

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

THIRTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, April 21, 2010

The Senate was called to order at 3:10 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

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	Marionneau	Thompson
Claitor	Martiny	Walsworth
Crowe	McPherson	
Donahue	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 Marionneau, 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.

April 21, 2010

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	Morrish
Amedee	Heitmeier	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	Gautreaux N
Cheek	Gautreaux B	Thompson

Total - 6

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	Morrish
Adley	Guillory	Mount
Amedee	Hebert	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	
Erdey	Morrell	

Total - 37

NAYS

Total - 0

ABSENT

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

Total - 35

NAYS

Total - 0

ABSENT

Alario	Donahue
Crowe	Gautreaux N

Total - 4

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 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.

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 reinscription; 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 reinscription; 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

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. GAUTREUX
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 that any person who has a contract for advertising services with an agency is allowed to enter into contracts with any other person who engages in a transaction with that agency; and 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. 36:3(4) and (7), 4(A)(10), 8(E)(2)(d), 9(C), 471(A), (B) and (C), 472, 473, 474(A)(8), (B)(1)(a)(i) and (b), 475, 475.1(A), (B) and (C), and 477 and to repeal 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 fiscal oversight and program evaluation; to provide for designation of certain organizational units; to provide for the composition of the department; to provide for the officers of the department; to provide for deputy secretaries; to provide for the undersecretary and the division of management and finance; to provide for the office of children and family services; and to provide for related matters.

Reported favorably.

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 MCPHERSON
AN ACT

To amend and reenact 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 \$172,365,064.69, 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 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. 168—
BY SENATOR WALSWORTH**

AN ACT

To amend and reenact R.S. 8:606(B) and (C), and 706 and to enact R.S. 8:1(22.1) and 606(D) relative to cemeteries; to provide for commencement and completion requirements of mausoleums or similar structures; to provide for commencement and the completion requirements of improvements on undeveloped cemetery property; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 194—
BY SENATOR DUPLESSIS**

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—
BY SENATOR CHAISSON**

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 relationship with the Uniform Commercial Code; to provide for agreements; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 291—
BY SENATOR DONAHUE**

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.

**SENATE BILL NO. 303—
BY SENATOR LONG**

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—
BY SENATOR HEITMEIER**

AN ACT

To enact R.S. 51:1905.2, relative to deceptive practices in soliciting charitable contributions; to require certain notification on donation receptacles of commercial businesses; to provide for violations; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 540—
BY SENATOR WALSWORTH**

AN ACT

To amend and reenact R.S. 8:306, relative to the dedication of cemetery property; to provide for legislative intent; to provide for the protection of unmarked human burial sites; to provide for notice; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 620—
BY SENATOR WALSWORTH**

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

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causes of action; issue certain cease and desist orders; to provide for the assessment of civil fines; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 691—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 33:9039.52(A)(2) and (7) and to enact R.S. 33:9039.52(A)(8) and (9), relative to composition of the Northeast Louisiana Film Commission; to provide for changes in membership; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 14—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 11:416(A)(3)(a) and to enact 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 with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 14 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:446(G)," insert "(H) and (I)"

AMENDMENT NO. 2

On page 1, line 9, after "11:446(G)," insert "(H) and (I)" and change "is" to "are"

AMENDMENT NO. 3

On page 3, between lines 6 and 7 insert the following:

"H. No change in beneficiary pursuant to Subsection G of this Section shall create additional liability for the system. The system shall make any adjustments to payments paid or payable in accordance with the option selected by the retiree which are actuarially necessitated by a change of beneficiary pursuant to Subsection G of this Section. Such changes may include reduction or suspension of the monthly payments to the retiree or to his beneficiary named pursuant to Subsection G and shall not be applied to reduce any benefit payable to the originally selected beneficiary.

I. A retiree who designates his current spouse as beneficiary pursuant to Subsection G of this Section 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 designation."

