
on House Bill No. 141**

The President of the Senate appointed to the Conference Committee on **House Bill No. 141** the following members of the Senate:

Senators Amedee,
Murray
and Adley.

**Appointment of Conference Committee
on House Bill No. 179**

The President of the Senate appointed to the Conference Committee on **House Bill No. 179** the following members of the Senate:

Senators Dorsey-Colomb,
Morrell
and Heitmeier.

**Appointment of Conference Committee
on House Bill No. 274**

The President of the Senate appointed to the Conference Committee on **House Bill No. 274** the following members of the Senate:

Senators Nevers,
Martiny
and Claitor.

**Appointment of Conference Committee
on House Bill No. 365**

The President of the Senate appointed to the Conference Committee on **House Bill No. 365** the following members of the Senate:

Senators Morrell,
Murray
and Amedee.

**Appointment of Conference Committee
on House Bill No. 464**

The President of the Senate appointed to the Conference Committee on **House Bill No. 464** the following members of the Senate:

Senators Nevers,
Martiny
and Murray.

**Appointment of Conference Committee
on House Bill No. 518**

The President of the Senate appointed to the Conference Committee on **House Bill No. 518** the following members of the Senate:

Senators Morrell,
Riser
and Adley.

**Appointment of Conference Committee
on House Bill No. 754**

The President of the Senate appointed to the Conference Committee on **House Bill No. 754** the following members of the Senate:

Senators Riser,
Donahue
and Adley.

**Appointment of Conference Committee
on House Bill No. 1188**

The President of the Senate appointed to the Conference Committee on **House Bill No. 1188** the following members of the Senate:

Senators Appel,
Martiny
and Cortez.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 169—
BY SENATOR PETERSON

A RESOLUTION

To commend Ms. Bobbie Smith of New Orleans, Louisiana, upon her receipt of the 2012 Mary Steibel CAREGiver of the Year Award in recognition of her outstanding work with senior adults.

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

SENATE RESOLUTION NO. 170—

BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB

A RESOLUTION

To commend and congratulate Jacqueline "Jacqui" Vines, Senior Vice President and General Manager of Cox Louisiana, for her work, support, and commitment to the Louisiana Legislative Women's Caucus Foundation and her commitment to the development and advancement of women and children in Louisiana and to extend best wishes for continued success in her new position.

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

SENATE RESOLUTION NO. 171—

BY SENATORS GALLOT AND WHITE

A RESOLUTION

To urge and request the Department of Natural Resources, in conjunction with the Public Service Commission, to adopt rules and regulations to ensure high levels of energy security in critical government facilities through implementation of on-site combined heat and power systems.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 146—

BY SENATOR APPEL

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Commerce, Consumer Protection, and International Affairs and the House Committee on Commerce to meet and function as a joint committee to study

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the regulation of debt settlement services in the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 147— BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate Angelo Roppolo on his long and very productive life, his myriad of long lasting accomplishments, and his contributions to his community and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dorsey-Colomb, Murray, Adley, Erdey, Nevers, Allain, Gallot, Peacock, Amedee, Guillory, Perry, Appel, Heitmeier, Peterson, Broome, Johns, Riser, Brown, Kostelka, Smith, G., Buffington, LaFleur, Smith, J., Chabert, Long, Tarver, Claitor, Martiny, Thompson, Cortez, Mills, Walsworth, Crowe, Morrell, Ward, Donahue, Morrish, White. Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

Conference Committee Reports Received

May 30, 2012

The Conference Committee Reports for the following legislative instruments were received..

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.

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

To amend and reenact R.S. 32:408.1(2)(introductory paragraph), (3), and (4) and to enact R.S. 32:408.1(5), relative to requiring third-party testers that administer tests for commercial drivers to comply with certain federal regulations and to obtain a surety bond; and to provide for related matters.

HOUSE BILL NO. 474— BY REPRESENTATIVE ABRAMSON AN ACT

To amend and reenact Code of Civil Procedure Articles 683(B), 966(B), 1313(C), 2166(E), and 5188 and to enact Code of Civil Procedure Article 1313(D), relative to continuous revision of the Code of Civil Procedure; to provide for the tutor's enforcement of rights of unemancipated minors; to provide for statements on denials of summary judgments; to provide for service by couriers; to provide for suspension of writ denials by the supreme court; to provide for entry of judgment notwithstanding an indigent's failure to pay costs; and to provide for related matters.

