Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President          Dorsey          Mount
Adley                  Duplessis       Nevers
Amedee                Erdey           Peterson
Appel                  Heitmeier       Riser
Broome                 Jackson         Shaw
Chabert                Kostelka        Smith
Cheek                  Marionneaux     Thompson
Claitor                Martiny         Walsworth
Crowe                  McPherson       Michot

Total - 28

ABSENT

Alario                 Hebert           Morrish
Gautreaux B           LaFleur          Murray
Gautreaux N           Long             Quinn
Guillory              Morrell          Total - 11

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

Prayer

The prayer was offered by Pastor Dick Metz, 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 Adley, the reading of the Journal was dispensed with and the Journal of April 20, 2010, was adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

April 21, 2010

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. 43—
BY SENATOR CROWE
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to approve and establish the National Military Family Relief Fund.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION
To designate April 26, 2010, as "MADD Day" at the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR SHAW
A CONCURRENT RESOLUTION
To recognize Michael Williams and commend the Shreveport Fire Department and LSU Health Sciences Center Trauma Unit for their attention and care of Mr. Williams.

Reported without amendments.

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

Privilege Report of the Legislative Bureau

April 21, 2010

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication:

HOUSE BILL NO. 921—
BY REPRESENTATIVE CORTEZ
AN ACT
To authorize and provide for the transfer of certain state property, located in Lafayette Parish, from the Department of Transportation and Development to the city of Youngsville and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneaux, the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Michot asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.
SENATE RESOLUTION NO. 30—
BY SENATOR MICHOT
A RESOLUTION
To amend and readopt Senate Rule 13.5.1 of the Rules of Order of the Senate, relative to dual referral of legislative instruments with a significant fiscal cost; to decrease the threshold amount required to recommit certain legislative instruments to the Committee on Finance.

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

SENATE RESOLUTION NO. 31—
BY SENATOR BROOME
A RESOLUTION
To commend Tim Toler for his contributions to The Art Council of Livingston Parish Jazz Festival and to music education in Louisiana.

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

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

SENATE CONCURRENT RESOLUTION NO. 46—
BY SENATOR LAFLEUR
A CONCURRENT RESOLUTION
To encourage the owners and players of the National Football League to resolve their differences in order to avoid interrupting, shortening, or eliminating the 2010 season.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Guillory Morrell
Adley Hebert Morrisey
Amedee Heitmieier Mount
Appel Jackson Murray
Broome Kostelka Nevers
Chabert LaFleur Peterson
Claitor Long Quinn
Donahue Marionneaux Riser
Dorsey Martiny Shaw
Duplessis McPherson Smith
Erdey Michot Walsworth
Total - 33

NAYS

Total - 0

ABSENT

Alario Crowe N
Cheek N
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION
To commend Mr. Charles F. Castille on thirty-five years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Gautreaux B Morrell
Adley Guillory Mount
Amedee Hebert Murray
Appel Heitmieier Nevers
Broome Jackson Peterson
Chabert Kostelka Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Donahue Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot
Erdey Morrell
Total - 37

NAYS

Total - 0

ABSENT

Alario Gautreaux N
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 48—
BY SENATOR LONG AND REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION
To commend the Northwestern State University Lady Demons for winning the 2010 Southland Conference women’s tennis championship.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Guillory Morrell
Adley Hebert Mount
Amedee Heitmieier Murray
Appel Jackson Nevers
Broome LaFleur Peterson
Chabert Long Quinn
Claitor Marionneaux Riser
Dorsey Martiny Shaw
Duplessis McPherson Smith
Erdey Michot Walsworth
Gautreaux B Morrell
Total - 35

NAYS

Total - 0

ABSENT

Alario Donahue Crowe Gautreaux N
Cheek Duarteux B Thompson
Total - 4

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

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 20, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 111—
BY REPRESENTATIVE CHANDLER
AN ACT
To amend and reenact R.S. 33:1448(M), relative to insurance for retired sheriffs and deputy sheriffs; to provide with respect to insurance premium costs for retired sheriffs and retired deputy sheriffs of the LaSalle Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

HOUSE BILL NO. 494—
BY REPRESENTATIVE BILLIOT
AN ACT
To amend and reenact R.S. 38:301(E)(1) and to enact R.S. 38:301(A)(4) and (F), relative to bicycle paths and walkways adjacent to flood control levees or structures; to authorize construction or permit bicycle paths and walkways; and to provide for related matters.

HOUSE BILL NO. 806—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact R.S. 9:4833(F), relative to the recordation of certain notices under the Private Works Act; to provide for the filing of claims, privileges, and notices of lis pendens; to provide for a prescriptive period; to provide for reinspection; and to provide for related matters.

HOUSE BILL NO. 1138—
BY REPRESENTATIVE PONTI
AN ACT
To amend and reenact R.S. 23:1123, 1172.2(E), and 1201(A) and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to require payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring workers' compensation indemnity payments be mailed; and to provide for related matters.

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

House Bills and Joint Resolutions on First Reading

Senator Thompson asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.

HOUSE BILL NO. 111—
BY REPRESENTATIVE CHANDLER
AN ACT
To amend and reenact R.S. 33:1448(M), relative to insurance for retired sheriffs and deputy sheriffs; to provide with respect to insurance premium costs for retired sheriffs and retired deputy sheriffs of the LaSalle Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

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

HOUSE BILL NO. 494—
BY REPRESENTATIVE BILLIOT
AN ACT
To amend and reenact R.S. 38:301(E)(1) and to enact R.S. 38:301(A)(4) and (F), relative to bicycle paths and walkways adjacent to flood control levees or structures; to authorize public use of property along or adjacent to any flood control levee or structure for recreational purposes; to authorize construction or permit bicycle paths and walkways; and to provide for related matters.

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

HOUSE BILL NO. 806—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact R.S. 9:4833(F), relative to the recordation of certain notices under the Private Works Act; to provide for the filing of claims, privileges, and notices of lis pendens; to provide for a prescriptive period; to provide for reinspection; and to provide for related matters.

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

HOUSE BILL NO. 1138—
BY REPRESENTATIVE PONTI
AN ACT
To amend and reenact R.S. 23:1123, 1172.2(E), and 1201(A) and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to require payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring workers' compensation indemnity payments be mailed; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:
April 21, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 144—
BY SENATORS THOMPSON AND WALSWORTH
AN ACT
To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(k), relative to the Governor's Office of Homeland Security and Emergency Preparedness, including provisions to provide for the re-creation of the Governor's Office of Homeland Security and Emergency Preparedness and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 185—
BY SENATOR N. GAUTREAUX
A JOINT RESOLUTION
Proposing to amend Article I, Section 10(B) of the Constitution of Louisiana, relative to disqualifications from seeking or holding elective office; to prohibit a person convicted of a felony under the laws of another state or under the laws of the United States or under the laws of a foreign government or country, and who has exhausted all legal remedies and has not been pardoned, from qualifying as a candidate for elective public office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

SENATE BILL NO. 622—
BY SENATOR WALSWORTH
AN ACT
To amend and reenact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to provide with respect to licensure; to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

REPORT OF COMMITTEE ON HEALTH AND WELFARE

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 21, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 192—
BY SENATORS MOUNT, CHEEK AND SHAW AND REPRESENTATIVE JANE SMITH
AN ACT
To enact R.S. 46:1427, relative to child care facilities and child-placing agencies; to provide with respect to licensure; to provide for an exception for certain religious organizations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 214—
BY SENATOR MOUNT
AN ACT
To amend and reenact R.S. 37:793(G) and to enact R.S. 37:793(B)(5), relative to the administration of nitrous oxide inhalation analgesia; to provide for the administration of nitrous oxide inhalation analgesia by certain dental hygienists; to provide for a permit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 257—
BY SENATOR MOUNT
AN ACT
To amend and reenact R.S. 36:474(E) and 476, relative to the Department of Social Services; to rename the Department of Social Services the Department of Children and Family Services; to provide for the reorganization of the department; to provide for definitions; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 401—
BY SENATOR THOMPSON AND REPRESENTATIVE KATZ
AN ACT
To enact R.S. 40:1300.144(A)(4), relative to rural hospitals; to provide for rural hospital reimbursement; to provide for the development of payment methods that optimize federal funds to reduce or eliminate small rural hospitals' reliance upon uncompensated care costs funding; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 530—
BY SENATOR BROOME
AN ACT
To enact R.S. 37:797, relative to the Louisiana State Board of Dentistry; to provide for the employment of dentists by certain non-profit entities eligible for certain federal grants; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 556—
BY SENATOR CROWE
AN ACT
To amend and reenact R.S. 40:1300.143(7)(a)(xiii)(introductory paragraph), relative to the Rural Hospital Preservation Act; to provide for the definition of certain rural hospitals; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 590—
BY SENATOR CROWE
AN ACT
To enact R.S. 37:2418(F)(2) and to enact R.S. 37:2418(F)(4), relative to physical therapy assistants; to provide for supervision requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman
REPORT OF COMMITTEE ON

FINANCE

Senator Michael J. “Mike” Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

April 21, 2010

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATOR CHAISSON
A CONCURRENT RESOLUTION
To make available for appropriation from the Budget Stabilization Fund the sum of $122,365,064.69, not to exceed one-third (1/3) of the balance of the Budget Stabilization Fund due to the reduction of the revenue forecast for the current fiscal year in the amount of $319,000,000 as adopted by the Revenue Estimating Conference and recognized by the Joint Legislative Committee on the Budget at their meetings of April 14, 2010.

Reported favorably.

Respectfully submitted,
MICHAEL J. “MIKE” MICHOT
Chairman

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Ann D.Duplessis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 21, 2010

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR HEITMEIER
A CONCURRENT RESOLUTION
To urge and request the United States Army Corps of Engineers to prepare a report regarding United States Army Corps of Engineers' contracts for projects within Louisiana to Louisiana companies, contractors, and subcontractors and to report on a quarterly basis to the Louisiana Department of Economic Development and Louisiana's United States Army Corps of Engineers’ projects within the state and to exercise all available options in the awarding of contracts for United States Army Corps of Engineers' projects within the state of Louisiana to Louisiana companies, contractors, and subcontractors and to report on a quarterly basis to the Louisiana Department of Economic Development and Louisiana's Legislature the percentage of Louisiana businesses receiving United States Army Corps of Engineers' contracts for projects within Louisiana.

Reported favorably.

SENATE BILL NO. 194—
AN ACT
To amend and reenact R.S. 23:921(A)(1), relative to employment contracts; to provide for enforceability of restraint contracts which meet certain exceptions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 256—
AN ACT
To enact Part IV of Chapter 4 of Code Title VII of Code Book II Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3131.1 through 3131.9, relative to the Louisiana Exchange Sale of Receivables Act; to provide for legislative intent; to provide for definitions; to provide for the scope; to provide that the true sale status of sales of receivables over exchanges located in Louisiana; to provide for the binding effectiveness of Louisiana law to such sales of receivables; to provide for buyer ownership rights; to provide for related matters.

