

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

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**THIRD DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 10, 2013

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

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Donahue	Murray
Adley	Erdey	Nevers
Allain	Gallot	Peacock
Amedee	Heitmeier	Perry
Appel	Kostelka	Peterson
Brown	Long	Smith, G.
Cortez	Morrell	Ward
Crowe	Morrish	
Total - 23		

**ABSENT**

Broome	Johns	Tarver
Buffington	LaFleur	Thompson
Chabert	Martiny	Walsworth
Claitor	Mills	White
Dorsey-Colomb	Riser	
Guillory	Smith, J.	
Total - 16		

The President of the Senate announced there were 23 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Larry Mizell, 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 Kostelka, the reading of the Journal was dispensed with and the Journal of April 9, 2013, was adopted.

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 9, 2013

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. 3—**  
BY SENATOR BROOME

**A CONCURRENT RESOLUTION**

To invite the Honorable Bobby Jindal, Governor of Louisiana, to address a joint session of the legislature.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 13—**

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

**A CONCURRENT RESOLUTION**

To commend and congratulate Dr. Daniel D. "Dan" Reneau upon the occasion of his retirement as president of Louisiana Tech University and to recognize his numerous accomplishments and noteworthy contributions to his university, his community, and the state.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Senate Resolutions on  
Second Reading**

**SENATE RESOLUTION NO. 11—**

BY SENATOR BROWN

**A RESOLUTION**

To commend and congratulate Southern University Law Center on its sixty-fifth anniversary and further recognize the center as an organization that promotes and perpetuates the advancement of all citizens of the state.

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

**SENATE RESOLUTION NO. 12—**

BY SENATOR BROWN

**A RESOLUTION**

To recognize April 22, 2013, as "Marathon Petroleum Corporation Day".

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

**SENATE RESOLUTION NO. 13—**

BY SENATOR THOMPSON

**A RESOLUTION**

To commend and congratulate the players and coaches of the Rayville High School girls basketball team on winning the Class 3-A state championship.

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

**SENATE RESOLUTION NO. 14—**

BY SENATOR NEVERS

**A RESOLUTION**

To commend and congratulate Reverend Robert L. "Bob" Adams, upon his retirement as pastor of the First Baptist Church of Bogalusa, Louisiana.

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 9, 2013

To the Honorable President and Members of the Senate:

April 10, 2013

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. 37                      HCR NO. 38                      HCR NO. 39
- HCR NO. 40                      HCR NO. 41                      HCR NO. 43
- HCR NO. 44                      HCR NO. 45                      HCR NO. 46
- HCR NO. 47

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

**House Concurrent Resolutions  
on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 37—**  
BY REPRESENTATIVES KATRINA JACKSON, BADON, BARROW, WESLEY BISHOP, BROSSETT, BURRELL, COX, DIXON, FRANKLIN, GAINES, HONORE, HUNTER, GIROD JACKSON, JAMES, JEFFERSON, TERRY LANDRY, NORTON, PIERRE, PRICE, SMITH, THIERRY, ALFRED WILLIAMS, AND PATRICK WILLIAMS AND SENATORS BROOME, BROWN, DORSEY-COLOMB, GALLOT, GUILLORY, MORRELL, MURRAY, PETERSON, AND TARVER  
A CONCURRENT RESOLUTION  
To commend the Honorable Bernette J. Johnson on becoming the first African American woman to serve as Chief Justice of the Louisiana Supreme Court.

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

**HOUSE CONCURRENT RESOLUTION NO. 38—**  
BY REPRESENTATIVE TALBOT  
A CONCURRENT RESOLUTION  
To recognize May ninth, annually, as Louisiana Gray Day to increase brain cancer awareness.

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

**HOUSE CONCURRENT RESOLUTION NO. 39—**  
BY REPRESENTATIVE LORUSSO  
A CONCURRENT RESOLUTION  
To commend Lane Carson for his service as secretary of the Louisiana Department of Veterans Affairs.

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

**HOUSE CONCURRENT RESOLUTION NO. 40—**  
BY REPRESENTATIVE HARRISON  
A CONCURRENT RESOLUTION  
To memorialize the Congress of the United States of America to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds or, in the alternative, to consider repealing certain such provisions and applying less stringent provisions to benefits received by widows and widowers.

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

**HOUSE CONCURRENT RESOLUTION NO. 41—**  
BY REPRESENTATIVE KLECKLEY  
A CONCURRENT RESOLUTION  
To urge and request the Louisiana Department of Transportation and Development to erect appropriate signage on the portion of I-210 in the city of Lake Charles previously named the "Doug Fournet Memorial Parkway".

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

**HOUSE CONCURRENT RESOLUTION NO. 43—**  
BY REPRESENTATIVE EDWARDS  
A CONCURRENT RESOLUTION  
To commend the members of the United States Army War College participating in the Eisenhower Series College Program and to welcome them to Louisiana in April of 2013.

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

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK  
A CONCURRENT RESOLUTION  
To commend Safa Michigan upon being named the Caddo Public Schools 2013 Middle School Student of the Year and to recognize her extraordinary accomplishments.

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

**HOUSE CONCURRENT RESOLUTION NO. 45—**  
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK  
A CONCURRENT RESOLUTION  
To commend Ceara Johnson upon being named the Caddo Public Schools 2013 Elementary School Student of the Year and to recognize her extraordinary accomplishments.