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.

HOUSE BILL NO. 447— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 27:44(3), 45(A)(introductory paragraph), 52(introductory paragraph) and (3) and (4), 57(B)(4), 59(B) and (D), 65(B)(2), (5), (13), and (15), 93(A)(1) and to repeal R.S. 27:46, 48, 51, 88, and 97, relative to the Riverboat Gaming Commission; to repeal antiquated references to the Riverboat Gaming Commission; and to provide for related matters.

HOUSE BILL NO. 231— BY REPRESENTATIVE LIGI AN ACT

To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime of unlawful sale of a live dog or cat at certain locations; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Rules Suspended

Senator Dorsey-Colomb asked for and obtained a suspension of the rules to recommit a bill.

HOUSE BILL NO. 988— BY REPRESENTATIVE JONES AND SENATORS NEVERS AND WARD AN ACT

To amend and reenact R.S. 11:546(C) and 2257(C) and to enact R.S. 11:444(A)(2)(d), 546(D), (E), and (F), and 605(D), relative to retirement benefits for persons employed in public safety positions; to provide for benefit calculation and options for payment of such benefits; to provide for funding of such benefits; to provide relative to the deferred retirement option plan participation; to provide for qualifications; to authorize an extension of the period for members currently in the plan; and to provide for related matters.

Senator Dorsey-Colomb moved to recommit the bill from the Committee on Retirement to the Committee on Local and Municipal Affairs.

Without objection, so ordered.

Conference Committee Reports

The following reports of committees were received and read:

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.

**CONFERENCE COMMITTEE REPORT
House Bill No. 61 By Representative Pearson**

May 29, 2012

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 61 by Representative Pearson, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, be adopted.
2. That the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on May 16, 2012, be adopted.

Respectfully submitted,

Representatives:
Chuck Kleckley
Walt Leger III
J. Kevin Pearson

Senators:
Conrad Appel
Jack Donahue
Elbert Guillory

Senator Guillory moved that the Conference Committee Report be adopted.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Peacock
Amedee	Heitmeier	Perry
Appel	Johns	Riser
Brown	Kostelka	Smith, G.
Chabert	LaFleur	Smith, J.
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	White
Donahue	Morrish	
Total - 26		

NAYS

Adley	Erdey	Nevers
-------	-------	--------

Buffington	Gallot	Peterson
Dorsey-Colomb	Murray	
Total - 8		

ABSENT

Allain	Morrell	Ward
Broome	Tarver	
Total - 5		

The Chair declared the Conference Committee Report was adopted.

Rules Suspended

Senator Dorsey-Colomb asked for and obtained a suspension of the rules to allow the Senate Committee on Local and Municipal Affairs to meet without the required 24-hour notice.

Rules Suspended

Senator Dorsey-Colomb asked for and obtained a suspension of the rules to allow the Senate Committee on Local and Municipal Affairs to hear House Bill No. 988 without the required 24-hour notice.

**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 30, 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. 38—
BY SENATOR ADLEY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of authorizing the collection of tolls to complete I-49 South.

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

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATOR ERDEY
A CONCURRENT RESOLUTION

To authorize and direct public agencies to provide in-service education and training on sexual harassment for its public servants.

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATOR JOHNS
A CONCURRENT RESOLUTION

To commend the Children's Miracle network of CHRISTUS St. Patrick Hospital on the occasion of twenty-five years of service to Southwest Louisiana.

SENATE CONCURRENT RESOLUTION NO. 132—
BY SENATOR LONG

May 30, 2012

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the area along Louisiana Highway 485 approximately two miles north and one and one-half mile south of St. Anne's Church as the Adai Indian Community in Natchitoches Parish and to erect the appropriate signs to denote the area as the Adai Indian Community.