Reported with amendments.

SENATE BILL NO. 291—
AN ACT
To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain information prior to issuance of a permit; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 303—
AN ACT
To enact R.S. 37:2804(K), relative to the powers and duties of the Louisiana Board of Chiropractic Examiners; to provide for the power to enter into certain transactions involving immovable property; to provide for the authority of the board to borrow funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 318—
AN ACT
To enact R.S. 9:3131.1 through 3131.9, relative to the Louisiana Exchange Sale of Receivables Act; to provide for legislative intent; to provide for definitions; to provide for the scope; to provide that the true sale status of sales of receivables over exchanges located in Louisiana.

Reported favorably.

SENATE BILL NO. 540—
AN ACT
To enact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 620—
AN ACT
To enact R.S. 8:66.1, 66.2 and 66.3, and 75(E), relative to the Louisiana Cemetery Board; to provide for investigations by the board; to authorize the issuance of subpoenas; to require certain statements under oath to issue oaths and affirmations; to bring

AN ACT
To amend R.S. 23:921(A)(1), relative to employment contracts; to provide for enforceability of restraint contracts which meet certain exceptions; and to provide for related matters.

Reported favorably.

AN ACT
To enact Part IV of Chapter 4 of Code Title VII of Code Book II Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3131.1 through 3131.9, relative to the Louisiana Exchange Sale of Receivables Act; to provide for legislative intent; to provide for definitions; to provide for the scope; to provide that the true sale status of sales of receivables over exchanges located in Louisiana; to provide for the binding effectiveness of Louisiana law to such sales of receivables; to provide for buyer ownership rights; to provide for related matters.

Reported with amendments.

AN ACT
To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

Reported favorably.

AN ACT
To enact R.S. 37:2804(K), relative to the powers and duties of the Louisiana Board of Chiropractic Examiners; to provide for the power to enter into certain transactions involving immovable property; to provide for the authority of the board to borrow funds; and to provide for related matters.

Reported with amendments.

AN ACT
To enact R.S. 9:3131.1 through 3131.9, relative to the Louisiana Exchange Sale of Receivables Act; to provide for legislative intent; to provide for definitions; to provide for the scope; to provide that the true sale status of sales of receivables over exchanges located in Louisiana.

Reported favorably.

AN ACT
To amend R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

Reported with amendments.

AN ACT
To enact R.S. 8:66.1, 66.2 and 66.3, and 75(E), relative to the Louisiana Cemetery Board; to provide for investigations by the board; to authorize the issuance of subpoenas; to require certain statements under oath to issue oaths and affirmations; to bring
To amend and reenact R.S. 11:446(G), relative to the Louisiana State Employees' Retirement System; to allow for a change in beneficiary in certain circumstances and in relation to certain supplemental benefits; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 46 by Senator Appel

AMENDMENT NO. 1
On page 1, line 11, before "holidays" insert "legal"

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 53 by Senator N. Gautreaux

AMENDMENT NO. 1
On page 1, line 6, after "department;" insert "to provide certain procedures and conditions;"

AMENDMENT NO. 2
On page 3, line 5, after "immediate" insert "electronic database"

AMENDMENT NO. 3
On page 3, line 8, after "immediate" insert "electronic database"

AMENDMENT NO. 4
On page 3, line 17, after "or for" insert "any claims for damages arising from"
AMENDMENT NO. 5
On page 3, line 28, after "Social Services" insert "within seven days"

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

SENATE BILL NO. 58—
BY SENATOR B. GAUTREAUX
AN ACT
To amend and reenact R.S. 11:429(B), relative to the purchase of service credit in the Louisiana State Employees' Retirement System; to provide for the purchase of service credit and the use of such credit for the purposes of attaining eligibility for retirement subject to certain limitations; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 62—
BY SENATOR CROWE
AN ACT
To amend and reenact R.S. 11:1757(B), relative to the Municipal Employees' Retirement System; to provide for benefit payment options; to provide for designation of beneficiary; to allow change of such designation; to provide conditions for such change; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 62 by Senator Crowe

AMENDMENT NO. 1
On page 2, between lines 12 and 13 insert the following:

(5) A retiree who changes his beneficiary pursuant to Paragraph (2) of this Subsection shall agree to hold harmless and indemnify the system from any and all liability, loss or damages that the system may sustain as a result of actions, claims, demands and costs, including reasonable attorney's fees, due to such change of beneficiary.

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

SENATE BILL NO. 73—
BY SENATOR HEITMEIER
AN ACT
To amend and reenact R.S. 3:2465(C), relative to operating procedures for animal shelters; to prohibit euthanasia by carbon dioxide gas chambers on cats and dogs beginning on January 1, 2015 and thereafter; to prohibit euthanasia by intracardiac injection on a conscious animal; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 73 by Senator Heitmeier

AMENDMENT NO. 1
On page 1, line 4, change "January 1, 2015" to "January 1, 2013"

AMENDMENT NO. 2
On page 1, line 16, change "January 1, 2015" to "January 1, 2013"

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

SENATE BILL NO. 85—
BY SENATOR B. GAUTREAUX
AN ACT
To amend and reenact R.S. 11:62(8)(a) and (b), 1946, and 1966, relative to the Parochial Employees' Retirement System; to provide for ranges for employee contributions for Plans A and B; to provide the board of trustees with authority to set the employee contribution rates for members of Plan A and Plan B within the ranges; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 97—
BY SENATOR MORRISH
AN ACT
To enact R.S. 11:783(D)(1)(c), relative to the Teachers' Retirement System of Louisiana; to provide for a change in beneficiary under certain circumstances; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 100—
BY SENATOR B. GAUTREAUX
AN ACT
To amend and reenact R.S. 11:1902(11) and (14), and 1938(J)(4)(a)(i) and (ii), relative to the Parochial Employees' Retirement System; to provide conditions for such designation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for definition of terms; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 100 by Senator B. Gautreaux

AMENDMENT NO. 1
On page 1, line 1 change "1938(J)(4)(a)(i) and (ii)" to "1938(J)(4)(a)"

AMENDMENT NO. 2
On page 1, line 9 change "1938(J)(4)(a)(i) and (ii)" to "1938(J)(4)(a)"

AMENDMENT NO. 3
On page 3, delete line 3 and insert the following:

"(4)(a) Also upon termination of employment, the monthly benefits which were being paid into the plan fund shall begin to be paid to the retiree and he shall receive an additional benefit based on his additional service rendered since termination of participation in the fund, using the normal method of computation of benefit, subject to the following:"

AMENDMENT NO. 4
On page 4, line 5 change "1938(J)(4)(a)(i) and (ii)" to "1938(J)(4)(a)"

AMENDMENT NO. 5
On page 4, line 12 change "1938(J)(4)(a)(i) and (ii)" to "1938(J)(4)(a)"

On motion of Senator B. Gautreaux, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.
SENATE BILL NO. 104—
BY SENATOR THOMPSON
AN ACT
To amend and reenact R.S. 38:326(A) and (C), relative to police officers of a levee district and a levee and drainage district; to provide relative to the special officer commission; and to provide for related matters.
Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 104 by Senator Thompson

AMENDMENT NO. 1
On page 2, line 7, delete "within this state in order to fulfill their duties"

AMENDMENT NO. 2
On page 2, delete line 8 and insert "within the area of their jurisdiction as provided herein."

AMENDMENT NO. 3
On page 2, line 23, after "(POST Council)" insert a period "." and delete the remainder of the line and delete line 24

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

SENATE BILL NO. 108—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 40:46(A), relative to legitimation; to provide for definitions; to provide for the regulation of services of private party child support collection agencies; to provide for related matters.
Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 108 by Senator Riser

AMENDMENT NO. 1
On page 2, line 4, after "child's surname" change "shall" to "may"

AMENDMENT NO. 2
On page 2, line 6, after "the mother or" insert "may be"

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

SENATE BILL NO. 130—
BY SENATOR MORRELL
AN ACT
To enact R.S. 46:236.1(D) and Chapter 13-D of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to child support; to provide relative to prohibited practices and penalties; and to provide for related matters.
Reported favorably by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 134—
BY SENATOR B. GAUTREAUX
AN ACT
To amend and reenact R.S. 11:104 and Chapter 3 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:121 through 127, relative to the Public Retirement Systems' Actuarial Committee; to provide relative to membership, officers, meetings, duties, and staffing of the committee; to provide for an effective date; and to provide for related matters.
Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 134 by Senator B. Gautreaux

AMENDMENT NO. 1
On page 1, line 13 after "A." delete "(1)"

AMENDMENT NO. 2
On page 1, line 14 after "Committee" delete "by the fifteenth" and insert "by the fifteenth as soon as practicable after the first Monday in February"

AMENDMENT NO. 3
On page 1, line 15 after "January" insert "but no later than the last Monday in February"

AMENDMENT NO. 4
On page 1, delete line 17 and on page 2, delete lines 1 through 4

AMENDMENT NO. 5
On page 2, delete lines 11 through 15

AMENDMENT NO. 6
On page 5, at the beginning of line 4, delete "staff and support" and insert "clerical staff and clerical support"

AMENDMENT NO. 7
On page 5, line 4 after "committee" and before the period ";" insert "in fulfillment of the duties of the committee"

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

SENATE BILL NO. 169—
BY SENATOR WALSWORTH
AN ACT
To enact R.S. 8:502.3, relative to the funeral merchandise trust fund; to provide for exemption from seizure of merchandise trust fund monies; and to provide for related matters.
Reported with amendments by the Committee on Retirement.

SENATE BILL NO. 119—
BY SENATOR MOUNT, CROWE, DORSEY, DUPLESSIS AND GUILLOCY
AN ACT
To enact R.S. 14:98(D)(1)(a) and (E)(1)(a) and (4)(b), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; and to provide for related matters.
Reported with amendments by the Committee on Judiciary C.
Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 215 by Senator Mount

AMENDMENT NO. 1
On page 1, line 2, after "(4)(b)," and before "relative" insert "and Code of Criminal Procedure Art. 893 (B),"

AMENDMENT NO. 2
On page 1, line 5, after "crime," insert "to provide for certain circumstances to apply probation in felony cases; to provide for substance abuse treatment; to provide for a specified probationary period;"

AMENDMENT NO. 3
On page 2, between lines 28 and 29, insert the following:

Section 2. Code of Criminal Procedure Art. 893(B) is hereby amended and reenacted to read as follows:

B. After third conviction of a noncapital felony for which a defendant could have his sentence suspended under Paragraph A of this Article if such conviction were for a first or second offense or for a violation of the Uniform Controlled Dangerous Substances Law, or for a third conviction of operating a vehicle while intoxicated in violation of R.S. 14:98, and when it appears that the best interest of the public and the defendant will be served, and with the consent of the district attorney, the court may suspend, in whole or in part, the imposition or execution of the sentence, provided the defendant enters and completes a drug court program as defined in R.S. 13:5301 et seq., or enters and completes an established DWI court program pursuant to the agreement of the trial court and the district attorney, as set forth in R.S. 14:98/14:98(D)(1)(a), or if the defendant is sent by the trial court for a minimum period of one year to a facility which conforms to the Judicial Agency Referral Residential Facility Regulatory Act, R.S. 40:2852. When suspension is allowed under this Paragraph, the defendant shall be placed on probation under the supervision of the division of probation and parole. The period of probation shall be specified and shall not be less than two years nor more than five years. The suspended sentence shall be regarded as a sentence for the purpose of granting or denying a new trial or appeal.