AMENDMENT NO. 4

On page 3, line 7, after "Act" delete the comma and "if any," and insert "not funded by actuarial adjustments to the benefits paid"

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. 38—

BY SENATOR MARTINY

AN ACT

To enact R.S. 14:102.24, relative to cockfighting; to create the crime of participation in cockfighting; to provide for elements of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 45—

BY SENATOR APPEL

AN ACT

To enact Code of Criminal Procedure Art. 883.2(C), relative to restitution to victims; to provide for certain procedures; 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. 46—

BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 4907(B), relative to procedure in parish and city courts; to provide relative to the delay for applying for a new trial; 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. 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 BILL NO. 53—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a), and to enact R.S. 27:2(C) and (D) and 24(A)(5), relative to support; to provide for public policy regarding gaming and child support; to provide for the intercept and seizure of payments of progressive slot machine annuities and cash gaming winnings for the payment of child support and overpayments to the department; 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. 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 monoxide 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 for average compensation; 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" to "1938(J)(4)(a)" and at the beginning of line 6 delete "(ii)"

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.

April 21, 2010

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 Martiny, 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 legitimation by a major child and the biological parents; to provide for specific information required; 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. 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. 46:236.1.5(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 the collection of child support through private party child support collection agencies; to provide for definitions; to provide for the regulation of services of private party child support collection agencies; 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. GAUTREUX

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"

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

SENATE BILL NO. 215—
BY SENATORS MOUNT, CROWE, DORSEY, DUPLESSIS AND GUILLORY

AN ACT

To amend and reenact 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.

SENATE COMMITTEE AMENDMENTS

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:
 Art. 893. Suspension and deferral of sentence and probation in felony cases

* * *

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(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.

SENATE BILL NO. 218—
 BY SENATOR APPEL

AN ACT

To enact R.S. 9:4815, relative to the Private Works Act; to provide for the escrow of funds due under certain contracts; to provide for the duties of an escrow agent; to provide for the release of funds from escrow; 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. 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

terms of such contract funds earned by the contractor are withheld as retainage by the owner from periodic payments due to the contractor then such funds shall be deposited by the owner into an interest bearing escrow account. The provisions of this Section shall not apply to a contract for a single family residence."

AMENDMENT NO. 2

On page 2, line 1, after "**funds**" and before "**located**" insert "**;** including any interest"

AMENDMENT NO. 3

On page 2, line 4, after "**three**" insert "**business**"

AMENDMENT NO. 4

On page 2, delete lines 6 and 7 and insert
"(2)(a) Undisputed amounts shall be released by the escrow agent within three business days of receipt of a notarized request of the contractor.
(b) Disputed amounts that are the subject of a judicial proceeding shall be released by the"

AMENDMENT NO. 5

On page 2, line 8, after "**three**" insert "**business**"

AMENDMENT NO. 6

On page 2, delete lines 11 and 12 and insert
"(3)(a) Undisputed amounts shall be released by the escrow agent within three business days of receipt of a notarized request of the contractor.
(b) Disputed amounts that are the subject of binding arbitration under the contract shall"

AMENDMENT NO. 7

On page 2, line 13, after "**three**" insert "**business**"

AMENDMENT NO. 8

On page 2, after line 18, insert
"D. Receipt by the escrow agent of what purports to be a written release signed by the contractor and owner, or an order by a court or arbitrator, shall be a full release and discharge of the escrow agent for transfer of funds to the contractor. Further, the escrow agent shall not be held liable to any party based on any claim that the written release is unauthorized, forged, or otherwise fraudulent.
E. The escrow agent holding an escrow account pursuant to the provisions of this Section shall have no liability to the owner, contractor, or any other person."

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. 233—
 BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 774 and 806, relative to jury trials; to provide for the closing arguments and charges to a jury prior to deliberations; and to provide for related matters.

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

SENATE BILL NO. 234—
 BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:451, relative to confession evidence in a criminal proceeding; to make technical corrections; and to provide for related matters.

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

April 21, 2010

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

SENATE BILL NO. 320—
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 proposal 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 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. 330—
BY SENATOR HEBERT

AN ACT

To amend and reenact the introductory paragraph of R.S. 3:2091(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), 2449(B), and 3839, and R.S. 23:638, and R.S. 33:1501, 4545.23, 4546.16, and R.S. 47:55(2) and 1673; and to repeal Code of Civil Procedure Articles 2951, 2953 and 2954, and R.S. 6:653.4(F), 765(C), and 767(E), and R.S. 8:814, and R.S. 9:1552(E), 2432 through 2439, and 2449(C), and R.S. 12:603(F), and R.S. 40:33(H), and R.S.

47:2431 through 2437, and 2451; all relating to inheritance taxes; 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. 343 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, delete lines 3 through 6 and insert "and R.S. 9:1514(A)(1), (2) and (4) and (B), 1551(B), 1552(C) and (D), 2156(C)(10), 2157, 2431(7)"

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,"

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.

