

**DAILY PROOF OF THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
TWENTY-FOURTH 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, May 12, 2010

The Senate was called to order at 2:30 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	Guillory	Morrish
Amedee	Kostelka	Mount
Appel	LaFleur	Murray
Broome	Long	Peterson
Chabert	Marionneaux	Riser
Claitor	Martiny	Shaw
Donahue	McPherson	Thompson
Gautreaux B	Morrell	
Total - 23		

ABSENT

Adley	Erdey	Nevers
Alario	Gautreaux N	Quinn
Cheek	Hebert	Smith
Crowe	Heitmeier	Walsworth
Dorsey	Jackson	
Duplessis	Michot	
Total - 16		

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

Prayer

The prayer was offered by Students of the New Orleans Oral School, 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 B. Gautreaux, the reading of the Journal was dispensed with and the Journal of May 11, 2010, was adopted.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to allow the Senate Committee on Health and Welfare to meet without the required 24-hour notice.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 77—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to investigate, study, and develop a plan or strategy to modernize and improve the state developmental disability centers, focusing particularly on an assessment of the current operation and maintenance of the existing developmental disability centers and the feasibility of replacing those existing facilities, with the resulting plan or strategy detailing how Louisiana can modernize its current facilities to reflect the best practices in care and cost savings for those with developmental disabilities.

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

**Privilege Report of the
Legislative Bureau**

May 12, 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. 13—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 32:41(A)(13) and to enact R.S. 32:41(A)(14), relative to local governmental subdivision authority over traffic control on nonstate maintained roadways; to authorize local governmental subdivisions to install speed bumps on such roadways; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 172—
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 56:116.1(B)(3), relative to methods of taking certain birds and quadrupeds; to provide for prohibited equipment used to take game birds and wild quadrupeds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 182—
BY REPRESENTATIVE GISCLAIR
AN ACT

To enact R. S. 47:820.5.6, relative to exemptions from tolls on the Tomey J. Doucet Bridge; to provide for the exemptions from tolls for emergency vehicles under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 185—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 48:231(A) and (B)(1), relative to the state highway system; to provide relative to public hearings in each highway district; to restore the requirement that the Joint Highway Priority Construction Committee conduct public hearings in each highway district; to provide relative to the membership of the committee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 198—
BY REPRESENTATIVES THIBAUT, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, EDWARDS, FANNIN, FOIL, GALLOT, GISCLAIR, GUILLORY, HARDY, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HUTTER, MICHAEL JACKSON, JOHNSON, KATZ, KLECKLEY, LAFONTA, LANDRY, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO,

MILLS, MONICA, MONTUCET, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, THIERRY, TUCKER, WADDELL, WILLIAMS, AND WOOTON

AN ACT

To enact R.S. 47:490.22, relative to military honor license plates; to provide for the establishment of a military honor license plate for members of the United States Armed Forces; to provide for the design and issuance of the license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 295—

BY REPRESENTATIVE HUTTER

AN ACT

To enact Part IX of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.31, relative to port properties; to authorize the board of commissioners of the St. Bernard Port, Harbor and Terminal District to name the administration/security complex building of the port in honor of a living person; to provide for limitations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 373—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(a), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 411—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:404(A)(3), relative to the duties of a mayor; to provide relative to provisions of the Lawrason Act; to correct a statutory reference; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 412—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:321 and to repeal Part II of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:501 through 571, and Part III of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:611 through 851, relative to certain forms of municipal government; to repeal provisions for the commission plan and commission-manager plan of municipal government; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 528—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 47:463.61(C), relative to the "Choose Life" prestige license plate; to provide for an annual fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 638—

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact R.S. 47:463.81, relative to special prestige license plates; to revise qualifications and fees for the issuance of the Fraternal Order of Police plate; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 764—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 48:256.2, relative to construction signage; to remove the requirement that contractors post certain signs near projects; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 967—

BY REPRESENTATIVE GUINN

AN ACT

To amend and reenact R.S. 56:1692.1 and 1693.2(A) and to enact R.S. 56:1693.3, relative to state park recognition of certain discount cards issued by certain federal agencies; to provide restrictions on such recognition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1002—

BY REPRESENTATIVE BARROW

AN ACT

To enact Part I-A of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:481, relative to municipalities governed by special legislative charters; to provide that the provisions of the Lawrason Act govern if the provisions of any such charter are silent on a particular matter; to provide relative to conflicts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1088—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 23:1310.3, relative to workers' compensation claims; to provide for the initiation of a claim for benefits; to provide for service of process; to provide for the filing of an answer; to provide for mediation; to provide for the running of prescription; to require mediation to encourage settlement of the case; to provide for a dispute open in excess of three hundreds days; to provide for fines and other penalties when a party fails to appear; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1204—

BY REPRESENTATIVES EDWARDS, ARMES, BILLIOT, HENRY BURNS, DOERGE, GISCLAIR, GUINN, HILL, SAM JONES, NORTON, AND ST. GERMAIN

AN ACT

To enact R.S. 47:490.22, relative to military license plates; to provide for the establishment of a military support license plate for military veterans; to provide for the design and issuance of the license plate; to provide relative to fees for the license plate; to authorize the promulgation of rules and regulations; 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.

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to recommit a bill.

SENATE BILL NO. 724—

BY SENATOR N. GAUTREAU

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.

Senator N. Gautreaux moved to recommit the bill from the Committee on Natural Resources to the Committee on Finance.

Without objection, so ordered.

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

May 11, 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:

- HB No. 541 HB No. 1302 HB No. 1449
HB No. 145 HB No. 229 HB No. 537
HB No. 618 HB No. 715 HB No. 751
HB No. 858 HB No. 549 HB No. 562
HB No. 687 HB No. 418 HB No. 37
HB No. 246 HB No. 325 HB No. 472
HB No. 589 HB No. 684 HB No. 1058
HB No. 1286 HB No. 1320 HB No. 1349
HB No. 1421

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 37—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 44:36(D), relative to public records; to reduce the time required for the Department of Public Safety

and Corrections to retain records regarding adult offenders; and to provide for related matters.

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

HOUSE BILL NO. 145—

BY REPRESENTATIVE MORRIS

AN ACT

To enact R.S. 33:423.20, relative to the town of Vivian; to authorize the police chief to take certain personnel actions; and to provide for related matters.

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

HOUSE BILL NO. 229—

BY REPRESENTATIVE PEARSON

A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) of the Constitution of Louisiana and to add Article X, Section 29(F) of the Constitution of Louisiana, to provide relative to benefit provisions for members of public retirement systems; to require a two-thirds vote for passage of a benefit provision having an actuarial cost; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 246—

BY REPRESENTATIVES POPE, ARMES, ARNOLD, AUBERT, BARRAS, BARROW, BILLIOT, BURFORD, TIM BURNS, BURRELL, CARMODY, CARTER, CHANDLER, CHANEY, CONNICK, CORTEZ, DIXON, DOERGE, DOWNS, ELLINGTON, FANNIN, FOIL, GISCLAIR, GREENE, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, MICHAEL JACKSON, JOHNSON, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MORRIS, NOWLIN, PEARSON, PONTI, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHRODER, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, WILLIAMS, WILLMOTT, AND WOOTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(K) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to provide an exemption for certain property owned by certain disabled veterans and their spouses; to provide for the amount of the exemption; to prohibit the loss of revenue associated with this exemption from impacting the calculation of millage rates by taxing authorities; to require taxing authorities to absorb the loss of revenue as a result of this exemption; to prohibit the reappraisal and valuation of property for purposes of millage adjustment under certain circumstances; to require a local election called by resolution or ordinance by the local governing authority for the establishment of the exemption; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 325—

BY REPRESENTATIVE STIAES

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to ad valorem taxes on a homestead which has been destroyed or is uninhabitable due to a disaster; to authorize an extension of the homestead exemption and special assessment level for such homesteads under certain circumstances; to provide for the claiming of the extension of the homestead exemption and the special assessment level; to provide for certain limitations and requirements; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

May 12, 2010

HOUSE BILL NO. 418—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 15:574.2(A), relative to the Board of Parole; to provide relative to the membership of the board; to provide for an ex officio, nonvoting member; and to provide for related matters.

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

HOUSE BILL NO. 472—
BY REPRESENTATIVE MONTOUCET
AN ACT

To enact R.S. 38:2212.8 and Chapter 24 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2181 and 2182, relative to procurement; to prohibit public entities from contracting with dealers who do not possess a valid dealer license issued by the Louisiana Motor Vehicle Commission; to require proof of certain dealers licenses; and to provide for related matters.

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

HOUSE BILL NO. 537—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 33:381(C)(30), relative to the municipality of Jean Lafitte; to provide for the filling of the office of police chief by appointment; to provide for the time and method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; and to provide for related matters.

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

HOUSE BILL NO. 541—
BY REPRESENTATIVE PUGH
AN ACT

To enact R.S. 38:1794(B)(3), relative to Tangipahoa Parish; to provide relative to Consolidated Gravity Drainage District No. 1; to provide relative to the governing board of the district; to provide relative to the schedule of meetings held by the board; to provide relative to the compensation and reimbursement of board members; and to provide for related matters.

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

HOUSE BILL NO. 549—
BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 233, relative to criminal procedure; to authorize the use of electronic signatures of offenders; to provide for the collection of electronic signatures; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 562—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:34.6, relative to the crime of disarming a peace officer; to provide for the elements of the crime of disarming a peace officer; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 589—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 32:793(D), relative to rental motor vehicle dealers; to clarify the amount of insurance required for rental dealers; to require policies be placed through insurance companies licensed by and admitted in Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 618—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 33:4713, relative to expenses of certain local government officials; provides with respect to the payment of monies owed the parish governing authority by certain tax recipient bodies; to authorize the retention of tax revenues under certain circumstances; to require the remittance of tax revenues by the sheriff to the parish governing authority; to provide for certain time limitations; and to provide for related matters.

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

HOUSE BILL NO. 684—
BY REPRESENTATIVE MONTOUCET
AN ACT

To amend and reenact the heading of Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, R.S. 48:2091, 2092, 2093, and 2094(A), (C), and (H) relative to the Lafayette Metropolitan Expressway Commission, to change the name of the commission; to change the composition of the board of directors; to change the jurisdictional boundaries of the commission; and to provide for related matters.

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

HOUSE BILL NO. 687—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 32:123(E)(1), relative to motor vehicle traffic regulations; to increase the penalties for operators of motor vehicles cited for failure to yield the right-of-way; to provide for criminal penalties; and to provide for related matters.