AMENDMENT NO. 4
On page 2, at the beginning of line 29, change "Section 2." to "Section 3."

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

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 218 by Senator Appel

AMENDMENT NO. 1
On page 1, delete lines 8 through 12 and insert in lieu thereof the following:

"A. When, under the provisions of this part, a contract in the amount of fifty thousand dollars or more is entered into between an owner and a contractor and if in accordance with the
SENATE BILL NO. 282—
BY SENATOR HEITMEIER
AN ACT
To amend and reenact Code of Criminal Procedure Art. 401(A)(5),
relative to qualifications of jurors; to provide for persons who
have been convicted of a felony but not received a pardon by
the governor; and to provide for related matters.

Reported favorably by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 343 by Senator Marionneauex

AMENDMENT NO. 1
On page 10, line 18, after "conduct" change "of the" to "of the
by either the" and on line 19 after "seeking" insert "or opposing"

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

SENATE BILL NO. 300—
BY SENATOR QUINN
AN ACT
To amend and reenact Subpart E of Part III of Chapter 1 of Code
Title V of Code Book I of Title 9 of the Louisiana Revised
Statutes of 1950, presently comprised of R.S. 9:355, 1 through
355.17, to be comprised of R.S. 9:355, 1 through 355.19, relative
to the relocation of the residence of a child; to provide for
definitions; to provide for applicability; to provide for the
proposition of relocation; to provide for notice; to provide for an
objection; to provide for the limitation on an objection to
relocation by non-parents; to provide for the failure to object; to
provide for court authorization to relocate; to provide for a
temporary order; to provide for the priority for hearings; to
provide for factors to determine relocation; to provide for the
appointment of a mental health expert; to provide for the burden
of proof; to provide for a modification of custody; to provide for
the posting of security; to provide for sanctions; and to provide
for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 320 by Senator Quinn

AMENDMENT NO. 1
On page 9, line 19, after "conduct" change "of the" to "of the
by either the" and on line 20 after "seeking" insert "or opposing"

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

SENATE BILL NO. 330—
BY SENATOR HEBERT
AN ACT
To amend and reenact the introductory paragraph of R.S. 9:355(B)
and to enact R.S. 3:2091(17), relative to the membership of the
Louisiana Board of Animal Health; to add a member to the
board nominated by the Louisiana Meat Goat Association; and
to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry,
Aquaculture, and Rural Development. The bill was read by title,
ordered engrossed and passed to a third reading.

SENATE BILL NO. 343—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact Code of Civil Procedure Articles 283, 3061,
3228, and 3396.18(B), and R.S. 6:312(A), 314(E), 315.1(C),
321(A), 322 through 324, 653.1(E), 664(A), 765(B), 766(A)(4)
and (5)(b), 766.1(E), 767(C) and (D), 768(B), and 769(A) and
(E) through (G), and R.S. 9:1513(A) through (C), 1514(A)(1),
(2) and (4), and (B), 1515(C) and (D), 1551(B), 1552(C) and
(D), 2156(C)(10), 2157, 2431(7), and 3839, and R.S.
23:638, and R.S. 33:1501, 4545.23, 4546.16, and R.S.
47:55(2)(D), 2156(C)(10), 2157, 2431(7)

 SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 343 by Senator Marionneauex

AMENDMENT NO. 1
On page 9, line 19, after "conduct" change "of the" to "of the
by either the" and on line 20 after "seeking" insert "or opposing"

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

AMENDMENT NO. 2
On page 1, line 8, delete "and 1673" and insert "1673, and 2451"

AMENDMENT NO. 3
On page 1, line 10, after "R.S. 40:33(H)" delete the remainder of
the line and on line 11 delete "47:2431 through 2437, and 2451"

AMENDMENT NO. 4
On page 3, delete lines 26 through 29

AMENDMENT NO. 5
Delete pages 4 through 11 in their entirety

AMENDMENT NO. 6
On page 12, delete lines 1 through 29 and insert
"Section 2. R.S. 9:1514(A)(1), 2 and (4) and (B), 1551(B),
1552(C) and (D), 2156(C)(10), 2157, 2431(7) and 3839 are hereby
amended and reenacted to read as follows:"

AMENDMENT NO. 7
On page 13, delete lines 1 through 12

AMENDMENT NO. 8
On page 14, delete lines 19 through 29

AMENDMENT NO. 9
On page 15, delete lines 1 through 7

AMENDMENT NO. 10
On page 17, line 17, change "and the Louisiana estate transfer tax,
to "and the Louisiana estate transfer tax," to "and the Louisiana estate transfer tax,"

AMENDMENT NO. 11
On page 17, delete lines 21 through 28

AMENDMENT NO. 12
On page 18, line 4, change “Section 4.” to “Section 3.”

AMENDMENT NO. 13
On page 18, line 29, change “Section 5.” to “Section 4.”

AMENDMENT NO. 14
On page 19, line 23, change “Section 6.” to “Section 5.” and delete
"and 47:1673" and insert in lieu thereof", 1673, and 2451"

AMENDMENT NO. 15
On page 20, between lines 18 and 19 insert the following:

§2451. Claims and suits for refund
A. Claims for refund of any erroneous payment or overpayment
made of inheritance, succession, legacy, or estate transfer taxes paid
to the secretary of the Department of Revenue shall be filed with the
secretary by the latest of the following:

(1) Within fifteen months from the time said erroneous payment
or overpayment was made by the taxpayer; or

(2) Within six months after the judgment of the highest court in
which any succession contest between the heirs and legatees becomes
final; or
(3) Within six months after a payment of federal estate tax, as to which tax a credit was allowed under the United States Internal Revenue Code for death taxes paid to the state of Louisiana, is refunded, in whole or in part, or a judgment of court for such refund becomes final, whichever is later; or (4) Within ninety days after filing an amended federal estate tax return if the credit allowed for death taxes paid to the state of Louisiana was reduced from the federal estate tax return filed immediately prior to the amended return.


B. In the event the claim is denied, then suit may be instituted by the taxpayer within ninety days after the denial of the claim for the recovery of the erroneous payment or overpayment against the secretary of the Department of Revenue the aggrieved taxpayer may proceed with the remedies provided in R.S. 47:1625.

C. The state treasurer shall pay any amount recovered out of the general fund.

AMENDMENT NO. 16
On page 20, line 19, change "Section 7." to "Section 6."

AMENDMENT NO. 17
On page 20, line 21, after "R.S. 40:33(H)" delete the remainder of the line

AMENDMENT NO. 18
On page 20, line 23, change "Section 8." to "Section 7."

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

SENATE BILL NO. 361—
BY SENATOR SMITH
AN ACT
To amend and reenact Civil Code Articles 538, 549, 553, 558, 567 through 569, 573 through 575, 577, 580, 581, 583, 584, 586 through 594, 601, 604, 608, 613, 615, 616, 618 through 620, and 623 through 625, and to enact Civil Code Articles 568.1, 568.2, and 568.3, relative to usufruct; to provide for the continuous revision; to provide for the general principles; to provide for the capacity to receive; to provide for voting shares of stock; to provide for improvements and alterations; to provide for contracts affecting liability; to provide for disposition of nonconsumables; to provide for obligations and rights; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 361 by Senator Smith

AMENDMENT NO. 1
On page 1, line 3, after "601," insert "603,"

AMENDMENT NO. 2
On page 1, line 13, after "601," insert "603,"

AMENDMENT NO. 3
On page 5, line 26, change "a proper court" to "a proper the court"

AMENDMENT NO. 2
On page 7, line 16, after "usufruct" insert "established"

AMENDMENT NO. 3
On page 7, line 22, change "usufruct is a usufruct mortis causa" to "usufruct is established mortis causa"

AMENDMENT NO. 4
On page 7, delete line 27 and insert "property; usufruct established inter vivos"

AMENDMENT NO. 5
On page 8, line 5, change "subject to an inter vivos usufruct" to "subject to a usufruct established inter vivos"

AMENDMENT NO. 6
On page 8, line 15, delete "mortis" and insert "usufructuary"

AMENDMENT NO. 7
On page 8, delete line 16 and insert "of a usufruct established mortis causa advances funds to discharge an estate debt charged to"

AMENDMENT NO. 8
On page 9, line 4, after "may demand" insert "that"

AMENDMENT NO. 9
On page 10, between lines 17 and 18, insert the following: "Art. 603. Disposition of the naked ownership; alienation or encumbrance of the property.

The naked owner may dispose of the naked ownership, but he cannot thereby affect the usufruct. He may also alienate or encumber the property subject to the usufruct, but he cannot thereby affect the usufruct."

AMENDMENT NO. 4
On page 10, line 27, change "person dissolved or liquidated" to "person is dissolved or liquidated"

AMENDMENT NO. 10
On page 11, line 33, after "sale or exchange" insert "of property subject to usufruct"

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

SENATE BILL NO. 374—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 15:529.1(G), relative to the habitual offender law; to provide for imprisonment at hard labor for persons sentenced under the habitual offender law; and to provide for related matters.

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

SENATE BILL NO. 375—
BY SENATORS MORRELL, CROWE AND DORSEY
AN ACT
To amend and reenact R.S. 14:62.8(B)(2) and to enact R.S. 14:2(B)(42), relative to the crime of home invasion; to provide for penalties at hard labor for under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 376—
BY SENATORS MORRELL, CROWE AND DORSEY
AN ACT
To amend and reenact R.S. 46:1844(W)(1)(b) and to enact R.S. 46:1844(W)(1)(c), relative to criminal procedure, to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.
SENATE BILL NO. 378—
BY SENATORS MORRELL AND DORSEY
AN ACT
To amend and reenact R.S. 46:1844(C)(3), relative to criminal
procedure; to provide that a parent may refuse to allow their
minor children to be interviewed by certain persons; to provide
penalties for willful disregard of rights; and to provide for
related matters.