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

**HOUSE CONCURRENT RESOLUTION NO. 46—**  
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK  
A CONCURRENT RESOLUTION  
To commend Madeline Wagon of Captain Shreve High School upon being named the Caddo Public Schools 2013 High School Student of the Year and to recognize her extraordinary accomplishments.

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

**HOUSE CONCURRENT RESOLUTION NO. 47—**  
BY REPRESENTATIVES KLECKLEY, DANAHAY, FRANKLIN, GEYMANN, GUINN, HENSGENS, AND HILL AND SENATORS JOHNS, MORRISH, AND JOHN SMITH  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Robert James Pumpelly and to recognize his outstanding achievements.

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

**House Concurrent Resolutions on  
Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 26—**  
BY REPRESENTATIVE MORENO  
A CONCURRENT RESOLUTION  
To recognize Saturday, May 4, 2013, as Lemonade Day Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Appel	Guillory	Peterson
Broome	Heitmeier	Riser
Brown	Kostelka	Smith, G.
Buffington	Long	Thompson
Chabert	Mills	Walsworth
Claitor	Morrell	Ward
Cortez	Morrish	White
Crowe	Murray	
Total - 32		

NAYS

Total - 0

ABSENT

Adley	LaFleur	Tarver
Donahue	Martiny	
Johns	Smith, J.	
Total - 7		

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

**HOUSE CONCURRENT RESOLUTION NO. 27—**  
BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To commend the John D. and Catherine T. MacArthur Foundation for its efforts in establishing successful and replicable models of juvenile justice reform in Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Crowe	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Perry
Appel	Guillory	Peterson
Broome	Heitmeier	Riser
Brown	Long	Smith, G.
Buffington	Mills	Thompson
Chabert	Morrell	Ward
Cortez	Morrish	White
Total - 30		

NAYS

Total - 0

ABSENT

Claitor	Kostelka	Smith, J.
Donahue	LaFleur	Tarver
Johns	Martiny	Walsworth
Total - 9		

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

**HOUSE CONCURRENT RESOLUTION NO. 28—**  
BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To commend Irene Olivia Reed upon the celebration of her one hundred fifth birthday.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Gallot	Perry
Appel	Guillory	Peterson
Broome	Heitmeier	Riser
Brown	Kostelka	Smith, G.
Buffington	Long	Thompson
Chabert	Mills	Walsworth
Cortez	Morrell	Ward
Crowe	Morrish	White
Total - 33		

NAYS

Total - 0

ABSENT

Claitor	LaFleur	Smith, J.
Johns	Martiny	Tarver
Total - 6		

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

**HOUSE CONCURRENT RESOLUTION NO. 31—**  
BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former state representative Kevin P. Reilly, Sr., of Baton Rouge.

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

NAYS

Total - 0

ABSENT

LaFleur	Smith, J.
Martiny	Tarver
Total - 4	

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

April 10, 2013

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE HUVAL AND SENATOR MILLS
A CONCURRENT RESOLUTION

To commend Ray Pellerin for his outstanding accomplishments and significant contributions to his community and to express appreciation for the pride he brings to his family, friends and colleagues, the Acadiana community, and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Chabert, Claitor, Cortez, Crowe and their respective counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names like LaFleur, Martiny and their counts.

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

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION

To commend the Ragin' Cajuns of the University of Louisiana at Lafayette upon winning their second consecutive New Orleans Bowl.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Broome, Brown, Buffington, Claitor, Cortez, Crowe, Donahue and their respective counts.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent. Lists names like Chabert, LaFleur, Martiny, Smith, J., Tarver and their counts.

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

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 124—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:1377(A) and 1381.4(A)(2), relative to courts and judicial procedure; to provide relative to the Criminal District Court for the Parish of Orleans; to provide relative to the imposition of certain fees and court costs; to increase certain amounts; and to provide for related matters.

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

SENATE BILL NO. 155—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:126, relative to courts and judicial procedure; to provide relative to the Louisiana Supreme Court; to provide for the imposition of certain chargeable fees and costs; to provide for the increase of certain fees; and to provide for related matters.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 10, 2013

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To invite the Honorable Bobby Jindal, Governor of Louisiana, to address a joint session of the legislature.

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 Resolution contained herein was signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Present. Lists names like Mr. President, Adley, Allain, Amedee, Appel, Donahue, Dorsey-Colomb, Erdey, Gallot, Guillory, Murray, Nevers, Peacock, Perry, Peterson.

Broome	Heitmeier	Riser
Brown	Johns	Smith, G.
Buffington	Kostelka	Thompson
Chabert	Long	Walsworth
Claitor	Mills	Ward
Cortez	Morrell	White
Crowe	Morrish	
Total - 35		

ABSENT

LaFleur	Smith, J.
Martiny	Tarver
Total - 4	

**Leaves of Absence**

The following leaves of absence were asked for and granted:

LaFleur	1 Day	John Smith	1 Day
Martiny	1 Day	Tarver	1 Day

**Announcements**

The following committee meetings for April 15, 2013, were announced:

Finance	1:00 P.M.	Room A
Retirement	1:00 P.M.	Room E
Revenue and Fiscal Affairs	2:00 P.M.	Hainkel Room

**Adjournment**

On motion of Senator Thompson, at 10:40 o'clock A.M. the Senate adjourned until Monday, April 15, 2013, at 4:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:30 o'clock P.M. on Monday, April 15, 2013.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk