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

HOUSE BILL NO. 715—
BY REPRESENTATIVE GUINN
AN ACT

To enact R.S. 33:4581, relative to the creation of the Flyway Byway District in Jefferson Davis Parish; to provide for the purpose of the district; to provide the boundaries of the district; to provide for the governance and organization of the district; to provide the powers of the district; to provide for cooperation with state agencies and departments; and to provide for related matters.

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

HOUSE BILL NO. 751—
BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 9:1255, relative to the installation of solar collectors; to provide for definitions; to provide for certain rights and prohibitions relative to the installation of solar collectors; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 858—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 33:9038.32(C) and 9038.36, relative to economic development districts; to provide relative to districts created by local governmental subdivisions; to provide additional procedures with respect to the creation of such districts; to provide relative to district funding; to authorize the districts to dedicate a portion of tax proceeds to finance economic development projects; and to provide for related matters.

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

HOUSE BILL NO. 1058—

BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 6:969.18(G), relative to motor vehicles; to require disclosure of certain fees not required by law charged upon the sale of a motor vehicle; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1286—

BY REPRESENTATIVE LIGI
AN ACT

To amend and reenact R.S. 36:4(B)(1)(dd), 801.1(A), and 802.3 and R.S. 40:1299.44(A)(1) and (5)(d), (e), and (f) and (D)(1)(a), relative to the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board; to provide for the organization of the executive branch of government; to provide for the deposit and investment of the Patient's Compensation Fund; to provide that the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board shall not be budget units of the state; to provide for the submission of an annual budget to certain legislative committees; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1302—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 8:655(A), relative to the disposition of human remains; to provide with respect to the remains of persons who died during military service; and to provide for related matters.

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

HOUSE BILL NO. 1320—

BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 39:112(E)(2)(c), relative to capital outlay; to provide relative to the local match requirement for certain nonstate entity projects; to exempt certain nonstate entity projects from the local match requirement; and to provide for related matters.

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

HOUSE BILL NO. 1349—

BY REPRESENTATIVE ARNOLD AND SENATOR MORRISH
AN ACT

To amend and reenact R.S. 4:67(C)(1), relative to boxing and wrestling commissioners; to repeal the maximum amount of compensation a commissioner may receive in certain situations; and to provide for related matters.

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

HOUSE BILL NO. 1449—

BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 9:1103, relative to the right of riparian owners; to provide for the assignment of rights to access the running waters of the state; to provide for the transfer for agricultural and aquacultural use by public entities; to prohibit fees charged by the state; and to provide for related matters.

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

HOUSE BILL NO. 1421—

BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 12:1306(A)(1) and 1309(A)(introductory paragraph) and to enact R.S. 12:1301(A)(21), 1302(C), 1305(B)(3), and 1309(A)(4), relative to limited liability companies; to provide for low-profit limited liability companies; to provide for definitions; to provide for the purpose of low-profit limited liability companies; to provide for articles of organization; to provide for the name of a low-profit limited liability company; to provide for the amendment of articles of organization; and to provide for related matters.

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

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

HOUSE BILL NO. 147—

BY REPRESENTATIVE BROSETT
AN ACT

To enact R.S. 33:9080.4, relative to Orleans Parish; to create the Milneburg Neighborhood Improvement District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 151—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 17:158(A)(3), to authorize the Bossier Parish School Board and the Caddo Parish School Board to transport to school any student who resides one mile or less from the school; to provide conditions and limitations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 187—

BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide relative to the payment of premiums for group insurance for certain retirees of the Acadia Parish Assessor's Office; to increase the years of service requirement for certain retirees; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 314—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 14:90(C) and 90.3(F) and to repeal R.S. 14:90(D) and (E), relative to gambling; to provide technical corrections for certain exceptions to the crimes of gambling and gambling by computer; and to provide for related matters.

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

HOUSE BILL NO. 405—
BY REPRESENTATIVE DIXON
AN ACT

To amend and reenact R.S. 17:7(5), relative to the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to provide that the board shall adopt guidelines for the use of seclusion, physical restraint, and mechanical restraint of certain students; and to provide for related matters.

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

HOUSE BILL NO. 406—
BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 51:2361(B)(2) and 2365(D) and to enact R.S. 51:2361(B)(3) and (4), relative to certain economic development funds; to provide relative to the reports on expenditures related to such funds; 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. 514—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 14:52(A), relative to the crime of simple arson; to expand the definition of simple arson; 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. 553—
BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 51:2362 and 2366, relative to the Louisiana Mega-Project Development Fund and the Rapid Response Fund; to require the development of uniform accountability reports for the funds; to require for written and electronic forms of a list of cooperative endeavor agreement, name of receiving entity, and the amount of incentive awarded for all projects developed by the funds; 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. 559—
BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 51:2362, relative to the Rapid Response Fund; to provide for mandatory accountability requirements for each legal agreement involving Rapid Response Fund projects; to provide for exemptions; 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. 680—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 24:513(B), relative to the legislative auditor; to require certain audits and statements relative to tax collections; to require certain local auditees and other persons to submit such audits and statements; to provide for the content of the statements; 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. 797—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 46:2625(A)(2) and (E)(2) and to enact R.S. 22:1856(F) and R.S. 37:1241(A)(23), relative to the payment and collection of Medicaid provider fees on prescription drugs; to clarify the responsibility of insurers and other third parties to pay the provider fees on prescription drugs; to provide for penalties for noncompliant pharmacies; to provide for penalties for noncompliant insurers and third-party providers; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 942—
BY REPRESENTATIVES CARTER, HENRY BURNS, CARMODY, FOIL, GUILLORY, HARDY, HENRY, LABRUZZO, LANDRY, LIGI, MONICA, PEARSON, RICHARD, RICHMOND, SMILEY, JANE SMITH, AND THIBAUT
AN ACT

To amend and reenact R.S. 17:54(B)(1)(a) and (b)(iii) and (iv) and (C) and 81(P), to enact R.S. 17:81(T) and (U), and to repeal R.S. 17:54(B)(1)(b)(v), relative to the powers, duties, functions, and responsibilities of city, parish, and other local public school boards; to provide relative to prohibitions on the involvement of members of local school boards in personnel matters; to provide for the responsibilities of local school superintendents and school boards for personnel matters; to provide for the vote required for hiring and removal of a local school superintendent; and to provide for related matters.

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

HOUSE BILL NO. 1033—
BY REPRESENTATIVES HOFFMANN, AUSTIN BADON, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, KATZ, LABRUZZO, LIGI, NOWLIN, ROBIDEAUX, SIMON, SMILEY, WILLIAMS, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, MARTINY, AND QUINN
AN ACT

To amend and reenact R.S. 17:10.1(B) and (C), Subpart A of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3881 through 3886, Subpart C of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3901 through 3905, R.S. 17:3997(D), to enact R.S. 17:10.1(D), and to repeal Subpart B of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3891 through 3895, relative to professional employee quality development; to provide for evaluation programs for teachers and administrators; to provide for program purposes and definitions; to provide for local evaluation plans and elements required for such plans; to provide relative to the powers and duties of the State Board of Elementary and Secondary Education and local school boards; to provide for an advisory committee to make recommendations relative to the development of a value-added assessment model; to require the state superintendent of education to make certain information available to the public; to provide conditions for the issuance of teacher and higher level certificates; to delete requirements relative to informal evaluations; to require reporting; to provide for applicability; to provide for effectiveness; to repeal provisions relative to the Teacher Assistance and Assessment Program; and to provide for related matters.

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

HOUSE BILL NO. 1155—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 15:541(2)(a) and (24), 542(A)(2) and (3)(a), (B), (F)(2) and (3)(a) and (c), 542.1.3(B)(2), (3), and (4), and (H), and 544(A), (B)(1), (C), (D)(1) and (2), and (E)(2) and to enact R.S. 15:541(2)(n), (12)(c), (25)(l), (31), and (32), 542(A)(3)(h), and 544(D)(4), relative to sex offender registration and notification; to provide relative to sex offender registration and notification requirements; to provide for definitions; to provide relative to sex offender registration and notification procedures; to amend provisions regarding the duration of registration and notification requirements; 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. 1200—

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:103(B)(1), (2), (3)(b), and (4), and (C)(1), (2), (3)(b), and (4), 154(C), 1306(A)(1) and (4) and (B)(1), 1308(A)(2), 1308.2, 1310(A), and 1313(F)(1), (2), (5), (6), and (8) and to enact R.S. 18:1316(C) and 1319, relative to procedures for voter registration and voting for persons in the United States Service and persons residing outside the United States; to provide relative to electronic transmission of certain registration and election materials; to provide procedures for the execution and counting of transmitted election materials; to provide for use of the Federal Write-In Absentee Ballot; to provide for effectiveness; 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. 1249—

BY REPRESENTATIVES BROSETT AND LEGER
AN ACT

To amend and reenact R.S. 1:11, relative to determinations of the populations of parishes, municipalities, and other political subdivisions; to provide relative to the applicability of a new census to statutes that define classes of political subdivisions based on population; 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. 1265—

BY REPRESENTATIVE ARMES
AN ACT

To authorize and provide for the transfer or lease of certain state property in Vernon Parish from the Department of Transportation and Development to the Vernon Parish Police Jury; and to provide for related matters.

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

HOUSE BILL NO. 1292— (Substitute for House Bill No. 718 by Representative Hines)

BY REPRESENTATIVES HINES, ABRAMSON, ARNOLD, AUSTIN, BADON, BALDONE, BILLIOT, TIM BURNS, CARMODY, CONNICK, GISCLAIR, HARDY, HAZEL, HENRY, HOWARD, LABRUZZO, LEGER, LIGI, LORUSSO, NORTON, POPE, PUGH, RICHARD, SCHRODER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, THIERRY, TUCKER, WADDELL, AND WILLMOTT
AN ACT

To enact R.S. 38:2227, relative to bidders on public projects; to provide for persons performing pre-bid services; to prohibit certain contractors from bidding on public projects; to provide for disqualifying crimes; to provide for proof of false attestations; 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. 1309—

BY REPRESENTATIVE HOWARD
AN ACT

To amend and reenact R.S. 33:3815.3(A), (B), (C), and (F) and R.S. 34:844(A) and (B), relative to drinking water protection; to prohibit certain activity in areas adjacent to drinking water intakes; to provide for restricted areas and water intake zones; to provide for the authority of waterworks districts and local political subdivisions; and to provide for related matters.

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

HOUSE BILL NO. 1311—

BY REPRESENTATIVE GULLORY
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Landry Parish to the city of Eunice from the division of administration; and to provide for related matters.