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

SENATE BILL NO. 380—
BY SENATOR MORRELL
AN ACT
To amend and reenact Code of Criminal Procedure Arts. 495.1 and
704, relative to severance of offenses; to provide for motions to
sever criminal offenses and defendants under certain
circumstances; and to provide for related matters.

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

SENATE BILL NO. 437—
BY SENATOR APPEL
AN ACT
To amend and reenact R.S. 9:2772(H)(2), relative to contracts; to
provide for recovery of attorney fees and court costs in certain
circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 437 by Senator Appel

AMENDMENT NO. 1
On page 2, delete lines 16 through18 and insert in lieu thereof the
following:

"E. Failure to pay within ten business days any deposit, fee,
or expense required under the arbitration process shall constitute
default in the arbitration proceeding. A party aggrieved by such
default shall be entitled to remove the matter under arbitration
in its entirety to a court of competent jurisdiction and shall be
entitled to recovery of attorney's fees and costs in addition to
other remedies as provided in this Section."

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

SENATE BILL NO. 644—
BY SENATOR BROOME
AN ACT
To enact Chapter 2-A of Title XVI of the Louisiana Children's Code,
comprised of Arts. 1623 through 1640, and to repeal Chapter 2
of Title XVI of the Louisiana Children's Code, comprised of Art.
1608 through 1622, relative to the Interstate Compact on the
Placement of Children; to authorize the state to enter into an
interstate compact on the placement of children; to provide
procedures, terms, conditions, requirements, and effects; to
provide purposes and definitions; to provide relative to compact
applicability; to provide relative to jurisdiction, assessments,
placement, and state responsibility; to establish an interstate
commission for the placement of children and provide for its
powers, duties, membership, procedures, organization,
operation, officers and staff; to provide certain qualified
immunity, defenses, and indemnification; to provide for
rulemaking functions and procedures; to provide for the effects
of rules promulgated by the commission; to provide for judicial
review of such rules; to provide for oversight of the compact by
the commission; to provide for dispute resolution and
enforcement of the compact; to provide for financing of the
commission; to provide for effective dates of the compact; to
provide for withdrawal and dissolution of the compact; to
provide for legal effects of the compact; to provide for Indian
tribes; to provide for rulemaking authority by the Department of
Social Services; to provide certain effective dates; and to
provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 449 by Senator Appel

AMENDMENT NO. 1
On page 2, line 3, delete "1640" and insert "1643"

AMENDMENT NO. 2
On page 1, line 6, delete "1640" and insert "1643"

AMENDMENT NO. 3
On page 2, delete lines 16 through18 and insert in lieu thereof the
following:

(4) "Certification" means to attest, declare or swear to

"allegation was brought in bad faith for the sole purpose of tolling the prescriptive period
and no fraud is found, then that party shall be liable for court costs and attorney fees. If fraud is proven to have occurred, then the party committing the fraud shall be liable for court costs and attorney fees."

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

SENATE BILL NO. 457—
BY SENATOR APPEL
AN ACT
To amend and reenact R.S. 9:4203 and 4206, relative to the
Placement of Children; to provide relative to payment of deposits,
fees, or expenses; and to provide for procedures, requirements,
and conditions regarding evidence; to provide relative to payment of deposits, fees, or expenses; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 457 by Senator Appel

AMENDMENT NO. 1
On page 2, delete lines 16 through18 and insert in lieu thereof the
following:

"E. Failure to pay within ten business days any deposit, fee,
or expense required under the arbitration process shall constitute
default in the arbitration proceeding. A party aggrieved by such
default shall be entitled to remove the matter under arbitration
in its entirety to a court of competent jurisdiction and shall be
entitled to recovery of attorney's fees and costs in addition to
other remedies as provided in this Section."

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

SENATE BILL NO. 644—
BY SENATOR BROOME
AN ACT
To enact Chapter 2-A of Title XVI of the Louisiana Children's Code,
comprised of Arts. 1623 through 1640, and to repeal Chapter 2
of Title XVI of the Louisiana Children's Code, comprised of Art.
1608 through 1622, relative to the Interstate Compact on the
Placement of Children; to authorize the state to enter into an
interstate compact on the placement of children; to provide
procedures, terms, conditions, requirements, and effects; to
provide purposes and definitions; to provide relative to compact
applicability; to provide relative to jurisdiction, assessments,
placement, and state responsibility; to establish an interstate
commission for the placement of children and provide for its
powers, duties, membership, procedures, organization,
operation, officers and staff; to provide certain qualified
immunity, defenses, and indemnification; to provide for
rulemaking functions and procedures; to provide for the effects
of rules promulgated by the commission; to provide for judicial
review of such rules; to provide for oversight of the compact by
the commission; to provide for dispute resolution and
enforcement of the compact; to provide for financing of the
commission; to provide for effective dates of the compact; to
provide for withdrawal and dissolution of the compact; to
provide for legal effects of the compact; to provide for Indian
tribes; to provide for rulemaking authority by the Department of
Social Services; to provide certain effective dates; and to
provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to
Original Senate Bill No. 449 by Senator Appel

AMENDMENT NO. 1
On page 2, line 3, delete "1640" and insert "1643"

AMENDMENT NO. 2
On page 1, line 6, delete "1640" and insert "1643"

AMENDMENT NO. 3
On page 2, delete lines 16 through18 and insert in lieu thereof the
following:

(4) "Certification" means to attest, declare or swear to
"Default" means the failure of a member state to perform the obligations or responsibilities imposed upon it by the compact, the bylaws or rules of the Interstate Commission.

(6) "Home study" means an evaluation of a home environment conducted in accordance with the applicable requirements of the state in which the home is located, and documents the preparation and the suitability of the placement resource for placement of a child in accordance with the laws and requirements of the state in which the home is located.

(7) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for services provided to Indians by the Secretary of the Interior because of their status as Indians, including any Alaskan native village as defined in section 3(1) of the Alaska Native Claims Settlement Act at 43 USC §1602(C).

(8) "Interstate Commission for the Placement of Children" means the commission that is created under Article 1630 of this Chapter and which is generally referred to as the Interstate Commission.

(9) "Jurisdiction" means the power and authority of a court to hear and decide matters.

(10) "Legal Risk Placement" ("Legal Risk adoption") means a placement made preliminary to an adoption where the prospective adoptive parents are aware that a child can be ordered returned to the sending state or the birth mother's state of residence, if different from the sending state, and a final decree of adoption shall not be entered in the发送州 if the child remained in the sending state. Such placement shall also include the power to order the return of the child to the sending state.

(11) "Member state" means a state that has enacted the compact.

(12) "Non custodial parent" means a person who, at the time of the placement:

AMENDMENT NO. 4
On page 4, renumber paragraph "(10)" as "(13)". 
(11)" as "(14)".
"(12)" as "(15)". 
"(13)" as "(16)". 
and "(15)" as "(18)"

AMENDMENT NO. 5
On page 4, delete lines 19 and 20 and insert
"(17)" "Provisional placement" means a determination made by the public child placing agency in the receiving state that the proposed placement is safe and suitable, and, to the extent

AMENDMENT NO. 6
On page 5, renumber paragraph "(16)" as "(19)". 
"(17)" as "(20)". 
"(18)" as "(21)". 
"(19)" as "(22)". 
"(20)" as "(23)". 
"(21)" as "(24)". 
"(22)" as "(25)". 
and "(23)" as "(26)"

AMENDMENT NO. 7
On page 5, line 17, delete "statutory law" and insert "an administrative rule"

AMENDMENT NO. 8
On page 6, renumber paragraph "(24)" as "(27)" and "(25)" as "(28)"

AMENDMENT NO. 9
On page 7, between lines 1 and 2, insert
"(1) The interstate placement of a child in a custody proceeding in which a public child placing agency is not a party, provided that the placement is not intended to effectuate an adoption.

AMENDMENT NO. 10
On page 7, renumber paragraph "(1)" as "(4)". "(2)" as "(3)". 
"(3)" as "(4)". 
"(4)" as "(5)". 
"(5)" as "(6)". 
"(6)" as "(7)". 
and "(7)" as "(8)"

AMENDMENT NO. 11
On page 7, delete lines 14 and 15 and insert
"(c) The court in the sending state dismisses its jurisdiction in interstate placements in which the public child placing agency is a party to the proceeding.

AMENDMENT NO. 12
On page 8, delete lines 11 through 18 and insert
A. Except as provided in Section H of this Article, and
Article 1632(B)(2) and (3) concerning private and independent adoptions, and in interstate placements in which the public child placing agency is not a party to a custody proceeding, the sending state shall retain jurisdiction over a child with respect to all matters of custody and disposition of the child which it would have had if the child had remained in the sending state. Such jurisdiction shall also include the power to order the return of the child to the sending state.

B. When an issue of child protection or custody is brought before a court in the receiving state, such court shall confer with the court of the sending state to determine the most appropriate forum for adjudication.

C. In cases that are before courts and subject to this compact, the taking of testimony for hearings before any judicial officer may occur in person or by telephone, audio-video conference, or such other means as approved by the President of the Interstate Commission, and judicial officers may communicate with other judicial officers and persons involved in the interstate process as may be permitted by their Canons of Judicial Conduct and any rules promulgated by the Interstate Commission.

D. In accordance with its own laws, the court in the sending state shall

AMENDMENT NO. 13
On page 9, change paragraph "D." to "E.". 
"E." to "F.", and "F." to "G.

AMENDMENT NO. 14
On page 9, delete lines 15 through 29 and insert
H. The substantive laws of the state in which an adoption will be finalized shall solely govern all issues relating to the adoption of the child and the court in which the adoption proceeding is filed shall have subject matter jurisdiction regarding all substantive issues relating to the adoption, except:

(1) when the child is a ward of another court that established jurisdiction prior to the placement; or

(2) when the child is in the legal custody of a public agency in the sending state; or (3) when a court in the sending state has otherwise appropriately assumed jurisdiction over the child, prior to the submission of the request for approval of placement.

I. A final decree of adoption shall not be entered in any state if the child had remained in the sending state. Such jurisdiction shall also include the power to order the return of the child to the sending state.

Art. 1627. Placement Evaluation

A. Prior to sending, bringing, or causing a child to be sent or brought into a receiving state, the public child placing agency shall provide a written request for assessment to the receiving state.