(5) ~~For deaths occurring after June 30, 2004, by June 30, 2008. All persons who paid the tax levied under R.S. 47:2401 based on deaths occurring after June 30, 2004 may claim a refund between August 1, 2008 and December 31, 2009.~~

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 confidentiality of minors who are crime victims; 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. 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 1, delete lines 14 and 15 and insert "**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. 449—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 648(A), (B)(1), and the introductory paragraph of Code of Criminal Procedure Art. 648(B)(3) and to enact Code of Criminal Art. 648(B)(2), relative to procedures after a determination of mental capacity or incapacity; and to provide for related matters.

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

SENATE BILL NO. 457—
BY SENATOR APPEL
AN ACT

To amend and reenact R.S. 9:4203 and 4206, relative to the Louisiana Binding Arbitration Law; to provide certain 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 through 18 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 Arts. 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. 644 by Senator Broome

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

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

AMENDMENT NO. 3
On page 3, delete lines 4 through 28 and insert
"(1) "Approved placement" means the public child placing agency in the receiving state has determined that the placement is both safe and suitable for the child.

"(2) "Assessment" means an evaluation of a prospective placement by a public child placing agency in the receiving state to determine if the placement meets the individualized needs of the child, including but not limited to the child's safety and stability, health and well-being, and mental, emotional and physical development. An assessment is only applicable to a placement by a public child placing agency.

"(3) "Child" means an individual who has not attained the age of eighteen.

"(4) "Certification" means to attest, declare or swear to before a judge or notary public.

(5) "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(C) 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 acknowledge in writing 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 any jurisdiction until all required consents are obtained or are dispensed with in accordance with applicable law.

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

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

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 "(2)", "(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 1628(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 rules 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 over the child 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 jurisdiction until the placement is authorized as an "approved placement" by the public child placing agency in the receiving 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 a 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."

G. The public child placing agency in the receiving state may request from the public child placing agency or the private child placing agency in the sending state, and shall be entitled to receive supporting or additional information necessary to complete the assessment or approve the placement.

H. The public child placing agency in the receiving state shall approve a provisional placement and complete or arrange for the completion of the assessment within the timeframes established by the rules of the Interstate Commission.

I. For a placement by a private child placing agency, the sending state shall not impose any additional requirements to complete the home study that are not required by the receiving state, unless the adoption is finalized in the sending state

J. The Interstate Commission may develop uniform standards for the assessment of the safety and suitability of interstate placements.

Art. 1628. Placement authority

A. Except as provided in this Compact, no child subject to the compact"

AMENDMENT NO. 17

On page 11, line 9, delete "State" and insert "Placing Agency"

AMENDMENT NO. 18

On page 12, delete lines 4 through 7

AMENDMENT NO. 19

On page 12, change "D." to "C.", "E." to "D.", "F." to "E.", "G." to "F.", "H." to "G.", and "I." to "H."

AMENDMENT NO. 20

On page 13, change "J." to "I."

AMENDMENT NO. 21

On page 19, between lines 25 and 26, insert

"D. Rules promulgated by the Interstate Commission shall have the force and effect of administrative rules and shall be binding in the compacting states to the extent and in the manner provided for in this compact.

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 Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside.

F. If a majority of the legislatures 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. 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.

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

(3) In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state."

AMENDMENT NO. 26

On page 25, line 4, change "1639" to "1640"

AMENDMENT NO. 27

On page 25, delete lines 11 through 14 and insert

"Art. 1641. Rulemaking authority; effect of rules

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.

Art. 1642. Financial responsibility for children

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, in the event of partial or complete default of performance there under, the provisions of Louisiana's laws fixing the responsibility for the support of children also may be invoked.

Art. 1643. Authority to enter into agreements; approval of state treasurer

A. The officers and agencies of this state and its political subdivisions having authority to place children are hereby empowered to enter into agreements with appropriate officers or agencies of or in other party states pursuant to Article 1629.

B. Any such agreement which contains a financial commitment or imposes a financial obligation on this state or subdivision or agency thereof shall not be binding unless it has the approval in writing of the state treasurer in the case of the state and of the chief local fiscal officer in the case of a subdivision of the state."

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.