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

HOUSE BILL NO. 1314—

BY REPRESENTATIVES HARDY, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HENRY, HINES, HUTTER, LIGI, SIMON, JANE SMITH, THIERRY, WILLIAMS, AND WOOTON
AN ACT

To enact R.S. 15:542.1(A)(5), relative to sex offenders; to provide relative to sex offender notification requirements; 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. 1330—

BY REPRESENTATIVE LITTLE
AN ACT

To repeal R.S. 22:2297(D)(1), relative to the Louisiana Citizens Property Insurance Corporation; to repeal the requirement of maintaining separate accounts and records for the Coastal Plan and the FAIR Plan.

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

HOUSE BILL NO. 1331—

BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d) and to enact R.S. 22:420, relative to liability trust funds; to prohibit further establishment of such trust funds which are exempt from the definition of insurance; as of a certain date; to provide for the establishment of such trust funds subject to the requirements of the Insurance Code; 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. 1350—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:3514(B), relative to the Louisiana Consumer Credit Law; to require disclosure of applicable fees in written consumer credit contracts and agreements; 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. 1370—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:2175.6(G) and to enact R.S. 40:2175.6(H) and (I), relative to outpatient abortion facilities; to provide for license actions imposed against an outpatient

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abortion facility; to provide for a system of notification, appeals, and injunctive relief; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1436—

BY REPRESENTATIVES NORTON, ARNOLD, AUSTIN BADON, BARROW, TIM BURNS, DIXON, ELLINGTON, GISCLAIR, HARDY, LABRUZZO, LEBAS, MILLS, RICHARD, RICHMOND, STIAES, THIERRY, AND WILLIAMS

AN ACT

To amend and reenact R.S. 15:542.1(A)(1)(b), relative to sex offenders; to provide relative to sex offender notification requirements; 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. 1460— (Substitute for House Bill No. 225 by Representative LaBruzzo)

BY REPRESENTATIVES LABRUZZO, BARROW, HENRY BURNS, TIM BURNS, LEGER, JANE SMITH, STIAES, TUCKER, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 11:446(A)(2)(b) and to enact R.S. 11:446(G), relative to the Louisiana State Employees' Retirement System; to allow a trust to receive benefits on behalf of a retiree's child beneficiary; and to provide for related matters.

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

HOUSE BILL NO. 1466— (Substitute for House Bill No. 599 by Representative Ellington)

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 56:6(32), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission, at the request of certain governmental entities, to adopt regulations for the use of certain fishing gear for certain lakes; and to provide for related matters.

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

HOUSE BILL NO. 1467— (Substitute for House Bill No. 1216 by Representative Gallot)

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 2593, Code of Criminal Procedure Articles 512 and 513, R.S. 3:3501, 3502(1), (4), (11), (15), and (21), 3503(E) and (F)(introductory paragraph), 3504, 3506, 3507, 3508(A), (B), and (C)(2), 3509(A), (C), (D), (F), (G), and (I), 3510(A), (C)(3), (F), (K)(1), and (M), 3511, 3512(E) and (F)(3), 3513(A), (F), (H), (I), (L), and (M)(2), 3514(H), (N), (P), and (Q), 3515(A) and (B)(introductory paragraph), 3517(A) and (B)(introductory paragraph), 3519(A), (C)(2), and (D), 3520(B), 3521(B), 3522(C), 3523(C) and (D), 3524(A), 3525(B), (C), (D), (H), (O), and (P), 3531(introductory paragraph), 3532, 3533(E)(1) and (6), 3534(E) and (F), 3535(C) and (D), 3541(introductory paragraph), 3542, 3543(D)(1) and (3), 3544(A)(3), (C), and (D), 3545(C) and (D), 3551, 3553(A), (B), (C), and (E), 3554(C) and (D), 3555, and 3556, R.S. 11:42(B)(1), (2), (3), (6), (7), (8)(a), and (9), 102(B)(3)(d)(v), (vi), (vii), and (viii), 103(B)(1) and (3)(d) and (e)(i)(bb) and (C)(introductory paragraph), 105(C)(1), 106(C)(1), 247(A)(2) and (3)(b) and (C), 413(3), 446(A)(5)(j) and (E), 542.1.1(E), 701(5)(c)(iii) and (33)(a)(viii) and (xii), 783(A)(3)(e), (C), (D)(1)(b)(ii), (F), (G)(1)(b)(ii), and (I)(1)(b)(ii), 883.3(E), and 1481(1)(a)(iii)(aa), R.S. 12:202.1(D), R.S. 14:67.21(F) and 403.6(A), R.S. 15:574.7(A) and (B)(2)(a), R.S. 17:7(28)(c) and (d), 17.5(D)(1) and (2), 24.10(I)(1)(a)(iii), 53(A), 170.4(C)(2), 183.3(B)(2)(b) and (D)(1)(b)(iii)(cc), 270(A), 416(A)(1)(c)(ii)(cc) and (2)(c), 1206.2(A)(1),

1518.1(I)(3), 1519.17, 1874(D) and (E), 2047(B), 2048.51(C)(14), 2922, 2923(A), 2924(A), 2926(A), 2927(A), 2928(A)(1) and (B), 2929, 2930(A) and (C), 2932(B), 3161, 3165(A)(1), 3983(A)(2)(b) and (3)(b) and (D), 3995(A)(6)(a), 3997(B)(2)(b) and (c)(i) and (ii)(aa), 4012(1), 4020(B), and 4024, R.S. 22:1078(A)(1), R.S. 24:7, 31.4(B)(1), 31.5(A)(4)(a) and (b) and (5) and (C)(1)(a), 52, 55(D)(2) and (E)(2)(a), 101, 107(A), 653(K)(1) and (3), R.S. 27:381(D) and (E), R.S. 29:653, R.S. 30:10.1(B)(3) and 213(A)(2) and 2117(E), R.S. 32:318(F), R.S. 33:322, 2740.52(B), 4710.3(A)(8), 9024(E)(2), 9206(5), 9602(C), and 9614(C), R.S. 35:406(B), R.S. 36:4(B)(1)(a), (b), (c), (d), (e), (j), (k), (l), (m), (q), and (z) and (15), 4.1(D)(14), 209(C)(2), (G), and (P), 254(A)(10)(h), 259(C)(1), (9), (10), (11), (12), and (16), (L), and (O), 509(B), 610(B)(2), 628(C)(1), 642(B) and (D)(1), 651(D)(1), (J), and (Q), 744(D), and 769(F)(2), R.S. 42:1118.1(A) and 1123(13)(a)(i)(dd), R.S. 44:4.1(B)(6) and (7), R.S. 46:56(B)(1), 61(B), 932(10), and 2132(3), and R.S. 49:220.23(A)(1), 220.24(J), and 965.4(4), to enact R.S. 11:701(33)(a)(xiii) and R.S. 36:4(B)(1)(r), (s), and (aa), 259(K), (N), (R), and (BB)(1), 359(B) and (C), 409(K), 610(G), 629(H) and (M), 651(D)(5), (O), and (V), 706(B), 769(K) and (L), R.S. 42:4.1.1, and R.S. 44:1.1, and to repeal R.S. 11:701(33)(c), R.S. 36:4(B)(10), 259(E)(18), (F)(6), (7), (11), (13), (14), and (17), 409(C)(6) and (I), 651(S) and (T), and 802.11 and R.S. 42:1141(B)(3), relative to the various codal provisions and provisions of the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain codal provisions; to provide for technical corrections to certain Louisiana Revised Statutes; 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.

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:

May 12, 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. 18—
BY SENATOR MURRAY

AN ACT

To enact R.S. 40:2004, relative to public hospitals; to provide for confirmation of the management board of any legal entity formed for the purpose of financing, constructing, or operating a public hospital or academic medical center in New Orleans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 167—
BY SENATOR WALSWORTH

AN ACT

To enact R.S. 44:4(44), relative to public records; to provide for applicability of records of a cemetery authority under investigation; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 319—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 18:463(A)(2)(a)(iv) and to enact R.S. 18:492(A)(7), relative to the Louisiana Election Code; to provide qualifications for candidacy for public office, notice of candidacy, and grounds for objection to candidacy; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 520—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 29:725.6(B)(6)(a),(b) and (c), relative to homeland security and emergency preparedness; to provide for annual reports from the Unified Command Group's three permanent subcommittees to the UCG and the governor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 690—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:401(B)(2)(a)(i) and 1275.1(A), relative to congressional primary elections; to provide that voters not affiliated with a recognized political party may choose to vote in a recognized political party's primary elections; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

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

May 12, 2010

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To direct the Department of Insurance to conduct a study of pharmacy benefit managers.

Reported with amendments.

SENATE BILL NO. 181—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 22:1272 and 1338, relative to insurance covering wind damage; to require insurers to provide coverage for wind damage to property located in areas with the same wind zone rating; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 359—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 22:972 (A) and (B) and to enact R.S. 22:1016, relative to network adequacy in health insurance; provide with respect to the filing of the network of participating health care providers; provide for definitions; provide with

respect to the requirement of all health insurance issuers to have an adequate network of providers; provide for penalties for violation of network adequacy rules; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 371—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R. S. 22:236.8(B), 237.10(B), and 696(A)(2), relative to insurers; to provide for filing articles of incorporation of certain reorganizing insurers; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 578—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 22:1880, relative to health insurance, to prohibit liability insurers and providers from reimbursing any health insurance issuer, provider, or subrogee without the written consent of insured or his legal representative; to prohibit reimbursements that exceed amounts actually paid by an insurer or insurance provider; to provide for payment of court costs and attorney fees in certain cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 676—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1984 and R.S. 44:4.1(B)(10), relative to examination and investigation of insurers and regulated entities; to provide for financial and market analysis of insurers and regulated entities; to provide for penalties; to provide for confidentiality; to provide for standards and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 757—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 22:1266(A)(1)(b), relative to automobile insurance policies; to provide with respect to a policy insuring multiple automobiles; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TROY HEBERT
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:

May 12, 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 CONCURRENT RESOLUTION NO. 18—
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To direct the Louisiana State University - Health Care Services Division to fully implement the recommendations from the

May 12, 2010

March 23, 2009, Interim LSU Public Hospital Financial and Operational Assessment performed by Alvarez & Marsal.

Reported with amendments.

SENATE BILL NO. 235—
BY SENATOR HEITMEIER

AN ACT

To enact Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2891, relative to Medicaid upper payment limit collaboratives; to provide for a Medicaid upper payment limit collaborative to continue access to healthcare services; to provide for development of funding mechanisms for hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 335—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 37:2703(3),(6), (11),(12), (17) and (19), 2704(A)(2) and (4) and (B), 2705(C)(2) and (3), (D) and (G), 2706(A)(1) and (2), the introductory paragraph of 2707(A)(1) and (2) and (B), 2708(A)(1), (2) and (3), 2709, 2711(B), 2712, 2713, 2714, 2715(B) through (E), 2716(A)(1), (2)(a), (c), (d) and (C), the introductory paragraph of 2717(A)(3), (B)(1), (6), (7), (8), and (C) and (D), 2719, 2720(A)(1), (2) and (3), 2722(A)(1), (2) and (3) and to enact R.S. 37:2703(19), 2716(D) and 2724 and to repeal R.S. 37:2703(11), 2706 (C) and (D), 2707(C), (D) and (E), and 2708(C), relative to the social workers practice act; to provide relative to definitions; to provide relative to membership powers, duties and licencing of the social work examiner's board; to provide relative to licensed master's social worker; to provide relative to certified social workers; to provide relative to a licensed clinical social worker; to provide relative to provisional certificates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 355—
BY SENATOR MOUNT

AN ACT

To enact Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2200.11 through 2200.14, relative to proton beam radiotherapy; to provide for a facility need review process for proton beam radiotherapy facilities; to provide for definitions; to provide for rules and regulations and penalties; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 453—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 32:154, relative to the Open Roads Law; to provide relative to motor vehicle fatalities; to provide for protocol when organs are to be transplanted after a death in which a moving conveyance is involved; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 523—
BY SENATOR CHEEK

AN ACT

To enact Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes, to be comprised of R.S. 40:1236.21 through 1236.31, relative to emergency medical services; to provide for the creation of the statewide ambulance service district; to provide for the purpose and object of the district; to provide for a board of commissioners; to provide for powers and duties of the board of commissioners; to provide for domicile of

the district; to provide for rules and regulations; to provides for the authority to incur debt and issue general bonds; to provide for legislative findings; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 710—
BY SENATOR CHEEK

AN ACT

To enact R.S. 22:1874(A)(5), relative to billing by contracted health care providers; to provide with respect to the payment to any new provider to the contracted network of providers; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

REPORT OF COMMITTEE ON
JUDICIARY B

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 11, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 174—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 40:1379.3(D)(2) and to enact R.S. 40:1379.3(D)(1)(i), relative to statewide permits for concealed handguns; to reduce training requirements on combat veterans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 177—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 46:1802(8)(a) and to enact 46:1802(8)(b)(v) and R.S. 46:1806(D), relative to crime victims reparations; to provide for definitions; to provide for application requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 331—
BY SENATOR HEBERT

AN ACT

To enact Code of Criminal Procedure Art. 65.1, relative to district attorneys; to provide for the unlawful representation of a local governmental entity; to provide relative to certain officers; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 494—
BY SENATOR MARTINY

AN ACT

To enact Children's Code Article 857(D), relative to parole eligibility; to provide for parole eligibility of certain juveniles upon reaching thirty-one years of age; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 614—
BY SENATOR THOMPSON

AN ACT

To enact Chapter 3-F of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:562 through 15:562.6, relative to the crime of arson; to provide for the creation of the registration of arson offenders; to provide for purposes and notification; to provide for definitions; to provide for certain criteria; to provide for penalties, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 679—
BY SENATOR B. GAUTREAU

AN ACT

To enact Code of Criminal Procedure Article 900(A)(6)(c)(vi) and (vii), relative to probation; to amend the definition of a "technical violation;" and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 782—
BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 27:44(15), 205(17), and 353(8) and to enact R.S. 27:21.2, 44(20.1), 205(30.1), 244(D), and 353(9.1), relative to promotional expense deductions; to provide for a promotional expense deduction from the calculation of net gaming proceeds, net slot machine proceeds, and gross revenue; to provide for definitions; to provide for exceptions; to require certain gaming licensees and the casino gaming operator report the total amount of promotional expenses; to provide for an amendment to the casino operating contract; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 36—
BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 15:709(C), relative to prisoners; to provide for the housing of certain prisoners convicted and sentenced in another state; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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

SENATE BILL NO. 443—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 40:1299.59, relative to civil actions alleging professional liability against architects, engineers and land surveyors, and civil actions alleging malpractice against health care providers; to require the attachment of an expert report to certain petitions for damages; to provide with respect to the content of the expert report; to provide with respect to the procedure for filing the expert report and answer to the petition; to provide for dismissal of actions for failure to file the report; to provide relative to prescription or peremption; 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. 443 by Senator LaFleur

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert "To enact R.S. 40:1299.59, and to repeal R.S. 40:1299.39.1 and 1299.47, relative to civil actions"

AMENDMENT NO. 2

On page 1, line 8, after "peremption;" insert "to repeal provisions of law relative to medical review panels for both state and private claims;"

AMENDMENT NO. 3

On page 1, line 12, delete "architects, engineers, and land surveyors;"

AMENDMENT NO. 4

On page 1, at the end of line 14 delete the colon ":" and delete lines 15 through 17

AMENDMENT NO. 5

On page 2, line 1, delete "(2)" and change "Alleging" to "alleging"

AMENDMENT NO. 6

On page 2, line 5, after "alleging" delete the remainder of the line and delete lines 6 and 7

AMENDMENT NO. 7

On page 2, line 8, delete "business; or alleging"

AMENDMENT NO. 8

On page 2, line 9, after "R.S. 40:1299.41" change the comma "," to a period "." and change "the" to "The"

AMENDMENT NO. 9

On page 2, line 12, delete "professional liability or"

AMENDMENT NO. 10

On page 2, line 13, after "parties" and before the period "." insert "or by the court after a hearing for good cause shown."

AMENDMENT NO. 11

On page 2, at the end of line 16, after "is" insert "actively practicing and"

AMENDMENT NO. 12

On page 2, line 17, after "discipline" insert ", field, specialty or sub-specialty, whichever is applicable to the defendant and"

AMENDMENT NO. 13

On page 2, delete line 29 in its entirety.

AMENDMENT NO. 14

On page 3, delete lines 1 through 6

AMENDMENT NO. 15

On page 3, line 7, change "(5)" to "(4)"

AMENDMENT NO. 16

On page 3, delete line 9, and insert "sub-specialty, whichever is applicable to the defendant health care provider, and"

AMENDMENT NO. 17

On page 3, line 10, after "testify" insert a period "." and delete the remainder of the line and line 11 in its entirety.

AMENDMENT NO. 18

On page 3, line 12, after "report" delete the remainder of the line and delete lines 13 and 14 and insert the following: "as provided in this Section shall, absent good cause established after a hearing before the court, result in dismissal, with prejudice, of plaintiff's"

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claims against a defendant identified in Subsection A of this Section.

AMENDMENT NO. 19

On page 3, line 16, after "any" delete the remainder of the line

AMENDMENT NO. 20

On page 3, delete lines 18 through 20 and on line 19, change "F." to "E."

AMENDMENT NO. 21

On page 3, line 23, change "G." to "F." and on line 24 after "1299.49" insert a period "." and delete the remainder of the line

AMENDMENT NO. 22

On page 3, between lines 24 and 25 insert the following: "Section 2. R.S. 40:1299.39.1 and R.S. 40:1299.47 are hereby repealed in their entirety."

AMENDMENT NO. 23

On page 3, line 25, change "Section 2." to "Section 3."

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

SENATE BILL NO. 576—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:966(E)(2), relative to second offense possession of marijuana; to provide for a minimum fine; to provide relative to suspension of sentence; to require participation in substance abuse programs and community service in 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. 581—
BY SENATOR PETERSON

AN ACT

To amend and reenact Code of Criminal Procedure Art. 437, relative to grand juries; to provide for inquiries into certain offenses; 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. 601—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 14:140.1, relative to kickbacks in state contracts; to provide prohibitions, definitions, penalties, and reporting requirements; 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. 601 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 16, after "contract." insert "Nothing herein shall prohibit a labor organization representing employees of a prime contractor or subcontractor in collective bargaining from entering into market recovery arrangements intended to subsidize the wage and benefit packages of affected employees."

AMENDMENT NO. 2

On page 3, line 3 after "years or" delete "shall"

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. 685—

BY SENATOR MURRAY

AN ACT

To enact R.S. 14:110.1.1, relative to jumping bail; to create the crime of out of state bail jumping; to provide for certain criteria; 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. 686—

BY SENATORS MOUNT, ALARIO, GUILLORY, LONG, MARTINY AND MORRELL AND REPRESENTATIVES BARRAS, BILLIOT, TIM BURNS, CHAMPAGNE, HOFFMANN, LABRUZZO, LEGER, POPE, PUGH, RICHARD, JANE SMITH, TALBOT AND THIBAUT

AN ACT

To amend and reenact R.S. 14:98(D)(2) and (E)(2), relative to operating a vehicle while intoxicated; to provide for certain procedures relative to the forfeiture of vehicles; to provide for the allocation of certain funds; 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. 769—

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:51, relative to aggravated arson; to provide relative to injury to persons; to provide relative to injury to firefighters, law enforcement officers, and first responders; 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. 769 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "14:51, relative to aggravated arson;" and insert "40:1563.1(A)(16) and to enact R.S. 14:51.1 and R.S.40:1563.1(A)(17), relative to arson and use of explosives;"

AMENDMENT NO. 2

On page 1, line 4, after "first responders;" insert "to provide for authority to make arrests;"

AMENDMENT NO. 3

On page 1, line 6 after "R.S. 14:" delete the remainder of the line and insert the following: "51.1 is hereby enacted to read as follows:

§51.1. Injury by arson

A. Injury by arson is the intentional damaging by any explosive substance or the setting fire to any structure, watercraft, or movable whereby:

(1) Any person suffers great bodily harm, or permanent disability or disfigurement as a result of the fire or explosion; or

(2) A firefighter, law enforcement officer or first responder who is present at the scene and acting in the line of duty is injured as a result of the fire or explosion.

B. Whoever commits the crime of aggravated arson shall be imprisoned at hard labor for not less than six nor more than twenty years, and shall be fined not more than twenty-five thousand dollars. Two years of such imprisonment at hard labor shall be without benefit of parole, probation, or suspension of sentence.

Section 2. R.S. 40:1563.1(A)(16) is hereby amended and reenacted and R.S. 40:1563.1(A)(17) is hereby enacted to read as follows:

§1563.1. Authority to make arrests and carry firearms; arson task force

A. The fire marshal, the first assistant fire marshal, each deputy fire marshal, certified local authorities, and state or municipal arson investigators, while engaged in the performance of their duties as such, shall have the authority to investigate and cause the arrest of individuals suspected of having violated the following criminal laws:

(16) R.S. 14.51.1, injury by arson

~~(16)~~ **(17)** Any other criminal laws making unlawful an attempt or conspiracy to commit the foregoing offenses.