B. For placements by a private child placing agency, a child may be sent or brought, or caused to be sent or brought, into a receiving state, upon receipt and immediate review of the required content in the request for approval of a placement in both the sending and receiving state public child placing agency. The required content to accompany a request for approval shall include all of the following:

(1) A request for approval identifying the child, birth parent(s), the prospective adoptive parent(s), and the supervising agency, signed by the person requesting approval; and

(2) The appropriate consents or relinquishments signed by the birthparents in accordance with the laws of the sending state, or where permitted the laws of the state where the adoption will be finalized; and

(3) Certification by a licensed attorney or authorized agent of a private adoption agency that the consent or relinquishment is in compliance with the applicable laws of the sending state, or where permitted the laws of the state where finalization of the adoption will occur; and

(4) A home study; and

(5) An acknowledgment of legal risk signed by the prospective adoptive parents,
C. The sending state and the receiving state may request additional information or documents prior to finalization of an approved placement, but they may not delay travel by the prospective adoptive parents with the child if the required content for approval has been submitted, received and reviewed by the public child placing agency in both the sending state and the receiving state.

D. Approval from the public child placing agency in the receiving state for a provisional or approved placement is required as provided for in the rules of the Interstate Commission.

AMENDMENT NO. 15
On page 10, change “C.” to “E.” and “D.” to “F.”

AMENDMENT NO. 16
On page 10, delete lines 8 through 20 and insert “may request a determination for a provisional placement.”

E. Not later than sixty days after a rule is promulgated, an interested person may file a petition in the U.S. District Court for the District of Columbia or in the Federal District Court where the rulemaking record, the court shall hold the rule unlawful and complete the home study that are not required by the receiving state. If the court finds that the Interstate Commission’s action is not supported by substantial evidence in the record, the court shall palp to a third reading.

AMENDMENT NO. 23
On page 20, change “E.” to “H.” and “F.” to “I.”

AMENDMENT NO. 24
On page 21, delete line 10 and insert “the compact’s purposes and intent. The compact and its rules shall be binding in the compacting states to the extent and in the manner provided for in this compact.”

AMENDMENT NO. 25
On page 25, between lines 3 and 4, insert “Art. 1639. Binding effect of compact and other laws

A. Other laws.

(1) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

B. Binding effect of the compact.

(1) All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states, subject to the constitutional limits imposed on the legislature of any member state.

(2) All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

C. Financial responsibility for any child placed pursuant to the provisions of this chapter shall be determined in accordance with the provisions of Article 1629 in the first instance. However, if the court finds that the Interstate Commission’s action is not supported by substantial evidence in the record, the court shall hold the rule unlawful and set it aside.

F. If a majority of the legislators of the member states rejects a rule, those states may by enactment of a statute or resolution in the same manner used to adopt the compact cause that such rule shall have no further force and effect in any member state.”

AMENDMENT NO. 22
On page 19, change “D.” to “G.”

AMENDMENT NO. 26
On page 25, line 4, change “1639” to “1640”

AMENDMENT NO. 27

A. The Department of Social Services shall have the authority to promulgate rules and regulations in accordance with the Administrative Procedure Act as necessary to carry out the provisions of this chapter.

B. Notwithstanding any other provision of this chapter, rules adopted by the Interstate Commission shall not supersede state law, and shall not be binding unless also promulgated by this state in accordance with the Administrative Procedure Act. The provisions of this Subsection shall control to the extent of conflict with any other provision of law.


Financial responsibility for any child placed pursuant to the provisions of this compact shall be determined in accordance with the provisions of Article 1629 in the first instance. However, if the court finds that the Interstate Commission’s action is not supported by substantial evidence in the record, the court shall hold the rule unlawful and set it aside.

F. If a majority of the legislators of the member states rejects a rule, those states may by enactment of a statute or resolution in the same manner used to adopt the compact cause that such rule shall have no further force and effect in any member state.”

AMENDMENT NO. 28
On page 20, change “E.” to “H.” and “F.” to “I.”

Rules Suspended

Senator Claitor asked for and obtained a suspension of the rules to recall Senate Bill No. 573 from the Committee on Natural Resources.
SENATE BILL NO. 573—
BY SENATOR CLAITOR
AN ACT
To amend and reenact R.S. 56:320(A)(2) and (C)(1), relative to methods of taking freshwater or saltwater fish; to prohibit the taking of red drum by certain methods; to prohibit the taking of red drum by using a bow and arrow or by skin divers using certain equipment; and to provide for related matters.

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

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall Senate Bill No. 295 from the Committee on Health and Welfare.

SENATE BILL NO. 295—
BY SENATOR DONAHUE
AN ACT
To enact R.S. 28:22.11, relative to inpatient mental health institutions; to authorize the Department of Health and Hospitals to contract with private contractors for the provision of inpatient mental health treatment and services; to provide for the financing, acquiring, designing, leasing, constructing, and operating of inpatient mental health facilities; to require contractors to enter into hold harmless agreements; to require the release of financial statements by contractors; to require insurance, bonding, and indemnification for the state or political subdivisions; to provide for approval and monitoring of the contract; and to provide for related matters.

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

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall Senate Bill No. 430 from the Committee on Finance.

SENATE BILL NO. 430—
BY SENATOR DONAHUE
AN ACT
To amend and reenact R.S. 39:24(A) and to enact R.S. 39:34(E), relative to the executive budget; to authorize the executive budget to contain a tax cut based upon some or all of excess recurring revenues estimated by the Revenue Estimating Conference for a fiscal year; and to provide for related matters.

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

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall Senate Bill No. 747 from the Committee on Finance.

SENATE BILL NO. 747—
BY SENATOR JACKSON
AN ACT
To enact R.S. 40:600.66(C) and R.S. 49:220.10, relative to housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide with respect to Road Home Program applicants whose claims were denied because of unresolved succession and inheritance issues; to provide for an effective date; and to provide for related matters.

On motion of Senator Jackson the bill was read by title and recommitted to the Committee on Local and Municipal Affairs.

House Concurrent Resolution No. 109—
BY REPRESENTATIVE WHITE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to enact legislation that will result in meaningful reforms to the regulation of the financial services industry and enhance investor protection.

The resolution was read by title. Senator Marionneaux moved to adopt the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Murray
Amedee Guillory Nevers
Appel Hebert Peterson
Broome Heitmeier Quinn
Chabert Jackson Riser
Cheek Kostelka Shaw
Claitor LaFleur Smith
Crowe Long Thompson
Donahue Marionneaux Walsworth
Dorsey Martiny
Duplessis McPherson
Total - 37

NAYS
Total - 0

ABSENT
Morrell Mount
Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 9—
BY SENATOR B. GAUTREAUX
AN ACT
To amend and reenact R.S. 32:300.5(C)(4) and R.S. 32:300.7(D), relative to texting while driving a motor vehicle; to provide for the use of certain wireless telecommunications devices for text messaging; to change the violation to a primary offense; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Gautreaux N Morrish
Adley Guillory Peterson
Alario Heitmeier Quinn
Amedee Jackson Shaw

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules to recall House Concurrent Resolution No. 109 from the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE WHITE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to enact legislation that will result in meaningful reforms to the regulation of the financial services industry and enhance investor protection.

The resolution was read by title. Senator Marionneaux moved to adopt the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Murray
Amedee Guillory Nevers
Appel Hebert Peterson
Broome Heitmeier Quinn
Chabert Jackson Riser
Cheek Kostelka Shaw
Claitor LaFleur Smith
Crowe Long Thompson
Donahue Marionneaux Walsworth
Dorsey Martiny
Duplessis McPherson
Total - 37

NAYS
Total - 0

ABSENT
Morrell Mount
Total - 2

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

standard” as is recommended by the legislature further concludes that for these reasons the plates are recognized amateur radio station owners or operators and to raise public awareness of their valuable service to the public. The legislature concludes from these findings that the state has a legitimate governmental interest in the issuance of amateur or “ham” radio station license plates to owners or operators as a way to recognize amateur radio station owners or operators and to raise public awareness of their valuable service to the public. The legislature further concludes that for these reasons the plates are issued in accordance with a “narrow, objective, and definitive standard” as is recommended by the Henderson vs. Stalder, 265 F.Supp.2d 699 (E.D. La., 2003) decision.

On page 1, delete lines 6 - 17 and on page 2, delete line 1, and insert: “§492. Ham Amateur radio station plates for owners and operators

A. The provisions of this Section shall be applicable to ham amateur radio station owners or operators.

B. Upon application of a ham an amateur radio station owner or operator, the secretary shall issue a ham an amateur radio station plate, to be used in lieu of the regular motor vehicle registration license plates, which shall be inscribed with the official call letters of the ham amateur radio station owner or operated by such applicant, as assigned by the Federal Communications Commission, and the designation “HAM Operator,” “Amateur Radio.” The applicant shall comply with the state laws relating to registration and licensing of motor vehicles and shall, at the time of application, present such proof of his status as ham an amateur radio station owner or operator as shall be acceptable to the secretary.

E. On the application of any person who is ham an amateur radio station owner or operator and who is also either a mobility impaired person as defined in R.S. 47:463.4(E) or a disabled veteran as defined in R.S. 47:490.4, the secretary shall issue to such applicant a special license plate in accordance with Subsection A of this Section which shall contain the appropriate symbol indicating that the applicant is also a mobility impaired person or a disabled veteran.

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Michot
Adley  Gautreaux B  Morrell
Alario  Gautreaux N  Morrish
Amedee  Guillory  Mount
Appel  Hebert  Murray
Broome  Heitmeier  Nevers
Chabert  Jackson  Peterson
Cheek  Kostelka  Riser
Claitor  LaFleur  Shaw
Crowe  Long  Smith
Donahue  Marionneaux  Thompson
Dorsey  Martiny  Thompson
Duplessis  McPherson  Walsworth

Total - 38

NAYS

Total - 0

ABSENT

Quinn

Total - 1

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

SENATE BILL NO. 15—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 47:492(B), relative to changing the design of a prestige license plate from “HAM Operator” to “Amateur Radio”; and to provide for related matters.

Floor Amendments

Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 15 by Senator Appel

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in its entirety and insert: “To amend and reenact the title to Part II-B of Chapter 4 of Title 47 of the Louisiana Revised Statutes of 1950 and R.S. 47:491(A)(1) and (6) and 492(A), (B), and (E), relative to amateur radio station operators; to provide for changing the design of a prestige license plate from “HAM Operator” to “Amateur Radio”; and to provide for related matters.”

AMENDMENT NO. 2

On page 1, delete line 5, insert: “Section 1. The title to Part II-B of Chapter 4 of Title 47 of the Louisiana Revised Statutes of 1950, R.S. 47:491(A)(1) and (6), and 492(A), (B), and (E) are hereby amended and reenacted to read as follows:”

AMENDMENT NO. 3

On page 1, after line 5 and before line 6, insert: “PART II-B. HAM AMATEUR RADIO STATION LICENSE PLATES

§491. Legislative findings

A.(1) The legislature finds that amateur or ham radio station operators have had the privilege of having their own identifiable plates since 1951. * * *

(6) The legislature concludes from these findings that the state has a legitimate governmental interest in the issuance of amateur or ham radio station license plates to owners or operators as a way to recognize amateur radio station owners or operators and to raise public awareness of their valuable service to the public. The legislature further concludes that for these reasons the plates are issued in accordance with a "narrow, objective, and definitive standard" as is recommended by the Henderson vs. Stalder, 265 F.Supp.2d 699 (E.D. La., 2003) decision.”