SENATE CONCURRENT RESOLUTION NO. 134— BY SENATORS PERRY AND LAFLEUR

A CONCURRENT RESOLUTION

To commend the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 15, 2012, as "Hugh O'Brian Youth Leadership Day" in the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 135— BY SENATOR GUILLORY

A CONCURRENT RESOLUTION

To designate May 31, 2012, as Retired State Employees Association Day at the Louisiana State Capitol and to recognize the establishment of the Retired State Employees Association of Louisiana Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 136— BY SENATORS MORRISH AND LONG

A CONCURRENT RESOLUTION

To urge and request the Federal Energy Regulatory Commission to immediately reject any requests for a rehearing regarding Cheniere Energy's Sabine Pass Liquefaction Project and memorializes Congress to express their support for LNG exports and to streamline and expedite the approval process.

SENATE CONCURRENT RESOLUTION NO. 137—

BY SENATORS GALLOT, KOSTELKA AND LONG AND REPRESENTATIVES BROADWATER, COX, JEFFERSON, SHADOIN, SMITH AND HONORE

A CONCURRENT RESOLUTION

To urge and request the legislative fiscal office to update the report issued in March 2006 pursuant to House Resolution No. 133 of the 2005 Regular Session regarding the means and methods used to provide funding for the operation of laboratory schools around the state, including but not limited to issues concerning equity and fairness in funding methods and amounts, and to report its findings and recommendations in writing to the Senate and House committees on education on or before February 1, 2013.

SENATE CONCURRENT RESOLUTION NO. 140—

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 KLECKLEY, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOU CET, 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 commend the Honorable Catherine D. "Kitty" Kimball, Chief Justice of the Louisiana Supreme Court, for a lifetime of exemplary public service to the state and its judicial system and for twenty years of that service as a justice on the Supreme Court, and to congratulate her honor upon the occasion of her retirement from the bench.

Respectfully submitted, "JODY" AMEDEE Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 30, 2012

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 303—

BY SENATORS RISER, ADLEY, ALLAIN, AMEDEE, BUFFINGTON, CHABERT, CROWE, ERDEY, GUILLORY, JOHNS, KOSTELKA, LAFLEUR, MORRISH, NEVERS, PEACOCK, PERRY, GARY SMITH, JOHN SMITH, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ADAMS, ANDERS, ARMES, BERTHELOT, STUART BISHOP, BROADWATER, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANEY, GAROFALO, GISCLAIR, GREENE, HARRIS, HAVARD, HENRY, HENSGENS, HODGES, HOFFMANN, HOLLIS, HUNTER, LAMBERT, LEOPOLD, LIGI, LORUSSO, MACK, MILLER, MONTOU CET, JAY MORRIS, JIM MORRIS, ORTEGO, PONTI, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SEABAUGH, SIMON, TALBOT, THIBAUT, THOMPSON AND WHITNEY

A JOINT RESOLUTION

Proposing to amend Article I, Section 11 of the Constitution of Louisiana, relative to the right to keep and bear arms; to provide that the right to keep and bear arms is a fundamental right; to provide for a strict scrutiny standard of review by the court; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 410—

BY SENATOR CLAITOR

A JOINT RESOLUTION

Proposing to amend Article III, Section 13, of the Constitution of Louisiana, relative to local or special laws; to provide certain requirements prior to legislatively creating certain special districts; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 62—

BY SENATOR APPEL AND REPRESENTATIVE CARTER

AN ACT

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

SENATE BILL NO. 71—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:2266.3, relative to criminalistics laboratories operated by sheriffs; to exempt the criminalistics laboratory operated by the sheriff of Jefferson Parish from certain requirements; and to provide for related matters.

SENATE BILL NO. 253—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 49:220.22(D), relative to the office of the state inspector general; to provide for legal counsel; to provide for additional legal representation as the office deems necessary; and to provide for related matters.

SENATE BILL NO. 330—

BY SENATOR WARD AND REPRESENTATIVES ADAMS, ARMES, BADON, BARRAS, BARROW, STUART BISHOP, BROADWATER, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DANAHAY, GAROFALO, GUILLORY, GUINN, HARRIS, HARRISON, HAZEL, HENRY, HENSGENS, HILL, HOFFMANN, HOLLIS, HOWARD, HUNTER, KATRINA JACKSON, NANCY LANDRY, LIGI, LOPINTO, LORUSSO, MACK, JAY MORRIS, NORTON, POPE, PYLANT, REYNOLDS, SCHRODER, SEABAUGH, SIMON, ST. GERMAIN, TALBOT, THIBAUT, THOMPSON AND WHITNEY