AMENDMENT NO. 4

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

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. 774—

BY SENATORS CLAITOR AND DORSEY
AN ACT

To amend and reenact Code of Criminal Procedure Article 912.1(A), relative to criminal procedure; to provide relative to the right to appeal in any case of conviction of a capital offense; to provide for notice of the right to waive such appeal; to provide for an effective date; 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. 786—

BY SENATOR QUINN
AN ACT

To enact R.S. 22:1892(E), relative to payment and adjustment of claims for policies other than life and health and accident; to provide for payment of claims in which an attorney and the insured have executed a contract granting an interest to the attorney in the subject matter of the claim; to provide for such interest to be superior to that of a loss payee; to provide for penalties; 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. 786 by Senator Quinn

AMENDMENT NO. 1

On page 1, delete lines 3 through 6 and insert "than life and health and accident; to provide relative to payment of certain claims; to provide certain procedures and conditions; to provide for penalties under certain circumstances; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 14, after "**E.**" delete the remainder of the line and delete lines 15 through 17

AMENDMENT NO. 3

On page 2, delete line 1

AMENDMENT NO. 4

On page 2, line 2, change "**(2)**" to "**(1)**"

AMENDMENT NO. 5

On page 2, line 3, change "**deposited**" to "**received**"

AMENDMENT NO. 6

On page 2, delete lines 4 through 6, and insert: "**receipt of such payment, endorse the check and remit the proceeds pursuant to law within thirty days of receipt.**"

AMENDMENT NO. 7

On page 2, line 7, change "**(3)**" to "**(2)**"

AMENDMENT NO. 8

On page 2, line 8, change "**attorney**" to "**insured**"

AMENDMENT NO. 9

On page 2, line 9, change "**attorney's privilege**" to "**proceeds to be remitted**"

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

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

HOUSE BILL NO. 48—

BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 3:3553(B) and 3556, relative to the assessment on grain sorghum; to authorize the application for and receipt of national assessment funds; to suspend the state assessment; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 242—

BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 3:3816(7), relative to arborist licenses; to provide for the issuance of temporary arborist licenses by the commissioner; to provide for certain temporary arborist license requirements; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 313—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 3:2772(E)(introductory paragraph) and (G)(introductory paragraph), relative to kennel licenses; to provide for license fees; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 430—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 3:730.8 and to enact R.S. 3:730.9, relative to the labeling of strawberries offered for sale; to provide for farm of origin labeling; to provide for rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 576—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 3:2731 and 2778 and to repeal R.S. 3:2733 through 2737, relative to the regulation by local authorities of dogs; to provide for the adoption of ordinances; to provide for the imposition of fees and fines; to provide for the disposition of proceeds; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Engrossed House Bill No. 576 by Representative Mills

AMENDMENT NO. 1

On page 1, line 5, after "proceeds;" insert "to repeal the requirement that license fees be credited to parish school funds; to repeal certain provisions related to home rule charter governments;"

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 891—

BY REPRESENTATIVE LAMBERT AN ACT

To amend and reenact R.S. 36:231(C)(1), to enact R.S. 30:2011(D)(26), and to repeal R.S. 30:2011(C)(1)(b) and R.S. 36:238(C), relative to the offices within the Department of Environmental Quality; to provide for the purposes for the offices within the Department of Environmental Quality; to provide for the elimination of the office of environmental assessment; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 893—

BY REPRESENTATIVE CHAMPAGNE AN ACT

To amend and reenact R.S. 30:2011(D)(3), 2014(A)(1), and 2054(B)(2)(a), relative to the authority to issue a regulatory permit; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the authority to issue a regulatory permit; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 894—

BY REPRESENTATIVE CHAMPAGNE AN ACT

To amend and reenact R.S. 30:2154(B)(2)(a) and to enact R.S. 30:2154(B)(9), relative to regulatory permits; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits for solid waste; to provide for limitations on such authority; to provide for delegation of authority; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 894 by Representative Champagne

AMENDMENT NO. 1

On page 2, line 14, after "regulations" delete "and" and insert a comma ","

AMENDMENT NO. 2

On page 2, line 15, after "Act" insert ", and all Federal Aviation Administration safety guidelines, rules, regulations, or recommendations"

On motion of Senator Amedee, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1169—

BY REPRESENTATIVE WHITE AN ACT

To enact R.S. 30:2060(O), relative to air quality; to provide for toxic air pollution standards and compliance; to provide for rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. The bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules to recommit a bill.

SENATE BILL NO. 417—

BY SENATOR MICHOT AN ACT

To amend and reenact R.S. 39:15.1 and 15.3(B), to enact R.S. 39:15.2(E) and 15.7, and to repeal R.S. 39:140 through 143 and R.S. 39:1751 through 1755, relative to information technology; to transfer the authority and duties of the office of telecommunications management to the office of information technology; to repeal certain provisions relative to the office of telecommunications management; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Senator Michot moved to recommit the bill from the Committee on Senate and Governmental Affairs to the Committee on Finance.

Without objection, so ordered.

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules to recommit a bill.

HOUSE BILL NO. 591—

BY REPRESENTATIVE ARNOLD AN ACT

To enact R.S. 6:969.24.1 and 969.24.2, relative to the Motor Vehicle Sales Finance Act; to prohibit any act that lessens or eliminates competition; to provide for exceptions; to prohibit a lender in a motor vehicle retail purchase from requiring a dealer to sell any insurance coverage, service, or product in order to secure preferential financing rates; and to provide for related matters.

Senator Michot moved to recommit the bill from the Committee on Finance to the Committee on Commerce, Consumer Protection, and International Affairs.

Without objection, so ordered.

Reconsideration

The vote by which Senate Bill No. 389 failed to pass on Tuesday, May 11, 2010, was reconsidered.

SENATE BILL NO. 389—

BY SENATOR HEBERT A JOINT RESOLUTION

Proposing to amend Article V, Section 15(B) of the Constitution of Louisiana, relative to judicial districts; to provide for the establishment of judicial districts; to provide for applicability; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Special Order of the Day 1

SENATE BILL NO. 348—
BY SENATOR MARIONNEAUX
AN ACT

To repeal R.S. 40:1300.256(B)(5) and (8), relative to prohibiting smoking in certain places; to provide for the removal of certain exemptions; and to provide for related matters.

Senator Broome in the Chair

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 348 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 5, after "40:1300.256(B)(5) and before "hereby" delete "and (8) are" and insert "is" and after "in" and before "entirety" delete "their" and insert "its"

AMENDMENT NO. 2

On page 1, after line 5, insert the following:
"Section 2. R.S. 40:1300.256(B)(8) is hereby repealed in its entirety.

Section 3. Section 2 of this Act shall not become effective until each Tribal-State Compact For The Conduct of Class III Gaming, entered into by an Indian tribe and the State pursuant to the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), contains provisions which prohibit smoking in any facility or establishment where Class III gaming activities, as defined by the Indian Gaming Regulatory Act, occur.

Section 4. Section 1, 3 and this Section of this Act shall become effective on August 15, 2010."

Senator Morrish moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario Jackson Smith
Chabert Martiny Walsworth
Duplessis Morrish
Guillory Murray
Total - 10

NAYS

Mr. President Dorsey Marionneaux
Adley Erdey McPherson
Amedee Gautreaux B Mount
Appel Gautreaux N Nevers
Broome Hebert Peterson
Cheek Heitmeier Riser
Claitor Kostelka Shaw
Donahue Long Thompson
Total - 24

ABSENT

Crowe Michot Quinn
LaFleur Morrell
Total - 5

The Chair declared the amendments were rejected.

Mr. President in the Chair

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 McPherson
Appel Gautreaux B Morrell
Broome Gautreaux N Mount
Cheek Hebert Nevers
Claitor Kostelka Peterson
Crowe LaFleur Shaw
Donahue Long Thompson
Dorsey Marionneaux
Total - 23

NAYS

Adley Duplessis Morrish
Alario Guillory Murray
Amedee Heitmeier Riser
Chabert Martiny Smith
Total - 12

ABSENT

Jackson Quinn
Michot Walsworth
Total - 4

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.

Explanation of Vote

Senator Michot stated he appeared as absent on the vote on Senate Bill No. 348. He intended to vote yea and asked that the Official Journal so state.

Explanation of Vote

Senator Walsworth stated he appeared as absent on the vote on Senate Bill No. 348. He intended to vote yea and asked that the Official Journal so state.

Special Order of the Day 2

SENATE BILL NO. 334—
BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 40:1300.253(1) and to repeal R.S. 40:1300.256(B)(5), relative to prohibiting smoking in certain places; to provide for definitions; to provide relative to exceptions; 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 Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 477—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 42:1124(A)(6), relative to financial disclosure; to provide disclosure requirements for certain public servants; and to provide for related matters.

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Floor Amendments

Senator Hebert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 477 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 12, after "institutions," insert "the executive director of the Louisiana State Racing Commission."

On motion of Senator Hebert, 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: Mr. President, Erdey, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Guillory, Murray, Appel, Hebert, Nevers, Broome, Heitmeier, Peterson, Chabert, Kostelka, Riser, Cheek, LaFleur, Shaw, Claitor, Long, Smith, Crowe, Marionneaux, Thompson, Donahue, Martiny, Walsworth, Dorsey, McPherson, Duplessis, Michot. Total - 37

NAYS

Total - 0

ABSENT

Jackson Quinn Total - 2

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. 558—

BY SENATOR WALSWORTH AND REPRESENTATIVE TUCKER AN ACT

To enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1237, and R.S. 36:209(Q); to create the Louisiana Bicentennial Commission; to provide for membership of the commission and its operation; to provide relative to powers, duties, and activities of the commission; to provide relative to funds and property of the commission; to provide for termination of the commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrell

Table with 3 columns: Alario, Amedee, Appel, Broome, Chabert, Cheek, Crowe, Donahue, Dorsey, Duplessis, Total - 36, Gautreaux N, Guillory, Hebert, Heitmeier, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Morrish, Mount, Murray, Nevers, Peterson, Riser, Shaw, Smith, Thompson, Walsworth

NAYS

Claitor Total - 1

ABSENT

Jackson Quinn Total - 2

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

SENATE BILL NO. 615—

BY SENATOR MARTINY AN ACT

To amend and reenact R.S. 18:49.1(C), 1461, 1462, 1463(F), 1465(B), 1467, and 1468(C) and to enact R. S. 18:49.1(D), 1459, 1461.2, 1461.3, 1461.4, 1461.5, 1461.6, 1461.7 and 1461.8, and to repeal R.S. 14:118(A)(1)(b), 119, and 352 and R.S. 18:1300.6, relative to the election code; to provide relative to certain election offenses, to provide for definitions; to provided for penalties; and to provide for related matters.

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

SENATE BILL NO. 652—

BY SENATOR HEBERT AN ACT

To amend and reenact R.S. 18:1299.1, relative to elections; to provide that any question or proposition to be voted on must also include a question in simple language directed to the voter with regard to the passage or rejection of the proposition; and to provide for related matters.