13th DAY'S PROCEEDINGS

April 21, 2010

Broome  LaFleur  Thompson
Donahue  Marionneaux  Walsworth
Dorsey  Martiny  McPherson
Gautreaux B  McPherson

Total - 22

NAYS

Appel  Duplessis  Murray
Chabert  Erdey  Riser
Claitor  Kostelka  Smith

Total - 9

ABSENT

Cheek  Long  Mount
Crowe  Michot  Nevers
Hebert  Morrell

Total - 8

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

SENATE BILL NO. 15—

BY SENATOR APPEL

AN ACT

To amend and reenact the title to Part II-B of Chapter 4 of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3471 through 3486, relative to the Millennium Port Authority; and to provide for related matters.

AMENDMENT NO. 4

On page 1, delete lines 6 - 17 and on page 2, delete line 1, and insert: “§492. Ham Amateur radio station plates for owners and operators

A. The provisions of this Section shall be applicable to ham amateur radio station owners or operators.

B. Upon application of a ham an amateur radio station owner or operator, the secretary shall issue a ham an amateur radio station plate, to be used in lieu of the regular motor vehicle registration license plates, which shall be inscribed with the official call letters of the ham amateur radio station owner or operated by such applicant, as assigned by the Federal Communications Commission, and the designation “HAM Operator,” “Amateur Radio.” The applicant shall comply with the state laws relating to registration and licensing of motor vehicles and shall, at the time of application, present such proof of his status as ham an amateur radio station owner or operator as shall be acceptable to the secretary.

E. On the application of any person who is ham an amateur radio station owner or operator and who is also either a mobility impaired person as defined in R.S. 47:463.4(E) or a disabled veteran as defined in R.S. 47:490.4, the secretary shall issue to such applicant a special license plate in accordance with Subsection A of this Section which shall contain the appropriate symbol indicating that the applicant is also a mobility impaired person or a disabled veteran.

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Michot
Adley  Gautreaux B  Morrell
Alario  Gautreaux N  Morrish
Amedee  Guillory  Mount
Appel  Hebert  Murray
Broome  Heitmeier  Nevers
Chabert  Jackson  Peterson
Cheek  Kostelka  Riser
Claitor  LaFleur  Shaw
Crowe  Long  Smith
Donahue  Marionneaux  Thompson
Dorsey  Martiny  Thompson
Duplessis  McPherson  Walsworth

Total - 38

NAYS

Total - 0

ABSENT

Quinn

Total - 1

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

SENATE BILL NO. 16—

BY SENATOR APPEL

AN ACT

To repeal Chapter 48 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3471 through 3486, relative to the Millennium Port Authority; and to provide for related matters.

On motion of Senator Appel, the bill was read by title and returned to the Calendar, subject to call.
SENATE BILL NO. 49—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 38:2324(B) and 2330.2(B) and R.S. 44:23.1(A), relative to the Sabine River Authority; to establish the Sabine River Authority as a nonbudget unit of the state; to provide with regard to certain records of the Sabine River Authority; and to provide for related matters.

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

SENATE BILL NO. 63—
BY SENATOR AMEDEE AND REPRESENTATIVES LAMBERT AND AUBERT
AN ACT
To request the Department of Transportation and Development to study the feasibility of a West Bank Turnpike; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Alario Gautreaux B Morrell
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Peterson
Chabert Jackson Quinn
Cheek Kostelka Riser
Clairor LaFleur Shaw
Crowe Long Smith
Donahue Marionneaux Thompson
Dorsey Martiny Walsworth
Duplessis McPherson Walsworth
Erdey Michot
Total - 36
NAYS
Total - 0
ABSENT
Adley Nevers
Total - 3

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

SENATE BILL NO. 77—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 48:2074 (D)(2) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works is chairman of the board; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Alario Gautreaux N Morrell
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Peterson
Chabert Jackson Quinn
Cheek Kostelka Riser
Clairor LaFleur Shaw
Crowe Long Smith
Donahue Marionneaux Thompson
Dorsey Martiny Walsworth
Duplessis McPherson Walsworth
Erdey Michot
Total - 36
NAYS
Total - 0
ABSENT
Adley Nevers
Total - 3

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

SENATE BILL NO. 103—
BY SENATORS N. GAUTREAUX, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVE JANE SMITH
AN ACT
To enact Subpart B of Part XIII of Chapter 2 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; creates the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural
Resources to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; and to provide for related matters.

**Floor Amendments**

Senator Marionneaux sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 103 by Senator N. Gautreaux

**AMENDMENT NO. 1**

On page 1, line 2, following "of" and before "the" insert "Title 33 of"

**AMENDMENT NO. 2**

On page 1, line 11, following "of" and before "the" insert "Title 33 of"

**AMENDMENT NO. 3**

On page 4, line 24, following "disclosure" and before "bond" change "documents'" to "documents."

**AMENDMENT NO. 4**

On page 8, line 11, following "but" and before "not" change "is" to "are"

**AMENDMENT NO. 5**

On page 8, line 28, following "of" and before "the" insert "Title 33 of"

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Mr. President: Erdey, Michot
- Adley: Gautreaux B, Morrell
- Alario: Gautreaux N, Morris
- Amedee: Guillory, Mount
- Appel: Hebert, Murray
- Broome: Heitmeier, Nevers
- Chabert: Jackson, Peterson
- Cheek: Kostelka, Quinn
- Claitor: LaFleur, Riser
- Crowe: Long, Shaw
- Donahue: Marionneaux, Smith
- Dorsey: Martiny, Thompson
- Duplessis: McPherson, Walsworth

Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

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

**SENATE BILL NO. 143—**

**BY SENATOR LONG**

AN ACT

To designate Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers Highway"; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Mr. President: Erdey
- Adley: Gautreaux B
- Alario: Gautreaux N
- Amedee: Guillory
- Appel: Hebert
- Broome: Heitmeier
- Chabert: Jackson
- Cheek: Kostelka
- Claitor: LaFleur
- Crowe: Long
- Donahue: Marionneaux
- Dorsey: Martiny
- Duplessis: McPherson
- Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

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

**SENATE BILL NO. 201—**

**BY SENATOR DUPLESSIS**

AN ACT

To amend and reenact R.S. 33:9091.15(F)(3)(c), relative to Orleans Parish; to provide for renewal elections of parcel fees for the Oak Island Neighborhood Improvement District; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Mr. President: Erdey
- Adley: Gautreaux B
- Alario: Gautreaux N
- Amedee: Guillory
- Appel: Hebert
- Broome: Heitmeier
- Chabert: Jackson
- Cheek: Kostelka
- Claitor: LaFleur
- Crowe: Long
- Donahue: Marionneaux
- Dorsey: Martiny
- Duplessis: McPherson
- Erdey: Michot
- Total - 38
SENATE BILL NO. 202—
BY SENATOR DUPLESSIS

AN ACT
To amend and reenact R.S. 33:9080.3(F)(3)(c), relative to Orleans Parish; to provide for renewal elections of parcel fees for the Lakewood East Security and Neighborhood Improvement District; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Gautreaux N Morrish
Adley Guillory Mount
Alario Hebert Murray
Amedee Heitmeier Nevers
Appel Jackson Peterson
Broome Kostelka Quinn
Chabert LaFleur Riser
Cheek Long Shaw
Claitor Maronneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Erdey Michot
Gautreaux B Morrell
Total - 37

NAYS
Total - 0

ABSENT
Crowe
Total - 1

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

SENATE BILL NO. 206—
BY SENATOR N. GAUTREAUX

AN ACT
To amend and reenact R.S. 33:1418, relative to hybrid or alternative fuel vehicles; to allow political subdivisions to purchase or lease hybrid fuel or alternative fuel vehicles; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Cheek Jackson Peterson
Chabert Kostelka Quinn
Cheek Long Shaw
Claitor Maronneaux Smith
Dorsey LaFleur Riser
Crowe Long Shaw
Donahue Maronneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Total - 39

NAYS
Total - 0

ABSENT

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

SENATE BILL NO. 306—
BY SENATOR MARTINY

AN ACT
To enact R.S. 33:2955(A)(1)(k), relative to investments by political subdivisions; to provide for investment in debt instruments issued by any state other than Louisiana; to provide for investment in debt instruments issued by political subdivisions of any state other than Louisiana; to provide restrictions on such types of investments; to provide requirements relative to political subdivisions purchasing such debt instruments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Cheek Jackson Peterson
Chabert Kostelka Quinn
Cheek Long Shaw
Claitor Maronneaux Smith
Dorsey LaFleur Riser
Crowe Long Shaw
Donahue Maronneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Total - 39

NAYS
Total - 0

ABSENT

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

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 306 by Senator Martiny

AMENDMENT NO. 1
On page 2, line 4, before "Service" change "Investor" to "Investors"

AMENDMENT NO. 2
On page 2, line 10, following "501(c)(3)" and before "," insert "organization"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Chabert Jackson Peterson
Cheek Kostelka Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 336—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:104(B), 302.2(B) and 643(B)(2)(a), relative to exemptions for noncommercial hunting and fishing license fees; to provide for a credit for certain noncommercial hunting and fishing license fees; to provide for certain military personnel from paying noncommercial hunting and fishing license fees; and to provide for related matters.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 336 by Senator Marionneaux

AMENDMENT NO. 1
On page 1, line 2, after "R.S." delete the remainder of line and lines 3 through 5, and insert "47:297.9(A) and (B), relative to noncommercial hunting and fishing license fees; to provide for a credit for certain noncommercial hunting and fishing license fees; to provide for conditions and requirements; and to provide for related matters."

AMENDMENT NO. 2
On page 1, line 7, delete "56:104(B), 302.2(B) and 643(B)(2)(a)" and insert "47:297.9(A) and (B)"

AMENDMENT NO. 3
On page 1, delete lines 9 through 17, and insert:

"§297.9. Reduction to tax due; amounts paid by certain military servicemembers and dependents for certain hunting and fishing licenses

A. There shall be a credit against individual income tax liability due under this Part for amounts paid by a person who is or was an active or reserve military servicemember, or the spouse or dependent of such servicemember, for obtaining a Louisiana noncommercial hunting or fishing license for themselves or their spouses and dependents.

B.(1) In order for a current servicemember to claim the credit, the servicemember shall submit to the Department of Revenue an original letter from their commanding officer which shall include the following information regarding the servicemember:

(a) Full name and address of the servicemember.
(b) Full name and address of spouse and dependents, if applicable.
(c) Social security number.
(d) Date of birth.
(e) Driver’s license number and state of issue.
(f) Current telephone number.
(g) Beginning and ending date of active or reserve military status.
(h) Signature of commanding officer.
(i) Commanding officer's contact telephone number.