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 provide for the lease or use of public lands or buildings; 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 Jackson 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, Senate Bill No. 747 was read by title and recommitted to the Committee on Local and Municipal Affairs.

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.

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

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Broome	LaFleur	Thompson
Donahue	Marionneau	Walsworth
Dorsey	Martiny	
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 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."

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 owned 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 a ~~ham~~ **an amateur** radio station owner or operator as shall be acceptable to the secretary.

* * *

E. On the application of any person who is a ~~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	Marionneau	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
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	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Erdey	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Adley Nevers
Total - 2

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

SENATE BILL NO. 68—

BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state property in Rapides 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 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 B	Morrell
Amedee	Gautreaux N	Morrish

Appel	Guillory	Mount
Broome	Hebert	Murray
Chabert	Heitmeier	Peterson
Cheek	Jackson	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Adley Kostelka 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	Morrish
Appel	Hebert	Mount
Broome	Heitmeier	Murray
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Adley Gautreaux B 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

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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

Table with 3 columns of names: 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 N. Gautreaux 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

Table with 3 columns of names: 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 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

Table with 3 columns of names: Mr. President, Gautreaux B, Morrell, Adley, Gautreaux N, Morrish, Alario, Guillory, Mount, Amedee, Hebert, Murray, Appel, Heitmeier, Nevers, Broome, Jackson, Peterson, Chabert, Kostelka, Quinn, Cheek, LaFleur, Riser, Claitor, Long, Shaw, Donahue, Marionneaux, Smith, Dorsey, Martiny, Thompson, Duplessis, McPherson, Walsworth, Erdey, Michot

Total - 38

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. 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	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Gautreaux B	Morrell	
Total - 37		

NAYS

Total - 0

ABSENT

Crowe Donahue
 Total - 2

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 MARTINY

AN ACT

To amend and reenact R.S. 47:463.24(D), relative to special license plates for retired law officers; to provide for eligibility; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gautreaux N	Morrish
Alario	Hebert	Mount

Amedee	Heitmeier	Murray
Appel	Jackson	Nevers
Broome	Kostelka	Peterson
Chabert	LaFleur	Quinn
Crowe	Long	Riser
Donahue	Marionneaux	Shaw
Dorsey	Martiny	Smith
Duplessis	McPherson	Thompson
Erdey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Cheek Claitor Guillory
 Total - 3

The Chair declared the bill was passed and ordered it 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. 254—
 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
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 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.

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

Table with 3 columns of names: 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 an exemption 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

Table with 3 columns of names: 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. 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 bill was passed and ordered it 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 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 bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 482—
BY SENATOR LAFLEUR
AN ACT

To amend and reenact R.S. 48:601(A), to enact R.S. 48:601(E), and to repeal R.S. 48:601(D)(2)(c), relative to St. Landry Parish; to provide for the absorption of parish road districts upon creation of a new parishwide road district; 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. 482 by Senator LaFleur

AMENDMENT NO. 1

On page 2, line 3, following "the" and before "parish" delete "following"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Engrossed Senate Bill No. 482 by Senator LaFleur

AMENDMENT NO. 1

On page 2, line 22, after "Section 3." delete the remainder of the line and insert "This Act shall become effective upon the first to occur among the following: (1) the signature of the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana, or (2) if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such action, or (3) July 1, 2010."

On motion of Senator LaFleur, 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
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

April 21, 2010

ABSENT

Guillory
Total - 1

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

SENATE BILL NO. 483—
BY SENATOR MCPHERSON

AN ACT

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	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 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

AN ACT

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 legislative findings; to provide a process for granting 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 B. GAUTREAUX

AN ACT

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

AN ACT

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 provide for the authority, powers, duties, and function of the governing body; to provide for the levy and collection of taxes and special assessments within the district; to provide for the authority to create subdistricts within 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 "comprised" delete 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	Guillory	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Quinn
Cheek	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Erdey	Michot	
Total - 34		

NAYS

Claitor	Riser
Total - 2	

ABSENT

Mr. President	Hebert	Mount
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed and 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	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	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.

April 21, 2010

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 Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot
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 Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot
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.

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 GEYMANN
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.

April 21, 2010

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.

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

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.

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

HOUSE BILL NO. 233—
BY REPRESENTATIVE GEYMANN
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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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
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.

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

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.

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 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.

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.

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:

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 insured; 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.

April 21, 2010

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. GAUTREUX

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