AN ACT

To enact R.S. 14:32.9 and 32.9.1, relative to abortion; to create the crime of criminal abortion; to create the crime of aggravated criminal abortion; to prohibit any individual who is not a licensed physician from performing an abortion; to prohibit the dismemberment of an unborn child by an abortionist who is not a licensed physician; to provide for definitions; to provide for exceptions; to provide for construction; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 381—
BY SENATOR BROOME

AN ACT

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

SENATE BILL NO. 405—
BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 33:2481.5 and 2541.2, relative to the municipal fire civil service; to authorize the municipal governing authority to create the position of chief of administration of fire department; to provide that the position is appointed on a competitive basis; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; to provide relative to reinstatement to previous class of positions; and to provide for related matters.

SENATE BILL NO. 412—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 17:3361(A)(6), relative to colleges and universities; to provide relative to leases of college and university properties; to provide relative to leases to certain organizations; to authorize leases to Louisiana businesses to be located in an area of property designated by the college or university as a business incubator or research park; to provide certain terms, conditions, requirements, and definitions; and to provide for related matters.

SENATE BILL NO. 526—

BY SENATORS ERDEY, ALARIO, APPEL, BROOME, BROWN, CORTEZ, DONAHUE, DORSEY-COLOMB, GUILLORY, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PETERSON, RISER, GARY SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

AN ACT

To enact R.S. 17:1681.1(C), relative to scholarships for children of certain public employees; to add children of state investigators killed or permanently disabled in the performance of duty; and to provide for related matters.

SENATE BILL NO. 589—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3(D) and to enact R.S. 33:4562.3(F) and (G), relative to the Evangeline-Ville Platte Recreation District; to remove certain requirements relative to the district's budget; to provide for district's authority and duties; and to provide for related matters.

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.

SENATE BILL NO. 639—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 14:30(A)(10) and to enact R.S. 14:30(A)(11), relative to the crime of first degree murder; to provide that first degree murder includes the killing of a taxicab driver under certain circumstances; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 725—
BY SENATOR GALLOT

AN ACT

To enact Subpart B-47 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.851, relative to economic and industrial development districts; to provide for the inclusion of municipal areas in certain parish economic and industrial development districts; and to provide for related matters.

SENATE BILL NO. 338—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 38:2215(C) and (D) and to enact R.S. 38:2215(E), relative to certain public works; to provide for the time period between award of the contract and execution of the contract; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 389—
BY SENATOR MARTINY

AN ACT

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

SENATE BILL NO. 397—
BY SENATOR GALLOT

AN ACT

To amend and reenact R.S. 47:1991(A), relative to ad valorem property tax assessments; to provide relative to the cancellation of certain assessments; and to provide for related matters.

SENATE BILL NO. 485—
BY SENATOR PERRY

AN ACT

To enact R.S. 14:32.1(A)(7) and 32.8(A)(2)(g), relative to operating a vehicle while intoxicated; to provide that the crimes of vehicular homicide and third degree feticide include operating a vehicle when any detectable amount of certain controlled dangerous substances is present in the operator's blood; to provide for exceptions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 506—
BY SENATOR CLAITOR

AN ACT

To enact Code of Civil Procedure Article 1426.1, relative to discovery; to provide relative to a stay of discovery in certain civil matters for good cause shown by a district attorney in a related criminal matter; to provide certain terms, conditions and procedures; and to provide for related matters.

SENATE BILL NO. 509—
BY SENATOR CLAITOR AND REPRESENTATIVE HUNTER

AN ACT

To enact Code of Civil Procedure Article 4919(D), relative to service of citation in justice of the peace courts; to provide for service by certified mail; to provide relative to service under certain terms, procedures, and conditions; and to provide for related matters.