(2) In order for a past servicemember to claim the credit, the servicemember shall submit proof of his past service history satisfactory to the Department of Revenue.

(3) The current or past servicemember shall also submit a copy of the noncommercial hunting and fishing license to the department in order to claim the credit."

Section 2. This Act shall become effective on July 1, 2010.”

AMENDMENT NO. 4
Delete pages 2 and 3

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Chabert Jackson Peterson
Dorsey Martiny Thompson
Duplessis McPherson Walsworth

Total - 39
SENATE BILL NO. 338—
BY SENATOR MARIONNEAUX
AN ACT
To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in West Baton Rouge Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President  Erdey    Michot
Adley         Gautreaux B  Morrell
Alario        Gautreaux N  Morrish
Amedee        Guillory    Mount
Appel         Hebert      Murray
Broome        Heitmeier   Nevers
Chabert       Jackson     Peterson
Cheek         Kostelka    Quinn
Claitor       LaFleur     Riser
Crowe         Long        Shaw
Donahue       Marionneaux Smith
Dorsey        Martiny     Thompson
Duplessis     McPherson   Walsworth
Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 441—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact R.S. 47:818.52(C),(D)(1),(E) and (F), relative to the fine associated with the issuance of a dyed fuel violation ticket; to provide for an agency review process; to provide for the distribution of the fines collected; and to provide for related matters.

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President  Erdey    Morrell
Adley         Gautreaux B  Morrish
Alario        Gautreaux N  Mount
Amedee        Hebert      Murray
Appel         Heitmeier   Nevers
Broome        Jackson     Peterson
Cheek         Kostelka    Quinn
Claitor       LaFleur     Riser
Crowe         Long        Shaw
Donahue       Marionneaux Smith
Dorsey        McPherson   Walsworth
Duplessis     Michot
Total - 38

NAYS

Total - 0
SENATE BILL NO. 483—
BY SENATOR MCPHERSON
To enact R.S. 56:110.1, relative to the Quality Deer Management Program; to create the Quality Deer Management Program; to provide for the management of the program; to provide for the powers and duties of the Department of Wildlife and Fisheries; to provide for eligibility requirements; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Chabert Jackson Peterson
Cheek Kostelka Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marianneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 592—
BY SENATOR MICHOT
To enact R.S. 30:121(E) and 124.1, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to grant servitudes on state lands for the development and production of energy from hydrokinetics; to provide for the powers and duties of the secretary of the Department of Natural Resources and of the State Mineral and Energy Board; to provide for the promulgation of rules and regulations; and to provide for related matters.

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

SENATE BILL NO. 599—
BY SENATOR DORSEY
To enact R.S. 49:214.5.4(E)(4), relative to the Coastal Protection and Restoration Fund; to provide relative to funding and resource allocation; to provide that no more than seven percent of certain federal revenues generated from Outer Continental Shelf energy activity may be used for administrative costs or fees; to provide certain exceptions; to provide for the uses of the remaining percent of the federal revenues; and to provide for related matters.

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

SENATE BILL NO. 611—
BY SENATOR DORSEY
To enact R.S. 33:9038.64, relative to cooperative and economic development in East Baton Rouge Parish; to create the River Park Development District, a political subdivision of the state of Louisiana; to provide for the boundaries of the district; to provide for the governance of the district; to authorize the district to issue and sell bonds; to authorize the district to engage in tax increment financing; to provide for the duration of the district; and to provide for related matters.

Floor Amendments

Senator Dorsey proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey to Engrossed Senate Bill No. 611 by Senator Dorsey

AMENDMENT NO. 1
On page 2, delete lines 13 through 29

AMENDMENT NO. 2
On page 3, delete lines 1 through 24

AMENDMENT NO. 3
On page 3, line 25, after "TRACT" delete "II" and insert "I"

AMENDMENT NO. 4
On page 4, line 18 after "TRACT" delete "III" and insert "II"

AMENDMENT NO. 5
On page 4, line 26, after "TRACT" delete "IV" and insert "III"

AMENDMENT NO. 6
On page 5, line 27, after "TRACT" delete "comprised" the remainder of the line and insert "as follows:"

AMENDMENT NO. 7
On page 5, delete lines 28 and 29 and insert:

"(a) The mayor-president of the city-parish shall appoint two persons, subject to the concurrence of a majority of the city-parish council then present and then voting.

(b) The member of the Louisiana House of Representatives whose district encompasses all or the greater portion of the area of the district shall appoint one person.

(c) The member of the Louisiana Senate whose district encompasses all or the greater portion of the area of the district shall appoint one person.

(d) The Executive Director of the Downtown Development District or his designee"

On motion of Senator Dorsey, the amendments were adopted.
On motion of Senator Dorsey, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 617—
BY SENATOR MCPHERSON
AN ACT
To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; and to provide for related matters.

Floor Amendments
Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1
On page 1, line 12, following "of" and before "and" change "non-compliance" to "noncompliance"

AMENDMENT NO. 2
On page 1, line 16, following "safety" and before "or" insert "."

AMENDMENT NO. 3
On page 2, line 1, following "C." and before ":" change "This Section shall apply to a first violation" to "Subsection A of this Section shall apply only to a first violation"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guirrory Murray
Appel Heitmeier Nevers
Broome Jackson Peterson
Chabert Kostelka Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Marionneaux Smith
Donahue Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot
Total - 34

NAYS
Total - 0

ABSENT
Hebert Total - 1

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

SENATE BILL NO. 629—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 56:104(A)(9) and 302.1(H), relative to nonresident hunting and fishing licenses; to remove reciprocity provisions regarding the purchase of hunting and fishing licenses; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Morrell
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guirrory Murray
Appel Heitmeier Nevers
Broome Jackson Peterson
Chabert Kostelka Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Marionneaux Smith
Donahue Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot
Total - 38

NAYS
Total - 0

ABSENT
Hebert Total - 1

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

SENATE BILL NO. 641—
BY SENATORS MORRELL AND HEBERT AND REPRESENTATIVE LEGER
AN ACT
To enact R.S. 33:41, relative to a government authority local; to provide that certain contracts are void and unenforceable; to impose a duty upon the local government authority; to provide for an effective date; and to provide for related matters.

Floor Amendments
Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 641 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 2, delete "government authority local" and insert "local government authority"

AMENDMENT NO. 2
On page 1, line 15, after "B.(1)" and before "local" delete "The" and insert "Pursuant to Subsection A, the"

On motion of Senator Morrell, the amendments were adopted.

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

The roll was called with the following result:

YEAS

Mr. President Erdey Morrell
Adley Gautreaux B Morrish
Alario Gautreaux N Mount
Amedee Guillory Murray
Appel Heitmeier Nevers
Broome Jackson Peterson
Chabert Kostelka Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Marionneaux Smith
Donahue Martin Thompson
Dorsey McPherson Thompson
Duplessis Michot Walsworth
Total - 38

NAYS

Total - 0

ABSENT

Hebert Total - 1

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 32—
BY SENATOR THOMPSON
A RESOLUTION
To designate April 25 through May 1, 2010, as "Conservation Stewardship Week" at the Louisiana Senate.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR ALARIO
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of J. Lynn Berry.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrell
Adley Gautreaux B Morrish
Alario Gautreaux N Mount
Amedee Guillory Murray
Appel Heitmeier Nevers
Broome Jackson Peterson
Chabert Kostelka Quinn
Cheek LaFleur Riser
Claitor Long Shaw
Crowe Marionneaux Smith
Donahue Martin Thompson
Dorsey McPherson Thompson
Duplessis Michot Walsworth
Total - 38

NAYS

Total - 0

ABSENT

Hebert Total - 1

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

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 21, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 802—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact Civil Code Article 3298(E), relative to mortgages; to provide relative to mortgages securing future obligations; to provide relative to the effects of recordation; and to provide for related matters.

HOUSE BILL NO. 803—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 9:2941.1(A), relative to bond for deed contracts; to provide relative to recordation and priority; and to provide for related matters.

HOUSE BILL NO. 804—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact R.S. 9:2730, relative to acts of transfer of immovable property; to provide for a presumption of authority; to provide for a limitation of actions; to provide for applicability; to provide for retroactive application; to provide for definitions; to direct the Louisiana State Law Institute to redesignate certain statutory provisions relative to acts of transfer of immovable property; and to provide for related matters.
13th DAY'S PROCEEDINGS

HOUSE BILL NO. 1028—
BY REPRESENTATIVE WADDELL
AN ACT
To amend and reenact R.S. 37:563(6), 572(D), 573(B), 574(B), 575(A)(1)(a), 576(B), 578, 583(C), 585(B)(3), 591(A), 594(B)(introductory paragraph) and (5), and 595(A)(3) and (4) and to repeal R.S. 37:591(B)(6), relative to the Louisiana Cosmetology Board; to change the definition of "esthetics"; to clarify the qualifications of board members; to provide for committees within the board; to clarify quorum of the board; to provide for a testing center; to provide for a salary of the executive director of the board; to provide for qualifications of a registered teacher of cosmetology, esthetics, or manicuring; to provide for liability insurance on beauty shops or salons; to provide for changes to the application for school certificate of registration; to provide for changes to requirements of schools; and to provide for related matters.

HOUSE BILL NO. 1193—
BY REPRESENTATIVE RICHMOND
AN ACT
To amend and reenact R.S. 40:1321(A), relative to special identification cards; to allow persons seventeen years of age to obtain a special identification card without a parental signature; and to provide for related matters.

HOUSE BILL NO. 1277— (Substitute for House Bill No. 53 by Representative Roy)
BY REPRESENTATIVE ROY
AN ACT
To enact R.S. 32:387.19, relative to special permits; to authorize the use of a portion of Interstate 49 as an alternate route for U.S. Highway No. 71 and U.S. Highway No. 167 to haul agronomic or horticultural crops on the interstate; and to provide for related matters.

HOUSE BILL NO. 1278— (Substitute for House Bill No. 575 by Representative Baldone)
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 30:2419(A)(2) and (3), relative to scrap metal recycling; to authorize the delivery of scrap metal containing fuel tanks to a scrap metal collection and recycling facility; to delete the requirement that persons delivering scrap to these facilities certify that fuel tanks have been removed; and to provide for related matters.

HOUSE BILL NO. 44—
BY REPRESENTATIVES KLECKLEY AND ABRAMSON
AN ACT
To enact R.S. 22:2317, relative to property insurance; to require that insurers include certain information relative to refund of certain surcharges, market equalization charges, or other assessments levied by the Louisiana Citizens Property Insurance Corporation with policies sent to insureds; and to provide for related matters.