Floor Amendments

Senator Hebert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Original Senate Bill No. 652 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 8, after "1299.1." delete the remainder of the line and insert "Statement of question Question or proposition to be voted on; statement length"

AMENDMENT NO. 2

On page 1, delete line 9 through 17

AMENDMENT NO. 3

On page 2 delete lines 1 through 10 and insert the following:

"A. The preparation of the statement of any a question or proposition to be submitted to the voters at an election shall be the responsibility of the governing authority or other entity calling the election or submitting the question or proposition. The statement of the proposition shall also include a simple and unbiased concise summary in easily understood language which sets forth the substance of the proposition be comprised of simple, unbiased, concise, and easily understood language and be in the form of a question. The statement of the proposition, including the summary,

shall not exceed ~~four~~ **two** hundred words in length. ~~Such summary shall be placed at the beginning of the statement of the proposition.~~

B. The secretary of state shall be responsible for ensuring that the statement of the proposition contains the summary as provided in ~~Subsection A~~ **complies with the requirements** of this Section."

AMENDMENT NO. 4

On page 2, after line 10, insert

"Section 2. This Act shall become effective January 1, 2011."

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Riser
Cheek	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	
Total - 32		

NAYS

Claitor
Total - 1

ABSENT

Jackson	LaFleur	Quinn
Kostelka	Michot	Walsworth
Total - 6		

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

SENATE BILL NO. 687—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 45:200.4, relative to public carrier vehicle insurance; to increase the minimum amount of insurance for property damage; 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. 687 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 11, following "state." and before "insurance" change "Said" to "The"

AMENDMENT NO. 2

On page 1, line 14, following "to" and before "limit" change "said" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrish
Adley	Erdey	Mount
Alario	Gautreaux B	Murray
Amedee	Guillory	Nevers
Appel	Hebert	Peterson
Broome	Heitmeier	Riser
Chabert	LaFleur	Shaw
Cheek	Long	Smith
Crowe	Marionneaux	Thompson
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Total - 32		

NAYS

Total - 0

ABSENT

Claitor	Kostelka	Quinn
Gautreaux N	Michot	
Jackson	Morrell	
Total - 7		

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

SENATE BILL NO. 705—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 22:1000(A)(1), relative to health and accident insurance; to provide for group policies issued to trusts for multiple associations; to provide for coverage involving such associations and their members and employees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Quinn
Total - 1

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

SENATE BILL NO. 722—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 42:1158(A)(2)(d), relative to the Board of Ethics computerized data management system; to require that campaign finance disclosure reports required to be filed electronically with the board are able to be searched by the public by the names of campaign contributors; and to provide for related matters.

The bill was read by title. Senator Appel 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	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Quinn
Total - 1

The Chair declared the bill was passed and ordered it 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. 732—
BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1880, relative to health insurance; to provide for balance billing disclosure; to provide for definitions; to provide with respect to health insurance issuer, facility, and facility-based physician disclosure; 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. 732 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 12, following "**limited to the**" and before "**or insured's**" change "**enrollee**" to "**enrollee's**"

AMENDMENT NO. 2

On page 2, line 12, following "**coinsurance**" and before "**or**" insert "**;**"

AMENDMENT NO. 3

On page 2, line 23, following "**DEDUCTIBLES**" insert "**;**"

AMENDMENT NO. 4

On page 3, line 19, following "**shall**" and before "**;**" delete "**provide all of the following items**"

AMENDMENT NO. 5

On page 3, line 20, following "**(1)**" and before "**written**" change "**A**" to "**Provide a**"

AMENDMENT NO. 6

On page 3, lines 21-22, following "**regarding**" and before "**services**" change "**non-emergency**" to "**nonemergency**"

AMENDMENT NO. 7

On page 4, line 5, following "**DEDUCTIBLES**" insert "**;**"

AMENDMENT NO. 8

On page 4, line 11, following "**(2)**" and before "**list**" change "**A**" to "**Provide a**"

AMENDMENT NO. 9

On page 4, line 14, following "**facility**" and before "**and inform**" delete "**;**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	McPherson
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
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Crowe Michot Quinn
Total - 3

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

SENATE BILL NO. 47—
BY SENATOR CROWE

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F), relative to fees paid as a condition of probation; to provide for the allocation and use of fees credited to the Sex Offender Registry Technology Fund; 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. 47 by Senator Crowe

AMENDMENT NO. 1

On page 3, line 1, following "**requirements of**" and before "**of this**" change "**Subparagraphs a**" to "**Subsubparagraphs (a) and (b)**"

AMENDMENT NO. 2

On page 3, line 2, before "**shall**" change "**Paragraph**" to "**Subparagraph**"

AMENDMENT NO. 3

On page 4, line 4, following "**in**" and before "**(a)**" change "**Subparagraphs**" to "**Subsubparagraphs**"

AMENDMENT NO. 4

On page 4, line 5, and before "**, the**" change "**Paragraph**" to "**Subparagraph**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Claitor Quinn
Total - 2

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

SENATE BILL NO. 299—
BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:32(L) and R.S. 49:308.6, relative to state government services; to provide for a cost recovery budget request form; to provide for distribution of the form; to provide for an annual evaluation of certain fees; to provide relative to the development of a plan and schedule relative to the review of fees; to provide for an annual review and report of the findings of such review; to provide for an effective date; 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. 299 by Senator Donahue

AMENDMENT NO. 1

On page 2, line 6, following "**activity**" and before "**the**" change "**:**" to "**; report**"

AMENDMENT NO. 2

On page 2, line 7, following "**expenditures**" and before "**the**" change "**, Report**" to "**; report**"

AMENDMENT NO. 3

On page 3, line 3, following "**Regents**" insert "**;**"

AMENDMENT NO. 4

On page 3, line 4, following "**governor**" and before "**shall**" insert "**;**"

AMENDMENT NO. 5

On page 3, line 12, following "**evaluation**" and before "**that**" insert "**that ensure**"

AMENDMENT NO. 6

On page 4, line 5, following "**2011**" and before "**and**" insert "**;**"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Riser
Cheek	Kostelka	Shaw
Claitor	LaFleur	Smith

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Crowe	Long	Thompson
Donahue	Marionneaux	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Martiny	Quinn
Total - 2	

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

SENATE BILL NO. 4—
BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4883, relative to the exercise of police powers by local governmental subdivisions; to authorize parish and municipal governing authorities to adopt ordinances regulating the backwash and drainage of swimming pools; and to provide for related matters.

The bill was read by title. Senator Murray 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	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Peterson
Broome	Jackson	Riser
Chabert	Kostelka	Shaw
Cheek	LaFleur	Smith
Claitor	Long	Thompson
Crowe	Marionneaux	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 34		

NAYS

Gautreaux N
Total - 1

ABSENT

Donahue	Nevers
Martiny	Quinn
Total - 4	

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

SENATE BILL NO. 365—
BY SENATOR MICHOT

AN ACT

To enact R.S. 39:1701.1, relative to procurement; to provide relative to cooperative purchasing; to provide for a survey and report of cooperative purchasing; 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.

Senator Broome in the Chair

SENATE BILL NO. 395—
BY SENATOR N. GAUTREAUX

AN ACT

To enact Subpart G of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.110 through 140.118, relative to railroad districts; to provide for the district's boundaries in Vermilion and Iberia parishes and for purpose, governance, and funding; to provide relative to the district's governing board's powers and duties; 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. 395 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, lines 6-7, following "**immunities**" delete "**granted all of the rights, powers, privileges, and immunities**"

AMENDMENT NO. 2

On page 2, line 12, following "**pursuant**" and before "**shall**" change "**hereto**" to "**to this Section**"

AMENDMENT NO. 3

On page 3, line 2, following "**Twin**" and before "**Port**" insert "**Parish**"

AMENDMENT NO. 4

On page 3, line 26, following "**this**" and before "**shall**" change "**Section**" to "**Subparagraph**"

AMENDMENT NO. 5

On page 4, lines 7-8, following "**not**" and before "**directly**" change "**be pecuniarily interested**" to "**have a pecuniary interest**"

AMENDMENT NO. 6

On page 4, line 13, following "**purposes,**" change "**including, but not limited to,**" to "**including but not limited to**"

AMENDMENT NO. 7

On page 4, line 14, following "**this**" change "**Subpart**" to "**Subsection**"

AMENDMENT NO. 8

On page 4, line 21, before "**the**" change "**including, but not limited to,**" to "**including but not limited to**"

AMENDMENT NO. 9

On page 5, lines 16, following "**of**" delete "**the local**" and on line 17 before "**, R.S. 33:1321**" change "**services law**" to "**The Local Services Law**"

AMENDMENT NO. 10

On page 6, line 20, change "**said**" to "**such**"

AMENDMENT NO. 11

On page 6, line 25, change "**said**" to "**the**"

AMENDMENT NO. 12

On page 8, line 2, following "**Regulatory**" and before "**Act**" insert "**Reform**"

AMENDMENT NO. 13

On page 8, line 4, following "**include**" and before "**but**" delete ";

AMENDMENT NO. 14

On page 8, line 4, following "to" and before "any" delete "1."

AMENDMENT NO. 15

On page 8, line 5, following "cooperative" and before "1" change "ownership" to "ownerships"

AMENDMENT NO. 16

On page 9, line 2, following "including" and before "but" delete "1."

AMENDMENT NO. 17

On page 9, line 2, following "to" and before "planning" delete "1."

AMENDMENT NO. 18

On page 9, line 17, following "Article" and before ", Section" change "6" to "VI"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gautreaux N	Morrish
Alario	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Riser
Cheek	LaFleur	Shaw
Claitor	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Crowe	Martiny
Donahue	Quinn
Total - 4	

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. 411—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 48:36, relative to the Department of Transportation and Development; to provide for topographic mapping responsibilities; to authorize the department to develop and maintain a statewide digital geospatial database; to provide for the adoption of rules; and to provide for related matters.

The bill was read by title. Senator Chaisson 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	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Riser
Cheek	Kostelka	Shaw
Claitor	LaFleur	Smith
Crowe	Long	Thompson
Donahue	Marionneaux	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Martiny	Quinn
Total - 2	

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

SENATE BILL NO. 480—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 32:1518(A) and to enact R.S. 32:1518(C), relative to hazardous materials transportation and motor carrier safety; to provide relative to revocation of hazardous materials endorsements on a commercial driver's license; and to provide for related matters.

The bill was read by title. Senator Riser 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	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Riser
Cheek	LaFleur	Shaw
Claitor	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Crowe	Martiny
Donahue	Quinn
Total - 4	

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

Explanation of Vote

Senator Crowe stated he appeared as absent on the vote on Senate Bill No. 480. He intended to vote yea and asked that the Official Journal so state.