SENATE BILL NO. 563—
BY SENATOR WHITE

AN ACT

To enact R.S. 17:58.2(I), 67, and 67.1 through 67.4, relative to the Southeast Baton Rouge Community School System; to provide for the school system, including its establishment and geographic boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide relative to the collection and remittance of certain taxes; to provide relative to the provision of certain student services; to provide relative to certain applications for funding; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

SENATE BILL NO. 698—
BY SENATORS MORRISH AND JOHNS AND REPRESENTATIVE KLECKLEY

AN ACT

To enact R.S. 34:218, relative to the Lake Charles Harbor and Terminal District; to provide for recognition as the local sponsor and for additional powers and authority of the district; to provide for the Calcasieu River and Pass Project; to provide for the acquisition and sale of certain lands; to provide for terms, exceptions, conditions, and requirements; and to provide for related matters.

SENATE BILL NO. 730—
BY SENATORS THOMPSON AND RISER

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.

SENATE BILL NO. 753— (Substitute of Senate Bill No. 162 by Senator Erdey)

BY SENATORS ERDEY, ADLEY, APPEL, BROOME, BROWN, CORTEZ, CROWE, DORSEY-COLOMB, GUILLORY, JOHNS, KOSTELKA, LAFFLEUR, MILLS, MURRAY, NEVERS, PERRY, RISER, GARY SMITH, JOHN SMITH, THOMPSON AND WARD AND REPRESENTATIVES ADAMS AND HODGES

AN ACT

To amend and reenact R.S. 14:91.2(D) and (E) and to enact R.S. 14:91.2(A)(5) and (6) and (F), relative to sex offenders; to add public libraries to the places at which the physical presence of sex offenders is prohibited; to provide for exceptions; to provide relative to immunity from civil and criminal liability for certain public servants; to provide for definitions; and to provide for related matters.

Respectfully submitted,
"JODY" AMEDEE
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 30, 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. 79—
BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges to submit a written report relative to the status of the reconstruction and reopening of the Sidney N. Collier Technical Division site of Delgado Community College to the House Committee on Education and the Senate Committee on Education by not later than May 15, 2013.

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.

HOUSE CONCURRENT RESOLUTION NO. 178—
BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To urge and request the legislative auditor to study the cost to local governing authorities of employer contributions to statewide retirement systems and to report his findings to the legislature prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To recognize September as "Pain Awareness Month in Louisiana" to increase awareness of the effects of pain and educate patients and the community on the importance of adequate treatment.

HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVE HONORE AND SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Stupp Corporation upon the celebration of its sixtieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 181—
BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To urge and request the re-creation of the Human Services Coordinated Transit Work Group created by House Concurrent Resolution No. 131 of the 2011 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 182—
BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To urge and request the division of administration, office of community development, disaster recovery unit, to require individuals who receive grant awards for individual mitigation measures to accomplish those measures within one year of the award.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To commend John Curtis Christian School upon winning six state athletic championships in the 2011-2012 school year.

HOUSE CONCURRENT RESOLUTION NO. 184—

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

A CONCURRENT RESOLUTION

To commend Murphy "Andy" Dreher upon his retirement as the vice president of governmental affairs for Entergy Louisiana and Entergy Gulf States Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE GAINES

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the possible installation of crosswalks controlled by "walk" and "do not walk" indicators at two intersections in LaPlace, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To urge and request that Innocence Project New Orleans submit an application to the Judicial Council of the Supreme Court of Louisiana for review of a new court cost to fund the Innocence Compensation Fund.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE CONNICK

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the need for the creation of local transportation districts by parishes and municipalities in order to assist the department in addressing transportation needs in Louisiana and to report its findings to the House Committee on Transportation, Highways and Public Works, the Senate Committee on Transportation, Highways and Public Works, the House Committee on Municipal, Parochial and Cultural Affairs, and the Senate Committee on Local and Municipal Affairs prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To commend the Council for A Better Louisiana upon the celebration of its fiftieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVES LAMBERT, BERTHELOT, PRICE, SCHEXNAYDER, AND ST. GERMAIN AND SENATORS AMEDEE AND 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 30 from its intersection with LA 42 in East Baton Rouge Parish to its intersection with US Highway 61 in Ascension Parish.

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.

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	Ward
Donahue	Morrish	White
Total - 39		

ABSENT

Total - 0

Announcements

The following committee meetings for May 31, 2012, were announced:

Local and Mun. Affairs 8:30 A.M. Room C

Adjournment

On motion of Senator Thompson, at 6:10 o'clock P.M. the Senate adjourned until Thursday, May 31, 2012, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 31, 2012.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