HOUSE BILL NO. 79—
BY REPRESENTATIVE SAM JONES
AN ACT
To enact R.S. 14:37.6, relative to aggravated assault; to create the crime of aggravated assault with a motor vehicle upon a peace officer; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 233—
BY REPRESENTATIVE GEYMMAN
AN ACT
To repeal R.S. 40:1238.1(B), relative to the sale, distribution, or possession of legend drugs without a prescription; to repeal provisions regarding Carisoprodol as a legend drug.

HOUSE BILL NO. 285—
BY REPRESENTATIVE PEARSON
AN ACT
To enact R.S. 22:446, relative to surplus lines insurance; to exempt approved unauthorized insurers delivering such insurance in this state from laws regarding form and rate filing and approval; and to provide for related matters.

HOUSE BILL NO. 309—
BY REPRESENTATIVE GREENE
AN ACT
To amend and reenact R.S. 43:31(B)(2) and to enact R.S. 43:31(B)(3), relative to public printing; to impose certain restrictions on public printing; to limit certain exemptions from certain public printing requirements; to require certain reports; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 320—
BY REPRESENTATIVE RICHARDSON
AN ACT
To enact R.S. 15:33, relative to forfeiture; to provide for the confiscation and destruction of items used in the commission of an offense; to provide for exceptions; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 380—
BY REPRESENTATIVE HUTTER
AN ACT
To amend and reenact R.S. 40:1300.143(7)(a)(xiii)(introductory paragraph), relative to the Rural Hospital Preservation Act; to provide for the definition of certain rural hospitals; and to provide for related matters.

HOUSE BILL NO. 615—
BY REPRESENTATIVE KATZ
AN ACT
To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(j), relative to the Department of Social Services; to provide for re-creation of the Department of Social Services 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.

HOUSE BILL NO. 632—
BY REPRESENTATIVE LORUSSO
AN ACT
To amend and reenact R.S. 24:772(A), relative to reports required to be submitted to the legislature; to require an agency to provide only one printed copy of such a report to the presiding officer of each house of the legislature; to permit an agency to send an electronic copy of a report to one or more members of the legislature; to require electronic delivery of a list of agency reports and publications; to require the list to be submitted to the David R. Poynter Legislative Research Library; to provide for the content of the list; to require each agency to distribute an electronic copy of each report and publication on such list to the David R. Poynter Legislative Research Library; to provide a deadline for the submission of such information; to provide for delivery of the information in the list to the members of the legislature; and to provide for related matters.

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

House Bills and Joint Resolutions on First Reading

Senator Kostelka asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.
HOUSE BILL NO. 44—
BY REPRESENTATIVES KLECKLEY AND ABRAMSON

To amend and reenact R.S. 22:2317, relative to property insurance; to require that insurers include certain information relative to refund of certain surcharges, market equalization charges, or other assessments levied by the Louisiana Citizens Property Insurance Corporation with policies sent to insureds; and to provide for related matters.

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE SAM JONES

To enact R.S. 14:37.6, relative to aggravated assault; to create the crime of aggravated assault with a motor vehicle upon a peace officer; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

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

HOUSE BILL NO. 233—
BY REPRESENTATIVE GEYMANN

To repeal R.S. 40:1238.1(B), relative to the sale, distribution, or possession of legend drugs without a prescription; to repeal provisions regarding Carisoprodol as a legend drug.

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

HOUSE BILL NO. 285—
BY REPRESENTATIVE GREENE

To enact R.S. 22:2317, relative to property insurance; to require that insurers include certain information relative to refund of certain surcharges, market equalization charges, or other assessments levied by the Louisiana Citizens Property Insurance Corporation with policies sent to insureds; and to provide for related matters.

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

HOUSE BILL NO. 803—
BY REPRESENTATIVE TIM BURNS

To amend and reenact Civil Code Article 3298(E), relative to mortgages; to provide relative to mortgages securing future obligations; to provide relative to the effects of recordation; and to provide for related matters.

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

HOUSE BILL NO. 804—
BY REPRESENTATIVE TIM BURNS

To enact R.S. 9:2730, relative to acts of transfer of immovable property; to provide for a presumption of authority; to provide for a limitation of actions; to provide for applicability; to provide for retroactive application; to provide for definitions; to direct the Louisiana State Law Institute to redesignate certain statutory provisions relative to acts of transfer of immovable property; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.
To the President and Members of the Senate:

Insurance, submitted the following report:

To amend and reenact R.S. 37:563(6), 572(D), 573(B), 574(B), 575(A)(1)(a), 576(B), 578, 583(C), 585(B)(3), 591(A), 594(B)(introductory paragraph) and (5), and 595(A)(3) and (4) and to repeal R.S. 37:591(B)(6), relative to the Louisiana Cosmetology Board; to change the definition of "esthetics"; to clarify the qualifications of board members; to provide for committees within the board; to clarify quorum of the board; to provide for a testing center; to provide for a salary of the executive director of the board; to provide for qualifications of a registered teacher of cosmetology, esthetics, or manicuring; to provide for liability insurance on beauty shops or salons; to provide for changes to the application for school certificate of registration; to provide for changes to requirements of schools; and to provide for related matters.

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

HOUSE BILL NO. 1193—
BY REPRESENTATIVE RICHMOND
AN ACT
To amend and reenact R.S. 40:1321(A), relative to special identification cards; to allow persons seventeen years of age to obtain a special identification card without a parental signature; and to provide for related matters.

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

HOUSE BILL NO. 1277— (Substitute for House Bill No. 53 by Representative Roy)
BY REPRESENTATIVE ROY
AN ACT
To enact R.S. 32:387.19, relative to property insurance; to provide for related matters.

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

HOUSE BILL NO. 1278— (Substitute for House Bill No. 575 by Representative Baldone)
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 30:2419(A)(2) and (3), relative to scrap metal recycling; to authorize the delivery of scrap metal containing fuel tanks to a scrap metal collection and recycling facility; to delete the requirement that persons delivering scrap to these facilities certify that fuel tanks have been removed; and to provide for related matters.

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

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

SENATE BILL NO. 153—
BY SENATOR ERDEY
AN ACT
To amend and reenact R.S. 22:1061(3)(d)(i), 1073(B)(4), 1210(D), (E), and (F), 1213(B) (introductory paragraph), (F)(3), and (G), to enact R.S. 22:1061(4)(k), 1205(C)(6) and (D), and 1213(B)(14), and to repeal R.S. 22:1213(D) and (E)(12), relative to the Louisiana Health Plan; to provide for compliance with federal law for expanded coverage by the plan; to redefine certain terms relative to portability, availability, and renewability of health insurance coverage; to provide with respect to coverage of mental and nervous conditions, including alcohol and substance abuse, by the plan; to provide with respect to initial rates for federally and non-federally defined eligible individuals; to delete the six-month preexisting condition provision for federally defined eligible individuals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 22:885(B), relative to cancellation of an insurance policy by the insurer; to provide with respect to the prohibition by the insurer to assess a penalty against the insured for cancellation prior to the expiration of any policy; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 514—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 40:1299.44(A)(2), (5), and (6) and (D)(1)(c) and (2)(b)(iii), relative to the Patient’s Compensation Fund and the Patient’s Compensation Fund Oversight Board; to provide with respect to exemption of the board and fund from rate regulation by the commissioner of insurance; to provide relative to the annual surcharge, including the manner of its determination; to provide relative to retention of monies in the fund; to provide with respect to composition of the board and to otherwise provide with respect to its authority; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 543—
BY SENATOR MORRISH
AN ACT
To enact Part VII of Chapter 11 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2183 and 2184, and R.S. 36:686(F), relative to health insurance; to provide for legislative intent; to create the Louisiana Mandated Health Benefits Commission; to provide for composition of the commission; to provide for review of proposed mandated benefits by the commission; to provide for the scope and timing of such reviews; to prohibit legislative consideration of any legislative instrument that includes a mandated benefit proposal unless certain actions are taken by the commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 595—
BY SENATOR QUINN
AN ACT
To enact R.S. 22:1272 and 1338, relative to property insurance; to prohibit certain actions involving insurance policies due to the presence of certain Chinese drywall; to provide penalties for violations; and to provide for related matters.

Reported with amendments.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON INSURANCE

Senator Troy Hebert, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 21, 2010

To the President and Members of the Senate:
SENATE BILL NO. 662—
BY SENATOR HEBERT
AN ACT
To amend and reenact R.S. 22:1661, 1662, 1664(C), 1665 (D), and 1667(A) and to enact R.S. 22:1665(E), relative to claims adjusters; to provide with respect to definitions and general exemptions; to provide for application for claims adjuster license and resident license; to provide with respect to catastrophe or emergency claims adjuster registration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 683—
BY SENATOR LAFLEUR
AN ACT
To enact R.S. 22:1826, relative to noncontracted providers of emergency services; to require health insurance issuers to directly pay such providers their usual and customary charges for such services; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1219—
BY REPRESENTATIVE KLECKLEY
AN ACT
To enact R.S. 22:1016, relative to prepaid entities participating in the Louisiana Medicaid Program; to provide for licensure, financial solvency, and regulation of such prepaid entities; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TROY HEBERT
Chairman

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to recall Senate Bill No. 724 from the Committee on Education.

SENATE BILL NO. 724—
BY SENATOR N. GAUTREAUX
AN ACT
To amend and reenact R.S. 41:642(A)(2), relative to sixteenth section and school board indemnity lands; to provide for revenues generated by certain sixteenth section and school board indemnity lands; to provide terms and conditions; and to provide for related matters.

On motion of Senator N. Gautreaux, Senate Bill No. 724 was read by title and recommitted to the Committee on Natural Resources.

ATTENDANCE ROLL CALL

PRESENT
Mr. President Erdey Michot
Adley Gautreaux B Morrell
Alario Gautreaux N Morrish
Amedee Guillory Mount
Appel Hebert Murray
Broome Heitmeier Nevers
Chabert Jackson Peterson
Cheek Kostelka Quinn
Claitor LaFleur Riser
Crowe Long Shaw
Donahue Marionneaux Smith
Dorsey Martiny Thompson
Duplessis McPherson Walsworth
Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for April 22, 2010, were announced:

Education At Adj Hainkel Rm
Labor & Ind. Rel. At Adj Room C
Local and Mun. Affairs At Adj Room F
Natural Resources 9:00 A.M. Room A
Transportation At Adj Room E

Adjournment

On motion of Senator Thompson, at 5:25 o’clock P.M. the Senate adjourned until Thursday, April 22, 2010, at 9:30 o’clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o’clock A.M. on Thursday, April 22, 2010.

GLENN A. KOEPP
Secretary of the Senate
DIANE O’ QUIN
Journal Clerk