SENATE BILL NO. 498— BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 56:302.9(G), relative to charter boat fishing guide licenses; to provide for the fees collected from the sale of charter boat fishing guide licenses; to provide for expenditure of funds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Morrish, Adley, Gautreaux B, Mount, Alario, Gautreaux N, Murray, Amedee, Guillory, Nevers, Appel, Heitmeier, Peterson, Broome, Jackson, Riser, Chabert, Kostelka, Shaw, Cheek, Long, Smith, Crowe, Martiny, Thompson, Donahue, McPherson, Walsworth, Dorsey, Michot, Duplessis, Morrell. Total - 34

NAYS

Claitor Total - 1

ABSENT

Table with 2 columns: Hebert, LaFleur, Marionneaux, Quinn. Total - 4

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

Mr. President in the Chair

SENATE BILL NO. 512— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4085(A), relative to the Sewerage and Water Board of New Orleans; to increase the limit under which the board may perform construction work for its public systems; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Murray 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, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Guillory, Murray, Appel, Hebert, Nevers, Broome, Heitmeier, Peterson, Chabert, Jackson, Riser, Cheek, Kostelka, Shaw, Claitor, LaFleur, Smith, Crowe, Long, Thompson, Donahue, Martiny, Walsworth, Dorsey, McPherson, Duplessis, Michot. Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Marionneaux, Quinn. Total - 2

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

SENATE BILL NO. 537— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:381(1), 382, 383, 384(A), (B)(2), and (C), 385, 386, 387, 388(B), 389, 390, and 392(B) and (D), relative to apprentices; to provide for representation on the apprenticeship council; to provide for terms of those serving on the council; to provide relative to the apprenticeship council and its recommendations; to provide for the appointment of a director of apprenticeship who is not subject to council approval; to provide relative to powers and duties of the director of the council; to provide relative to apprenticeship programs; to provide for apprenticeship committees; to provide for definition of an apprentice; to provide as to the content of apprentice agreements; to provide for the approval of apprentice agreements; to provide with respect to a rotation of employers; to provide with respect to controversies and complaints; to provide for civil penalties; 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. 537 by Senator Nevers

AMENDMENT NO. 1

On page 5, lines 1-2, 6, and 7, change "non-joint" to "nonjoint"

AMENDMENT NO. 2

On page 5, line 7, following "representatives" and before "and" delete " ; "

AMENDMENT NO. 3

On page 6, line 14, following "the" and before "learning" change "on the job" to "on-the-job"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Nevers proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 537 by Senator Nevers

AMENDMENT NO. 1

On page 5, line 23, between "or" and "guardian" insert "legal"

On motion of Senator Nevers, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Martiny	Quinn
Total - 2	

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

SENATE BILL NO. 594—

BY SENATORS B. GAUTREUX AND APPEL
AN ACT

To amend and reenact R.S. 11:263(C) and (D), and to repeal R.S. 11:263(E), 267, and 268, relative to public retirement systems; to provide relative to the prudent-man rule, investment authority and restrictions, and asset allocation; to provide for an effective date; 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	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Appel	Guillory	Mount
Broome	Hebert	Murray
Chabert	Heitmeier	Peterson

Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	

Total - 35

NAYS

Total - 0

ABSENT

Amedee	Nevers
LaFleur	Quinn
Total - 4	

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. 607—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 22:46(9)(a) and (10), 47(5), 48(A)(15), 451(A), and 452(1)(b), R.S. 23:1168(A)(1), 1195(A)(1), 1197(C) and the introductory paragraph of R.S. 23:1197(F), R.S. 23:1200, to enact R.S. 23:1195(D), 1200.6 through 1200.28, and to repeal R.S. 22:461(J) and 1982, relative to workers' compensation group self-insurance funds; to provide that such funds are not insurers nor to be deemed insurance; to provide for compliance examinations of group self-insurance workers' compensation funds by the commissioner of insurance; to provide for hearings of matters as a result of such examinations; to provide for appeal of hearing determinations by the division of administrative law; 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. 607 by Senator Long

AMENDMENT NO. 1

On page 6, lines 14-15, following "provisions of" and before ":", change "Subpart Jof this Part" to "this Subpart"

AMENDMENT NO. 2

On page 8, line 20, following "Paragraph" and before "of" change "C(2)" to "(C)(2)"

AMENDMENT NO. 3

On page 9, line 10, following "report and" and before "a hearing" change "ordering" to "order"

AMENDMENT NO. 4

On page 9, line 13, following "Paragraphs" and before "of" change "C(1) or E(1)" to "(C)(1) or (E)(1)"

AMENDMENT NO. 5

On page 9, line 14, following "by" and before "findings" delete ":",

AMENDMENT NO. 6

On page 9, line 26, following "Paragraph" and before "or" change "E(2)" to "(E)(2)"

AMENDMENT NO. 7

On page 9, line 29, following "as filed or" and before ", or with" change "refiled" to "refiled"

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AMENDMENT NO. 8

On page 10, line 4, following "subject to" and before "." change "Paragraph (5) of this Subsection" to "Subsection E of this Section"

AMENDMENT NO. 9

On page 10, line 8, following "Paragraphs" and before ", or" change "C(1), E(1)" to "(C)(1), (E)(1)"

AMENDMENT NO. 10

On page 10, line 28, following "commissioner under" change "Subpart J of this Part" to "this Subpart"

AMENDMENT NO. 11

On page 13, line 3, following "aggrieved" and before "may" change "fund" to "party"

AMENDMENT NO. 12

On page 17, line 10, following "hearing" and before "conducted" delete "and"

AMENDMENT NO. 13

On page 17, line 29, following "aggrieved" and before "shall" change "person" to "party"

AMENDMENT NO. 14

On page 21, line 19, following "his department," change "if such there is" to "if any"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Long proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Long to Engrossed Senate Bill No. 607 by Senator Long

AMENDMENT NO. 1

On page 1, line 3 after "1168(A)" delete "(1)"

AMENDMENT NO. 2

On page 1, line 4 after "R.S. 23:" delete the remainder of the line and insert "1200.6 through 1200.17, and"

AMENDMENT NO. 3

On page 1, line 9 after "examinations;" delete the remainder of the line and all of line 10 and insert "and to provide for related"

AMENDMENT NO. 4

On page 3, line 8 after "not be" delete "insurance or deemed to be insurance" and insert "regulated under the Louisiana Insurance Code"

AMENDMENT NO. 5

On page 4, line 7 after "1168(A)" delete "(1)"

AMENDMENT NO. 6

On page 4, line 8 after "and R.S. 23:" delete the remainder of the line and all of line 9 and insert "1200.6 through 1200.17 are hereby enacted to read as follows:"

AMENDMENT NO. 7

On page 4, line 15 after "state" strike through the comma ";" and insert a period "."

AMENDMENT NO. 8

On page 4, delete lines 16 through 18 and insert the following: "insurance as authorized in R.S. 23:1195 et seq. or R.S. 33:1341 et seq. When an insurer issues a policy to"

AMENDMENT NO. 9

On page 4, between lines 25 and 26 insert the following:

"(2) By entering into an agreement with a group self-insurance fund as provided for in R.S. 23:1191 et seq.

(3) By entering into an agreement with an interlocal risk management agency as provided for in R.S. 33:1341 et seq.

(4) By using any combination of life, accident, health, property, casualty or other insurance policies offered:

(5) By furnishing satisfactory proof to the director of the employer's financial ability to pay such compensation. The director, pursuant to rules adopted by the office for an individual self-insured or own risk carrier, including but not limited to rules relative to security and excess coverage, shall require that an employer:"

AMENDMENT NO. 10

On page 5, delete lines 11 through 18

AMENDMENT NO. 11

On page 6 between lines 11 and 12 insert the following:

"(3) All working papers, recorded information, documents, information, and copies thereof produced by, obtained by, or disclosed to the commissioner or any other person, pursuant to the authority of the commissioner under Subpart J of this Part, shall be given confidential treatment and shall not be subject to subpoena and may not be made a part of the response to any public records request, except in the following circumstances:

(a) Information has been provided pursuant to R.S. 23:1200.6(C) or R.S. 23:1200.7(I).

(b) Documents are audited financial statements which have been filed with the Department of Insurance."

AMENDMENT NO. 12

On page 7, line 3 after "funds" insert "established pursuant to this Subpart"

AMENDMENT NO. 13

On page 10, line 11 after "R.S." delete "1200.6(E)" and insert "23:1200.6(C)"

AMENDMENT NO. 14

On page 11, line 2 after "R.S." delete "22: 1200.6(E)" and insert "23:1200.6(C)"

AMENDMENT NO. 15

On page 14, line 29 delete "Chapter" and insert "Subpart"

AMENDMENT NO. 16

On page 16, at the beginning of line 3 delete "Chapter" and insert "Subpart"

AMENDMENT NO. 17

On page 17, delete lines 12 through 29

AMENDMENT NO. 18

Delete pages 18, 19, 20, and 21 in their entirety

AMENDMENT NO. 19

On page 22, delete lines 1-4

On motion of Senator Long, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux B Michot
Adley Gautreaux N Morrell

Alario	Guillory	Morrish
Appel	Hebert	Mount
Broome	Heitmeier	Murray
Chabert	Jackson	Nevers
Cheek	Kostelka	Peterson
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Erdey	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Quinn
Dorsey	Riser
Total - 4	

The Chair declared the amended bill was passed, ordered reengrossed and 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. 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 McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed Senate Bill No. 611 by Senator Dorsey

AMENDMENT NO. 1

On page 8, line 13, after "(9)" change "To" to:

"(a) Except as provided for in Subsection (b) of this Paragraph, to"

AMENDMENT NO. 2

On page 8, between lines 20 and 21, insert:

"(b) Notwithstanding the provisions of R.S. 33:9038.33, R.S. 33:9029.2, or any provision of law to the contrary, the total amount of state sales tax increments which may be dedicated to pay the revenue bonds of the district or otherwise obligated to support the district or projects of the district shall not exceed one hundred million dollars."

Senator McPherson moved adoption of the amendments.

Senator Dorsey objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Donahue	Riser
Appel	Gautreaux B	Shaw
Claitor	McPherson	Walsworth
Crowe	Morrish	
Total - 11		

NAYS

Alario	Hebert	Mount
Amedee	Heitmeier	Murray
Broome	Jackson	Nevers
Chabert	Kostelka	Peterson
Cheek	LaFleur	Quinn
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Erdey	Martiny	
Gautreaux N	Morrell	
Total - 25		

ABSENT

Mr. President	Guillory	Michot
Total - 3		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Martiny
Alario	Gautreaux N	Morrell
Amedee	Guillory	Mount
Broome	Hebert	Murray
Chabert	Heitmeier	Nevers
Cheek	Jackson	Peterson
Crowe	Kostelka	Quinn
Dorsey	Long	Smith
Duplessis	Marionneaux	Thompson
Total - 27		

NAYS

Adley	Donahue	Morrish
Appel	Gautreaux B	Shaw
Claitor	McPherson	Walsworth
Total - 9		

ABSENT

LaFleur	Michot	Riser
Total - 3		

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

SENATE BILL NO. 48—
BY SENATORS HEBERT AND WALSWORTH
AN ACT

To amend and reenact R.S. 32:297.1, relative to motor vehicles and mini-vehicles; to delete safety and certain emission requirements; and to provide for related matters.

May 12, 2010

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. 48 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 2, following "Louisiana" and before "Law" insert "State"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Hebert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 48 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 12, after "Agency" insert "or if such vehicle meets Environmental Protection Agency emissions standards and has operating brakes, headlights, taillights, turn signal lights, windshield wipers, hazard lights, and seatbelts"

On motion of Senator Hebert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Guillory	Murray
Amedee	Hebert	Nevers
Appel	Heitmeier	Peterson
Broome	Jackson	Quinn
Chabert	Kostelka	Shaw
Cheek	LaFleur	Smith
Crowe	Long	Thompson
Dorsey	Marionneaux	Walsworth
Duplessis	Martiny	
Erdey	McPherson	
Total - 34		

NAYS

Claitor	Riser
Total - 2	

ABSENT

Donahue	Michot	Morrell
Total - 3		

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

SENATE BILL NO. 308—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 49:953(B)(1) and 968(B)(13) and R.S. 56:5(C) and 6(28), to enact R.S. 49:953(B)(5), and to repeal R.S. 49:967(D), relative to the Wildlife and Fisheries Commission; to provide legislative oversight of certain rules and regulations; to require the commission to adopt rules and regulations in accordance with the Administrative Procedures Act; to authorize certain emergency rule procedures; 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. 283—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:1423.1(B), (C) and (D), relative to the collection and disposition of bonds, fines, fees, licenses, and taxes by sheriffs and ex officio tax collectors; to authorize sheriffs and ex officio tax collectors to contract with certain parties to aid in the collection of certain delinquent taxes and obligations; to provide for the payment for collection services on a fee basis; to limit the amount of the fee; 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	Michot
Adley	Guillory	Morrish
Appel	Hebert	Mount
Broome	Heitmeier	Murray
Chabert	Jackson	Nevers
Cheek	Kostelka	Peterson
Claitor	LaFleur	Quinn
Donahue	Long	Shaw
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Erdey	McPherson	
Total - 32		

NAYS

Alario	Gautreaux N	Walsworth
Crowe	Riser	
Total - 5		

ABSENT

Amedee	Morrell
Total - 2	

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.

Explanation of Vote

Senator Thompson stated he voted nay on Senate Bill No. 283, and the voting machine erroneously showed he voted yea and asked that the Official Journal so state.

SENATE BILL NO. 296—

BY SENATOR MARTINY

AN ACT

To enact R.S. 33:2841.1, relative to the collection of taxes in municipalities; to authorize municipalities to hire an attorney or agency to assist in the collection of certain taxes; to provide for

the assessments and collection of a fee for such assistance; 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	Duplessis	McPherson
Adley	Gautreaux B	Morrish
Appel	Guillory	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Smith
Dorsey	Marionneaux	Thompson
Total - 24		

NAYS

Alario	Gautreaux N	Shaw
Crowe	Hebert	Walsworth
Donahue	Mount	
Erdey	Riser	
Total - 10		

ABSENT

Amedee	Martiny	Morrell
Long	Michot	
Total - 5		

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.

Explanation of Vote

Senator Thompson stated he voted nay on Senate Bill No. 296, and the voting machine erroneously showed he voted yea and asked the Official Journal so state.

Rules Suspended

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 12, 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. 76—
BY SENATOR BROOME**

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide an exemption or authorize states to exempt certain nonprofit organizations exempt from federal taxation under Section 501(c) of the Internal Revenue Code making residential mortgage loans

to promote home ownership or home improvements for the disadvantaged, and its employees and agents, from requirements of the S.A.F.E. Act.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 78—

BY SENATOR MORRELL

A RESOLUTION

To amend and readopt Senate Rule 13.78(B) of the Rules of Order of the Senate relative to testifying before committee hearings.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 78—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To designate May 17, 2010, as "YMCA Day in Louisiana".

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Mount
Adley	Guillory	Murray
Alario	Hebert	Nevers
Appel	Heitmeier	Peterson
Broome	Jackson	Quinn
Chabert	Kostelka	Riser
Cheek	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	McPherson	Walsworth
Erdey	Morrell	
Gautreaux B	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Crowe	Michot
Claitor	Martiny	
Total - 5		

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

May 12, 2010

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state Senator, Charles C. Barham.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Martiny
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

May 12, 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:

- HB No. 1380 HB No. 106 HB No. 421
HB No. 648

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 106—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 15:587.1.1, relative to criminal history information; to provide with respect to criminal history information of persons with supervisory or disciplinary authority over children; to authorize prospective employees and independent contractors; to receive a certified copy of their criminal history information; to provide for portability of such information; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 421—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To amend and reenact R.S. 17:221(B), relative to school attendance by certain students; to provide relative to the authority of a city, parish, or other local public school board to deny admission or readmission to school of certain students; to provide limitations; to delete provisions relative to a pilot program regarding school attendance; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 648—
BY REPRESENTATIVE SAM JONES
AN ACT

To repeal R.S. 17:221(E), relative to school attendance; to repeal provisions relative to permitting children of certain ages to withdraw from school under specified circumstances.

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

HOUSE BILL NO. 1380—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 37:1479(B), relative to the Louisiana State Board of Home Inspectors; to establish penalties for home inspectors who fail to renew their license within the twelve-month period after expiration; to establish penalties for home inspectors who fail to renew their license within the thirty-six-month period following expiration; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 12, 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 Concurrent Resolutions:

HCR No. 161

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 161— BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study all aspects of liability relating to road hazards and make specific recommendations for limiting the liability of the state.

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

Reports of Committees

The following reports of committees were received and read:

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:

May 12, 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 BILL NO. 71— BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 39:1767 and R.S. 48:251.8, and to enact R.S. 38:2196.1, R.S. 39:200(N), 1493.1, and Part X of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1758, relative to public contracts; to require certain contractors to disclose the full disposition, splitting, or sharing of contract commissions, fees, or other consideration by affidavit; to provide for the form of the affidavit; to provide for nullification of contracts in certain circumstances; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 625— BY SENATOR MARTINY AND REPRESENTATIVE LIGI

AN ACT

To enact R.S. 9:2780.1 relative to contracts; to provide relative to motor carrier transportation contracts; to provide relative to construction contracts; to provide relative to liability provisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 648— BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 37:3392(1) and (3), relative to real estate appraisers; to require real estate appraisers to consider energy efficiency aspects when assigning value to certain property; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 725— BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R. S. 9:3514(B), relative to consumer credit contracts; to provide for the contents of credit contracts and agreements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 788— BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 44:4.1(B)(21), and to enact Chapter 8-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:711.1 through 711.24, relative to the professional geoscientists; to provide for a board; to provide for meetings; to provide for powers; to provide for records and reports; to provide for requirements; to provide for exemptions; to provide for applications and fees; to provide for examinations; to provide for eligibility; to provide for types of licenses; to provide for issuance of licenses; to provide for expiration and renewal of licenses; to provide for professional development; to provide for a seal; to provide for disciplinary procedures; to provide for enforcement; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 12, 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:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 70— BY SENATORS MCPHERSON AND DONAHUE AND REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To commend Barbara Clover on being named the 2010 National Secondary Art Educator of the Year by the National Art Education Association.

SENATE CONCURRENT RESOLUTION NO. 71— BY SENATOR BROOME AND REPRESENTATIVE PATRICIA SMITH

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Baton Rouge television and radio personality, Ed Buggs.

SENATE CONCURRENT RESOLUTION NO. 72— BY SENATOR DONAHUE AND REPRESENTATIVE CROMER

A CONCURRENT RESOLUTION

To commend Team 1912 of Northshore High School upon winning the FIRST Robotics Regional Chairman's Award.

May 12, 2010

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE BOBBY BADON

A CONCURRENT RESOLUTION

To commend the mayor and city of Carencro for holding the National Day of Prayer and to confirm and defend the right of every person to celebrate the National Day of Prayer.

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS CHAISSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT AND WOOTON

A CONCURRENT RESOLUTION

To commend the first responders of Louisiana for their swift and effective action to combat the Deepwater Horizon oil spill in the Gulf of Mexico.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

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

Message from the House SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 11, 2010

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 54—

BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 11:266.1(B) and (C), R.S. 12:131(B)(3), R.S. 22:68(D), 587(A)(introductory paragraph), and 1801(D)(1)(d), and R.S. 51:703(B)(3) and (C)(5), 705(C)(1)(b), 708(8)(introductory paragraph), and 710(H), relative to renaming the National Association of Securities Dealers to the Financial Industry Regulatory Authority; and to provide for related matters.

HOUSE BILL NO. 56—

BY REPRESENTATIVE ARNOLD AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(d), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service 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. 480—

BY REPRESENTATIVE MONTOUCET AN ACT

To amend and reenact R.S. 56:1681(A)(2)(c), relative to the State Parks and Recreation Commission membership; to provide relative to nominations; and to provide for related matters.

HOUSE BILL NO. 997—

BY REPRESENTATIVES FANNIN, ANDERS, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BARROW, BILLIOT, BROSSETT, CHANDLER, CHANEY, DOERGE, ELLINGTON, FRANKLIN, GISCLAIR, GUILLORY, HARDY, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LAMBERT, LEBAS, LITTLE, MCVEA, MORRIS, NORTON, NOWLIN, RICHARD, RICHARDSON, RITCHIE, ROY, JANE SMITH, STIAES, THIBAUT, AND WADDELL AND SENATOR WALSWORTH AN ACT

To enact R.S. 39:51.1(H), relative to exemptions to the nongovernmental entity funding request form; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Erdey, Michot, etc.

ABSENT

Total - 0

Announcements

The following committee meetings for May 13, 2010, were announced:

Table with 3 columns: Meeting Name, Time, Room. Lists Education, Local & Mun. Affairs, Natural Resources, Transportation meetings.

Adjournment

On motion of Senator Thompson, at 6:15 o'clock P.M. the Senate adjourned until Thursday, May 13, 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, May 13, 2010.

GLENN A. KOEPP Secretary of the Senate

DIANE O' QUIN Journal Clerk